

**Subject: The McMurray Métis Cultural Centre Development Permit****APPROVALS:****Jamie Doyle**\_\_\_\_\_  
Director\_\_\_\_\_  
Chief Administrative Officer**Recommended Motion:**

THAT Development Permit 2020-DP-00522, being the McMurray Métis Cultural Centre, located at Lot 9, Block 1, Plan 212 0848, be approved with conditions and advisory notes as outlined on Attachment 1.

**Summary:**

The McMurray Métis are proposing to construct a Cultural Centre at MacDonald Island, on land transferred by Municipal Council on June 9, 2020, a newly subdivided parcel legally described as Lot 9, Block 1, Plan 212 0848. This new centre will be an important cultural hub, meeting place, and office space for the McMurray Métis. Before construction can commence, a development permit must be issued. The Cultural Centre is within the Direct Control MacDonald Island District (DC-MI) and is classified as a "Community Service Facility," thus requiring Council approval of Development Permit 2020-DP-00522 (Attachment 1).

*The Municipal Government Act* Section 641(3) authorizes Council to decide on a development permit application. The Land Use Bylaw 99/059 Section 211 has designated the subject property as Direct Control MacDonald Island District (DC-MI). The purpose of this District is to establish special land uses and regulations to accommodate development on MacDonald Island Park. As a Direct Control District, Council has the authority to approve a Community Service Facility with any terms and conditions it considers appropriate.

**Background:**

On March 26, 2020, the McMurray Métis submitted a request to the Regional Municipality of Wood Buffalo to transfer portions of land located on MacDonald Island to construct a Cultural Centre. On June 9, 2020, Council approved the motion to transfer at nominal value approximately 7.8 acres of Lots 1 & 2 (the site of three baseball diamonds) and a portion of a closed roadway known as "Fairway Drive," all within Block 1, Plan 1897TR. The parcels have since been consolidated and the new subdivision

was registered with the Alberta Land Titles Office on March 18, 2021, officially creating Lot 9, Block 1, Plan 212 0848. However, the Alberta Land Titles Office has yet to transfer ownership to the McMurray Métis.

The Cultural Centre is located within the Direct Control MacDonald Island District (DC-MI) and is classified as a Community Service Facility (Attachment 2). The Land Use Bylaw defines such a facility as “a development for use by the public or public groups for cultural or community activities. Typical uses include museums, libraries, and public and private clubs.” While a limited number of permitted land uses in the DC-MI district may be approved by the Development Authority, most - including Community Service Facility - fall under the category of Discretionary Uses and therefore must be approved by Council. In addition to its regular site provisions (such as front, side, and rear yard setbacks), the DC-MI district states that Council has discretion to approve developments that do not meet the required building height or parking requirements.

Following the June 2020 land transfer, the McMurray Métis held a ground-breaking ceremony on September 2, 2020, attended by dignitaries and government representatives. After this significant milestone, the McMurray Métis presented initial drawings to Administration on September 10, 2020, at a pre-application meeting, where the proposal was discussed with internal and external stakeholders. The Development Permit (2020-DP-00522) was subsequently applied for on December 1, 2020, and circulated among the internal and external stakeholders for detailed review. The Permit submission was finalized on March 26, 2021, through significant collaboration with the Fort McMurray Métis, their consultants, and all municipal departments and external stakeholders.

The proposal features an art gallery, museum, smudging rooms, youth spaces, community kitchen, conference spaces and offices for child and family services, health care, and employment training. The land surrounding the building will be generously landscaped with a sizable water feature at the front entrance, an outdoor adventure play area, gardens, and traditional learning spaces. Given the scale, complexity, and location of the building, several important considerations were made during the development permit review:

