


MISCELLANEOUS PLANNING ITEM
PLANNING AND DEVELOPMENT REPORT TO COUNCIL
Condition of First Reading to Bylaw 19/2021 – Revised ASP Amendment
May 19, 2021

Request for Council to review and accept the revised amendment to the Heritage Pointe Area Structure Plan (Serenity) as per Condition 1. of first reading to Bylaw 19/2021	
APPLICATION INFORMATION	FILE NO. 20R034
	LANDOWNERS: Carolina Oxtoby and Douglas Howland
	AGENT: Kristi Beunder of Township Planning + Design Inc.
	LOCATION OF SUBJECT LANDS: within the boundaries of the Hamlet of Heritage Pointe, east of the Heritage Pointe commercial area and Heritage Pointe fire hall, and north of Dunbow Road E with access from the end of the cul-de-sac for 4 th St. E.
LEGAL DESCRIPTION: Ptn. SW 5-22-29 W4M; Plan 9912130, Block 5	
AREA OF SUBJECT LANDS: 24.39 acres	
CURRENT LAND USE: Country Residential District	
PROPOSED LAND USES: Hamlet Residential District, Hamlet Residential Sub-district "A" and Residential Multi-Family District with additional lands to be dedicated as Municipal Reserve, Environmental Reserve and Public Utility	
DIVISION NO: 6	FILE MANAGER: Samantha Payne

PURPOSE OF REQUEST

Request for Council to review and accept the revised amendment to the Heritage Pointe Area Structure Plan (ASP) as submitted, which was required to be provided as a condition of first reading to Bylaw 19/2021, granted on March 10, 2021. An excerpt from the March 10, 2021 Council meeting minutes pertaining to this decision is included within Appendix B of this staff report.

SUMMARY OF ASP AMENDMENT (SERENITY)

The proposed ASP Amendment has been provided in the form of an addendum, which would be considered as forming part of the current Heritage Pointe ASP. The policies of the current Heritage Pointe ASP will apply to the subject parcel unless otherwise noted in or updated by the proposed addendum.

The ASP Amendment contemplates the addition of a new development cell (referred to as Serenity and Cell E) inside the current boundaries of the Heritage Pointe ASP plan area and the Hamlet of Heritage Pointe.

Number of Lots: The new development cell is proposed to facilitate the future development of 45-58 Hamlet Residential District (HR)/Hamlet Residential Sub-district "A" (HRA) lots and 20 Residential Multi-Family District (RMF) lots. Both Single Family Dwellings and Semi-attached Dwellings may be constructed within the HR/HRA and RMF land use districts.

Density: The density of Serenity is proposed to range from approximately 3.19 to 3.8 units per net developable acre at the discretion of Foothills County.

Water and Wastewater Servicing: Is to be provided by Corix Utilities, the current service provider for the Hamlet.

Land Use: The accompanying land use redesignation would enable the implementation of the ASP Amendment. The land uses proposed include Hamlet Residential District, Hamlet Residential Sub-district "A" and Residential Multi-Family District with additional lands to be dedicated as Municipal Reserve, Environmental Reserve and Public Utility. Additionally, a Site Specific Amendment to the Residential Multi-Family District is proposed to allow for Dwelling, Single Family as a Permitted Use and to allow for the current relaxations for the Hamlet of Heritage Pointe. Further, a Site Specific Amendment to the Hamlet Residential District is contemplated to allow for a front yard setback of 1.0 metre from the property line for lots fronting the major east-west collector road and to allow for a rear yard setback of 6 metres from property line.

COUNCIL DECISION

On March 10th, 2021, subsequent to the March 9th, 2021 Public Hearing, Council granted first reading to Bylaw 19/2021 to authorize an amendment to Bylaw 80/2004, being a Bylaw to adopt the Heritage Pointe Area Structure Plan according to the addendum as attached with additional amendments as proposed by the applicant at the public hearing subject to the following conditions:

1. The applicant is to provide a revised ASP amendment as proposed in the public hearing, specifically amendments to text and figures that provide additional open space, the lot massing, the land uses and include the shared community goals as an appendix. Council requests that the revised plan include amendments in both text and figures that remove the lot lines and provides that a range of density between 3.19 upa and 3.8 upa is permitted. The revised plan should indicate that semi-attached dwellings may be constructed on lots designated as Hamlet Residential district in accordance with the provisions in the ASP and the LUB. The revised plan is to be provided to Council for review.
2. The County is to undertake drafting of the required reports for submission with the revised ASP amendment as accepted by Council for consideration by the Calgary Metropolitan Region Board under the Regional Evaluation Framework.

