

7.1. Public Hearing re: Bylaw No. 21/003 –Land Use Bylaw

- A. Introduction and Opening Statement from Administration
 - Brad McMurdo, Director, Planning and Development and Isela Contreras-Dogbe, Supervisor, Planning and Development
- B. Written Presentations
 - Intake 1
 - Ann Marie Eisentraut
 - Intake 2
 - Michel Sauvé
 - Dale Cooper
 - Sylvie Ethier
 - Sandra Bautz, Paragon Capital Corp. Inc.
 - Cindy Archer
 - Wayne Woodhouse
 - Brandon Howse
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 - Sheri Gaunt
 - Will Adam, Camgill Development Corporation
 - Chuck and Meridel Graves
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- C. Verbal Presentations
 - Intake 1
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 - Jeffrey O'Donnell
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 - Will Adam
 - Brianne Shacklady
 - Brian Jean
- D. Other Verbal Presentations (Time Permitting and with Consent of Council)

E. Questions of Council

F. Closing Statement from Administration

From: [Ann Eisentraut](#)
To: [Legislative Assistants](#)
Subject: comments on Land Use Bylaws
Date: Wednesday, April 14, 2021 11:31:42 AM

External Message - Please be cautious when opening links or attachments in email

The following text includes text from the Bylaws. Italics and underline indicated the language being commented on.

Comments from Ann Marie Eisentraut, **Section 17 (1) FOIP**

Page 18: Campground means a development used to provide outdoor spaces to the public for accommodation but does not include project accommodation. A campground includes but is not limited to:

- i. short-term accommodation not exceeding 240 days total in each calendar year of recreational vehicles, tents, and cottages, and is not used as year-round storage.
- ii. a planned development for the year-round accommodation of recreational vehicles

COMMENT: Can a campground be a combination of these two things? Cottages are allowed in i above, but accessory buildings are prohibited in (b) below. Prohibiting accessory buildings and decks in campgrounds is an onerous requirement and highly impractical. Why complicate the definition of a campground? The definition is convoluted and the requirements are unnecessarily restrictive. "Camping" is a broad term that includes sleeping on the ground all the way to sleeping in a million dollar motorhome.

Page 37: 2. Development Not Requiring a Development Permit

2.1. Developments listed in section 2.2 do not require a development permit so long as the development:

- (a) otherwise complies with the rules of this Bylaw;
- (b) is a development exempted under the Act;
- (c) is not located in a floodway;
- (d) is not subject to any restrictions imposed by the Subdivision and Development Regulation; and
- (e) have sewage collection, treatment and disposal, water supply, treatment and distribution, storm water collection and storage and infrastructure capacity sufficient, to the satisfaction of the Development Authority, to serve the development.

2.2. The following developments do not require a development permit if the conditions of section 2.1 are met:

(l) an accessory building that is not a sea-can and does not exceed:

- i. 10.0sq m in gross floor area in the urban service area; or

ii. 20.0sq m in gross floor area in the rural service area;

(m) a deck in the rural service area;

(w) a deck of up to 0.6m in height:

Page 41: Accessory Buildings

Page 45: 10. Campgrounds

10.1. General Requirements

(a) Mobile homes are not permitted in a campground.

(b) Accessory buildings or decks ancillary to a recreational vehicle or within a recreational vehicle stall are not permitted.

10.2. Campground Plan

(a) The campground plan design shall incorporate and promote the following features:

(b) the conservation and management of habitat, wetlands, and steep slopes;

(c) existing clearing and open areas; and,

(d) connectivity within and between natural habitat systems and areas.

(e) Campground amenity space:

i. A minimum of five percent (5%) of the total area of the campground shall be provided as campground amenity space.

ii. For a campgrounds without year-round accommodation of recreational vehicles, tent camping is not permitted in campground amenity space.

COMMENT: Why should tent camping be prohibited in the amenity space? Amenity space can include a lawn area around the stall which is the perfect place to pitch a tent. Why make a distinction between year round and partial year campgrounds? A large lawn area makes a nice short term group tent camping area: does being a part of the amenity area (which may greatly exceed the minimum requirement of 5% of the area) mean that tents are prohibited? This makes no sense.

iii. For campgrounds consisting of more than ten recreational vehicle stalls, a play structure shall be provided in campground amenity space.

10.3. Recreational Vehicle Stall Requirements

(a) For campgrounds with year-round accommodation of recreational vehicles, the minimum stall size shall be:

i. width: 6.0m;

ii. length: 16.0m.

(b) Stalls proposed for year-round use shall be hard surfaced.

COMMENT: Gravel surfacing is far more practical to construct and maintain in this climate with the challenging regional soil conditions. Hard surfacing is prohibitively expensive. Replace hard surface with stable surface or something similar.

(c) A 2.0m minimum landscaped buffer shall be provided between recreational vehicle stalls.

