File #: PH-25-004, **Version:** 1

TAMRMS#: B06

7.2

REQUEST FOR DECISION

Bylaw 7/2025 - Land Use Bylaw Text Amendment to Midtown (MID) District (1st, 2nd, and 3rd Readings)
Presented by: Suzanne Ruegg, Planner, Planning & Development Department

RECOMMENDED MOTION(S)

1. That the Public Hearing on Bylaw 7/2025 be closed.

2. The Bylaw 7/2025, being amendment 4 to the Land Use Bylaw, be read a first time.

3. That Bylaw 7/2025, being amendment 4 to the Land Use Bylaw 18/2024, to enact textual changes to the Midtown District, be defeated.

SUMMARY

The purpose of this report is to bring forward a bylaw to enact the textual amendments to Midtown (MID) District of the Land Use Bylaw 18/2024, as directed by Council on March 4, 2025.

ALIGNMENT TO COUNCIL DIRECTION OR MANDATORY STATUTORY PROVISION

On March 4, 2025, Council passed the following motions:

CM-25-001
That Administration prepare for Council's consideration the following amendments to the Land Use Bylaw 18/2024:

- An amendment to the table in section (26) of the Midtown District to conform equitably to the parking minimums adopted for other land use districts. Specifically, that minimum parking requirements of 1.5 stalls per dwelling unit (townhouse-complex), and 1.0 stall per dwelling unit for any unit less than 5.18 M in width be adopted.
- An amendment to the Midtown District to include the same Site Density Bonus section included in the HDR District.
- An amendment to the table of Permitted and Discretionary Uses within the Midtown District to conform with the Midtown ASP thereby allowing the inclusion of Stacked Townhomes as a

discretionary use in Midtown District's Area C.

- That administration schedule the public hearing required of a motion to amend the Land Use Bylaw for the April 1, 2025 St. Albert City Council meeting.

BACKGROUND AND DISCUSSION

As part of the Land Use Bylaw update that was undertaken in 2023 and 2024, consultations with both the public and development industry were held. The landowner, South Riel Development Ltd. of Midtown, requested several amendments which pertained to their development specifically within the Midtown District as part of the Land Use Bylaw update. Administration emailed back on June 13, 2024, stating that these bespoke changes should be initiated by the landowner and not administered through a general bylaw update. The landowner did not apply for any of these changes, as is the standard procedure. Administration provided a response on November 15, 2024, to Council's Information Request (IR)-24-025 related to amending Midtown District (see attachment IR-24-025). On March 4, 2025, City Council directed Administration to make amendments the Land Use Bylaw 18/2024 as described in CM-25-001, detailed above, for Council's consideration.

Administration has not reviewed the functionality of the changes requested by Council. Further, as there is no associated planning application, Administration has not consulted with the landowner South Riel Development Ltd., to confirm if the requested amendments align with site development goals.

STAKEHOLDER COMMUNICATIONS OR ENGAGEMENT

Through the standard amendment process, the applicant would have held a public information session, and Administration would have prepared a Cultivate the Conversation project page, through which the public could express their opinions or concerns on the proposed amendments. The timing and direction of this Council request did not enable such engagement to occur.

IMPACTS OF RECOMMENDATION(S)

Administration has not had adequate time to conduct a full technical review of the requested textual amendments. To bring forward this amendment as written has required the dedicated attention of 3 Planning and Development staff, with an approximate total time dedication of 46 hours within a 14-day period. This has meant that the processing of current planning and development permit applications were impacted.

Therefore, Administration recommends that Bylaw 7/2025 for text amendments to the Land Use Bylaw 18/2024 be defeated, and further, that the developer submit a complete Land Use Bylaw application, to be reviewed under due process. The standard process would include both public consultation, and a fulsome technical review of the functionality of the requested amendments.

Financial:

None at this time.

Compliance & Legal:

Following the public hearing, first reading of Bylaw 7/2025 must be completed in order to get the bylaw “on the table” for Council’s consideration. Providing first reading of a bylaw does not indicate agreement with the bylaw, but rather is the process by which the applicant’s bylaw may be put forward in accordance with procedural fairness principles.

Program or Service:

None at this time.

Organizational:

None at this time.

Risks

None at this time.

ALIGNMENT TO PRIORITIES IN COUNCIL’S STRATEGIC PLAN

Initiative aligned with Strategic Plan:
None at this time.

ALIGNMENT TO SERVICE DELIVERY

Not applicable

IMPACTS OF ALTERNATIVES CONSIDERED

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

Alternative 1: To approve Bylaw 7/2025 as presented. The following motions could be used:

1. That the Public Hearing on Bylaw 7/2025 be closed.
2. That Bylaw 7/2025, being amendment 4 to the Land Use Bylaw, be read a first time.
2. The Bylaw 7/2025, being amendment 4 to the Land Use Bylaw, be read a second time.
3. That unanimous consent be given for consideration of third reading of Bylaw 57/2025.
4. That Bylaw 7/2025 be read a third time.

ALTERNATIVE 1:

Financial:

Unknown.

Compliance & Legal:

Following the public hearing, first reading of Bylaw 7/2025 must be completed in order to get the bylaw “on the table” for Council’s consideration. Providing first reading of a bylaw does not indicate agreement with the bylaw, but rather is the process by which the applicant’s bylaw may be put forward in accordance with procedural fairness principles.

The public hearing, as well as first, second, and third readings of Bylaw 7/2025 could occur on the same day. The Municipal Government Act provides that a proposed bylaw must not have more than two readings at a council meeting unless the council members unanimously agree to consider third reading at the same meeting.

If unanimous consent for third reading of Bylaw 7/2025 is not granted on April 1, 2025, after first and second reading, then third reading would be scheduled for the next regular Council meeting on April 15, 2025. During the time between April 1, 2025 and April 15, 2025, Council members will be unable to accept further written or verbal submissions germane to this matter, and will not be able to ask for new, substantive information on the subject matter prior to third reading (MGA, s. 187; Procedure Bylaw, Schedule E, s. 19).

As referenced in IR-24-025, the addition of the Site Density Bonus section, as duplicated from the HDR District, may cause a conflict between the Midtown District of the Land Use Bylaw and the South Riel Area Structure Plan.

Program or Service:

Unknown.

Organizational:
Unknown.

Risks
The amendments proposed have not been reviewed in detail to determine if they can technically function within the context of the Midtown District. Approving the proposed amendments may create conflicting regulations that could make parts of the Midtown District more susceptible to technical and legal challenges.

Attachments:
Attachment 1 - Bylaw 7/2025 - Text Amendments to LUB 18/2024 Midtown District
Attachment 2 - Midtown District - Redline
Attachment 3 - Previously Distributed Information

Report Date: April 1, 2025
Author(s): Suzanne Ruegg, Planner
Department: Planning & Development
Department Director: Kristina Peter
Managing Director: Adryan Slaght
Chief Administrative Officer: William Fletcher

CITY OF ST. ALBERT

BYLAW 7/2025

LAND USE BYLAW AMENDMENT

Being Amendment 4 to the Land Use Bylaw 18/2024

The Council of the City of St. Albert ENACTS AS FOLLOWS:

1. Bylaw 18/2024, the Land Use Bylaw, is hereby amended by this Bylaw.

2. Part 5.17 (MID) Midtown District, is amended as follows:

    a. Section (4) Permitted and Discretionary Uses Mixed-Use Area C is amended by adding a new row, below row (v). Adding the words "(b) Dwelling (townhouse - complex)" in the column Discretionary Uses, after (b) Daycare facility. Moving (vi) (a) Established (brew pub) under Permitted Uses to be in the same row as (b) Dwelling (townhouse - complex), and moving (vii to xix) each up one row.

    b. Add a new section after (9) Site Density (a)(iv). Amend by adding a section title "(10) SITE DENSITY BONUS" and below (10) Site Density Bonus add the following text: "Notwithstanding section (9)(a)(iii), the maximum *site density* may exceed 250 *dwelling units* per net hectare in Area C, only if the following conditions are met:

        (i) A minimum of 70% of required *parking* stalls are provided in a *parking structure (underground)* or within a *parking structure* integrated within the *building*, including high-quality exterior finishing that matches or complements the *principal building* exterior, where *site* design permits;

        (ii) A minimum of 5% of *dwelling units* shall be provided as *affordable non-market housing*; and

        (iii) In the opinion of the *Development Authority*, at least one of the following *site* improvements are provided:

            (A) Wider sidewalks or walkways internal to the *site*, together with street furniture to the satisfaction of the *Development Authority*;

            (B) Enhanced *landscaping*, to the satisfaction of the

Development Authority;

(C) *Landscaping* that is drought tolerant, reducing the need for irrigation;

(D) Green building products or technologies that reduce the carbon footprint or increase energy efficiency;

(E) *Barrier-free* design incorporated into *dwelling units* and the exterior feature of the *site*; or

(F) Indoor or outdoor common *amenity areas*, in addition to the minimum required common and private *amenity areas* when:

(I) Provided at a ratio of 1.50 m^2 per *dwelling unit*;

(II) Grouped into areas of not less than 30.00 m^2; and

(III) Not located in any required *setback*."

c. All sections after the insert of the new section (10) Site Density Bonus must be renumbered.

d. Section (10) Amenity Area (Common) (a)(vi) is amended by deleting the word "(11)" and replacing with "(12)", and deleting "(10)(e)" and replacing with "(11)(e)".

e. Add a new section after (23) Apartment or Mixed-Use Building Setback (a)(iii). Amend by adding "(24) SITE DENSITY BONUS SETBACK" and below (24) Site Density Bonus Setback add the following text "(a) Notwithstanding sections (20), (22), and (23) for *developments* in Area C subject to the *site density* bonus of this District, the *Development Authority* may determine the minimum building *setbacks*, taking into account adjacent uses."

f. All sections after the insert of the new section (24) Site Density Bonus Setback must be renumbered.

g. Section 5.17 (26)(a) Building Separation Distance, amend by adding after A and B ", or for a *dwelling (townhouse - complex)* in Area C". The sentence reads: The minimum separation distance for residential buildings in areas A and B, or for a *dwelling (townhouse - complex)* in Area C is:

h. Section 5.17 (28) Parking (a)(i) Residential Land Use Minimum Parking Requirement table amend by adding a new row (c) below row (b). Deleting

"*Dwelling (townhouse - complex)*" from row (b). Adding "*Dwelling (townhouse - complex)*" in the new row (c) under column heading Residential Land Use. Adding in the new row (c) under column Minimum Parking Requirement these words: "(i) For a *dwelling unit* equal to or greater than 5.18 m in width, 1.5 stalls per *dwelling unit*. (ii) For a *dwelling unit* less than 5.18 m in width, one stall per *dwelling unit;* plus, (iii) One stall per seven *dwelling units* for visitor *parking*."

i. Housekeeping to address numbering format in the Midtown District.

3. The Chief Administrative Officer is authorized to issue a consolidated version of Bylaw 18/2024 that incorporates the amendments made by this amending bylaw and otherwise conforms with the requirements of section 69 of the *Municipal Government Act.*

EFFECTIVE DATE

4. This bylaw comes into effect when it is passed.

READ a First time this ___ day of _____ 20___.

READ a Second time this ___ day of _____ 20___.

READ a Third time this ___ day of _____ 20___.

SIGNED AND PASSED this ____ day of _____ 20___.

_____
MAYOR

_____
CHIEF LEGISLATIVE OFFICER

5.17 MID - MIDTOWN DISTRICT

(1) **APPLICATION**

(a) This section applies to the areas designated as Midtown (MID) District on the Land Use District Map, Schedule A of this Bylaw.

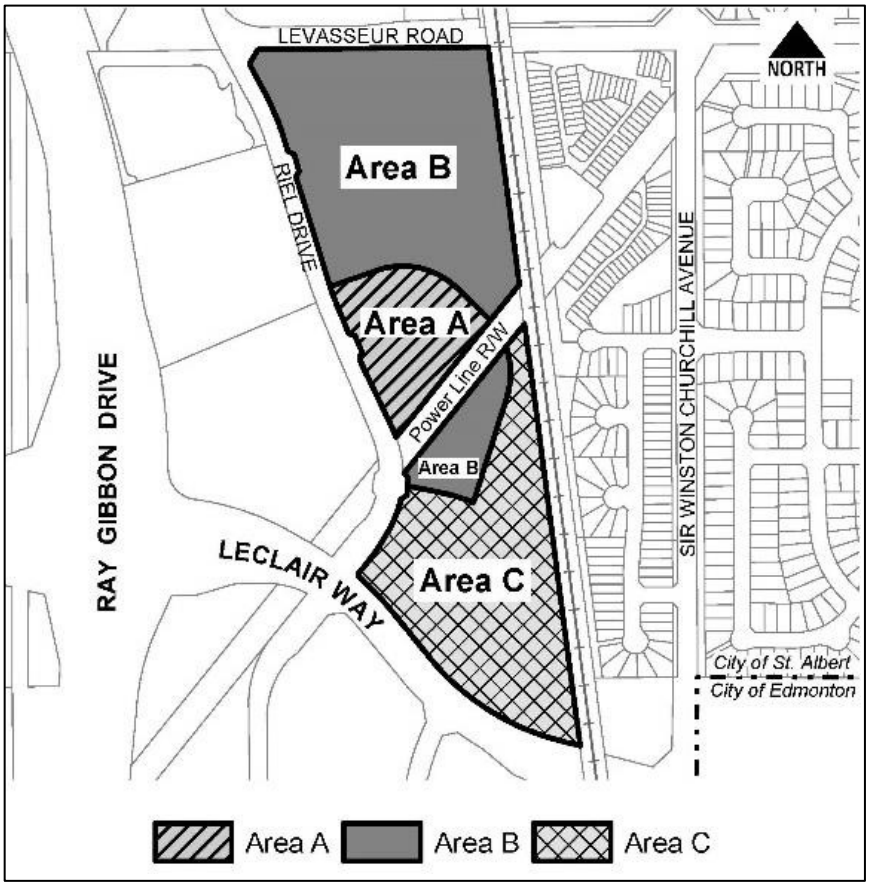
(b) The area designated as MID District encompasses residential areas A and B, and Mixed-Use Area C, as identified in *Figure 5-8*.

(c) *Municipal reserves* owing within the MID District will be districted Public Park (PRK) to align with the South Riel *ASP*.

(d) The regulations of the MID District, as described within the South Riel *ASP*, shall apply to Lot A, Block 1, Plan 082 8697 only, including any future revisions to this legal description based on a subdivision or condominium plan.