As required under Condition 1., the consultant, Kristi Beunder of Township Planning + Design Inc. on behalf of the landowners, has provided a revised ASP Amendment for Council's review and acceptance. County planning staff have reviewed the revised ASP Amendment and note that all the amendments required under Condition 1. as well as those suggested by staff have been incorporated into the plan. *The revised ASP Amendment is included within Appendix C of this staff report.*

REQUEST OF COUNCIL

Request for Council to review and accept the revised amendment to the Heritage Pointe Area Structure Plan (ASP) as submitted, which was required to be provided as a condition of first reading to Bylaw 19/2021. The consultant provided the following summary of the revisions that were made to the ASP Amendment in order achieve the direction of Council as provided in the March 10, 2021 decision:

Revisions by page number:

Cover Page - Bylaw number 19/2021 has been added to the Cover Page underneath the date.

Pg. 1 – Table of Contents is revised to reflect new page numbers and revised titles as per changes summarized below.

Pg. 3 – Figure 1 – is revised to add the Regional Energy Corridor

Pg. 9 – Policy 0.3.2.3 - the words “and the Calgary Metropolitan Region Board” are added.

Pg. 10 – Policy 0.3.3.2 - the words “and those of the Calgary Metropolitan Region Board Growth Plan” are added.

Pg. 15 – Land Use Table – The lot number for the Hamlet Residential land use has been revised to a range of 45-58 in order to add the appropriate number of units should the CMRB insist that the 3.8 UPA density target be required to be achieved. A note was added to the bottom of the table in this section that explains that “Semi-attached may be constructed in the district which may increase the number of units.”

Pg. 15 - Density Table - This section was revised to add a range of density as directed by Council. The range is reflected in a flexible housing unit number and flexible density target. A note is added that states “Foothills County retains discretion to adjust density to between 3.19 to 3.83 UPA”.

Pg. 16 – Figure 4 – Lot lines are removed from this figure to align with the direction of Council.

Pg. 17 – Figure 5 – Statistics for Villas and Singles as well as lot totals have been removed from the legend to comply with the flexible density direction of Council.

Pg. 18 – Figure 6 – Average Lot size statistics have been removed from the legend to accommodate for the flexible density range directed by Council and the figure title was revised from “Detailed Lotting Concept” to “Detailed Zoning Concept”. All lots are still required to comply with the 2004 Heritage Pointe ASP.

At this location 2 Pages were added to the layout which allowed for the residential section to be revised, as outlined below, and results in other content being renumbered by page for this point against the version of the plan considered by Council.

Pg. 19 – Within the 05.3 preamble mention is made of the Shared Community Goals and their location within Appendix A. The following is added “A significant amount of community engagement occurred over the duration of the application phase of this project. As a result, a set of Shared Community Goals were derived and agreed upon by the developer and the community. These goals apply to the project through its duration and they can be found in **Appendix A.**”

Pg. 19 – Within the pre-amble “The Plan achieves a density target of approximately 3.19 units per net developable acre.” Has been moved to the policy section as Policy 0.5.4.1 and revised to include a range of 3.19 to 3.8 UPA to reflect the flexible density as directed by Council it now states: “The density of the Serenity ASP may range from approximately 3.19 to 3.8 units per net developable acre at the discretion of Foothills County.”

Pg. 19 – Policy 0.5.4.1 is renumbered to Policy 0.5.4.2

Pg. 19 – Policy 0.5.4.2 is renumbered to Policy 0.5.4.3

Pg. 20 – The following three policies are added to clarify the housing typologies and the Site Specific Amendments allowed by Council, as follows:

0.5.4.4 On Hamlet Residential lots, the housing form shall be single family detached or semi-detached in accordance with the Foothills Land Use Bylaw and aligned with the Site-Specific Amendments as outlined in this ASP.

