

**MINUTES** of a Regular Meeting of the **MUNICIPAL PLANNING COMMISSION (MPC)** held on Monday, May 17, 2021 at 3:00 p.m. with the following in attendance:

<b>CHAIRMAN:</b>	M. Elemans	Member at Large (Participated Remotely)
<b>MEMBERS:</b>	K. Baird	Member at Large
	K. Fleckenstein	Member at Large (Participated Remotely)
	P. Tessier	Member at Large
	A. Tuveson	Member at Large
<b>OTHERS:</b>	M. Gaehring	Secretary to the Commission
	J. Price	Senior Subdivision Planner
	W. Smith	Recording Secretary

**ABSENT:**

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**A. TUVESON:**

THAT the revised agenda of the meeting of the Municipal Planning Commission (MPC) held on May 17, 2021 be approved as presented/amended.

-----CARRIED

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**K. BAIRD:**

THAT the minutes of the meeting of the Municipal Planning Commission (MPC) held on December 8, 2020 be approved.

-----CARRIED

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**A. TUVESON:**

THAT the minutes of the meeting of the Municipal Planning Commission (MPC) held on May 3, 2021 be approved.

-----CARRIED

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**DEVELOPMENT APPLICATIONS:**

**“PROPOSED COMPREHENSIVE SITE PLAN – COALBROOK GATE SITE PLAN”**, File No: **CSP00100**, **Stantec Consulting Ltd.**, on behalf of **Daytona Urban Land Development Corp.**, has applied for approval of a Comprehensive Site Plan to guide development within the Urban Innovation District (UI) of the Copperwood neighbourhood.

***Senior Subdivision Planner’s Presentation:***

**Jason Price, Senior Subdivision Planner** presented the “Comprehensive Site Plan – Coalbrook Gate.” A Comprehensive Site Plan to guide development within the Urban Innovation District (UI) of the Copperwood neighbourhood. Site Plans are brought to MPC.

Purpose of the Urban Innovation District of Land Use Bylaw 6300, is to allow the comprehensive development of a site which may or may not feature a mixture of complementary land uses to create an environment not possible using another land use district.

During the development of the Copperwood Stage 2 Outline Plan, the developer shadow planned the area in the southeast corner of the neighbourhood as a mixed density area. MPC approved the Copperwood Stage 2 Outline Plan in September of 2012. Recently the developer expressed an interest in constructing a “Live-Work” style townhouse project fronting onto the future neighbourhood access road (Coalbrook Gate W) where the “work” component would be in the form of a Home Occupation but would go beyond the types of Home Occupations allowed under the mixed density land use district by allowing walk-in customer visits with no prior appointment necessary. The Home Occupation would have dedicated space on the main floor of the dwelling unit occupying two upper floors. The proposed concept was circulated to City staff who determined that it can be accommodated as there is sufficient utility and transportation infrastructure capacity. City Council recently approved the zoning for a portion of the Outline Plan area to Urban Innovation District. The comprehensive site plan will guide development consistent with previously adopted plans.

The intent of the Urban Innovation district is to provide maximum flexibility in design of the development. To ensure the development is constructed as planned, the developer has provided a comprehensive site plan that includes an architectural rendering, site plan concept and development rules which form part of this approval.

Notice of MPC meeting was advertised April 24, 2021. Adjacent Property owners were also notified and invited to submit written comments or attend the MPC meeting. One letter of objection was received.

In conclusion, Mr. Price recommended that application CSP00100, Comprehensive Site Plan – Coalbrook Gate be approved with the following conditions:

1. That future land development within this Comprehensive Plan area shall adhere to the policies and guidelines within the plan document at the discretion of the Development Authority.
2. Notwithstanding the authority to grant waivers pursuant to Section 22(4) of Land Use Bylaw 6300, only those standards whose relaxation will not alter the intent or substance of the comprehensive siting plan may be waived at the discretion of the Development Authority. All other changes shall require an amendment to the comprehensive siting plan.

***Applicant's Presentation:***

**Don Janzen, Daytona Urban Land Development Corp.** advised as follows:

- Copperwood has been developed over the past 15 years
- Want to rebrand the community
- Copperwood has schools, parks, walking trails and ponds
- No centralized business in Copperwood
- Want to create a Live-Work style home
- Area will be an approved Business Area for Type D Home Occupations
- Type D Home Occupation are classified as a home business with walk in customers with no appointment necessary
- Some permitted uses could be retail, personal, business office, child care and animal care
- Angled parking will be provided in front of business units
- Signs will be encouraged to be an integral part of the building
- Comprehensive Plan promotes a unique build for the community
- COVID prevented Open Houses in the neighbourhood about the project
- A video was created to replace the open house and submitted on Daytona and Copperwood Neighbourhood website
- Video stemmed some questions about parking
- There was no opposition