(e) *Development* of the land uses within the MID District shall comply with the provisions of this Bylaw, except as otherwise stated within the MID District - in which case the MID District shall prevail.

Figure 5-8: MID District Sub-Areas



(2) **PURPOSE**

The purpose of the MID District is to develop a vibrant community that includes a mixture of commercial and medium- to high-density residential land uses in a comprehensively planned neighbourhood. The MID District shall be developed as bare land or conventional condominium. The community will feature high-quality design, a broad mix of housing forms, employment opportunities, pedestrian accessibility, and a variety of public spaces. The neighbourhood will be developed into three character areas, residential areas A and B, located north of the AltaLink right-of-way, and Mixed-Use Area C - including residential and commercial uses, located south of the AltaLink right-of-way. The transition between these character areas is expected to be seamless, and connected through various pedestrian walkways and public and *private roadways*. The key attributes associated with the character areas include:

(a) Residential areas A and B, which will provide a variety of housing types that are built in a compact form and have direct pedestrian accesses to community amenities;

(b) Mixed-Use Area C, which will provide high-density residential areas and commercial uses that are integrated through high-quality design. The *residential uses* can be in standalone forms or integrated vertically with commercial uses. The commercial uses will provide goods and services to local and surrounding neighbourhoods, as well as provide employment opportunities.

(3) **PERMITTED AND DISCRETIONARY USES - RESIDENTIAL AREAS A AND B**

	PERMITTED USES	DISCRETIONARY USES
(i)	(a) *Community garden*	(b) *Dwelling (apartment)* (Area B only)
(ii)	(a) *Dwelling (duplex)*	(b) *Home-based business (level two)*
(iii)	(a) *Dwelling (semi-detached)*	(b) *Parking lot* at *finished grade*
(~~iii~~iv)	(a) *Dwelling (townhouse - complex)*	(b) *Public utility building*
(~~i~~v)	(a) *Group home*	(b) *Residential sales centre*
(vi)	(a) *Accessory Development* to a Permitted Use, excluding *decks* that are greater than 1.50 m above *finished grade*, *private pools,* and *decorative ponds*	(b) *Supportive living accommodation*
(vii)		(b) *Accessory Development* to a Discretionary Use, and *decks* that are greater than 1.50m above *finished grade*, *private pools,* and *decorative ponds*

(4) **PERMITTED AND DISCRETIONARY USES MIXED-USE AREA C**

	PERMITTED USES	DISCRETIONARY USES
(i)	(a) *Amenity area (public)*	(b) *Animal health*
(ii)	(a) *Animal grooming*	(b) *Broadcasting studio*
(iii)	(a) *Art gallery/studio*	(b) *Community garden*
(iv)	(a) *Dwelling (apartment)*	(b) *Conference and banquet facility*

	PERMITTED USES	DISCRETIONARY USES
(v)	(a) *Dwelling unit above a non-residential use*	(b) *Daycare facility*
(vi)	(a) *Establishment (brew pub)*	(b) *Dwelling (townhouse - complex)*
~~(vi)~~ - (vii)	~~(a) *Establishment (brew pub)*~~ (a) *Establishment (restaurant)*	(b) *Equipment service*
~~(vii)~~ (viii)	~~(a) *Establishment (restaurant)*~~ (a) *Government service*	(b) *Establishment (drinking)*
~~(viii)~~ (ix)	~~(a) *Government service*~~(a) *Health service*	(b) *Establishment (entertainment)*
~~(ix)~~ -(x)	~~(a) *Health service*~~(a) *Live/work unit*	(b) *Home-based business (level two)*
~~(x)~~ (xi)	~~(a) *Live/work unit*~~(a) *Parking lot* at *finished grade*	(b) *Hotel*
~~(xi)~~ (xii)	~~(a) *Parking lot* at *finished grade*~~(a) *Parking structure*	(b) *Religious assembly*
~~(xii)~~ (xiii)	~~(a) *Parking structure*~~(a) *Personal service*	(b) *Residential sales centre*
~~(xiii)~~ (xiv)	~~(a) *Personal service*~~(a) *Professional office*	(b) *Retail (cannabis)*
~~(xiv)~~ (xv)	~~(a) *Professional office*~~(a) *Public utility building*	(b) *School (commercial)*
~~(xv)~~ - (xvi)	~~(a) *Public utility building*~~(a) *Recreation (indoor)*	(b) *Accessory Development* to a Permitted Use or Discretionary Use
~~(xvi)~~ (xvii)	~~(a) *Recreation (indoor)*~~ (a) *Retail (general)*	
~~(xvii)~~ (xviii)	~~(a) *Retail (general)*~~ (a) *Shopping centre*	
~~(xviii)~~ (xix)	~~(a) *Shopping centre*~~(a) *Supportive living accommodation*	
~~(xix)~~	~~(a) *Supportive living accommodation*~~	

(b) No non-residential use is allowed above a *residential use*.

(5) **APPLICATION REQUIREMENTS**

(a) In addition to the plans and information required under section 2.4, an Applicant for a *Development Permit* must submit, to the satisfaction of the *Development Authority*:

(i) An overall *conceptual site development plan* for:

(A) The area designated as MID District; or

(B) If the Applicant is only developing a portion of the area designated as MID District, a *site development plan* showing the area to be developed and illustrating how the *development* will be integrated with the entire area designated as MID District;

(ii) The overall *conceptual site development plan*, considered to be non-binding, must identify the proposed building types and locations, *development* phasing, *density* calculations, vehicular and pedestrian

routes, and *amenity areas,* in accordance with the purpose of this District;

(iii) Details regarding the architectural guidelines proposed for the *development*, including design drawings illustrating the colour scheme and building materials;

(iv) Any other studies that may be requested by the *Development Authority,* including one or more of the following:

(A) A traffic impact analysis that demonstrates that traffic impacts are compatible with the purpose of the MID District, and do not prejudice safety and traffic movements within the MID District or on adjacent *public roadways*;

(B) *Crime Prevention Through Environmental Design (CPTED)* study to be submitted at the time of a *Development Permit* application; or

(C) A geotechnical report.

(b) Changes to an approved overall *conceptual site development plan* may require re-submission for review by the *Development Authority*.

(6) **URBAN DESIGN REVIEW (EXTERNAL) - AREA C**

(a) In addition to the requirements of section 3.41 'Urban Design Review' an *Urban Design Review (External)* is required for any *development* that:

(i) Has a total building footprint greater than 2,500.00 m^2;

(ii) Is greater than 28.00 m in height; or

(iii) In the opinion of the *Development Authority,* is deemed to have significant impact on the urban design of Area C.

(7) **URBAN DESIGN REVIEW (INTERNAL) - AREA C**

(a) Notwithstanding section (6)(a), if a *development* does not require an *Urban Design Review (External)*, but an Applicant wishes to receive recommendations related to urban design, they may request an *Urban Design Review (Internal)* be completed by staff designated by the *Development Authority,* prior to submission of an application.

(8) **PERFORMANCE STANDARDS**

(a) In addition to the Urban Design Review Recommendations Report, all applications shall be considered with regard to the following Performance Standards:

(i) *Site* design contribution to *streetscape* and the character of the area;

(ii) Appropriate location of uses to support active *streetscapes*;

(iii) High-quality building design integrated with *streetscape* and surrounding *buildings*;

(iv) Pedestrian orientation; and

(v) Well-designed *amenity areas*.

(9) **SITE DENSITY**

(a) The *site density* for the MID District is as follows:

(i) The minimum *site density* shall be 40 *dwelling units* per net hectare to a maximum of 54 *dwelling units* per net hectare for residential Area A;

(ii) The minimum *site density* shall be 40 *dwelling units* per net hectare to a maximum of 94 *dwelling units* per net hectare for residential Area B;

(iii) The minimum *site density* shall be 120 *dwelling units* per net hectare to a maximum of 250 *dwelling units* per net hectare for Mixed-Use Area C; and

(iv) Notwithstanding sections (i) through (iii), the overall *density* for the MID District shall be 81 *dwelling units* per net hectare.

(10) **SITE DENSITY BONUS**

(a) Notwithstanding section (9)(a)(iii), the maximum *site density* may exceed 250 *dwelling units* per net hectare in Area C, only if the following conditions are met:

(i) A minimum of 70% of required *parking* stalls are provided in a *parking structure (underground)* or within a *parking structure* integrated within the *building*, including high-quality exterior finishing that matches or complements the *principal building* exterior, where *site* design permits;

(ii) A minimum of 5% of *dwelling units* shall be provided as *affordable non-market housing*; and

(iii) In the opinion of the *Development Authority*, at least one of the following *site* improvements are provided:

(A) Wider sidewalks or walkways internal to the *site*, together with street furniture to the satisfaction of the *Development Authority*;

(B) Enhanced *landscaping*, to the satisfaction of the *Development Authority*;

(C) *Landscaping* that is drought tolerant, reducing the need for irrigation;

(D) Green building products or technologies that reduce the carbon footprint or increase energy efficiency;

(E) *Barrier-free* design incorporated into *dwelling units* and the exterior feature of the *site*; or

(F) Indoor or outdoor common *amenity areas*, in addition to the minimum required common and private *amenity areas* when:

(I) Provided at a ratio of 1.50 m^2 per *dwelling unit*;

(II) Grouped into areas of not less than 30.00 m^2 ; and

(III) Not located in any required *setback*.

~~(10)~~(11) **AMENITY AREA (PRIVATE)**

(a) Each *dwelling unit* must be provided with at least one of the following forms of an *amenity area (private)*:

(i) A *deck* or *balcony*;

(ii) A *patio* or yard; or

(iii) A recessed *balcony* or sunroom enclosed with exterior windows.

(b) An *amenity area (private)* must be located next to a *habitable room*.

(c) An *amenity area (private)* must have a minimum area of 4.00 m^2.

(d) An *amenity area (private),* at ground level and adjacent to public areas, must have a *landscape buffer* at least 1.00 m wide or a *fence* with a minimum height of 1.20 m.

(e) Notwithstanding the requirements of sections (a) through (d):

(i) Up to 25% of the required *amenity area (private)* may be substituted for an *on-site amenity area (common)* that is accessible to all residents, at the discretion of the *Development Authority*, for all *dwelling units* except *supportive living accommodation*; and

(ii) Up to 100% of the required *amenity area (private)* may be substituted for an *on-site amenity area (common)* that is accessible to all residents, at the discretion of the *Development Authority*, for *supportive living accommodation*.

(f) *Balconies* and *decks* must be located at least 1.00 m from:

(i) All *property lines*;

(ii) A roadway;

(iii) A common or visitor *parking* stall; and

(iv) A common walkway, except that portion of the walkway that provides direct *access* to the *building*.

(g) Notwithstanding the provisions under section (f), a *deck* may be developed to a 0.00 m *setback* along the centre line of the common firewalls on a *dwelling (duplex)*, *dwelling (semi-detached)*, and *dwelling (townhouse)*.

~~(11)~~(12) **AMENITY AREA (COMMON)**

(a) The MID District shall provide outdoor *amenity area (common)* as follows:

(i) Areas A, B, and C shall each provide at least two *amenity area (common)* spaces;

(ii) *Amenity area (common)* may include:

(A) A rooftop *amenity area* or rooftop garden, not less than 30.00 m²;

(B) A *balcony* or terraced *balcony*, not less than 30.00 m²;

(C) An at-grade *amenity area*, including a common garden area, not less than 30.00 m²; or

(D) Some other *amenity area (common),* including an interior *amenity area* not less than 30.00 m², which is common to and accessible by all residents, excluding *parking lots* and pedestrian walkways;

(iii) Each *amenity area (common)* shall have a minimum area of 500.00 m², excluding *parking lots* and pedestrian walkways;

(iv) Each *amenity area (common)* shall have a minimum width of 6.00 m at its narrowest point;

(v) The *amenity area (common)* shall not be located in any required *setback*;

(vi) The *amenity area (common)* required under section (~~11~~12) is in addition to an *amenity area (common)* that may be provided under section (~~10~~11)(e); and

(vii) The *Development Authority* may, at its discretion, vary the requirements of sections (iii) and (iv~~ii~~) above, taking into account *site* constraints, adjacent uses, and urban design considerations.

~~(12)~~(13) **WALKWAYS**

(a) All common walkways shall have a minimum width of 1.50 m, except that portion of the walkway that provides direct *access* to the *building*.

~~(13)~~(14) **LOT WIDTH**

(a) For residential bare land condominium *development*:

(i) When vehicular *access* is provided from the front:

(A) The minimum *lot width* for a *dwelling (duplex)* is:

(I) 11.00 m on an *interior lot*;

(II) 15.80 m on a *corner lot*; and

(B) The minimum *lot width* for a *dwelling (semi-detached)* is:

(I) 5.50 m per *dwelling unit* on an *interior lot*;

(II) 10.30 m per *dwelling unit* on a *corner lot*; and

(C) The minimum *lot width* for *dwelling (townhouse - complex)* is:

(I) 4.30 m per *townhouse (interior unit)*;

(II) 5.50 m per *townhouse (end unit)* on an *interior lot*;

(III) 10.30 m per *townhouse (end unit)* on a *corner lot*; and

(ii) When vehicular *access* is provided from the rear:

(A) The minimum *lot width* for a *dwelling (duplex)* is:

(I) 14.70 m on an *interior lot*; and

(II) 19.50 m on a *corner lot*;

(B) The minimum *lot width* for a *dwelling (semi-detached)* is:

(I) 7.40 m per *dwelling unit* on an *interior lot*;

(II) 12.20 m per *dwelling unit* on a *corner lot*; and

(C) The minimum *lot width* for a *dwelling (townhouse - complex)* is:

(I) 6.20 m per *townhouse (interior unit)*;

(II) 7.40 m per *townhouse (end unit)* on an *interior lot*; and

(III) 12.20 m per *townhouse (end unit)* on a *corner lot*.

~~(14)~~(15) **LOT DEPTH**

(a) For residential bare land condominium *development*, the minimum *lot depth* is:

(i) 16.00 m when vehicular *access* is provided from the front for a:

(A) *Dwelling (duplex)*;

(B) *Dwelling (semi-detached)*; and

(C) *Dwelling (townhouse - complex)*; and

(b) 12.00 m when vehicular *access* is provided from a rear *lane* for a:

(i) *Dwelling (duplex)*;

(ii) *Dwelling (semi-detached)*; and

(iii) *Dwelling (townhouse - complex)*.

