

File #: IR-24-024, Version: 1

TAMRMS#: B05

INFORMATION REQUEST (IR) - Landrex 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 Landrex to add drive throughs to the MU-2 district as a discretionary use regarding Bylaw 18/2024 Land Use Bylaw. Does Administration see any issues with this addition?

RESPONSE

Introduction

It should be noted that while Council can direct Administration to conduct changes, these requests that are generated by industry input are best initiated by the developer/applicant 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 regulations changes they required, 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'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.

Background

The subject lands discussed at the Public Hearing on Oct 15, 2024 by Landrex, are:

- 815 St. Albert Trail (Plan 942 3702, Lot C); and
- 835 St. Albert Trail (Plan 242 0625, Block 2, Lot 1).

Both parcels are districted the Mixed-Use Level 2 (MU2) District as per Land Use Bylaw (LUB) 18/2024. The purpose of the MU2 District is to provide for a mixture of commercial, institutional, and medium to high-density residential land uses. Such areas should be compact, attractive, pedestrian-friendly, and reasonably compatible with surrounding developments.

The subject lands are encompassed within the Erin Ridge North Area Structure Plan (ASP), and Figure 2: Future Land Use, identifies this area as Mixed-Use Commercial with Residential.

Flourish Municipal Development Plan (MDP) Map 3: Urban Structure and General Land Use identifies the subject lands as being on the boundary between the transition from Trail Corridor to Neighbourhoods.

City Administration has met with Landrex, and Invistec on October 1, 2024 to discuss this proposal. Administration informed Landrex and Invistec that they would need to apply for a LUB amendment, as this request specifically benefits their development. The developer might also need to apply for an Area Structure Plan amendment, depending on their proposal.

Administrative Rationale

Administration does not support this proposed change for the following reasons:

MU2 District Purpose

- The purpose of the Mixed-Use Level 2 District specifically mentions “pedestrian friendly”. Administration interprets this as meaning that pedestrians will not have to traverse vehicle infrastructure to access businesses.
- The MU2 District focuses on the development of urban villages with a walkable, pedestrian oriented layout, similar to Downtown, where most businesses can be accessed directly via the sidewalk.
- While information was presented about vehicle collisions with pedestrians at the public hearing, collisions are not the only issue.
- The overall layout of a drive through impacts the distance pedestrians must walk to access services. Drive-through developments take up site area through the space required for drive aisles, queuing spaces, and traffic circulation.
- Often, drive-throughs are designed to wrap around the building. This design means that there is no pedestrian-oriented access to the building from any direction. Pedestrians have extra distance to walk to access the business, no matter which direction they use, because of the width of the drive aisles surrounding the store. An example is shown in Figure 1, which shows a portion of 935 St. Albert Trail that is located north of the subject lands.
- There is not typically dedicated pedestrian infrastructure to access the business (eg: a

pedestrian would have to walk across either a parking lot or a drive aisle for access, there wouldn't be a dedicated sidewalk in these designs).

- Outside gathering areas are typically impacted, with traffic noise and vehicle emissions creating a less comfortable pedestrian experience, with fewer social gathering opportunities.
- Without a drive through, more square footage can be developed, rather than additional vehicle infrastructure. More buildable area can benefit assessment value, and allows more interior space for a business to operate.
- Overall, Administration does not consider a drive-through pedestrian friendly, and would not recommend inclusion of this use in the MU2 District.

Figure 1: Example of a Drive-Through at 935 St. Albert Trail



Consistency with other Mixed-Use Districts

- Other mixed-use districts within the Land Use Bylaw were not afforded drive through as a use, including the Mixed-Use Level 1 (MU1), and Downtown (DTN) Districts.
- It's preferred that any future developments that might propose the MU2 District not have access to drive-through as a use, and keep the style of a walkable urban village.

Impacts on Other MU2 Districted Parcels

- A change to the uses in the MU2 District would impact several other lots within the city. Currently, the MU2 District is also applied to the Riverbank Landing (Boudreau Communities) and Grandin Parc Village (Amacon) developments.
- The addition of drive-throughs to those sites might be seen as negative by the residents and users of those developments.