0.5.4.5 On Residential Multi-Family lots, the housing form shall be semi-detached villa product in accordance with the Foothills Land Use Bylaw and aligned with the Site-Specific Amendments as outlined in this ASP. The direction of Council is to allow flexibility in this district to allow for single family detached at the discretion of Foothills County.

0.5.4.6 Relaxations to built form shall be as outlined in this ASP.

All following policies are subsequently renumbered.

Pg. 20 – the following policy was added to ensure all relaxations can be found on the same policy section “0.5.4.8 (vi) - A Site-Specific amendment to the land use bylaw was approved by Foothills County that can allow for single-family detached housing forms within the Residential Multi-family area at the discretion of Foothills County.”

Pg. 20 – Policy 0.5.4.9 is revised to reflect Environmental Reserve rather than Environmental Reserve Easement as is reflected on the site plan. The sentence “This area contains land that is to remain in its natural state and cannot support development based on geotechnical findings”. Has been modified as the geotechnical findings for portions of the now expanded ER area (expanded from the original ERE) did support development on this expanded area of land now identified as ER.

Due to additions in the residential policy section, Section 05.5 Open Space was moved to page 21 and remains unmodified and Section 05.6 Municipal Reserve was moved to page 22 and was modified as follows:

Pg. 22 – Within Section 05.6 the following policy has been added to provide context for the Municipal Reserve parcel labelled, “Community Amenity”:

0.5.6.5 As identified on **Figure 7**, a community amenity location is identified. This would be the proposed location where a pickle ball court, or similar developer-funded sports court would be located for the use of all area residents. Further details shall be provided at the subdivision stage to the satisfaction of the County.

Pg. 24 – Figure 7 has been revised to remove lot lines at the direction of Council.

Pg. 28 – Figure 8 has been revised to remove lot lines at the direction of Council.

Pg. 32 – Figure 9 the Villa Road standard was added to ensure all road types are represented in the ASP.

Pg. 35 – Figure 10 was updated to reflect the updated layout (inclusive of lotting) and the figure title was revised to indicate “Conceptual” alignments as the alignment options shown here may be revised in the final design stage. The “Conceptual” notation on the figure allows the lotting to be shown without need to amend the ASP.

Pg. 37 – Figure 11 was updated to reflect the updated layout (inclusive of lotting) and the figure title was revised to indicate “Conceptual” alignments as the alignment options shown here may

be revised in the final design stage. The “Conceptual” notation on the figure allows the lotting to be shown without need to amend the ASP.

Pg. 39 – Figure 12 was updated to reflect the updated layout (inclusive of lotting) and the figure title was revised to indicate “Conceptual” alignments as the alignment options shown here may be revised in the final design stage. The “Conceptual” notation on the figure allows the lotting to be shown without need to amend the ASP. The word “Conceptual” replaced the word “Preliminary” in the figure title.

Pg. 41- 46 – Appendix A is added, it is our full letter explaining all the issues and the shared community goals.

COUNCIL ACTION REQUESTED

OPTION #1 – ACCEPTANCE OF THE REVISED ASP AMENDMENT

Should Council agree that the revised ASP Amendment addresses all requirements as outlined in Condition 1. of first reading to Bylaw 19/2021, Council may wish to consider the following motion:

Moved that Council accept the ASP Amendment as submitted, as Council agrees that the plan has been appropriately revised to address Council’s direction as provided under Condition 1. of first reading to Bylaw 19/2021.

Please note: Should Council accept the revised ASP Amendment as submitted; planning Staff will proceed with drafting the required reports for submission with the revised ASP amendment as accepted by Council for consideration by the Calgary Metropolitan Region Board under the Interim Regional Evaluation Framework.