~~(15)~~(16) **LOT COVERAGE**

(a) The maximum *lot coverage* for bare land condominium *development* is:

(i) 58% for a *dwelling (duplex)*; *dwelling (semi-detached)*; and *townhouse (end unit)*; and

(ii) 70% for a *townhouse (interior unit)*.

~~(16)~~(17) **LOT FRONTAGE**

(a) The minimum *lot frontage* is 25.00 m for:

(i) Conventional condominium *development*;

(ii) *Dwelling (apartment)*; and

(iii) *Dwelling unit above a non-residential use*.

~~(17)~~(18) **LOT AREA**

(a) The minimum *lot area* is 0.075 ha for:

(i) Conventional condominium *development*;

(ii) *Dwelling (apartment)*; and

(iii) *Mixed-use building*.

~~(18)~~(19) **BUILDING HEIGHT**

(a) The maximum height of a *principal building*:

(i) *Dwelling (duplex)* and *dwelling (semi-detached)*, is 15.00 m;

(ii) *Dwelling (townhouse - complex)*, is 18.00 m;

(iii) *Dwelling (apartment)* (Area B only), is 18.00 m; and

(iv) *Dwelling (apartment), mixed-use building* (Area C only), or non-residential *building,* is 25.00 m.

(b) Notwithstanding section (a), at the discretion of the *Development Authority*, the maximum building height may be increased up to 35.00 m if a *development* provides at least two of the following:

(i) Superior or innovative building style;

(ii) High-quality exterior finishing including, brick, brick veneer, wood, natural stone, tinted or textural concrete, glass, or concrete masonry units;

(iii) A distinct building base or podium with a 3.00 m minimum *step-back* provided for upper floors, measured from the building face of the podium, with consideration for the transitions between adjacent building designs and heights;

(iv) Green building products or technologies that reduce the carbon footprint or increase energy efficiency;

(v) Peaked roof; or

(vi) Enhanced *landscaping*.

~~(19)~~(20) **RESIDENTIAL BARE LAND CONDOMINIUM SETBACKS**

(a) For a residential bare land condominium *development* of *dwelling (duplex)*; *dwelling (semi-detached)*; and *dwelling (townhouse - complex)*:

(i) The minimum front yard building *setback* is:

(A) 3.00 m when vehicular *access* is provided from the rear;

(B) 6.00 m when vehicular *access* is provided from the front;

(C) 6.00 m when *development* is fronting LeClair Way, Levasseur Road, and Riel Drive; and

(D) The projection shall not span the entire width of the *dwelling*;

(ii) Notwithstanding section (i), for *development* fronting LeClair Way, Levasseur Road, and Riel Drive, a covered stairway which only serves to provide direct *access* to the *dwelling* may project up to 2.50 m into the minimum required 6.00 m front yard *setback*;

(iii) The minimum side yard building *setback* is:

(A) 0.00 m to the centre line of the interior common firewalls;

(B) 1.20 m to the outside of the exterior wall on an *interior lot*; and

(C) 2.40 m to the outside of the exterior wall on a *corner lot*;

(iv) The minimum rear yard building *setback* is:

(A) 1.50 m when vehicular *access* is provided from a rear *lane*;

(B) 3.00 m when vehicular *access* is provided from the front; and

(C) 0.00 m for a back-to-back *dwelling (townhouse - complex)*; and

(v) Notwithstanding section (iii), a *development* without an attached *garage* and no *lane* must have a minimum side yard building *setback* of 3.00 m on one side to provide unobstructed *vehicle access* to the rear yard.

~~(20)~~(21) **RESIDENTIAL CONVENTIONAL CONDOMINIUM SETBACKS**

(a) For a residential conventional condominium *development* of *dwelling (duplex)* and *dwelling (semi-detached)*:

(i) The minimum *setback* from a *property line* to the exterior of the front wall of a *building* is:

(A) 3.00 m when vehicular *access* is provided from a rear *lane*;

(B) 6.00 m when vehicular *access* is provided from the front;

(C) 6.00 m when *development* is fronting LeClair Way, Levasseur Road, and Riel Drive; and

(D) The projection shall not span the entire width of the *dwelling*;

(ii) Notwithstanding section (i), for *development* fronting LeClair Way, Levasseur Road, and Riel Drive, a covered stairway which only serves to provide direct *access* to the *dwelling* may project up to 2.50 m into the minimum required 6.00 m front yard *setback*;

(iii) The minimum *setback* from the exterior of the side wall of a *building* is:

(A) 0.00 m to the centre line of the interior common firewalls;

(B) 1.20 m to the outside of the exterior wall on an *interior lot*; and

(C) 2.40 m to the outside of the exterior wall on a *corner lot*; and

(iv) The minimum *setback* from the exterior of the rear wall of a *building* is:

(A) 1.50 m when vehicular *access* is provided from a rear *lane*;

(B) 3.00 m when vehicular *access* is provided from the front; and

(C) 0.00 m for back-to-back *dwelling (townhouse - complex)*.

~~(21)~~(22) **RESIDENTIAL SETBACKS ADJOINING A PUBLIC ROADWAY**

(a) For a *dwelling (duplex), dwelling (semi-detached)*, and *dwelling (townhouse - complex)* - on a *corner lot* - the side of the *lot* that adjoins a flanking *public roadway* must have a minimum side yard building *setback* of:

(i) 6.00 m from the edge of the sidewalk nearest the *property line* to the face of the *garage,* where a *garage* faces the flanking *public roadway*, excluding a *lane*; or

(ii) 6.00 m from the closest edge of the roadway where there is no sidewalk to the face of the *garage*, where a *garage* faces the flanking *public roadway*, excluding a *lane*.

~~(22)~~(23) **APARTMENT OR MIXED-USE BUILDING SETBACK**

(a) For a *dwelling (apartment)* or *mixed-use building*:

(i) The minimum front yard building *setback* is 3.00 m;

(ii) The minimum side yard building *setback* is 3.00 m; and

(iii) The minimum rear yard building *setback* is 3.00 m.

(24) **SITE DENSITY BONUS SETBACK**

(a) Notwithstanding sections (20), (22), and (23) for *developments* in Area C subject to the *site density* bonus of this District, the *Development Authority* may determine the minimum building *setbacks,* taking into account adjacent uses.

~~(23)~~(25) **NON-RESIDENTIAL BUILDING SETBACK**

(a) For a stand-alone, non-residential or commercial *building*:

(i) The minimum front yard building *setback* is 3.00 m;

(ii) The minimum side yard building *setback* is 3.00 m; and

(iii) The minimum rear yard building *setback* is 3.00 m.

~~(24)~~(26) **BUILDING SEPARATION DISTANCE**

(a) The minimum *separation distance* for residential *buildings* in areas A and B, or for a *dwelling (townhouse – complex)* in Area C is:

(i) 10.00 m between the exterior of the front or rear wall of each *building* and any separate wall of any other *building*;

(ii) 2.40 m between the exterior side wall of each *building* and the exterior side wall of any other *building,* unless a greater separation is required by the *Development Authority*;

(iii) 1.50 m between a *building* and:

(A) A roadway;

(B) A common or visitor *parking* stall;

(iv) 1.00 m between a *building* and a common walkway, except that portion of the walkway that provides direct *access* to the *building*; and

(v) 1.50 m between a *principal building* and an *accessory* building, except for a common amenity *building* which has a minimum *separation distance* of 2.40 m.

(b) The minimum *separation distance* for a *dwelling (apartment), mixed-use building,* or a non-residential *building* in Area C is:

(i) 7.50 m between the exterior wall of a *dwelling (apartment)*, *mixed-use building*, or non-residential *building* and any separate wall of any other *dwelling (apartment), mixed-use building,* or non-residential *building*;

(ii) 1.50 m between a *principal building* and an *accessory building*, except for a common amenity *building* which has a minimum *separation distance* of 2.40 m;

(iii) 3.00 m between the exterior wall of a *dwelling (apartment)* or *mixed-use building* and:

(A) A roadway;

(B) A common or visitor *parking* stall; and

(C) A common walkway, except that portion of the walkway that provides direct *access* to the *building*.

~~(25)~~(27) **DESIGN, CHARACTER, AND APPEARANCE OF BUILDINGS**

(a) In addition to the requirements in sections 3.12 ‘Design, Character, And Appearance Of A Building,’ 3.52 ‘Design, Character, And Appearance Of Residential Buildings,’ and 3.80 ‘Design, Character, And Appearance Of Non-

Residential Buildings,' all *buildings* in this district must be finished as follows, to the satisfaction of the *Development Authority*:

(i) No building *façade* shall exceed 60.00 m in length;

(A) Notwithstanding section (i), at the discretion of the *Development Authority,* a building may exceed 60.00 m in length, to a maximum of 90.00 m, if the building provides a public pedestrian walkthrough or frontage break along the ground floor;

(ii) To reduce building massing, building *façade(s)* shall be articulated by a combination of recesses, entrances, windows, projections, change in building materials, colours, roof design, or physical breaks in *building mass*, to create attractive *streetscapes* and interfaces at the discretion of the *Development Authority*. A continuous building *façade* without recess, *balcony*, or other form of articulation shall not exceed 15.00 m in horizontal direction;

(iii) *Building* exteriors shall be stamped concrete, cementitious boards or panels, exposed aggregate, stucco, vinyl siding, fiber cement siding, wood siding, glass, brick, brick veneer, natural stone, wood timber, or metal accents;

(A) Notwithstanding section (iii) alternative *building* materials may be considered if, in the opinion of the *Development Authority*, the proposed materials meet the overall character of the District;

(iv) Building massing must respect the existing topography of the *site* by terracing the *building* where appropriate;

(v) Rooftop mechanical equipment must be screened on all sides, to the satisfaction of the *Development Authority*;

(vi) Walls, including *retaining walls* for general *landscaping*, *amenity area (private)* and *amenity area (common)*, and perimeter walls must be constructed or finished in a similar material and colour to that used for the *principal building* exterior, at the discretion of the *Development Authority*;

(vii) All exterior pedestrian entrances to a *dwelling (apartment)* or *dwelling unit above a non-residential use* must have overhead weather protection; and

(viii) The principal pedestrian entrance to a *dwelling (apartment)* or *dwelling unit above a non-residential use* must have *barrier-free access*.

~~(26)~~(28) **PARKING**

(a) This District shall comply with Part 4: Parking.

(i) Notwithstanding the *on-site parking* requirements in sections 4.3 'Residential On-Site Parking Requirements' and 4.6 'Non-Residential On-Site Parking Requirements,' *on-site parking* shall be provided as follows:

RESIDENTIAL LAND USE		MINIMIMUM PARKING REQUIREMENT	
(b)	*Dwelling (duplex)* *Dwelling (semi-detached)* ~~*Dwelling (townhouse - complex)*~~	(i)	Two stalls per *dwelling unit*; plus
		(ii)	One stall per seven *dwelling units* for visitor *parking*.
(c)	*Dwelling (townhouse - complex)*	(i)	For a *dwelling unit* equal to or greater than 5.18 m in width, 1.5 stalls per *dwelling unit*;
		(ii)	For a *dwelling unit* less than 5.18 m in width, one stall per *dwelling unit*; plus
		(iii)	One stall per seven *dwelling units* for visitor *parking*.
(d~~c~~)	*Dwelling (apartment)* *Dwelling (loft unit)* *Dwelling (studio unit)* *Dwelling unit above a non-residential use*	(i)	One stall per *dwelling unit* or *dwelling (loft unit);*
		(ii)	0.00 stalls per *dwelling (studio unit)*, for the first 10% of *dwelling (studio units)* within a *building*, and then 0.60 stalls per *dwelling (studio unit)* thereafter;
		(iii)	0.60 stalls per *affordable non-market housing dwelling unit*; and
		(iv)	One stall per seven *dwelling units* for visitor *parking*.
(e~~d~~)	*Group home*	(i)	One stall per three *sleeping unit*s; plus
		(ii)	One stall per resident staff member.
(f~~e~~)	*Live/work unit*	(i)	1.50 stalls for the residential components; and
		(ii)	One stall per 45.00 m² of *gross floor area* for the commercial component.
		(iii)	Notwithstanding sections (i) and (ii), a *Development Authority* may, at its discretion, vary the *parking* requirements based upon the number of *bedrooms* in the residential component, or the provision of adjacent *parking* on a *public roadway* or in a common *parking* area accessible to the public.

RESIDENTIAL LAND USE	MINIMIMUM PARKING REQUIREMENT
(gf) *Supportive living accommodation*	(i) One stall per six *dwelling units*; (ii) One stall per seven *dwelling units* for visitor *parking*; and (iii) One stall for every one-and-a-half employees required during the *maximum working shift*.

NON-RESIDENTIAL LAND USE	MINIMUM PARKING REQUIREMENT
(h) Non-residential, except *hotel*	(i) One stall per 45.00 m² of *gross floor area*. (ii) The *Development Authority* may determine *parking* requirements based on a *parking* study requested at its discretion.
(i) *Hotel*	(i) One stall per guest room; and (ii) Additional stalls in accordance with the *parking* requirements of this section for any other uses which form part of the *hotel*.

(j) If a calculation under sections (b) through (hi) results in a fractional number, the number shall be rounded upwards to the next whole number.

(k) Notwithstanding section 4.11 'Parking Stall And Drive Aisle Requirements,' *parking* spaces and drive aisles shall meet the following criteria:

(i) A *parking* stall must be a minimum of 2.60 m wide and 5.80 m deep;

(ii) A parallel *parking* stall shall be a minimum 2.60 m wide and 7.00 m deep; and

(iii) A drive aisle must be a minimum of 7.30 m wide for two-way traffic.

(l) Notwithstanding section (jk)(iii), the *Development Authority* may reduce the minimum width of a drive aisle for *parking* spaces provided at an angle or for one-way drive aisles.

(m) Required *parking* stalls for all *residential uses* that are provided in a private *driveway* or *garage* may be located in tandem, with no more than two of the total required *parking* spaces in tandem.

(n) Small-car *parking* spaces may comprise a maximum of 20% of required *parking* for a *dwelling (apartment*) and *mixed-use building* only.

~~(27)~~(29) **VEHICLE ACCESS**

(a) There shall be no residential vehicular *access* onto roadways designated as neighbourhood, connector, or crosstown.

(b) Where a rear *lane* is provided, vehicular *access* shall only be provided from the *lane*, except for front-back semi-detached, or front-back duplex products where one *dwelling unit* has vehicular *access* from the *lane*, and the other has vehicular *access* from the roadway.