- The Parks Department suggests the landscaping plans maintain connectivity with ongoing plans at MacDonald Island. Care was also taken towards ensuring that applicable materials from the baseball diamonds could be re-purposed in other locations in support of Fort McMurray Minor Baseball.
- Permanent structural flood mitigation is not planned to extend to MacDonald Island Park. Administration raised concerns regarding flood risk and to address potential flood impacts on the new Cultural Centre, the Fort McMurray Métis are proposing to construct it above the 250.9 metre elevation, which is above the 1:200 flood level.
- The Cultural Centre is expected to employ between 35 and 50 staff members, operating Monday to Friday from 8:30 AM to 4:30 PM, and on weekends from

12:00 PM to 5:00 PM. The Cultural Centre will share most of its parking with MacDonald Island Park, with 150 parking stalls in the existing lot being allocated for visitor and staff use. Barrier-free parking stalls will be provided on the Cultural Centre site to enable easy access. It was determined that no Traffic Impact Assessment would be required.

- The Engineering Department confirmed that the Fort McMurray Métis would not need to pay any additional development charges for this proposal.

### **Decisions of Council:**

Given the Cultural Centre's location in the Direct Control MacDonald Island district (DC-MI), the following are noted for Council's consideration:

1. The DC-MI District's site provisions (including setbacks, and landscaping requirements) have been met with one exception: the 27 metre height of the building's spire exceeds the 12.2 metre maximum building height in the district. However, Council has the discretion to approve any height it considers appropriate. The McMurray Métis have proposed the spire both as an architectural feature and as a rooftop amenity space affording views out over the river valley (Attachment 3). Adjacent buildings such as the Library, MacDonald Island Park, and Shell Place range in height from 14 metres to 16 metres. Administration recommends granting the extra height to accommodate this notable architectural feature as it is not perceived to have any impact on private property and there are no perceived impacts to adjacent properties resulting from shadowing.
2. The Land Use Bylaw requires 150 parking stalls and six barrier-free stalls for the Cultural Centre. The six barrier-free stalls are proposed to be included on-site, but the additional 150 stalls are proposed off-site, within the existing MacDonald Island Park parking lot. The DC-MI district gives Council the discretion to approve any parking requirement it deems appropriate. Given the significant amount of underutilized parking available in the immediate area, Administration recommends allowing parking off-site, as peak hours for the Cultural Centre differ from those of MacDonald Island Park. Administration also recommends requiring that the Fort McMurray Métis enter into an agreement addressing the use and maintenance of shared parking on Municipal property, and the accommodation of some surface improvements needed to facilitate access to the Cultural Centre.

In addition to Council's consideration of the planning matters identified above, Administration recommends that the results of the development permit circulation and review be considered. This review contains valuable feedback for the applicant, and aids in ensuring that all factors critical for a development's success are accounted for. This may result in additional requirements, which form part of a development permit known as Advisory Notes and Conditions. Advisory Notes notify the developer of

additional obligations following the development permit process. Most are standard and appear in other permit approvals, but some are unique to the proposed development. A summary of the key Advisory Notes proposed for this development permit approval are as follows:

- Alberta Health Services to be contacted and regulatory requirements adhered to.
- The Alberta Fire Code shall apply.
- Safety Code permits under the Safety Code Act must be obtained.
- Site services shall be in accordance with the Engineering Services Standards for the Urban Area.
- ATCO Gas confirmed there are existing ATCO Gas facilities in the area and require further discussions with the developer to discuss how gas utilities are impacted and how they will be addressed.
- A Utility Installation Permit is required.

Conditions of the development permit identify additional requirements that must be fulfilled by the Applicant. Applicants are required to follow any listed conditions to remain compliant with their permit approval. A summary of the proposed conditions specific to the Cultural Centre are as follows:

- The McMurray Métis and the RMWB to enter into an Access Easement Agreement to provide certainty for Lot 9, Block 1, Plan 212 0848 to access CA Knight Blvd over Lot 8, Block 1, Plan 202 2329. An Access Easement agreement shall be completed prior to the Final Development Completion Certificate issuance.
- The McMurray Métis and the RMWB to enter into a Parking Easement, maintenance and surface improvement agreement for the use of shared parking required by Lot 8, Block 1, Plan 202 2329 prior to the Final Development Completion Certificate issuance. The agreement shall consider the long-term implications to define the limits and maintenance. The Parking Easement, maintenance and surface improvement agreement shall be completed prior to the Final Development Completion Certificate issuance.
- The Engineering Department recommends a Servicing Easement Agreement, because the services for the Cultural Centre connect to Lot 8, Block 1, Plan 202 2329.

