

Request for Decision

Title	Bylaws 1377/16, 1378/16, 1379/16 and 1380/16 (First Readings) Amendments to a Portion of “The Club & Residences of River’s Gate” to Enable the Construction of Semi-Detached Dwellings on 0.25 acre lots.
Proposed Motions	<ol style="list-style-type: none"> 1. That Council give first reading to Bylaw 1378/16, regarding text amendments to Sturgeon Valley Area Structure Plan Bylaw 882/99, incorporating wording that would support the development of an estate semi-detached product with a portion of River Lot 57. 2. That Council give first reading to Bylaw 1379/16, regarding an amendment to the former ‘Quail Ridge’ Outline Plan Bylaw 1279/12 in order to incorporate revisions to the subdivision layout, servicing concepts, minimum lot sizes, population statistics and community name. 3. That Council give first reading to Bylaw 1377/16, to rezone a portion of River Lot 57 from “Country Residential Two” (CR-2) to “Specific Development Control District Fourteen” (S-DC-14) to accommodate the development of estate semi-detached dwellings. 4. That Council give first reading to Bylaw 1380/16, regarding an amendment to Sturgeon Valley Off-Site Levy Bylaw 1286/12 to adjust the existing levy rates for a portion of River Lot 57.
Administrative Recommendation	That Council give first reading to proposed motions 1 to 3 (above), but <i>not</i> motion 4 regarding the proposed reduction in levy rates.
Previous Council Direction	<ul style="list-style-type: none"> • June 9, 2015 – Applicant made presentation to Committee of the Whole regarding proposal to construct 16 semi-detached dwellings. • June 30, 2014 – All conditions of subdivision are fulfilled, including entering into a Development Agreement and payment of levies for Phase 1A (only). • March 14, 2014 – Council granted a six-month extension to fulfil the conditions of subdivision approval (i.e. until September 18, 2014). • March 18, 2013 – Municipal Planning Commission conditionally approved the formerly known ‘Quail Ridge’ subdivision application.

- **October 23, 2012** – Council gave three readings to both the formerly known ‘Quail Ridge’ Outline Plan and to a Land Use Bylaw amendment which rezoned the subject land to ‘Country Residential Two’ (CR-2).
- **December 14, 2010** – Council gave three readings to both Bylaws 1165/08 and 1166/08 which amended the Municipal Development Plan and Sturgeon Valley Area Structure Plan at that time, in order to designate the subject land for future country residential purposes.

Report Background Information

- As demonstrated within the section above, the Club & Residences of River’s Gate (formerly ‘Quail Ridge’) has been progressing since 2010.
- In the spring of 2016, as described more thoroughly within the Outline Plan contained in **Attachment 6**, applications were received which will have the effect of:
 - 1) *Immediately* – enabling the construction of 16 semi-detached dwelling units on 0.25 acre lots – as opposed to 8 single detached dwellings on 0.5 acre lots (as per the existing zoning).
 - 2) *Longer-term* – potentially enabling the same to occur throughout the remaining undeveloped lands within the Club & Residences of River’s Gate – *if* a successful rezoning application is first applied for and approved by Council.

The above necessitates amendments to the existing outline plan, the Land Use Bylaw and the Sturgeon Valley Area Structure Plan.

- In addition to those three amendments, on the premise of ensuring economic viability, the applicant also proposes amending the Sturgeon Valley Off-Site Levy Bylaw to half the levy rates affecting a specified area (only), to the effect of paying levies based upon the 8 existing lots (which would allow 8 single detached dwellings) as opposed to the future 16 lots (which would allow 16 semi-detached dwellings).
- Upon an internal circulation process seeking feedback, the following was received:
 - “No objections”: Protective Services; Assessment Services; Superior Safety Codes.
 - Current Planning & Development Services (Development Section): Recommended minor revisions to the proposed S-DC-14 district – which Beaverbrook has incorporated.
 - Community & Regional Planning Services: Recommended further elaboration to demonstrate how the amendments align with the Municipal Development Plan – which Beaverbrook has incorporated.

- Utility Services: No objections, but caution that existing sewer and water infrastructure was constructed to accommodate 0.5 acre densities. This proposal will accommodate twice that density which will have increased loading on the sewer collection system, and will have major flow issues because the subdivision currently has extremely limited capacities. These two issues should be studied (see comments below under Engineering Services).
- Engineering Services: See **Attachment 1**.
 - On August 17, 2016, representatives from Sturgeon County and Beaverbrook met to discuss the 10 items referenced within this attachment. Subsequently, on August 30, 2016, Beaverbrook submitted additional technical information in an effort to satisfy Engineering and Utility Services' comments. However, at the time of preparing this report, the new information brought forward has not yet been analysed by Engineering Services, but will be done prior to scheduling the public hearing (anticipated on either Oct. 11 or 25).
 - In addition to (and regardless of) these outstanding technical matters (which may be able to be addressed), Engineering Services expressed concerns over reduced levy rates – since increased density requires increased demand on infrastructure.
- Should these amendments be approved by Council, the next step for Beaverbrook will be to submit a new subdivision application for their next phase (i.e. to create 16 semi-detached lots as opposed to 8 single detached lots), based upon the requested smaller lot sizes of 0.25 acres. Note: The remaining undeveloped lands within the Club & Residences of Rivers Gate could also have this opportunity – but would first have to be rezoned to a land use district which accommodates semi-detached dwellings and 0.25 acre lot sizes.
- Alternatively, if these amendments are *not* approved by Council, Beaverbrook currently has an existing 'conditional approval' for a subdivision application based upon 0.5 acre lots which they may opt to pursue and register with Alberta Land Titles.