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Legislation Text

File #: CM-25-001, **Version:** 1

TAMRMS#: B06

10.1

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Midtown District LUB Amendment
Notice given by: Councillor Brodhead

PROPOSED MOTION(S):
That administration prepare for Council's consideration the following amendments to the Land Use Bylaw 18/2024:

- An amendment to the table in section (26) of the Midtown District to conform equitably to the parking minimums adopted for other land use districts. Specifically, that minimum parking requirements of 1.5 stalls per dwelling unit (townhouse-complex), and 1.0 stall per dwelling unit for any unit less than 5.18 M in width be adopted.

- An amendment to the Midtown District to include the same Site Density Bonus section included in the HDR district.

- An amendment to the table of Permitted and Discretionary Uses within the Midtown District to conform with the Midtown ASP thereby allowing the inclusion of Stacked Townhomes as a discretionary use in Midtown District's Area C.

That administration schedule the public hearing required of a motion to amend the Land Use Bylaw for the April 1, 2025 St. Albert City Council meeting.

ADMINISTRATION'S UNDERSTANDING OF THE INTENT OF THE MOTION

This motion directs Administration to make the exact wording changes to the Land Use Bylaw for Council consideration at the April 1, 2025, Council meeting. This motion would prioritize this work above other initiatives.

ADMINISTRATION'S RECOMMENDATION

Administration recommends the developer of Midtown apply for these or any other desired changes through the standard processes.

PURPOSE OF REPORT

The purpose of this report is to provide Council with information to inform their decision.

ALIGNMENT TO COUNCIL DIRECTION OR MANDATORY STATUTORY PROVISION

N/A

BACKGROUND AND DISCUSSION

City Administration has provided context and input on the topic of Land Use Bylaw (LUB) amendments for the Midtown Development within South Riel for Council's consideration. Council Information Requests entitled #IR-24-25 and #IR-24-23 are attached. The amendments desired by the developer of Midtown through the LUB update were carefully considered, and deemed to be development-specific, and therefore were not recommended for inclusion through the LUB update. Administration has recommended to the developer follow the standard process for a development-specific amendment. This entails a developer-initiated application for an amendment.

The motion identifies three change requests to the LUB:

Request 1 - Residential Parking Review:
The first amendment requested was for a reduction in parking requirements for the Midtown Development. Residential parking reductions were considered and implemented in various parts of the city during the LUB update. Parking considerations may not be directly comparable across the city, particularly in the case of Midtown. Midtown was approved with non-standard, private roads that lack the built-in width to accommodate similar levels of on-street parking as other areas of the city. This non-standard approach was adopted at the specific request and insistence of the developer.

Throughout the LUB update, the Midtown developer was seeking further parking reductions, which were specific to their individual development. The developer was advised that the preferred course of action would be to submit a separate application for parking reductions specific to Midtown. This would allow the proponent to define and advocate for their request and give Administration the time and resources needed to thoroughly consider the matter.

Throughout 2025, the Planning & Development Department will be specifically assessing the viability of further parking reductions within St. Albert. As part of this process, Administration will undertake several studies that may impact future parking recommendations. While the 2024 LUB introduced some changes to parking requirements, these adjustments were conservative, as an in-depth review of parking demand was not conducted during the LUB project. Administration is currently evaluating the impact of parking on overall land use - as it specifically relates to housing affordability. Council could direct Administration to consider the intent of this motion when presenting proposed LUB regulations related to parking, as this would enable this topic to move forward as part of the wholistic review, albeit on a different timeline.

Request 2 - Density Bonusing:
The second request for the Midtown development was to enable density bonusing. Administration does not believe additional bonus density regulations are necessary, as the MID (Midtown) District already enables densities that exceed the High-Density Residential (HDR) densities. The MID District clearly outlines density ranges from 120 dwelling units per net hectare (du/nha) to 250 du/nha, which surpass the maximum incentivized HDR densities of 200 du/nha (or 35 meters in height). MID also includes incentivized regulations, such as Section 5.7.7, to allow heights of up to 35 meters, similar to HDR. Based on Administration's review, incorporating this request would introduce additional

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regulations for the developer. This feedback has been previously shared with the developer.

Request 3 - Stacked Townhousing:
The third request from the developer was to enable stacked townhousing in Midtown. In the 2024 LUB update, "Stacked Townhousing" was removed, and replaced with "Dwelling (Townhouse - Complex)," as input from the development industry sought to simplify the terminology. As such, the stacked townhousing product is now included under the "Dwelling (Townhouse - (Complex)" definition. Within the MID District, the "Dwelling (Townhouse - Complex)" use was not initially added, as the original uses for the Midtown District did not list Stacked Townhousing as an allowable use. However, Administration acknowledges that the South Riel Area Structure Plan identifies “Stacked Townhousing” as a potential product in Area C. Adding "Dwelling (Townhouse - Complex)" to the list of discretionary uses aligns with the ASP. It is important to note that Administration is currently reviewing the Townhousing (Complex) regulations as part of the ongoing annual monitoring, with anticipated amendments for Council's consideration. If Council chose to not have the affected developer pay for a LUB amendment regarding stacked townhousing within their development, Administration could be directed to carry out this work as part of the Q1 2026 LUB review without significantly impacting staffing resources.

In addition to the considerations specific to the three requests, Administration highlights several additional considerations below:

April 1, 2025, Council Date:
A standard Land Use Bylaw amendment involves numerous steps to ensure that the item is thoroughly considered, and adequate time is provided for consultation, drafting, advertising, etc. The proposed Council date of April 1, 2025 would only permit a very cursory examination of the implications. To illustrate following the standard process, assuming a complete application is submitted by March 11, 2025, the earliest available Council date for the public hearing would be July 15, 2025. This timeline ensures that all impacted parties can work to an agreed-upon schedule and that all parties have sufficient time through the process to fully consider implications, draft recommendations or comments, prepare necessary materials, and that all requirements otherwise are met. The steps involved are as follows:

1. Preparation of the application
2. Circulation of the application to internal and external agencies (Engineering, Utilities, municipal neighbors, FORTIS, School Boards, etc.)
3. Sharing feedback with the applicant for incorporation or amendments to their application
4. Development of the Bylaw and Legal Review
5. Development of supporting documents (maps, redline copies, advertisements)
6. Development of the Agenda Report and Presentation
7. Review of finalized documents by senior and executive leadership
8. Advertisement requirements and website uploads (3 weeks before the first Council agenda package upload)

In the case that Administration was directed by Council to undertake the amendments and truncate timelines associated with the standard process, Administration anticipates that the time saved would be in the order of perhaps 2-3 weeks, with an increased risk in oversight.

Application Processing Implications and Prioritization:

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The Planning Branch balances its resources between current planning and long-range planning. Applications are processed on a first-come basis, following standard processes to enable adequate time for consideration, consultation, report writing, revisions, internal approvals, and advertising if necessary. For non-applicant driven work, Administration refers to the Council Strategic Plan and Corporate Business Plan to advance community or organizational priorities.

At present, the Planning Branch has a number of applications and priority work underway. Currently, Administration is processing 6 statutory planning projects, 4 of which require Council approval, and several subdivision applications are being processed. The statutory plan applications are expected to be presented to Council for decision before the 2025 municipal general election. Administration's understanding of the motion would prioritize this work ahead of those applications that have already been made by numerous other parties in anticipation of their needs for the 2025 construction season.

Q1 2026 Land Use Bylaw Update:
The LUB is considered a living document, meaning that regular edits and housekeeping amendments will be necessary after its adoption. When the new LUB was approved in October 2024, Administration committed to monitoring and evaluating the LUB regulations for effectiveness. As outlined in the October 1, 2024, agenda report accompanying Bylaw 18/2024, Administration anticipated returning to Council in Q1 of 2026 with recommended amendments to the LUB. Outside of this review, private parties have the ability to apply for changes to the bylaw as they so choose.

Beyond the Q1 2026 update, Administration anticipates further amendments to the LUB after completion of the infill strategy to better meet the Municipal Development Plan goals, including changes to accommodate development near future rapid transit stations (TOD areas).

Council direction to proceed with review of the 3 requests would prioritize them over the current planned evaluation approach of the LUB. Should Council desire, they could also consider directing Administration to incorporate the parking and townhousing regulation changes for consideration as part of the Q1 2026 LUB update, as noted in the Alternatives section of this report. However, it is important to recognize that proceeding with this motion outside of the Q1 2026 updates will have implications for other ongoing projects, potentially affecting the timing of other private land development applications already in the queue.

Development pays for development:
The approach to development in St. Albert has typically been that "development pays for development". This includes the cost of amendments to the Land Use Bylaw, and particularly those that would benefit specific parties. Where an outcome is desired absent an applicant advocate, the city foregoes application fees, and in fact the cost of amendments would likely be higher than a standard application, as staff will be charged with developing, evaluating, and bringing forward the regulations, rather than simply evaluating and bringing forward an application that was crafted by an applicant specifically to suit their needs. As outlined in #IR-24-25, this cost/revenue loss is estimated to be more than $50,000. This approach does entail the risk Administration will not deliver the amendments exactly as the proponent may have intended.

IMPACTS OF MOTION

Financial:

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Potential loss of more than $50,000 in application fees.

Compliance & Legal:

Administration does not schedule public hearings, but rather makes recommendations to Agenda Planning for the scheduling of public hearings. The preferred motion wording should not reference Administration scheduling a public hearing, but rather a completion date instead.

Program or Service:

Adhering to the April 1, 2025 timeline will mean that the amendments presented to Council will not have completed the usual steps of review and engagement. The bylaw amendment will undergo a cursory review.

Organizational Impact:

Prioritizing this request based on the April 1, 2025 timeline will affect both current planning applications already in the queue (as some may be put on hold) and Council strategic priority projects, such as Lakeview and Northeast Servicing. Additionally, it will require Senior Leadership within St. Albert to prioritize review and input on this Council item, which could impact other major initiatives already on the Council agenda, including Municipal Naming and Off-site Levies.

Risks:

Adhering to the April 1, 2025, timeline means that Administration will be unable to fully evaluate the changes or determine their impacts across the Land Use Bylaw. Administration would also not have time to incorporate public input or feedback on these items. This could add further strain to the ongoing Land Use Bylaw monitoring and review program.

ALIGNMENT TO PRIORITIES IN COUNCIL'S STRATEGIC PLAN

N/A

ALIGNMENT TO LEVELS OF SERVICE DELIVERY

N/A

ALTERNATIVES

Alternative 1: If Council does not wish to support the proposed motion, Administration presents the following alternative for Council's consideration:

That Administration review and develop Land Use Bylaw regulations for Council's consideration in keeping with Council's Strategic Plan and Administration's associated workplan, regarding the following items:

- An amendment to the table in section (26) of the Midtown District to conform in alignment to

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the parking minimums adopted for other land use districts and based upon the findings of the Parking Strategy.

- An amendment to the table of Permitted and Discretionary Uses within the Midtown District to conform with the Midtown ASP, thereby allowing the inclusion of "Dwelling (Townhouse - Complex)," as a discretionary use in Midtown District's Area C.

That the amendments be prepared by the end of Q1 2026.

Financial:

N/A

Compliance & Legal:

N/A

Program or Service:

N/A

Organizational:

This motion would direct Administration to investigate the impacts of the intent of the regulation changes and develop regulations in keeping with existing workloads. This would enable Administration to maintain other project files, without re-prioritizing.

Risks

N/A

Alternative 2: If Council does not wish to support the proposed motion or other alternative, Council could consider the following:

That administration prepare for Council's consideration the following amendments to the Land Use Bylaw 18/2024:

- An amendment to the table in section (26) of the Midtown District to conform equitably to the parking minimums adopted for other land use districts. Specifically, that minimum parking requirements of 1.5 stalls per dwelling unit (townhouse-complex), and 1.0 stall per dwelling unit for any unit less than 5.18 M in width be adopted.

- An amendment to the Midtown District to include the same Site Density Bonus section included in the HDR district.

- An amendment to the table of Permitted and Discretionary Uses within the Midtown District to conform with the Midtown ASP thereby allowing the inclusion of Stacked Townhomes as a discretionary use in Midtown District's Area C.

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That the amendments be prepared in time for consideration at the July 15, 2025 St. Albert City Council meeting.

Financial:

N/A

Compliance & Legal:

N/A

Program or Service:

N/A

Organizational:

This motion would direct Administration to investigate the impacts of the intent across the standard approach and timeline, prioritized over current initiatives.

Risks

N/A

Report Date: March 4, 2025
Author: Kristina Peter & Adryan Slaght
Department: Planning & Development
Department Director: Kristina Peter
Managing Director: Adryan Slaght
Chief Administrative Officer: Bill Fletcher

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File #: IR-24-025, **Version:** 1

TAMRMS#: B05

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INFORMATION REQUEST (IR) - Averton regarding Bylaw 18/2024
Requested by: Mayor Heron
Date of Request: October 15, 2024
Date Response Due: November 15, 2024
Confidential Response: No

QUESTION
Can we get an administrative opinion on the following proposed changes to Bylaw 18/2024 from Averton:

Motion #1: Amend 5.17 MID - Midtown District Section (26) PARKING (b) Dwelling (townhouse - complex) to 1.50 stalls per dwelling unit.

Motion #2: Amend 5.17 MID - Midtown District Section (9) SITE DENSITY to add site density bonuses.

Motion #3: Amend 5.17 MID - Midtown District Section (26) PARKING Section (c) to add Dwelling (townhouse - stacked).

In Addition (October 29, 2024): Attached is a letter from Paul Lanni outlining issues he mentioned at the public hearing as well as some others. Would it be possible to also get an opinion on these other issues included in the IR?

RESPONSE

Introduction

While Council can direct Administration to conduct changes, these requests, generated by industry input, are best initiated by the developer/applicant themselves.

The Midtown neighbourhood is unique, and site-specifically drafted for this one area of the City, similar to a direct control project. The development is condominium-based, and utilizes road design that does not meet City standards. The scope of the Land Use Bylaw update was to provide generally universal amendments and regulations, with specific and bespoke solutions to be handled via application in order to allow Administration (and the community) the ability to consider specifics of individual requests, as well as to enable targeted engagement, if necessary. Where universal regulations did apply to Midtown, Administration included them within the LUB update. Administration did not believe it appropriate, however, to apply universal development regulations to this development where they were not considered to be consistent with the overarching development conditions within the City, without the necessary focused review. In June 2024, the applicant was

informed that they could submit separate, developer-driven land use bylaw amendments for any feedback that was submitted during the comment period, but was not incorporated into the draft LUB.