**Other Presentations:**

**Ramesh Manda, 868 Coalbrook Close W**, advised as follows:

- Have resided in Copperwood for five years and extensively researched prior to purchasing a home in February, 2021
- Chose Coalbrook Close neighbourhood after viewing the Copperwood Area Structure Plan (CSP) and Outline Plan for the Coalbrook Close neighbourhood
- Area in question is located behind our existing property
- Townhomes can be part of site plan however the proposed site plan shows 10 Live-Work townhomes which is extremely concerning
- The proposal is not according to the overall purpose and goal
- Strongly oppose the proposal amendment for the following reasons:
  - As per the CSP “an Urban Innovation District which may allow traditional land uses to be mixed as long as they are comprehensively planned. We support Urban Innovation as it will match people’s lifestyle but our lifestyle and interests do not match. This is why we chose to purchase Coalbrook property as a R-M Land Use Zone
  - Understand that zone designations may be amended but those amendments must be in alignment with overall planning and community support. This proposal will not fit
  - Currently two other future communities have plans with U-I zones. Current and future citizens would have knowledge of these zones and have the choice to live in these neighbourhoods. Our neighbourhood purchased properties with no knowledge of the zone amendment
  - Copperwood Development Concept is to offer a spectrum of housing types. This full spectrum of housing will be able to satisfy the needs of a variety of lifestyles and family compositions. Proposed amendment does not fit to the concept as it places more commercial focus rather than residential communities
  - Proposed amendment is not aligned with the original Copperwood Outline Plan
  - Land Use Bylaw 6300 addresses key points if an occupant wishes to live and work from the property.
  - Some Home Occupation applications must receive approval from the MPC if amendments to zones are needed
  - Future occupants may potentially take advantage of vague description of the purpose and permitted uses for U-I zones
  - Without Home Occupation limitations, this amendment would set a precedent if approved
  - Coalbrook Close W is a developing neighbourhood and the amendment will definitely affect the quality of life
  - We believe that all occupants backing to Coalbrook Gate with knowledge of the R-M zone behind Coalbrook Gate would oppose the proposal
  - All entry links/gates connecting Copperwood have properties facing or backing. We purchased with the belief that future properties across Coalbrook Gate would back onto Coalbrook Gate, just as our property.
  - The Comprehensive Plan does not share the details that may have been submitted with the proposal.
  - With this amendment ten townhouses will have an entryway or facing on to Coalbrook Gate which is located across from the rear of my property.
  - We believed that Coalbrook Gate would only accommodate thru traffic between Metis Trail and Coalbrook Blvd.
  - This amendment will create parking spaces on Coalbrook Gate across from the back of our property which compromises our privacy
  - Our property directly backs to the proposed ten townhouse and amending the Land Use Zone will affect the use, peaceful enjoyment and value of our property
- City Land Use Bylaw already has provisions for Home Occupations for Zone R-M. We purchased 868 Coalbrook Close W knowing this designation
- The proposed Comprehensive Plan affects our quality of living in the neighbourhood and value of our property

- We ask that the MPC rejects the application as it is not in the best interest of the community and neighbourhood

***There was no response to the Chairman's three calls for anyone else wishing to speak.***

**Questions:**

**Mr. Price and Mr. Janzen** responded to questions regarding:

- Clarification of Zoning and Land Use
- Decision made by Developer to approve Home Occupations
- Could a property owner only sell the Business portion of the property
- Could a property owner lease out the Business portion of the property
- Height of Townhomes that are not zoned Live-Work properties
- All townhomes will be two-storey properties
- Traffic Studies done only on main rings of Copperwood
- Was a neighbourhood mail out done
- Who really received notice of this meeting
- Precedence will be set for plans for U-I
- Missing details in the Comprehensive Plan
  - City Right of Way
  - Landscaping responsibility
  - Lack of on street parking
  - Businesses operating out of rear garages
  - Garbage pick up
  - Transit plans
  - Preventing customers from parking in residential neighbourhoods
- Asking for approval on new experimental plan
- Planned lot development tendered and awarded already
- Is there a Plan B if this is not approved
- What if parking requirements change with these standard townhomes
- Is it standard practice to tender/award/begin before approval has been given
- How will these Live-Work properties be tax assessed
- Why is this phase being presented now when the Copperwood community is nearly complete
- Possibility that the frontage of these townhome be taxed twice
- Appears this Comprehensive Plan has just been thrown together
- Two story townhomes cannot be divided into two dwellings
- Is there any expressed interest in purchasing property
- Any deposit received for any of these properties
- Why is this phase being planned/positioned on a main road
- Is there concerns from residents regarding location
- Would a liquor licence be awarded to any of these home occupations

***The following motion was presented:***

**A. TUVESON:**

THAT Application No. CSP00100 "Coalbrook Gate Comprehensive Site Plan" is **APPROVED** with the conditions:

1. That future development within this Comprehensive Plan area shall adhere to the policies and guidelines within the plan document at the discretion of the Development Authority.
2. Notwithstanding the authority to grant waivers pursuant to Section 22(4) of Land Use Bylaw 6300, only those standards whose relaxation will not alter the intent or substance of the comprehensive

siting plan may be waived at the discretion of the Development Authority. All other changes shall require an amendment to the comprehensive siting plan.