External Communication

- **June 8, 2016** – Amendment applications referred to applicable Sturgeon County departments and other various external stakeholders for comments (no adjacent landowners as per normal procedures).

- **Future Communication** – Will be completed in advance of the Public Hearing provided Council supports first reading of the proposed bylaws (including adjacent landowners, County departments and external stakeholders).

Relevant Policy/Legislation/Practices:

- The *Municipal Government Act*, RSA 2000 C.M-26, and amendments thereto authorize Council to establish and amend Bylaws.
- Section 692 of The *Municipal Government Act*, RSA 2000 C.M-26 and amendments thereto requires that a municipality hold a public hearing prior to giving second reading to a proposed bylaw.
- Municipal Development Plan Bylaw 1313/13:
 - Policy 2.2.6: *“Should investigate and monitor the impacts of new and existing residential subdivision and development activity on County infrastructure and establish funding mechanisms and responsibilities (e.g., off-site levies or local improvement taxes) to pay for needed improvements and upgrades as a result of the associated activity.”*
 - G.1(a): *“Supporting the regional vision of growth by seeking opportunities to minimize the overall development footprint and by focusing the majority of Sturgeon County’s residential, commercial and institutional development activity to the Neighbourhood.”*
 - G.1(f): *“Locating future development in areas that are economically sustainable to Sturgeon County and support logical development patterns with serviced municipal infrastructure.”*
 - G.1(l): *“Encouraging new development to achieve a high degree of sustainability with respect to the environment, transportation, food production and land use.”*
 - G.1.2: *“Reducing the amount of land consumed by residential development in the Capital Region through concentration of growth in the CCRA-O area.”*
 - G.1.2.1: *“Shall conform to the total number of residential units in the CCRA-O through the application of the CRGP’s Country Cluster Residential policies.”*
 - G.1.2.2: *“Should identify, prioritize and establish density ranges in the CCRA-O, to ensure cohesive development patterns between the cities of Edmonton and St. Albert and Primary Industry activities, in an effort to achieve viable options to support density allocations as outlined in the CRB Growth Plan. This may involve the creation of additional programs or policies that support varying densities from*

one location within the CCRA-O to strategic locations identified through Sturgeon County's planning process."

- G.1.2.4: *"Should protect the current character and built-form of the Sturgeon Valley and apply increasingly higher densities progressively to urban built-up areas in Edmonton and St. Albert."*
- G.5(d): *"Limiting densification of existing residential subdivisions that do not take into account full consequences to the overall infrastructure network."*
- G.5(e): *"Creating, reviewing and updating off-site levy rates as required, in an effort to ensure municipal fiscal sustainability and to support cost-recovery principles."*

Implication of Administrative Recommendation

Strategic Alignment:

- **"Strong Local Governance and Regional Leadership"** – in light of the following goals and strategies, Administration does not support reducing the levy rates in half for the affected area:
 - Strategy 1.1.1 states that *"Council policies and by-laws are aligned to the 2012-2021 strategic direction, and are implemented consistently."*
 - Goal 1.2 states that *"Sturgeon County is financially stable and fiscally sustainable."*
 - Strategy 1.2.1 states that: *"Short-term and long-term financial plans are developed that ensure the provision of core services and infrastructure to residents."*
- **"Planned Growth and Prosperity"** – in light of the following goals and strategies, Administration supports the amendments which will enable the construction of 16 semi-detached dwellings, but not the amendment which proposes halving the levy rates:
 - Goal 2.2 states that *"Sturgeon County fosters growth through the Integrated Regional Growth Strategy."*
 - Strategy 2.2.2 is to *"Promote land use activities that provide a positive return on investment and facilitate the development of a complete community"*.
 - Strategy 2.2.3 is to *"Focus growth around current or planned infrastructure"*.
 - Strategy 2.3.1 is to *"Encourage maximum development around existing County infrastructure."*

- Strategy 2.3.2 is to “Provide a level of infrastructure that is affordable, safe and sustainable as set by long-range financial plans.”

Organizational:

None.

Financial:

Administration’s recommendation to *not* reduce the levy rates in half will ensure the County receives \$926,928 in levy payments (as opposed to only \$463,368 based upon the developer’s request) – a net gain of \$463,560.