As development pays for development, this direction is the standard process for Land Use Bylaw amendments in St. Albert, as the applicant will determine what regulation changes they require, provide supporting rationale, and provide the required amendment fee for the city to evaluate their proposal.

It also must be noted that proposed changes to regulations would require public input. Specific and targeted public participation activities would be required, in accordance with the *Public Participation Guidelines for Planning and Development Applications*. It is recommended that public consultation, and its associated costs, be borne by the applicant.

Administration recommends this approach for the following reasons:

1. The impacted party is best positioned to demonstrate the need for the change and provide the exact wording for the regulation.
2. Administration can conduct a comprehensive review of the change. If Administration drafts changes and recommends them to Council, it could create a conflict of interest.
3. Administration would be "representing" the regulation change and assuming the rationale for it. This can be time-consuming, lead to back-and-forth discussions, potential misunderstandings, and lost revenue for the City. Therefore, this is often not the most efficient way to process developer-specific requests.

Motion #1

Amend 5.17 MID - Midtown District Section (26) PARKING (b) Dwelling (townhouse - complex) to 1.50 stalls per dwelling unit.

Please note this is also in addition letter item 1:

The new LUB includes a 2:1 parking requirement for townhouse complexes in Midtown, whereas a 1.5:1 ratio is specified for townhouse complexes in the LUB. Parking ratios should be consistent across the bylaw. Therefore, townhouse complexes in Midtown should be permitted to have the same 1.5:1 parking ratio.

Background

This item is a duplication of a request made in the BILD information request. Please see IR-24-023 - item 6 for a detailed response.

Administration responded to this request in June 2024, after Averton submitted feedback on the draft LUB during the comment period.

Motion #2

Amend 5.17 MID - Midtown District Section (9) SITE DENSITY to add site density bonuses.

Please note this is also In Addition letter item #4:

The new LUB provides for density bonusing on developments that meet certain criteria for

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architecture and landscape. The density bonusing should apply to all high-density areas in the City in order to encourage consistently better outcomes for development in the City. Accordingly, the bonusing provisions should also apply to Midtown's Area C.

Background

This item is a duplication of a request made in the BILD information request. Please see IR-24-023 - item 7 for a detailed response.

Administration responded to this request in June 2024, after Averton submitted feedback on the draft LUB during the comment period.

Motion #3

Amend 5.17 MID - Midtown District Section (26) PARKING Section (c) to add Dwelling (townhouse - stacked).

Please note this is also in addition letter item 3 a & b:

a) *Stacked townhomes should be categorized separately from townhouse complexes, as they have more in common with apartment density. Currently, the parking requirements in the Midtown district are consistent across duplexes, semi-detached, and townhouse complexes. The new LUB categorizes "dwelling (townhouse - complex)" separately, requiring parking at a 1.5:1 ratio. Stacked townhomes, being denser and often configured with 1-2 bedrooms, should require less parking. Ideally, these units would have their own definitions and parking regulations. Alternatively, the parking regulations could align with those for apartments.*

b) *Additionally, Averton requests that the use of stacked townhomes be permitted within Area C of Midtown, which is the higher density node, capable of integration commercial alongside higher-density residential. The introduction of stacked townhousing as a use in Area C would not work against the intended density requirements of the area, but rather, would be able to introduce buildings of recued scale to complement the higher scale apartment uses, which would lead to better outcomes within those parcels.*

Background

Administration revised the townhousing regulations during the LUB 18/2024 update.

Stacked townhousing is considered a *dwelling (townhouse - complex)*, and can be constructed under that use. The parking regulations for a dwelling (townhouse - complex) have been set at two stalls per dwelling unit in Midtown, with additional visitor parking.

Administration responded to this request in June 2024, after Averton submitted feedback on the draft LUB during the comment period.

Administrative Rationale

Administration does not recommend implementing this request for these reasons:

Use Already Included

As stacked townhousing is considered a dwelling (townhouse - complex), and that use is currently a permitted use in

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Midtown Area B, administration considers that stacked townhousing is already a use in Midtown.

The parking for a dwelling (townhouse - complex), is 2 stalls per dwelling unit, plus one stall per seven dwelling units for visitor parking, as per LUB 18/2024 5.17(26)(b).

Impacts to Other Sections of the LUB

A new definition would need to be added to LUB 18/2024 in section 7.1. Existing townhouse definitions might need to be reworded or refined. The new definition would then need to be added to the Midtown District use list, as well as other residential and mixed-use district use lists (to ensure that other areas of the City are not prohibited from building stacked townhousing). It's anticipated that this would impact the MDR, HDR, MU1, MU2, and DTN Districts.

The new use would also need to be added to the parking table in LUB 18/2024 Section 4.3(3), and the Midtown parking table in section 5.17(26).

In Addition, Item 2: Fee Simple Townhouse Parking

The new LUB includes parking reduction for units 5.18 m wide or narrower. Averton requests that this reduced minimum townhouse width and corresponding parking reduction applies to townhouses in Midtown as well. This width of townhome typically accommodates 1-2 bedrooms, and reduced parking would be appropriate for these units.

Background

This item is a duplication of a request made in the BILD information request. Please see IR-24-023 - item 3 for a detailed response.

Please note, this requested item is new feedback for Midtown, that was not brought up during the interested party sessions held in November 2023 or May 2024. This change was only introduced to Administration in October 2024.

In Addition, Item 5: Midtown Density

It is recommended that the notwithstanding clause, where the ultimate build out of Midtown shall require a density of 81 du/ha, be removed from the Midtown District section of the Land Use Bylaw, and further, that the reference be removed from the ASP. This change would allow greater flexibility for development in the area while still adhering to the established density ranges for Areas A, B, and C. Removing this clause will promote more adaptable housing solutions and allow for project-specific planning that aligns with market conditions.

Background

The South Riel Area Structure Plan Bylaw 27/2015 contains the Midtown Neighborhood. Section 3.7 Development Statistics clearly notes that "The South Riel ASP proposes a density of 81 dwelling units per net residential hectare." Table 3-2 and its notes within the South Riel ASP show the development statistics and proposed density. The notes for Table 3-2 state that "Overall, there will be 81 dwelling units per net residential hectare in Midtown."

Land Use Bylaw 18/2024, Midtown District, echoes these density requirements in section 5.17(9) by prescribing density ranges of 40 to 54 du/nha for Area A, 40 to 94 du/nha for Area B, and 120 to 250 du/nha for Area C. These were carried over from LUB 9/2005, with slight modification.

Please note, that this requested item is new feedback, that was not brought up during the interested

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party sessions held in November 2023 or May 2024. This change was only introduced to Administration in October 2024.

Administrative Rationale

Administration does not recommend implementing this request for these reasons:

Area Structure Plan Amendment Required

This proposal requires two different Bylaw amendments, one to Land Use Bylaw 18/2024, and one to the South Riel ASP. If the LUB is proposed to change, then the ASP would need to be changed as well, to reflect the vision of the area changing. This change would require a referral to the Edmonton Metropolitan Region Board, as the density would decrease. To facilitate this change, it is recommended that the applicant take the lead and submit an application.

Potential Conflict with Density Bonusing

There is concern that this proposal seems to conflict with Motion #2 regarding the addition of density bonusing. If the base density is requested to be removed, so that less than 80 du/ha is provided, can rationale as to why density bonusing is needed please be provided by the applicant/developer.

Impacts to Existing Landowners

There is concern that if density in this area is proposed to be reduced, the condominium fees may be spread out among fewer landowners and might place a higher burden on existing Midtown residents, depending on how the condominium corporations are structured.

Summary

Proceeding with these amendments as Administration-led projects will necessitate reprioritization of effort within the Planning and Development Branch. This would require additional staff time to develop the regulation, rather than simply evaluating the request, and would only benefit one site-specific development. Prioritizing this request will result in the delay of other Council projects, likely the Infill Strategy and interactive Land Use Bylaw implementation and cost approximately $30,000 in staff salaries.

Additionally, if City staff were to develop the new regulations instead of the applicant's consultants, the City would forego standard fees for such requests. Based on 2025 fees, as shown in Table 1, this revenue loss is estimated at approximately $53,336, in addition to the increased staff time.

Table 1: Estimated Revenue Loss

Item	**2025 Master Rates Fee**
Pre-Application Meeting	$597.00
Land Use Bylaw Amendment for Motion 1	$7,365.00
Land Use Bylaw Amendment for Motion 2	$7,365.00
Land Use Bylaw Amendment for Motion 3	$7,365.00
Land Use Bylaw Amendment for Letter Item 2	$7,365.00
Land Use Bylaw Amendment for Letter Item 5	$7,365.00
Area Structure Plan Amendment	$15,296.00
EMRB Referral Fee	$618.00
Total	$53,336.00

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Report Date: November 15, 2024
Author(s): Barb Dupuis
Department: Planning & Development
Department Director: Kristina Peter
Managing Director: Adryan Slaght
Chief Administrative Officer: Bill Fletcher

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To: Mayor Heron and Members of Council
From: Paul Lanni
Date: October 23, 2024
Subject: Recommended Changes to the Land Use Bylaw

The purpose of this memo is to propose key amendments to the newly-approved Land Use Bylaw (LUB). Averton proposed these changes to Administration during the fall of 2023, in spring of 2024 and again at the public hearing on October 15, 2024. The nature of Averton's proposed changes are in the spirit of improving the consistency and equality of the LUB among all of its districts, however, Administration chose to not accept Averton's requested changes.

While the Midtown district sits within the LUB, along with a variety of other districts, many of the important and progressive changes that have been introduced in the newly adopted LUB are not being applied to Midtown. This is ironic, as Midtown is arguably St. Albert's most progressively planned community, with a creative approach to higher density and a prioritization for walkable and more sustainable options than have been traditionally offered in St. Albert. In fact, when we introduced the Midtown district initially, we were looking to include many of the changes that have now been adopted in the new LUB, such as reduced parking ratios and reduced minimum unit dimensions. When these were proposed by Averton for the new Midtown district at the time, Administration insisted that Midtown needed to conform to the existing requirements for parking (2 per household) and unit widths that were in the previous LUB.

It is hard to imagine that the progressive improvements in the new LUB would exclude any district within the City, and most certainly the Midtown district, given the clear intentions and goals around the community. Averton has laid the foundation for a unique approach to suburban development within St. Albert, and this approach has been celebrated by countless visitors and urban planning professionals across the continent. Midtown has unique attributes found in the district that are driven by the promise of higher densities and greater dedication of municipal reserve. While Midtown has unique attributes in its land use by way of density, it is still saddled with the burden of the previous parking requirements and minimum unit dimensions. Again, Midtown was required to align with the parking requirements and lot widths of the LUB at the time the district was created.

At the public hearing, Administration defended its exclusion of Midtown, mentioning that they had provided other "wins" for Averton and the Midtown district including:

- The LUB introduced reduced parking requirements for Apartments.
    - At our request, Administration agreed to apply the new parking regulations for apartments in the Midtown district. We also requested that the townhouse regulations be aligned with the rest of the LUB, but they were not open to this.

- Removing landscape obligations (not requiring fencing on Riel Drive) so that Midtown's townhouses can be street oriented onto Riel Drive and Rondeau Drive.
    - This was already in practice, but has now been formalized.

- The LUB identifies stand alone commercial as a potential use, where densities have been met.
    - This is in alignment with what we had successfully advocated for during the MDP process.

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While Averton appreciates these “wins,” it would be more appropriate to refer to them as logical, given the approved development plans for Midtown. What Administration did not articulate, were the ways that Midtown was excluded from the LUB, including:

- The LUB introduced reduced parking requirements for Townhouses. Despite our request that they align, Administration chose not to apply the new parking regulations for Townhouses in the Midtown district.

- The LUB introduced reduced minimum lot widths for townhouses, with corresponding reductions to the minimum parking requirements for units of those widths. Despite our request, Administration chose not to apply the new minimum lot width and corresponding parking regulations for Townhouses in the Midtown district

- The LUB introduced density bonusing to reward improved practices in landscape and architecture for high density areas within the city. Despite Midtown having high density development and our request for the density bonusing provisions to apply to Area C, Administration chose not to apply the density bonusing provisions to the Midtown district

As the district with the highest density, most multi-family product, and most pronounced storyline of a walkable community, Administration needs to see that applying these progressive changes to Midtown is both appropriate and necessary. On parking, Administration’s point is that Midtown’s townhouses will be developed as condominiums, without street parking circulating around the parcels. In reality, the parcels within Midtown are not different than multifamily parcels in any neighbourhood. While there are options to park outside the parcels (Riel Drive, Rondeau Drive), the bigger opportunity is to right-size the ratios based on the number of cars that will be within the developments. The move to reduce parking requirements for townhouses in the LUB is applauded, and makes sense for all townhouses, which might have 2 or 3 bedrooms, compared to larger homes with more cars. It would only be appropriate for the regulations in Midtown townhouses to be consistent with the rest of the LUB.

Additionally, Averton also asked Administration to create language around an additional use within the LUB, being Stacked Townhouses. Stacked Townhouses can offer densities that more closely resemble apartments, and while each unit has its own front door, the units include types that more closely resemble 1- and 2-bedroom apartments, in addition to units that are more consistent with traditional townhouses. Stacked Townhouses are a vital piece of the missing middle, and offer a great mechanism for higher density in a medium scale. This unique use should be defined within the LUB, and afforded different regulations than townhouses/rowhouses, in favour of regulations that more closely resemble apartments. Despite our extensive experience building this product in the region and elsewhere, Administration chose not to engage with Averton on this, citing that they would wait until the Federal Government identified it as a specific housing typology and attached programs around it. To limit the opportunities for the LUB to be more useful and to better reflect the products being built in St. Albert in favour of the Federal Government getting around to a definition seems like an approach that doesn’t make a lot of sense. Averton would like to work with Administration to introduce this use within the LUB, not just for the benefit of Midtown, but for the benefit of the City overall.

Lastly, another area of concern with the current LUB in the context of the Midtown District has to do with the interpretation of the overall density of the district. Mayor Heron landed on this conclusion in the Public Hearing, when discussing the range of density that was specified within the LUB for each area of Midtown, verses the overarching requirement that Midtown shall be built out to a density of 81 units per hectare. Averton had suggested to Administration that removing this notwithstanding clause in favour of

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building to the range of minimums and maximums of the range would be a better approach and provide greater opportunity to respond to the market. Having now worked with the regulations of the Midtown District for 5 years, it is clear that there is value in the ranges established in each of Midtown's 3 character areas, but the "notwithstanding clause" within the interpretation of Midtown's density will prove problematic as the site builds out.