-----CARRIED

**OPPOSED: P. TESSIER  
K. FLECKENSTEIN**

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**“PROPOSED AMENDMENT TO “BLACKWOLF STAGE 2 OUTLINE PLAN”**, File No: OLP00013, **Associated Engineering Alberta Ltd.**, on behalf of **BW2 Developments Ltd.**, has applied to amend the existing Outline Plan for BlackWolf Stage 2. The amendment area contains approximately 28.45 hectares (70.29 acres), of undeveloped land, lying east of Hardieville, west of BlackWolf Stage 1 and north of Legacy Park.

***Senior Subdivision Planner’s Presentation:***

**Jason Price, Senior Subdivision Planner** presented the “Proposed Amendment to “BlackWolf Stage 2 Outline Plan” for approximately 28.45 hectares (70.29 acres), of undeveloped land, lying east of Hardieville, west of BlackWolf Stage 1 and north of Legacy Park. Outline Plans are brought to MPC.

Purpose of an outline plan is to expand on the policies established in an Area Structure Plan to provide a more detailed planning and engineering framework to guide the phased subdivision and development of a new neighbourhood.

The original BlackWolf Stage 2 Outline Plan was originally prepared by a different developer and was approved by the Municipal Planning Commission in September 2014. The BlackWolf Stage 2 Outline Plan amendment was prepared in accordance with the policies and objectives outlined in the *Hardieville-Legacy Ridge-uplands Area Structure Plan*. This amendment is consistent with the policies of the *South Saskatchewan Regional Plan and the City of Lethbridge Integrated Community Sustainability Plan/Municipal Development Plan*.

The report provides detailed information with respect to goals and objectives of the plan, form of housing, residential density, open space allotment and master underground servicing plans and has been reviewed by administration staff (Planning Review Team).

This Outline Plan amendment contemplates key alterations to the previously approved plan which include:

- Adjustment of the residential land use allocation by removing prescriptive zoning designations
- Addition to two swing sites to the plan area that may be developed as either single detached or medium residential.
- Minor updates to the population statistics, transportation and servicing concepts as necessated by the land use revision.

There are no changes proposed to the existing built areas of the neighbourhood

At full build out, the outline plan could see 708 dwelling units (up from 577) with an increase in density to 10.5 units per hectare (up from 8.6 units per hectare).

Notice of MPC meeting was advertised April 24, 2021. Adjacent Property owners were also notified and invited to submit written comments or attend the MPC meeting.

Additional notification to the public is required with the future rezoning and subdivision processes.

In conclusion, Mr. Price recommended that application OLP00013, BlackWolf Stage 2 Outline Plan Amendment be approved with the following condition:

1. That future land use bylaw amendment applications and subdivision applications conform with this approval with respect to land use and street pattern to the satisfaction of the Approving Authority.

***Applicant's Presentation:***

**Adam McDonald and Billy Crawford, Associated Engineering Alberta Ltd.** advised as follows:

Applicants were present but had nothing to add and were available for questions

***Other Presentations:***

***There was no response to the Chairman's three calls for anyone else wishing to speak.***

***Questions:***

**Mr. Price, Mr. McDonald and Mr. Crawford** responded to questions regarding:

- Swing site will be adequately serviced for Condo Development
- Appropriate to zone both Medium and Low Density
- Medium Density would be the same as Condo Development
- What would the condos look like
- Why is the swing site being introduced in Phase 3
- Existing lots back onto a park and are zoned Low Density
- Developer plans to choose the remaining density as the area develops
- Medium Density is less than 1.5% is considered Medium Density
- Why not designate a condo development in this amendment
- Instead of labeling a Swing Site why not choose Medium or Low Density
- Are there signs posted in this area regarding zoning
- Reason for not designating the area Medium Density
- What is the benefit of a Swing Site to a citizen
- How can notification be given to property owners when there are no residents living there yet
- What is the benefit of a designated Swing Site to the existing BlackWolf residents
- MPC needs to provide marketing of plan
- Common for the developer to be allowed to create land zones
- Why is the Swing Site not tagged as a Swing Site
- Why change the area of the Swing Site
- Existing services capacity is for Medium Density
- Would more amendments benefit residents of these density zones
- Why not "As Needed" basis of density instead of Swing Site
- When will 13 Street North be constructed into a continuation of Scenic Drive North
- Outline Plan will be fully constructed before 44 Avenue North is complete

***The following motion was presented:***

**A. TUVESON:**

THAT Application No. OLP00013 "BlackWolf Stage 2 Outline Plan Amendment" is **APPROVED** with the condition that future land use bylaw amendment applications and subdivision applications conform with this approval with respect to land use and street pattern to the satisfaction of the Approving Authority.

-----**CARRIED**

**OPPOSED: P. TESSIER**

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**K. BAIRD:**

THAT this meeting of the Municipal Planning Commission be adjourned.

-----CARRIED

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CHAIRMAN

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SECRETARY