



REQUEST FOR DECISION

MEETING DATE: April 8, 2024

TITLE: Bylaw C-1296-24 - Land Use Bylaw Amendment - Redistricting - Fenwyck Stage 7 - Public Hearing, Second and Third Reading

DIVISION: Sustainable Growth and Development Services

SUMMARY:

Bylaw C-1296-24, a proposed Land Use Bylaw amendment for redistricting approximately 3.4 ha of land from UR - Urban Reserve District to R1 - Mixed Low to Medium Density Residential District, DC.12 - Fenwyck Semi-detached Direct Control District, DC.13 - Fenwyck Row Housing Direct Control District, and P1 - Parks and Recreation District, is being brought forward for consideration by Council.

A Public Hearing is required to hear from anyone who may be affected by Bylaw C-1296-24. Upon closing of the Public Hearing, Council may consider giving second and third reading to the bylaw.

The proposed redistricting is consistent with the East Pioneer Area Structure Plan and will enable the development of Stage 7 in the Fenwyck Neighbourhood.

PROPOSED MOTION:

THAT second reading be given to C-1296-24 - Land Use Bylaw Amendment - Redistricting - Fenwyck Stage 7.

THAT third reading be given to C-1296-24 - Land Use Bylaw Amendment - Redistricting - Fenwyck Stage 7.

BACKGROUND / ANALYSIS:

The proposed bylaw will redistrict approximately 3.4 ha of Lot 1, Block A, Plan 172 3519 in the Fenwyck neighbourhood. This subject area is currently districted UR - Urban Reserve. A 1.4 ha area is proposed to be redistricted from UR - Urban Reserve District to R1 - Mixed Low to Medium Density Residential District, 0.4 ha area to DC.12 - Fenwyck Semi-detached Direct Control District, 1.4 ha area to DC.13 - Fenwyck Row Housing Direct Control District, and 0.2 ha area from UR - Urban Reserve to P1 - Parks and Recreation District. The proposed redistricting will enable the subdivision and development of approximately 9 single detached, 34 semi-detached residential lots, 40 row housing lots, and one municipal reserve lot that will form part of a future linear greenway.

Municipal Development Plan

Your Bright Future: Municipal Development Plan, 2010-2020 (MDP) is the City's primary statutory plan. The proposed residential and open space redistricting is consistent with the policies of the MDP and Figure 8 Future Land Use that identify the subject area for residential land use.

East Pioneer Area Structure Plan

The amendment area is within the East Pioneer Area Structure Plan, Bylaw C-843-13, and the proposed redistricting is in general compliance with the policies and Land Use Concept that identify the area for "Low to Medium Density Residential" and "Park/Open Space". The area being designated as municipal reserve forms part of a linear park network connecting the Fenwyck neighbourhood to the Pioneer Lands Area Structure Plan neighbourhood to the north and the East Pioneer Natural Area to the east.

Land Use Bylaw

The subject land is currently districted UR - Urban Reserve. The redistricting of the land is required for subdivision and development to occur. The proposed districting will provide for development as follows:

- R1 - Mixed Low to Medium Density Residential district accommodates a range of low to medium density dwellings
- DC.12 - Fenwyck Semi-detached Direct Control District provides for semi-detached dwelling units with a combination of alternating front and rear Site access
- DC.13 - Fenwyck Row Housing Direct Control District accommodates street-oriented row housing units with opportunities to develop secondary suites
- P1 - Parks and Recreation District area is intended to provide for greenway pedestrian connection.

The DC.12 and DC.13 districts were approved as Bylaw C-1205-22 and Bylaw C-1206-22, respectively, to provide for unique dwelling styles within the Fenwyck neighbourhood. Expansion of these districts through the Fenwyck neighbourhood is consistent with the intent of the original direct control district approvals.

Development Agreement

As per Corporate Policy 7,005, a completed and signed development agreement is required prior to consideration of third reading.

OPTIONS / ALTERNATIVES:

Bylaw C-1296-24 is being presented at a Public Hearing. Should Council feel they need further information to make a decision, they may choose to adjourn the public hearing for continuance at a later date. If Council chooses this option, second reading of this bylaw will be rescheduled.

This bylaw is also being brought forward for consideration of second and third reading. Upon closing of the Public Hearing and based on information provided at the Public Hearing, discussion and consideration of changes to the bylaw may be made. Alternatively, Council may defeat the motion for second reading and choose to defeat this bylaw or a Councillor may make the following motion if they wish to defer third reading to the next Council meeting:

THAT third reading for C-1296-24 - Redistricting - Fenwyck Stage 7 be deferred to the April 22, 2024 Regular Council Meeting.

CONSULTATION / ENGAGEMENT:

This application was circulated to relevant City departments for their comments and has received no objections. Additionally, a notice was mailed directly to landowners within 30m of the subject lands and published on the City's website.

A statutory Public Hearing, advertised per the requirements of the *Municipal Government Act*, will be held prior to consideration of second reading.

Under the City's Advertising Bylaw, statutory advertising of the bylaw must occur for a minimum of 10 days on the City's website and must be placed in an Accredited Local Newspaper. The bylaw was posted to the City's website for a minimum of 10 days. However, although the Examiner was in receipt of the relevant advertising documentation in advance of their publishing timelines, the Examiner mistakenly did not publish the advertisements. Based on consultation with legal counsel, the City deems it reasonable to proceed without newspaper advertising as under s. 3.3 of the Advertising Bylaw it notes "If in the opinion of City Administration there is no Accredited Local Newspaper in publication and available for placement of advertisements at the time of advertising, publication shall not constitute a requirement for advertising under this bylaw or s. 606(2)(a) of the Act." Under the circumstances, it is deemed that there was no availability "for placement of advertisements at the time of advertising".

IMPLEMENTATION / COMMUNICATION:

If approved, the Land Use Bylaw map will be updated per Bylaw C-1296-24 and be published on the City's website.

IMPACTS:

Approval of this bylaw will enable the development of Stage 7 in the Fenwyck neighbourhood.

FINANCIAL IMPLICATIONS:

n/a