The requirement to hit 81 units per hectare contradicts the flexibility and responsiveness that was built into the density ranges within the district. This is not to say that every area should be built out to the top end of the prescribed range of an area, but rather, it allows the development to accommodate planning that is the best fit for the market and the product type.

Averton has already showed in its first 2 phases to date (Area A and Area B3), plus the senior's development, that the top end of the density range is not always the most appropriate direction. Removing the notwithstanding requirement that Midtown be built to 81 units per hectare was proposed to Administration, but Administration suggested that Averton come forward with an ASP amendment. This doesn't make a lot of sense, given that the range of densities are clearly established in the ASP.

The better option would be to defer to the minimums and the maximums on each Area, which in any event, will exceed the 40 units per hectare mandated by the EMRB. Such a change would be required at the LUB level and the ASP level, where the 81 units per hectare is briefly referenced in both, alongside the previously mentioned ranges.

There is an opportunity to improve the work that was done in the Midtown district 5 years ago, and in the new LUB approved October 15th. Averton requests that the following changes be brought forward in subsequent amendments to the new LUB, so that Midtown can continue to grow towards its vision of being a community centered on innovation, quality, and prioritized experiences for its residents.

Summary of Proposed Changes

1. The new LUB includes a 2:1 parking requirement for townhouse complexes in Midtown, whereas a 1.5:1 ratio is specified for townhouse complexes in the LUB. Parking ratios should be consistent across the bylaw. Therefore, townhouse complexes in Midtown should be permitted to have the same 1.5:1 parking ratio.

2. The new LUB includes parking reductions for units 5.18m wide or narrower. Averton requests that this reduced minimum townhouse width and corresponding parking reduction applies to townhouses in Midtown as well. This width of townhome typically accommodates 1-2 bedrooms, and reduced parking would be appropriate for these units.

3. a) Stacked townhomes should be categorized separately from townhouse complexes, as they have more in common with apartment density. Currently, the parking requirements in the Midtown District are consistent across duplexes, semi-detached, and townhouse complexes. The new LUB categorizes "Dwelling (townhouse-complex)" separately, requiring parking at a 1.5:1 ratio. Stacked townhomes, being denser and often configured with 1-2 bedrooms, should require less parking. Ideally, these units would have their own definitions and parking regulations. Alternatively, the parking regulations could align with those for apartments.

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b) Additionally, Averton requests that the use of stacked townhomes be permitted within Area C of Midtown, which is the higher density node capable of integrating commercial alongside higher-density residential. The introduction of stacked townhousing as a use in Area C would not work against the intended density requirements of the area, but rather, would be able to introduce buildings of reduced scale to complement the higher scale apartments uses, which would lead to better outcomes within those parcels.

4. The new LUB provides for density bonusing on developments that meet certain criteria for architecture and landscape. This density bonusing should apply to all high density areas in the City in order to encourage consistently better outcomes for development in the City. Accordingly, the bonusing provisions should also apply to Midtown's Area C.

5. It is recommended that the notwithstanding clause, where the ultimate build out of Midtown shall require a density of 81 du/ha, be removed from the Midtown District section of the Land Use Bylaw, and further, that the reference be removed from the ASP. This change would allow greater flexibility for development in the area while still adhering to the established density ranges for Areas A, B, and C. Removing this clause will promote more adaptable housing solutions and allow for project-specific planning that aligns with market conditions.

Averton appreciates your consideration of these items and asks that an amendment be drafted to apply the changes highlighted above to the Midtown district within the new land use bylaw.

Sincerely,

Paul Lanni, FCPA, FCA
President & CEO
Averton

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File #: IR-24-023, **Version:** 1

TAMRMS#: B05

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INFORMATION REQUEST (IR) - BILD Edmonton Metro regarding Bylaw 18/2024
Requested by: Mayor Heron
Date of Request: October 15, 2024
Date Response Due: November 15, 2024
Confidential Response: No

QUESTION
Can we get an administrative opinion on the following proposed changes to Bylaw 18/2024 from BILD Edmonton Metro:

1. Dwelling (single detached) Lot Widths: Lot widths for single detached dwellings with zero lot-line pockets should be reduced to 20 to 22 feet (from the current recommendation of 24 feet).
2. Street-Oriented Townhouse Lot Widths: Smaller pockets on street-oriented townhouse lots should have lot widths reduced to 12 to 14 feet (from the current recommendation of 16 feet).
3. Parking Reductions for Narrow Units: The parking reduction policy for units that are 16 feet or narrower in the LUB should also apply to townhouses in Midtown, supporting diverse housing options and maximizing the use of limited urban space.
4. 18-Foot Garages: Garages with a width of 18 feet should be considered sufficient to accommodate two parking spaces.
5. 18-Foot Pocket Parking Requirements: For lots that are 18 feet wide, the requirement should be only one off-street parking space.
6. Parking Reductions Consistency: Parking ratios for all Dwelling (townhouse-complex) should be 1.5 stalls per dwelling unit. We recommend standardizing these ratios for consistency.
7. Density Bonusing for Midtown: We recommend incorporating site density bonuses in all high-density residential districts to maintain consistency throughout the bylaw.

RESPONSE

Introduction

City Administration has provided a detailed response to the majority of these requested changes submitted by BILD Edmonton Metro in June 2024, after BILD submitted feedback during the draft LUB comment period. The one new request, regarding fee simple products in the Midtown district, was not included in the May 2024 letter.

However, it should be noted that while Council can direct Administration to conduct changes, these requests, generated by industry input, are best initiated by the developer/applicants themselves.

As development pays for development, this direction is the standard process for land use bylaw amendments in St. Albert, as the applicant will determine what regulation changes they require,

provide supporting rationale, and provide the required amendment fee for the City to evaluate their proposal.

It also must be noted that proposed changes to the regulations would require public input. As some of the changes are for site specific area (like Midtown), specific and targeted public participation activities would be required, in accordance with the *Public Participation Guidelines for Planning and Development Applications*. It's recommended that public consultation, and its associated costs, be borne by the applicant.

Administration recommends this approach for the following reasons:

1. The impacted party is best positioned to demonstrate the need for the change and provide the exact wording for the regulation.
2. Administration can conduct a comprehensive review of the change. If Administration drafts changes and recommends them to Council, it could create a conflict of interest.
3. Administration would be "representing" the regulation change and assuming the rationale for it. This can be time-consuming, lead to back-and-forth discussions, potential misunderstandings, and lost revenue for the City. Therefore, this is often not the most efficient way to process developer-specific requests.

Item 1: Dwelling (Single Detached) Lot Widths

Lot widths for single detached dwellings with zero lot-line pockets should be reduced to 20 to 22 feet (from the current recommendation of 24 feet).

Background

Land Use Bylaw 9/2005 had a single detached zero lot line lot width of 8.9 m (29.2 ft) for an interior lot, and 12.2 m (40.0 ft) on a corner lot, for the RX District. These were carried over to the SLR District in LUB 18/2024.

In the past, LUB 9/2005 had a lot width distribution regulation, which required that detached lots in a neighbourhood vary in size. Some lots would need to be larger (14.5 m in width or greater), medium (12.2 m in width to less than 14.5 m in width), small (11.5 m to 12.2 m in width), and extra small (10.0 m to less than 11.5 m in width).

In 2018 the RX and RXL districts were proposed, which shrunk single-detached lot widths to 8.6 m (28.2 ft) for laned homes, and kept front drive homes at 10.0 m (32.8 ft) wide.

Then in 2020 zero lot-line single detached homes were proposed, which lessened single-detached lot widths to 7.7 m (25.3 ft) for laned homes, and 8.9 m (29.2 ft) for front drive homes.

In 2022 the lot width distribution regulations were removed, and now there are no restrictions on the number of small lots that can be developed in a neighbourhood.

This proposal impacts the Small Lot Residential (SLR) District zero lot line width within LUB 18/2024. These products will be housing units with front vehicle access to a street.

A 20-foot wide single detached home developed with a zero lot-line has a lot width of 7.6 m (24.9 ft), for an interior lot, and either 9.1 m (29.8 ft) or 10.6 m (34.8 ft) for a corner lot (depending on whether

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the easement is placed on the lot or the adjacent lot). A 22-foot wide single detached home developed with a zero lot-line, has a lot width of 8.2 m (26.9 ft), for an interior lot, and either 9.7 m (31.8 ft) or 11.2 m (36.8 ft) for a corner lot (depending on whether the easement is placed on the lot or the adjacent lot). The proposed lots are shown on Figure 1 and Figure 2. Please note that these are drawn with a 30 m deep lot, as currently approved in the LUB.

Figure 1: 20 ft Building Pocket Zero Lot-Line Block Face

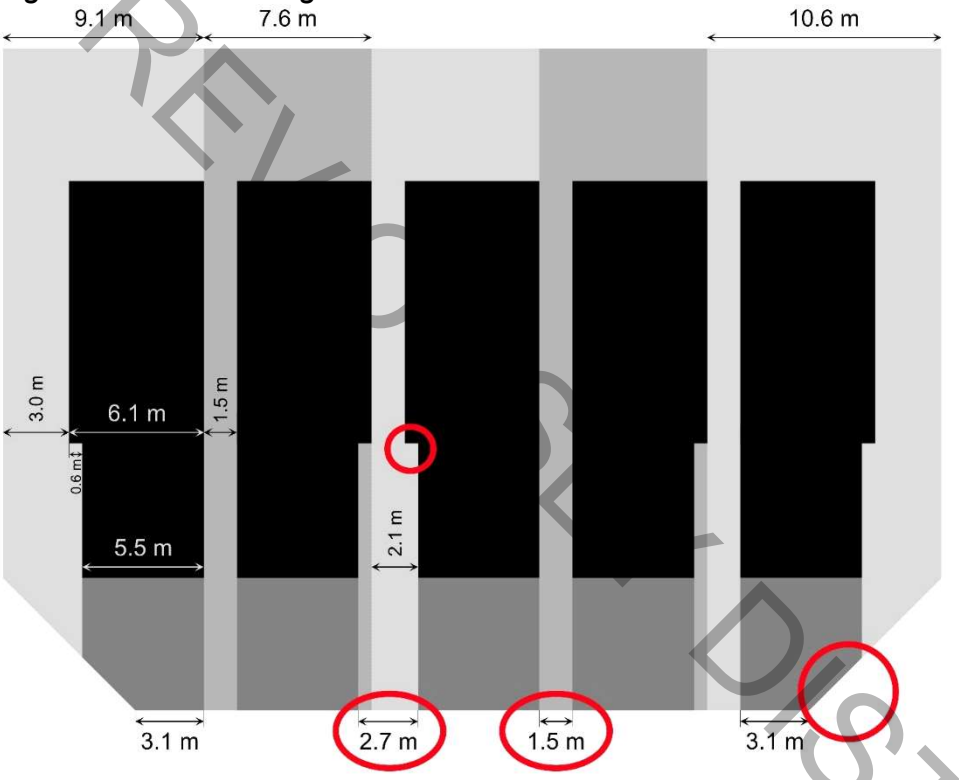
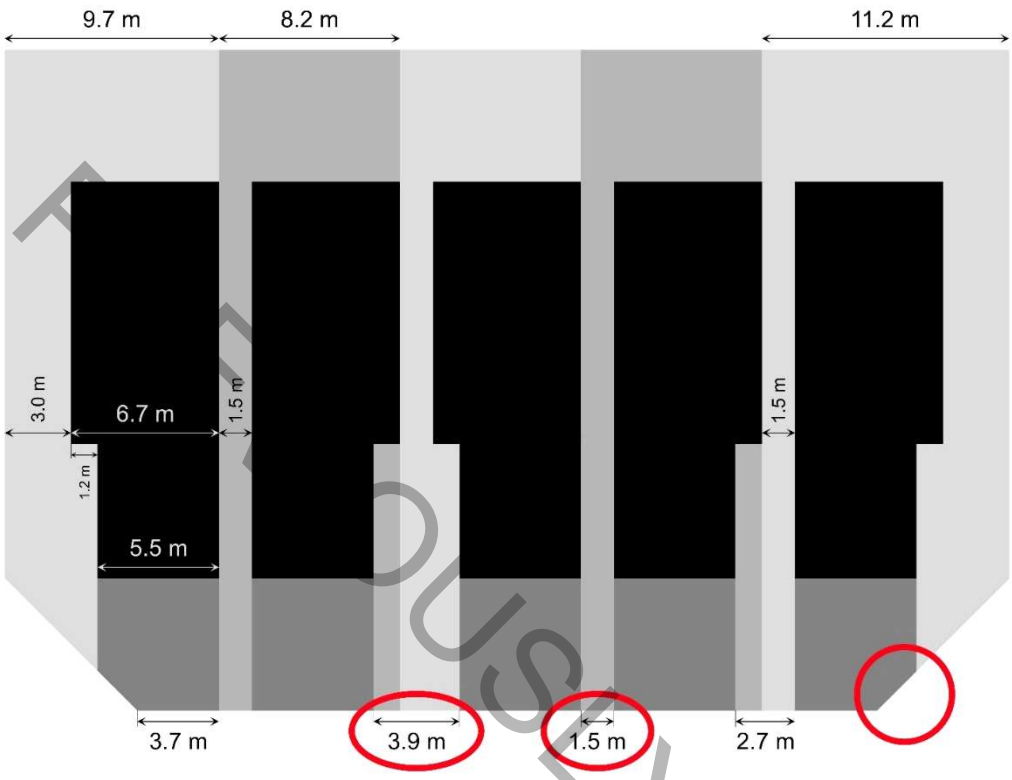


Figure 2: 22 ft Building Pocket Zero Lot-Line Block Face

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Administrative Rationale

Administration does not recommend implementing this change request for these reasons:

Recessed entrances, with garages dominating the streetscape

With the 20-foot building pocket, as shown in Figure 1, the difference between the width of the house and the width of the garage is about 0.6 m (2.0 ft) (if building an 18 ft garage). That is not enough width to feature a full front door, which typically requires at least 1.2 m (4.0 ft). As shown on Figure 3, Figure 4, and Figure 5, the front entry on these products will need to be recessed or partially recessed, depending on the size of the garage. Garages and driveways will dominate the front streetscape. The resultant built environment is anticipated to go against the first principle of Crime Prevention Through Environmental Design (CPTED), which is to provide natural surveillance.