10.4. Fences and Stall Boundaries

- (a) Fences shall not exceed 1.2m in height.
- (b) All stalls shall be clearly identified with a stall number.
- (c) Campgrounds consisting of more than twenty (20) recreational vehicle stalls shall display a stall location map at the entrance to the campground.

10.5. Transportation

- (a) Campgrounds with year-round accommodation of recreational vehicles proposed to be open year-round shall maintain internal roadways year-round.
- (b) Street lighting shall be provided within campgrounds with year-round accommodation of recreational vehicles to the satisfaction of the Development Authority.
- (c) Interior signage, such as wayfinding or stop signs, shall be installed to the satisfaction of the Development Authority.

10.6. Utility Services Requirements

- (a) Sewage disposal systems, potable water holding tanks, and electrical servicing shall meet all applicable provincial and federal regulations.
- (b) Utility and telecommunication services shall be located below ground.
- (c) For campgrounds with year-round accommodation of recreational vehicles a winterized sewage disposal facility (dump station) shall be provided that is easily accessible and separated from the recreational vehicle stalls and amenity spaces.

10.7. Safety

- (a) The owner of a Campground shall develop and post a fire safety plan and have fire preparedness and suppression equipment in place to the satisfaction of the Development Authority.
- (b) For any campground containing twenty-five (25) or more recreational vehicle stalls a security suite located at the main entrance to the campground may be approved.

Page 51: 23. Garbage and Recycling Enclosures

23.1. All commercial, industrial, institutional and multi-unit residential developments shall provide garbage and recycling storage areas suitable for the development and designed to the satisfaction of the Development Authority.

23.2. When garbage and waste materials are stored in a common storage area, they shall be:

- (a) stored in weather proof and animal-proof containers;
- (b) visually screened at grade from all adjacent sites and roads to the satisfaction of the Development Authority; and*

COMMENT: Adjacent sites and roads are hundreds of meters away with forest and other visual obstacles between them and the trash bin. Does that constitute screening? Also, the trash container itself is not unsightly. Having full access around the container makes it easy to pick up any litter.

- (c) provided in a location that can accommodate vehicle maneuvers necessary for accessing and removing waste material.

23.3. Any garbage and recycling storage area shall be accessible from a lane and shall either be within the principal building or within an approved screened area.

Appendix A Map 1 Rural District

COMMENT: missing Range numbers to the west of Range 14

MAP 21: GREGOIRE LAKE ESTATES - SURMONT CREEK

COMMENT: Is Surmont Creek a new place name? If so, what are its boundaries?

April 20, 2021

Mayor Don Scott
Council Members
Regional Municipality of Wood Buffalo
Fort McMurray, AB

Dear Mayor and Council,

As a medical specialist and a long standing community member, I speak against the municipal bylaw changes that would permit large animal and livestock farming in the Fort McMurray flood plains.

From a Public Health point of view, manure pits a flood plain is a health risk that can turn natural floods into untold man-made health disasters.

The Walkerton inquiry re-affirmed use of the precautionary principle in such matters, as applied by the Supreme Court of Canada. It says that an unquantifiable, but serious risk cannot be allowed willingly.

The public officials who oversaw Walkerton water safety were not only grossly negligent in their casual attitudes towards water safety, but they actually mislead the public into thinking that they were safe when they were in grave danger.

The risks of manure lagoons being flooded during spring and spreading E.coli, Salmonella and other enteric pathogens into the path of children and vulnerable populations is increasingly recognized across the developed world. South of the border, each major tornado has created floods and now the States are buying out the animal farms in flood plains and forbidding it. It is very expensive for tax payers.

It makes no sense for our municipality to change the existing ban on animal farming in flood zones, only to be on the take for compensating citizens harmed by this, or buying out the animal farmers.

Poultry are a natural host for Salmonella or E. Coli. The health risk of a Salmonella or E. Coli outbreak, related to animal manure pit flooding, is

impossible to quantify. If we take the Walkerton numbers, 2500 people got sick and less than 1 % were extremely sick. However, the ones that were very sick were left with brain damages, amputations, and there has been application for medically assisted aid in dying in some cases, as a consequence. Some patients lost their recall for three years. There is a documentary done by Ryerson University doing a verbal history by some of the victims and it is harrowing.

The Municipality has established a park downstream from the Draper area, at the cost of over ten million dollars. If animal manure pits were flooded, all downstream parks would have to be condemned for some period of time after each flood. The park would have to be washed or the earth tiled after each flood. That could be prohibitively expensive.

After manure pits are flooded, children would have to be prohibited from playing in the flooded areas, and the city would have to enforce the ban with 24 hour surveillance. Pets could get sick because of it. Would the city have to pay the cost of human or pet treatments?

Would the liability be covered by the city's insurer, knowing the city knew about the risk but gave it's seal of approval regardless?