OPTION #2 – NOT ACCEPT THE REVISED ASP AMENDMENT

Should Council decide that the revised ASP Amendment does not address all requirements as outlined in Condition 1. of first reading to Bylaw 19/2021, Council may wish to consider the following motion:

Moved that Council does not accept the revised ASP Amendment as submitted, as Council is of the opinion that the plan does not address all of the requirements provided under Condition 1. of first reading to Bylaw 19/2021.

Staff respectfully requests that Council provide direction on what Council would like to see with respect to additional revisions required in order for the plan to meet the direction provided by Council under Condition 1. of first reading to Bylaw 19/2021.

APPENDICES

APPENDIX A - MAP SET:

LOCATION PLAN

ORTHO MAP

APPENDIX B: EXCERPT FROM THE MARCH 10, 2021 COUNCIL MEETING MINUTES

APPENDIX C: PROPOSED REVISED ASP AMENDMENT (“SERENITY”)

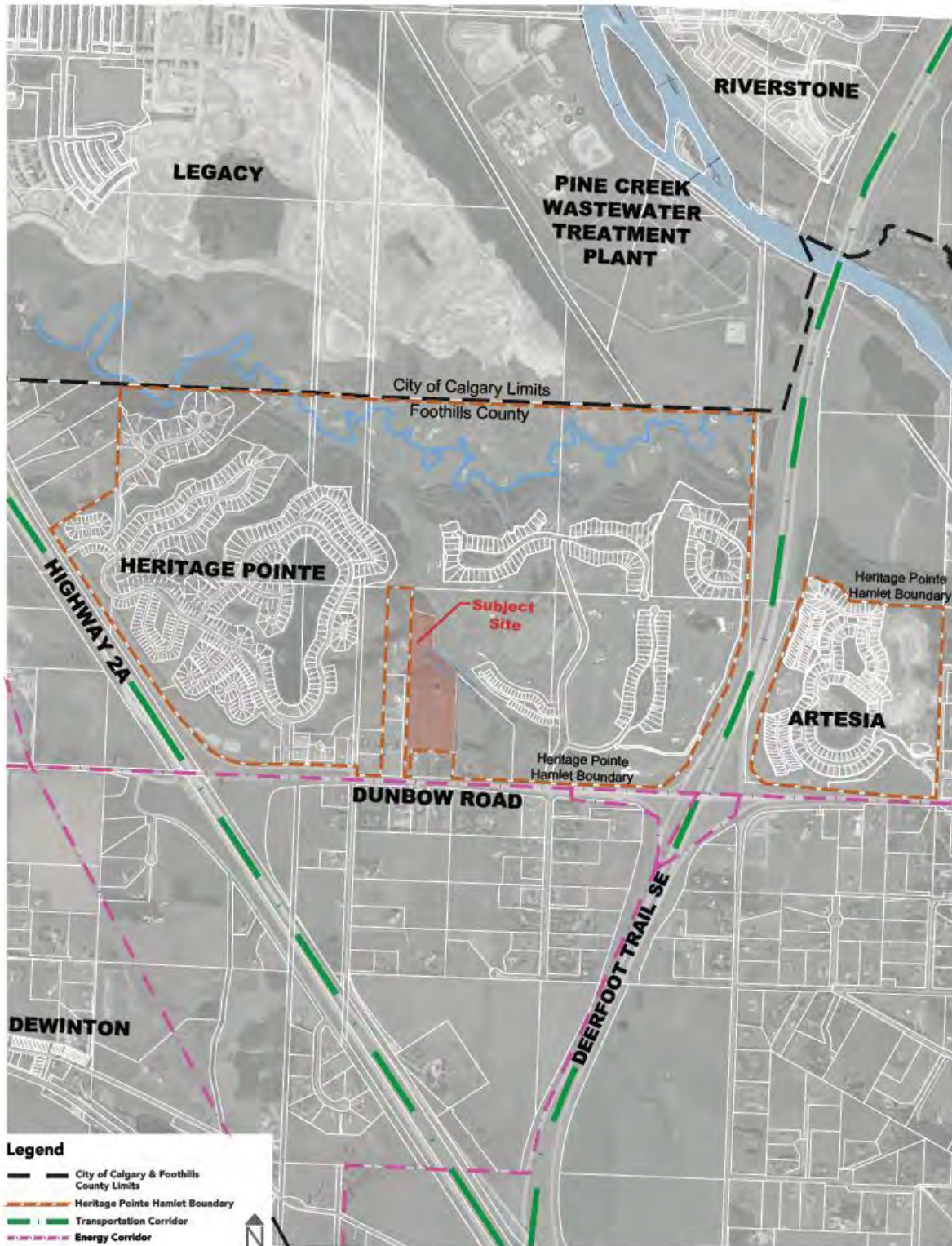


FIGURE 1 - SITE CONTEXT

APPENDIX A - MAP SET: ORTHO MAP



- Legend
- Townships
 - Hamlet
 - Pavement
 - Parcels

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APPENDIX B: EXCERPT FROM THE MARCH 10, 2021 COUNCIL MEETING MINUTES

OXTOBY / HOWLAND – AMENDMENT TO THE HERITAGE POINTE AREA STRUCTURE PLAN / REDESIGNATION AND SITE SPECIFIC AMENDMENT – SW 05-22-29 W4M

BYLAW 19/2021 – ASP AMENDMENT

Bylaw 19/2021 was introduced into the meeting to authorize an amendment to Bylaw 80/2004, being a Bylaw to adopt the Heritage Pointe Area Structure Plan according to the addendum as attached with additional amendments as proposed by the applicant at the public hearing.

Prior to further consideration of the Bylaw the following will be required:

1. The applicant is to provide a revised ASP amendment as proposed in the public hearing, specifically amendments to text and figures that provide additional open space, the lot massing, the land uses and include the shared community goals as an appendix. Council requests that the revised plan include amendments in both text and figures that remove the lot lines and provides that a range of density between 3.19 upa and 3.8 upa is permitted. The revised plan should indicate that semi-attached dwellings may be constructed on lots designated as Hamlet Residential district in accordance with the provisions in the ASP and the LUB. The revised plan is to be provided to Council for review.