Figure 3: Partially Recessed Entrance in Crystallina Nera



Figure 4: Streetscape in Crystallina Nera, Edmonton

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Figure 5: Rendering of a Partially Recessed Entrance on a Single-Detached Home



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Please note, with the 22.0 ft building pocket, there will be room to feature a full front door (if a 5.5 m [18.0 ft] wide garage is constructed).

Negative Impacts to the Boulevard

As shown on Figure 1, the distance between the driveways is approximately 1.5 m (4.9 ft) or 2.7 m (8.9 ft) for lots with a 6.1 m (20 ft) wide home. As shown on Figure 2, the distance between the driveways is approximately 1.5 m (4.9 ft) or 3.9 m (12.8 ft) for lots with a 6.7 m (22 ft) wide home.

With a reduced front drive lot width, there is less room street furniture, including lights, hydrants, and power boxes. There is less room for boulevard trees. Because the spaces between the driveways would be narrower than on larger lots, there would be less room to support boulevard trees, and less variety of tree species that can thrive in that small of a space.

On-street parking will be eliminated, at either building pocket size.

Corner Lot Driveway Conflicts

On a corner lot, there would be conflict between the driveway and the corner cut. Typically, our streets have corner cuts, we looked at a standard 6.0 m corner cut on Figure 1 and Figure 2. Corner cuts are used to create a visibility triangle for drivers at intersections. The corner cut would impact the driveway on a corner lot significantly. The homeowner would be left with a 3.1 m (10.2 ft) area to enter and exit their lot, instead of the regular 5.5 m (18.0 ft) of driveway width.

The driveway would need to taper significantly, to avoid being placed in the corner cut.

Statutory Plan Conformance

While only a few regulations will be impacted, including the lot width, there will be a significantly different streetscape that will be built (compared with the current building pocket of 24.0 feet).

As such, when evaluating the regulations' impact on the streetscape, Administration contends that the proposed changes would not align with several policies within *Flourish* Municipal Development Plan. Specifically, policies within Sections 12.2 Streetscapes, 12.3 Built Form and Site Planning, and 12.4 Accessibility and Comfort aim to:

- Create safe, comfortable, and inviting streets designed for people.
- Facilitate development that enhances the character of its surroundings and the city, contributing to attractive, enduring, and memorable places.
- Design St. Albert to be accessible and inviting to everyone in all seasons.

By enabling a streetscape where the front door is obscured from the street, the garage becomes the focal point of the public realm, and there's a lack of space for street furniture infrastructure and prized boulevard trees, the proposed changes would negatively impact safety, accessibility, and the overall aesthetics and environmental footprint of the neighbourhood.

Administration contends that if the developer/builder desires a 20-foot building pocket, the Land Use Bylaw already provides this opportunity through the Laned Lot Residential (LLR) District. This district allows for reduced lot widths, ensuring adequate on-street parking, a high-quality streetscape (including boulevard trees and street furniture), and maintained safety and accessibility, as the front door remains fully visible from the street. Overall, if smaller lot sizes are required, Administration recommends that it be constructed in a laned product, and example of which is shown in Figure 6.

Figure 6: Small Lot Laned Homes in Crystallina Nera

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Item 2: Street-Oriented Townhouse Lot Widths:

Smaller pockets on street-oriented townhouse lots should have lot widths reduced to 12 to 14 feet (from the current recommendation of 16 feet).

Background

Fee simple townhousing is called a dwelling (townhouse - single) in LUB 18/2024. This is a use in the Laned Lot Residential (LLR) District only. Some fee simple townhomes have been grandfathered in the MDR District (so as not to lose development rights), however we don't anticipate new areas of fee simple townhousing using the MDR District.

Land Use Bylaw 9/2005 had a fee simple townhouse lot width of 5.5 m (18.0 ft) for an interior unit. Land Use Bylaw 18/2024 reduced that by 0.6 m (2.0 ft), to allow lot widths of 4.9 m (16.0 ft) for fee simple townhouse interior units.

Industry proposed that lot widths be reduced to either 4.3 m (14.1 ft), or 3.7 m (12.1 ft) for interior units. It should be noted that while this width is not enabled as a "dwelling (townhouse - single)", the Land Use Bylaw does enable these reduced widths through "dwelling (townhouse - complex)".

Administrative Rationale

Administration does not recommend implementing this change request for these reasons:

Taller Structures with Encumbered Layouts

If the interior townhouse lots are capped at the existing 55% lot coverage, it's estimated that:

- A 3.7 m (12.1 ft) wide unit would be approximately 67 sq m (720 sq ft), if constructed as a two storey dwelling, as shown in Figure 7. This does not meet our minimum dwelling size requirement of 75 sq m (807 sq ft) in the LLR District, as per LUB 9/2005 section 5.4(8)(a).
- A 4.3 m (14.1 ft) wide unit would be approximately 79 sq m (850 sq ft), as shown in Figure 8.

If lot coverages were capped at 55%, to achieve more living space, buildings would have to add an extra storey and be constructed taller.

Furthermore, this means that the floorplans of these smaller units will be encumbered by staircases. A staircase is approximately 0.9 m (3.0 ft) wide. This leaves about:

- 2.8 m (9.2 ft) of home width for some portions of the 3.7 m (12.1 ft) wide townhouse unit, and
- 3.4 m (11.2 ft) of home width for some portions of the 4.3 m (14.1 ft) wide townhouse unit.

As a contrast, a two-bedroom apartment that is 75.0 m^2 (approx. 807 ft^2) does not have the staircase as an encumbrance and offers more living area all on one level, and potentially larger room sizes than some of the smaller townhouse products.

Figure 7: 3.7 m (12.1 ft) Wide Townhouse at 55% Lot Coverage

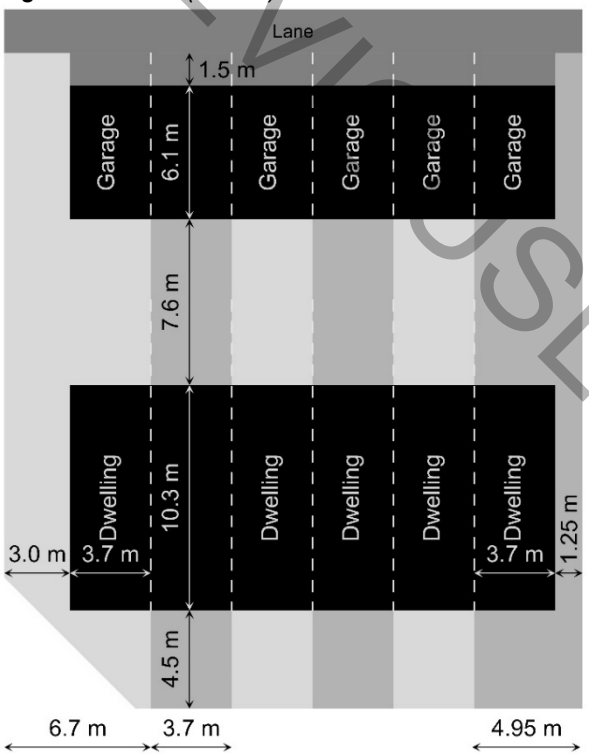
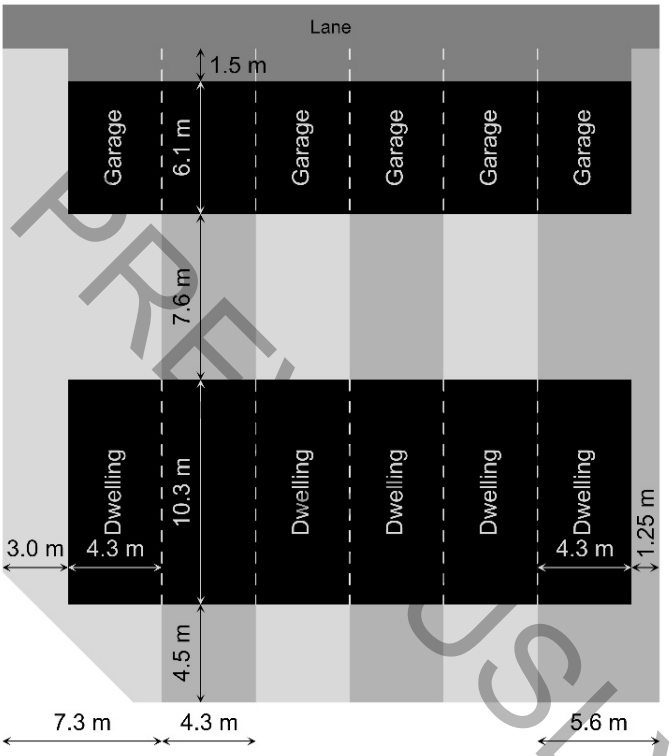


Figure 8: 4.3 m (14.1 ft) Wide Townhouse at 55% Lot Coverage

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Lot Coverage Increases & Lack of Permeable Surfaces

To alleviate the concerns over the dwelling size, and keep the building height under 11.0 m (36.1 ft), it's anticipated that the development industry would ask for increased lot coverages. Depending on the scale of the lot coverage increases requested, the units might not meet the building separation distance requirement (1.5 m [4.9 ft] between the house and detached garage), or the rear yard setback of 10.0 m (32.8 ft), when there isn't an attached garage.

Additionally, most of the lot would either be covered with building or paved. There are concerns that the lack of permeable surface will contribute to higher rates of runoff that will need to be handled by the storm water system.

Lack of Amenity Area

In wider townhousing units, there is more opportunity for a yard, and amenity space. The smaller townhouse units must cover more of the lot in order to get adequate square footage for living spaces. This leaves very little private amenity area, as lot coverages are increased.

Please note that front yards are typically prohibited from having items that families may use, such as trampolines, play structures, air conditioning units, and storage sheds. All those items would need to be placed in the rear yard.

Density & Housing Diversity

There is concern that shrinking lot sizes are being used to achieve required density targets, but without regard for housing diversity, which is a key goal of section 7.1 of *Flourish* MDP.

Condo Units

Administration will note that it is already possible to build narrower townhouse units in a condominium format. There are advantages with providing smaller townhousing units in a condo complex, which include:

- Condo complexes have amenity area requirements for livability. The land use bylaw requires both private and common amenity area for townhouse complexes. In some cases this is provided in a little tot lot, or dog run area, or shared garden, or seating area. It could also be internal, within a common room for example.
- Another advantage is the visitor parking for guests. Condo complexes have mandatory visitor parking ratio - so

guests have an area to park.

Item 3: Parking Reductions for Narrow Units

The parking reduction policy for units that are 16 feet or narrower in the LUB should also apply to townhouses in Midtown, supporting diverse housing options and maximizing the use of limited urban space.

Background

Midtown is part of the South Riel Area Structure Plan. Midtown was developed as a separate district in LUB 9/2005, and was carried over into LUB 18/2024. The purpose of the Midtown District, in both LUB 9/2005, and LUB 18/2024 specifically identify that: "*The district shall be developed as bare land or conventional condominium*."

The current areas of Midtown that are being developed have been registered with land titles as condominium Plan 212 2029.

As this proposed regulation benefits the developer within the Midtown Land Use District, it is recommended that the applicant initiate the standard amendment process (described earlier in the Information Request) to pursue these changes.

Administrative Rationale

Administration does not recommend implementing this change request for these reasons:

District Purpose is Not Fee Simple Homes

The dwelling (townhouse - single) regulations in LUB 18/2024 were developed to accommodate fee simple townhouse units that are registered with land titles on their own individual lot. There is no condominium corporation that oversees the block of townhouses, each owner is responsible for their own portion of the building, and a party wall agreement registered on title handles the shared wall between the units.

Dwelling (townhouse - single) is not a listed use in any of Areas A, B, or C of the Midtown District, because the overall purpose of the district was to be developed as bare land or conventional condominium. Therefore, administration did not include parking regulations for a product that was not a listed use.

Significant Scope of Change

If the purpose of Midtown is to change to include fee-simple products, then it would impact several sections of regulations. It would not only be the parking section of the LUB that would need to be amended, but the use lists, the purpose of the district, and townhouse regulations added in for fee simple units. This would change the entirety of the district.

It would also require that the South Riel Area Structure Plan be amended, as the plan notes condominium products are expected for residential land uses.

There is a large scope to this work. If the applicant does all the preliminary work, and then applies for an amendment, then City staff only need to evaluate the proposal. If City staff are directed to undertake the work, they also need to do the preliminary research and consultation.

Item 4: 18-Foot Garages as Two Parking Spaces

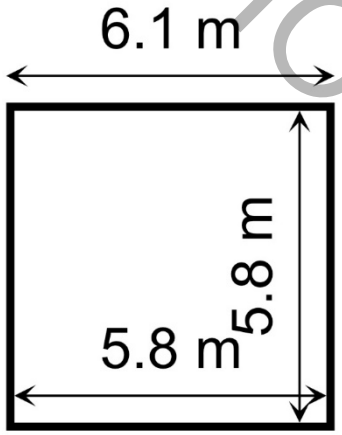
Garages with a width of 18 feet should be considered sufficient to accommodate two parking spaces.

Background

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Land Use Bylaw 9/2005 required a minimum clear interior garage dimension of 5.8 m (19.0 ft) by 5.8 m (19.0 ft). This regulation was carried over into Land Use Bylaw 18/2024, as section 4.4(1)(b). The minimum garage dimension was first approved by Council ~2017. It was brought forward by Administration due development industry request (in lieu of a minimum driveway pad to have a minimum garage dimension), and due to new-owner complaints that the homes they had purchased did not have garages large enough for two vehicles. Previously, garage parking was not counted as part of minimum required parking, while minimum off-street parking on the driveway was required. The amendment removed the driveway requirement, in exchange for minimum functional garage parking. A diagram showing the approximate dimensions can be seen as Figure 9, and the approximate interior dimension per car can be seen in Figure 10. A diagram showing the requested garage can be seen as Figure 11, and the approximate interior dimensions can be seen as Figure 12.