Lack of Public Consultation

- There was no public consultation completed around this topic. This change was only introduced to the public on October 15, 2024, at the Public Hearing, and staff are unsure how many adjacent landowners who might be impacted were viewing the public hearing.
- This proposed change was not included in any public consultation materials that were

released to the public during the Land Use Bylaw update.

Further Communication

Two options were suggested by the developer after the October 15, 2024, public hearing:

Option 1: Add Drive Through as a discretionary use to the MU2 District.

- Administration's position is that this would not meet the intent of MU2 District.

Option 2: District the two parcels abutting St. Albert Trail, Trail Commercial Corridor (TCC) (shown on attached plan as lots 4 and 5) and retain the Mixed-Use Level 2 (MU2) (shown as lots 1,2 and 3 on the attached plan).

- Administration notes that much of the Trail Corridor area is districted as the Trail Corridor Commercial (TCC) District, which has drive-through as a listed use (as well as restaurants). However, this would incur additional amendments, as it would trigger an amendment to the Erin Ridge North Area Structure Plan.

There is a possible third suggestion, which is:

Option 3: Propose a site-specific amendment to the MU2 District, to limit the impact of changes to other parcels.

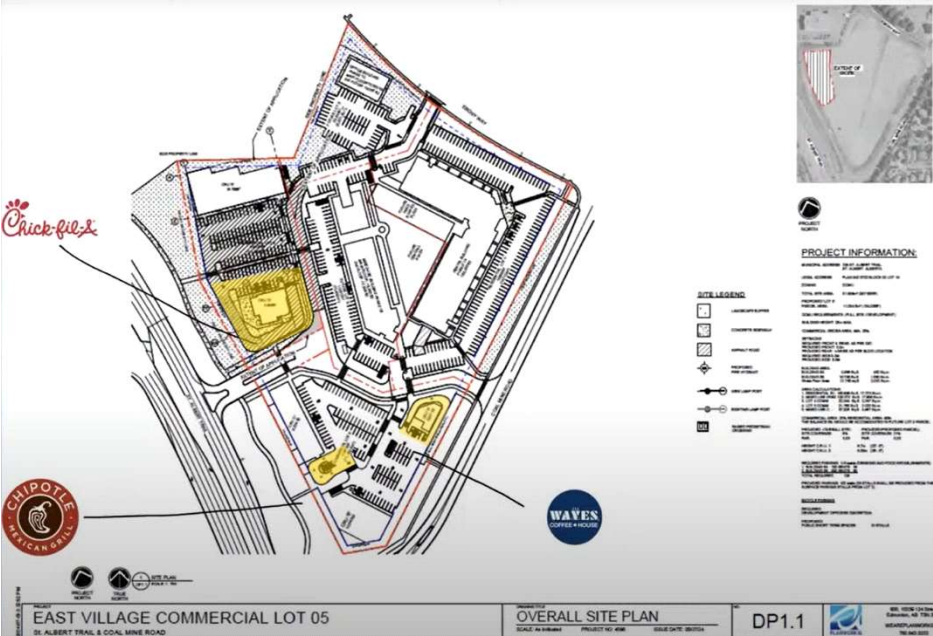
- This is proposed so that only the subject lands were included, and changes would impact only the development site, and not the City as a whole.

Administrative Recommendation

Administration recommends that no amendments occur to the MU2 District.

The proposed site plan, shown at the public hearing gave a tentative site layout, as shown in Figure 2, where each of the three mentioned drive-through sites (shaded in yellow) are surrounded by a drive aisle, and forces pedestrians to interact with vehicles to access the business.

Figure 2: Subject Site Proposed Layout



It is Administration’s position that any proposed changes to this site be a developer-driven application. The application would be circulated for comment and reviewed under the applicable policy context to inform Planning’s recommendation. This would also allow for public consultation to take place with impacted parties.

Summary

Proceeding with these amendments as Administrative-led projects will require re-prioritization of work and staff capacity. A staff-led effort will have a greater cost over simply evaluating the developer-led request, and would only benefit one site-specific development. This is estimated at a cost the City approximately \$10,000 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 \$7,365, in addition to the increased staff time.

Table 1: Estimated Revenue Loss

Item	2025 Master Rates Fee
Land Use Bylaw Amendment	\$7,365.00
Total	\$7,365.00

Report Date: November 15, 2024
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