2. The County is to undertake drafting of the required reports for submission with the revised ASP amendment as accepted by Council for consideration by the Calgary Metropolitan Region Board under the Regional Evaluation Framework.

Councillor Miller moved first reading

THE BYLAW WAS PASSED FOR ONE READING

BYLAW 20/2021 – LAND USE REDESIGNATION AND SITE SPECIFIC AMENDMENT

Bylaw 20/2021 was introduced into the meeting to authorize the redesignation of the 24.39-acre parcel, legally described as Plan 9912130, Block 5, Ptn. SW 05-22-29 W4M, from Country Residential District to Hamlet Residential District, Hamlet Residential Sub-district "A" and Residential Multi-Family District, with additional lands to be dedicated as Municipal Reserve, Environmental Reserve, and Public Utility Lot. Additionally, a Site Specific Amendment to the Residential Multi-Family District to allow for Dwelling, Single Family as a Permitted Use and to allow for the current relaxations for the Hamlet of Heritage Pointe. Further, a Site Specific Amendment to the Hamlet Residential District to allow for a front yard setback of 1.0 metre from the property line for lots fronting the major east-west collector road and to allow for a rear yard setback of 6 metres from property line.

Lots located on the north side of the plan area are to be designated as Hamlet Residential Sub-district "A" to ensure that all recommendations and restrictions as outlined in the slope analysis required to be provided as a condition of subdivision or development permit, are complied with to the satisfaction of the Public Works department. A completion certificate provided by a Professional Engineer verifying that all aspects of the noted analysis have been met and a \$5,000 deposit as a pre-release condition to ensure compliance of all conditions of the development permit will be required.

Prior to further consideration of the Bylaw, the following will be required:

1. Third and final reading be granted to Bylaw 19/2021 adopting the amendment to the Heritage Pointe Area Structure Plan;
2. Submission of a Stormwater Management Plan to the satisfaction of the County's Public Works department;
3. Final redesignation application fees to be submitted;

Councillor Alger moved first reading

THE BYLAW WAS PASSED FOR ONE READING