Figure 9: 6.1 m (20.0 ft) Current Garage Dimensions



6.1 m (20 ft) wide
(Exterior Dimension)

5.8 m (19 ft) wide
(Interior Dimension)

Figure 10: 6.1 m (20.0 ft) Current Garage Space per Vehicle

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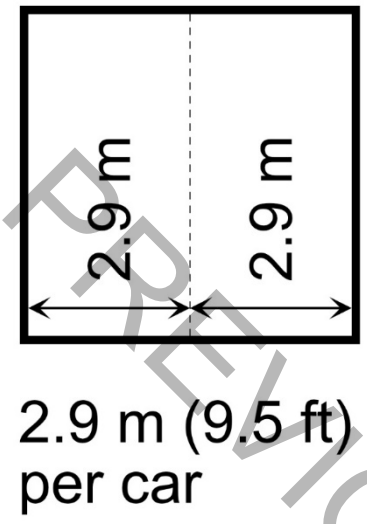


Figure 11: 5.5 m (18.0 ft) Proposed Garage Dimensions

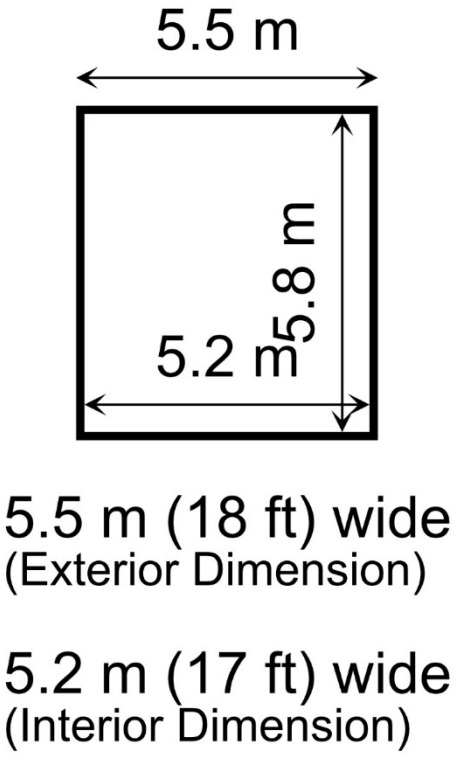
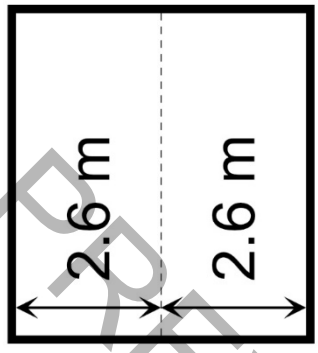


Figure 12: 5.5 m (18.0 ft) Proposed Garage Space per Vehicle

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2.6 m (8.5 ft) per car

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Administrative Rationale

Administration does not recommend implementing this change request for these reasons:

Parking Stall Size

An unobstructed perpendicular parking stall currently requires a minimum dimension of 2.6 m (8.5 ft) by 5.8 m (19.0 ft). In this case, the intent was the stall would be unencumbered, and not have any obstructions that would block the door swing of the vehicle. This would be the dimension seen in a typical surface parking lot. In these cases, the door would swing over the yellow painted line demarcating the stall, as shown in Figure 13.

The requested garage, as shown in Figure 12, only has 2.6 m (8.5 ft) of width per vehicle. The addition of walls adds a limitation to how effectively this distance can function, as there is less room per vehicle.

Issues with Functionality

There are pictures showing two vehicles parked in a 5.5 m (18.0 ft) wide garage, see Figure 14. Administration observed the scenario in Figure 14 and noted:

1. The narrower garage configuration generally requires one car to back in, and one car to pull in to allow communal space to enter and exit the vehicles.
2. The sideview mirrors cause an obstruction to entering and exiting the garage, as they protrude from the vehicle, and in some cases, can't be folded in.
3. New vehicle sales in Alberta are primarily comprised of mid-sized SUVs or pickup trucks (at rates of 70% or greater of new vehicle sales). With St. Albert having more vehicles per capita than the Alberta average, there is concern that the scenario illustrated in Figure 14 would not work with two mid-sized SUVs.
4. There are concerns that the actual functionality of the garage for a family could be reduced. For example, if a family had two vehicles, if they had items such as a child carrier, they might not be able to open the door wide enough to take the child carrier in and out of the vehicle, because of the lessened interior room. The individual would have to unload their child in the driveway, before parking the vehicle in the garage (if they wanted to fit two vehicles in). Basic tasks such as unloading groceries may also be impacted, as the vehicle door might not be able to open wide enough in the reduced parking space.

Figure 13: Vehicle Door Swinging Over the Yellow Line in an Unobstructed Parking Stall



Figure 14: Two Vehicles in an 18-foot-wide Garage

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Item 5: 18-Foot Pocket Parking Requirements

For lots that are 18 feet wide, the requirement should be only one off-street parking space.

Background

Land Use Bylaw 9/2005 required two parking stalls for the majority of low-density residential homes, and that was mostly carried over to LUB 18/2024, with the exception of parking for smaller townhouse units.

Administrative Rationale

Administration does not recommend implementing this change request for these reasons:

Rate of Vehicle Ownership

The Government of Alberta releases data on motor vehicle registrations, and as of March 31, 2024, St. Alberta had 55,593 registered motorized vehicles. The preliminary 2024 census data indicated St. Albert had 29,549 dwellings. 55,593 vehicles divided by 29,549 dwellings is approximately 1.9 motorized vehicles per dwelling.

As multiple vehicle ownership tends to increase with income, it was chosen to reduce parking for lower cost housing products (such as apartments, and smaller townhousing units), and retain the 2-stall minimum for higher cost housing products (such as single-detached, semi-detached and duplex homes).

Other Parking Reductions

Single detached, semi-detached homes with a smaller garage can still have secondary suites, including garage suites, garden suites, and internal suites. Parking for these suites has been reduced to zero or 1 stall, depending on the number

of suites on the lot. Yet, occupants of suites can still own motor vehicles and will require a parking space.

If parking is reduced even on lots that have a primary dwelling unit and a suite, there is likelihood that the street will have to take the overflow parking from the suite, and possibly the primary dwelling unit as well.

Consequences of Change

New neighbourhoods developed with small lots might be deficient in on-site parking, and may have significant spillover onto the street. If on-street parking is not available, due to shrinking lot sizes, there could be an increase in enforcement issues, as drivers seek to park close to their dwelling, but end up blocking other driveways.

Reducing the number of parking spaces required per lot will mean no driveway would be provided on laned products. While this will allow for more backyard area, it could contribute to parking deficiencies.

Item 6: Parking Reduction Consistency

Parking Reductions Consistency: Parking ratios for all Dwelling (townhouse-complex) should be 1.5 stalls per dwelling unit. We recommend standardizing these ratios for consistency.

Background

The Midtown District includes its own parking section, which was carried over from LUB 9/2005 to LUB 18/2024. Some parking reductions were provided, however dwelling (townhouse - complex) parking was not reduced.

As this proposed regulation benefits the developer within the Midtown Land Use District, it is recommended that the applicant initiate the standard amendment process (described earlier in the Information Request) to pursue these changes.

Administrative Rationale

Administration does not recommend implementing this change request for these reasons:

Unique Context

The Midtown neighbrouhood is unique, and site specifically drafted for this one area of the city, similar to a direct control project. Administration has not proposed reductions to dwelling (townhouse - complex) parking in the Midtown District.

The entirety of the Midtown neighbourhood is designed as a condominium and is proposed to be 10.4 ha (about 26 acres) in size. At this time, other areas in the city have townhouse complexes that vary in size but are typically under 5 ha (about 12 acres) in size.

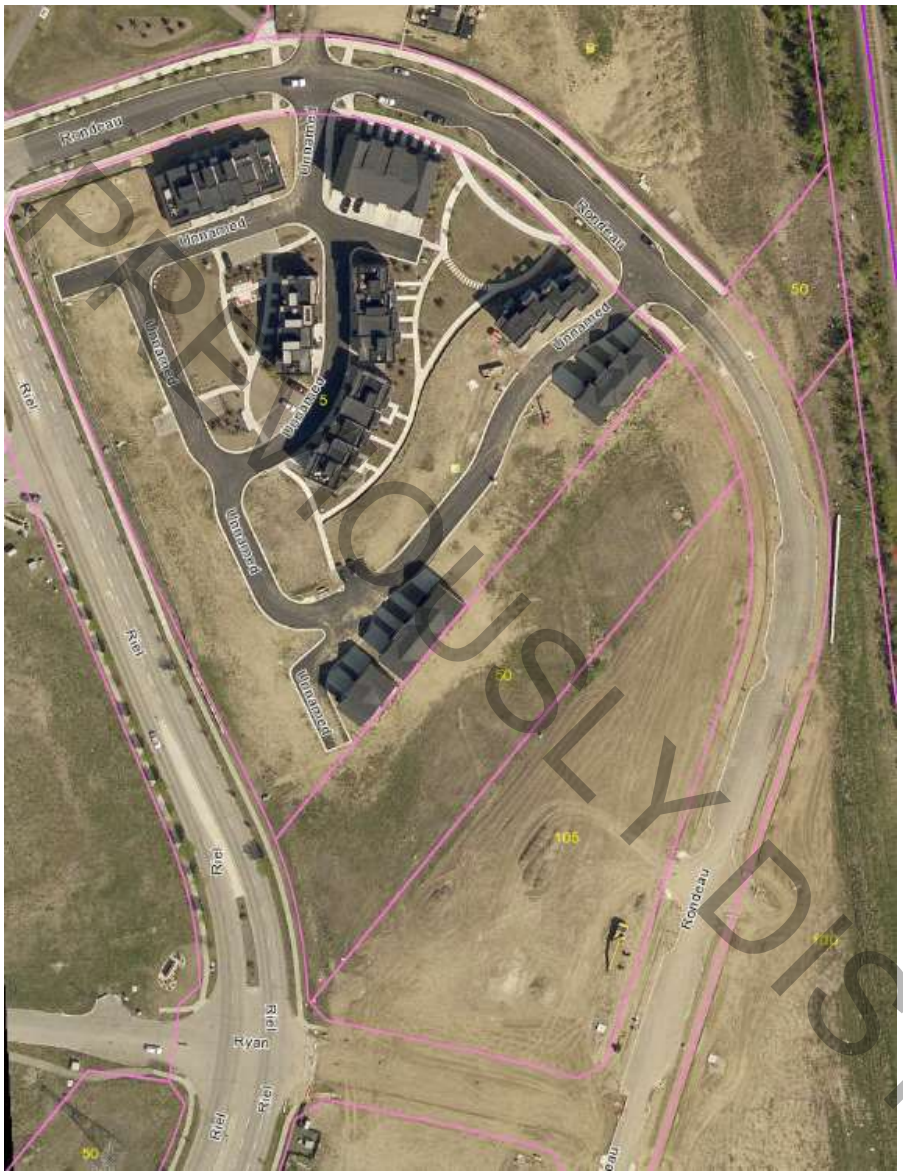
Typically, condo complexes are one component of a neighborhood. In this case the entirety of the Midtown neighborhood is a condominium. If there are parking issues, there will not be the same opportunity to overflow park in other parts of the neighbourhood, like there are in other neighborhoods within the City.

Internal Road System

Midtown is being developed as a condominium, as per the purpose of the district. The South Riel ASP indicates that developments may include private roadways. Private roadways do not need to meet the Municipal Engineering Standards. The roads shown as “Unnamed” on Figure 15 are private roads.

Figure 15: Internal Road Network in Midtown

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Lack of On-Street Parking in Area

On the city owned streets that flank the Midtown neighborhood, there is a lack of on-street parking. Riel Drive does not allow on-street parking in this area, because there is a turning bay to get into the Midtown development, as shown on Figure 16. Further north along Riel Drive there are two bus stops, and two fire hydrants (as the road approaches the intersection with Levasseur) that would prevent on-street parking. There is also another intersection with a future road that will be constructed, and there won't be on-street parking in that area as well.

In addition, Levasseur Road, or LeClair Way also do not offer on-street parking in this area. Currently, Rondeau Drive would be the only public city street that can accommodate parking overflow for existing residents.

Figure 16: Turning Bay on Riel Drive



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Item 7: Density Bonusing for Midtown

Density Bonusing for Midtown: We recommend incorporating site density bonuses in all high-density residential districts to maintain consistency throughout the bylaw.

Background

The Midtown neighbourhood is included in the South Riel Area Structure Plan, which was originally approved in 2015. It has three areas - Residential Area A, Residential Area B, and Residential Area C. The proposed density is 40 du/ha for Area A, 60 du/h for Area B, and 186 du/ha for Area C as per the ASP.

As this proposed regulation benefits the developer within the Midtown Land Use District, it is recommended that the applicant initiate the standard amendment process (described earlier in the Information Request) to pursue these changes.

Administrative Rationale

Administration does not recommend implementing this change request for these reasons:

Want to Ensure Servicing can Handle Further Density

The average density in new neighborhoods in St. Albert is 40 du/ha. The proposed overall density in the Midtown district is 80 du/ha. Midtown is twice the necessary density target as set out by the EMRB and the MDP.

Administration's concerns are:

- How much more density is proposed in this area?

- There seems to be a conflict between requests, as an item in IR-24-025 asks to lower the density in Midtown.

Public Consultation
If there are significant proposals to increase density in this area, residents of the existing neighborhood should be consulted.

Why Only Area C?
The Medium Density Residential (MDR) District also has density bonusing provisions, as per LUB 18/2024 section 5.6(8). The density range on the MDR district is 40 to 100 du/ha. With density bonusing, a development may go up to 125 du/nha.

If the developer is requesting that density bonusing applied, it should be applied equally across all three of the Areas A, B, and C, as the density ranges for Areas A and B are consistent with the MDR district, unless rationale is provided otherwise.

Consequences of Change
In all cases, the applicant will have to confirm that they have sufficient servicing capacity prior to proceeding with development. Using the density bonusing will be at the applicant's own risk.

Summary

Proceeding with these amendments as Administrative-led projects will impact current priorities within the Planning and Development Branches. Prioritizing this request would necessitate a reprioritization of effort and a delay of other projects, likely the Infill Strategy and interactive Land Use Bylaw implementation.

Additionally, if City staff were to develop the new regulations instead of the applicant's consultants, the City would forego standard fees for such requests. Based on 2025 fees, as shown in Table 1, this revenue loss is estimated at approximately $57,735.

Table 1: Estimated Revenue Loss

Item	**2025 Master Rates Fee**
Land Use Bylaw Amendment for Item 1	$7,365.00
Municipal Development Plan Amendment for Item 1	$6,180.00
Land Use Bylaw Amendment for Item 2	$7,365.00
Land Use Bylaw Amendment for Item 3	$7,365.00
Land Use Bylaw Amendment for Item 4	$7,365.00
Land Use Bylaw Amendment for Item 5	$7,365.00
Land Use Bylaw Amendment for Item 6	$7,365.00
Land Use Bylaw Amendment for Item 7	$7,365.00
Total	$57,735.00

Report Date: November 15, 2024
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