Furthermore, a summary of some key standard conditions proposed for this development permit are outlined below. It is worth noting Securities are typically required for large developments and provide assurance that certain work will be

performed to the satisfaction of the Municipality.

- The requirement for a Fencing Plan: Before any construction starts, the applicant shall ensure that the site is fully fenced, as per the approved fencing plan, in order to prevent any damage to Municipal infrastructure and landscaping surrounding the site, to ensure controlled and safe access and egress of the site, and to provide safe pedestrian access on and through any municipal lands adjacent to the site. The site access locations shall be established as per the fencing plan and will be maintained and operated to the satisfaction of the Development Authority. The fencing is to remain in place and in good working condition until all construction activities have ceased and a Final Development Completion Certificate has been issued.
- A Real Property Report is required for the Development Completion Certificate to ensure the development was constructed as approved.
- A final site grading plan will be required.
- Any damage to the streets, sidewalks, curbs or landscaped boulevards caused by this development shall be the responsibility of the developer to restore.
- As a guarantee of landscaping installed, a security of \$79,385.25 is required, which is based on a contractor-supplied cost estimate. This security is fully returned once the site passes landscape inspection, has survived one winter and a Final Development Completion Certificate has been issued.
- As a guarantee of the engineering work to be completed security in the amount of \$30,000 is required, which includes \$10,000 for connection to water services, \$10,000 for connection to wastewater services, and \$10,000 for a new access to the site. The security is returned once the work is inspected and meets the Engineering Servicing Standards.

### **Rationale for Recommendation:**

The architect of the McMurray Métis Cultural Centre describes the project as, “a record of Métis history and experience, expressing the symbols of Métis cultural identity in building format.” Through the array of uses proposed, the development provides an opportunity for all residents and visitors to experience the culture and history of the McMurray Métis. These features make the Cultural Centre an exciting amenity for not just the entire region, but also the downtown.

There is strong support for the Cultural Centre in two prominent statutory plans, including the Municipal Development Plan (MDP). Policy U1.1 of the MDP speaks to establishing the City Centre as a focal point of some of the urban area’s most historic districts, including MacDonald Island. The Municipality is also supporting the Fort McMurray Métis groups in their efforts to help conserve traditional lands, historic sites,

heritage buildings, and cultural artifacts in accordance with Policy 5.1.2.

The City Centre Area Redevelopment Plan also supports the McMurray Métis Cultural Centre. The plan stresses the importance of the culture and traditions of the Fort McMurray Métis people and states that they should be respected and embraced as a key part of the City Centre's cultural identity. Section 5.5.9.4 of the Plan also supports encouraging year-round indoor and outdoor recreation programs and facilities, which the Cultural Centre provides increased opportunity for.

The Cultural Centre will undoubtedly become an important asset for the region and the downtown. Administration therefore recommends that Council approve Development Permit 2020-DP-00522 along with the accompanying Advisory Notes and Conditions. Pending Council's approval, Administration will finalize the approval and stamping of the permit and drawings.

**Strategic Priorities:**

Rural and Indigenous Communities and Partnerships

**Attachments:**

- 1. Development Permit 2020-DP-00522 with Advisory Notes & Conditions**
- 2. DC-MI Direct Control MacDonald Island District Land Use Bylaw Regulations**
- 3. McMurray Metis Cultural Centre Development Permit Drawings**

**Development Permit Council Presentation: Plans and Renderings**