	EXISTING LEVY RATES	TOTAL (16 lots based on <i>existing</i> levies):	PROPOSED LEVY RATES	TOTAL (16 lots based on <i>proposed</i> levies):
Water Off-Site Levy	\$17,757 (per lot)	\$284,112	\$8,878.50 (per lot)	\$142,056
Sanitary Off-Site Levy	\$9,814 (per lot)	\$157,024	\$4,901 (per lot)	\$78,416
Transportation Off-Site Levy	\$30,362 (per lot)	\$485,792	\$15,181 (per lot)	\$242,896
TOTAL LEVIES: (all 3 above)	\$57,933 (per lot)	\$926,928	\$28,960.50 (per lot)	\$463,368

**Alternatives
Considered**

Administration also considered a potential alternative that Council DOES give first reading to Bylaw 1380/16 regarding reducing the existing levy rates in half.

**Implications of
Alternatives**

Strategic Alignment:

- The County requires levies to pay for essential, planned infrastructure in the Sturgeon Valley. Levies are necessary to ensure the County is fiscally sustainable in support of growth while ensuring development pays for itself.

Organizational:

- None.

Financial:

- The County does *not* receive \$463,560 (detailed in previous section).
- It can be argued that the change in housing type and increase of 8 semi-detached dwellings will result in minimal impacts to existing planned infrastructure in the Sturgeon Valley area. It is important to note the amount of land being developed has not changed, only the product and density will be increased slightly. The \$463,363 to be paid as per the developer’s request is exactly the amount the County would collect under the existing subdivision approval (which means nothing is lost in supporting the proposed semi-detached product). However, the primary

issue is more around how a levy bylaw is created and how it is implemented. The existing Sturgeon Valley Off-Site Levy Bylaw has planned infrastructure improvements that have resulted in a cost to construct distributed over the plan area with recovery from developments to be assessed on a value per lot basis. Waiving the levy for the 8 additional lots is in contradiction of the Levy Bylaw and not only sets a precedent that could compromise future levy contributions from future development, but also could be argued by past developers that this development has not paid its proportion. Deferral of a levy payment is provided for in the Levy Bylaw, but full exemption is not contemplated and is not advisable.

Follow up Action 1. Should Council support first reading of the proposed Bylaws Administration will schedule a Public Hearing with respect to the Bylaws.

- Attachments**
1. Memo - Engineering Services
 2. Bylaw 1377/16 to amend the Land Use Bylaw
 3. Bylaw 1377 – Schedule A
 4. Bylaw 1378/16 to amend the Sturgeon Valley Area Structure Plan
 5. Bylaw 1378/16 – Schedule A
 6. Bylaw 1379/16 to amend the Quail Ridge Outline Plan
 7. Bylaw 1379/16 – Schedule A
 8. Bylaw 1380/16 to amend the Sturgeon Valley Off-Site Levy Bylaw
 9. Bylaw 1380/16 – Schedule A
 10. Bylaw 1380/16 – Schedule B

**Report Reviewed
by:**



Clayton Kittlitz, Manager, Current Planning and Development



Stephane Labonne, General Manager Integrated Growth



Peter Tarnawsky, County Commissioner - CAO

Strategic Alignment Checklist

Vision: Sturgeon County: a diverse, active community that pioneers opportunities and promotes initiative while embracing rural lifestyles.

Mission: Provide quality, cost effective services and infrastructure to meet the diverse needs of the Sturgeon County community, while improving competitiveness and sustainability.

Focus Areas	Not consistent	N/A	Consistent
Strong Local Governance and Regional Leadership			
<i>We promote consistent and accountable leadership through collaborative and transparent processes (Strategic Plan, pg. 27 MDP)</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Consistent with neighborhood role (see MDP), master plans, policies</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Considers fiscal stability and sustainability</i> 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Has a positive impact on regional and sub-regional cooperation</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Respect the Natural Environment			
<i>We acknowledge the importance of a healthy environment and will minimize and monitor our impact on ecosystems (Strategic Plan, pg. 27 MDP)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Compliance with Provincial and Federal regulations and/or legislation</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Ensure effective environmental risk management</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Community Identity & Spirit			
<i>We will build upon our strengths, where together we will create an inclusive, caring community (Strategic Plan, (Strategic Plan, pg. 27 MDP)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Promotes and/or enhances residents' identification with Sturgeon County</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Enhances service provision through community partnerships</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Supports Sturgeon County's cultural history</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Planned Growth and Prosperity			
<i>We encourage varied and integrated enterprises that enhance our strong economic base, while balancing the needs of the community and natural environment. (Strategic Plan, pg. 27 MDP)</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Does the proposal align with the Integrated Regional Growth Strategy (map/policies) pg. 26 MDP</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Considers cumulative costs and long-term funding implications</i> 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Targets growth around current or planned infrastructure</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Maintain and Enhance Strong Communities			
<i>We are committed to a safe, secure community, where our residents are respected and provided with access to opportunities. (Strategic Plan, pg. 27 MDP)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Positive impact on residents' quality of life</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Supports and promotes volunteer efforts</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Provides programs and services that are accessible to all residents</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Operational Excellence			
<i>We have the organizational capability to deliver consistent and defined levels of service to all stakeholders in a professional, efficient, and cost effective manner</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Staff have the knowledge, skills and capability to perform their jobs</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Streamlines operational processes and policies</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Promotes engagement and professional interaction with stakeholders</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Considers a cost-structure which allows Sturgeon County to remain competitive within a regional, national and global context</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>