We should never underestimate the importance of public health. I hope this clarifies some of the points made in 2018 at Council.

Yours Sincerely

Section 17 (1) FOIP

Michel Sauvé MD FRCP FACP FCCP MSc,

Copy Dr. E. Kruger

April 27, 2021

Dear Mayor and Council,

I am a Draper Resident living in the Small Holdings district. I understand that the new Land Use Bylaw allows the keeping of livestock as a Permitted Use in Part 6, Section 28.2(b). Adding this use to our district was never discussed with us and is currently not permitted in our district.

I have concerns about this as I do not want livestock in the floodplain that can cause additional damage every time it floods. Manure from large livestock is poisonous and should be stored for an extended period of time in a location or in a field that is not capable of flooding. I do not want my property to contain this type of poison after each flood.

I therefore ask you to remove this rule from the Land Use Bylaw.

Thank you,

Dale Cooper
Resident of Draper

Received from Sylvie Ethier

April 22, 2021

I just wanted to write in instead of speaking directly to council. I think as a tax payer and land owner we should be able to do what we want with our lots. Of we want to have a tiny home/ rv parked in our yard and have family live in it year round that should be our choice not yours. We shouldnt need approval for this from anyone. Its our lot and we pay for it so we shouldnt have to answer to anyone especially in waterways we should be allowed to do as we please since the neighborhood is basically bare and dont see it bouncing back to what it was before the wildfire of 2016. So i hope you will allow people in that area especially to have more than 1 kind of home on the lot. I have a daughter who i want to help by letter her park a tiny home or rv to help her save money and with the land use bylaw as is i cant do that. It shouldnt be that way.

Thank you,

Sylvie.

RMWB Public Hearing – Tuesday, April 27th, 2021 at 4 pm MST

Submission by:

Paragon Properties (Draper Road) Inc., as the owner of 115 acres, designated as Small Holdings and Country Residential, located on Draper Road in the RMWB and legally described as:

MERIDIAN 4 RANGE 8 TOWNSHIP 88
SECTION 33

ALL THAT PORTION OF THE SOUTH WEST QUARTER
WHICH LIES SOUTH AND WEST OF THE LEFT BANK OF THE CLEAR WATER
RIVER AS SHOWN ON A PLAN OF SURVEY OF THE SAID TOWNSHIP DATED ON
THE 8TH DAY OF MAY, A.D.1914, CONTAINING 50.6 HECTARES (125.10 ACRES) MORE OR LESS
EXCEPTING THEREOUT:

4.05 HECTARES (10 ACRES) MORE OR LESS, DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTH WEST CORNER OF THE SAID QUARTER
SECTION THENCE NORTHERLY ALONG THE WEST BOUNDARY THEREOF
(660) FEET, THENCE EASTERLY AND PARALLEL TO THE SOUTH BOUNDARY
OF THE SAID QUARTER SECTION (660) FEET, THENCE SOUTHERLY AND
AND PARALLEL TO THE WEST BOUNDARY TO A POINT ON THE SAID
SOUTH BOUNDARY, THENCE WESTERLY ALONG THE SAID SOUTH BOUNDARY
TO THE POINT OF COMMENCEMENT.
EXCEPTING THEREOUT ALL MINES AND MINERALS

Background and development intention:

The 250.0 M contour line and requirements thereof, i.e. drainage easement and restricted development area, were considered in the owner's development plans for 30 country residential lots, all of which were met with positive feedback from the RMWB. The proximity to the Clearwater River and surrounding forested areas were considered natural amenities for the enjoyment of residents.

The 2015 Draper ASP and 2016 RMWB Capital Budget encouraged such development and indicated capital budget funding for planned improvements, such as extension of Draper Road, servicing, and emergency services. *These improvements have not come to fruition for the Draper Road landowners.*

In the 2016 RMWB Capital Budget, nearly \$100 million dollars was requested for flood mitigation design and construction through to 2019. *These Capital Budget requests also failed to materialize for the Draper Road landowners.*

The Flood of 2020 was unprecedented and Natural Resources Canada Flood Extent Map for Draper indicates overland flooding up to, and in some instances, over the 250.0M contour line. *This alone did has not discouraged re-building by the landowners.*

Proposed Land Use Bylaw (LUD) 21/003 HAS discouraged landowners' development potential, And, we to address the contemplated changes in discretionary uses for Small Holdings Districts (SH) in general, and as they impact the Floodway and Flood Fringe, Draper Road lands, in particular.

It is our position that changes should be not contemplated until the matter of Item 17 of the LUD – *Development in the Floodway and Flood Fringe (Reserved for future use)* is completed. Clarity is required for the specialized need to encourage sensible and viable development of the area.

At the very least, the Floodway and Flood Fringe should be exempted from the contemplated changes until further review.

In particular, the Permitted and Discretionary Uses sections ought to remain under the current guidelines which allow for some degree of development for commercially viable uses.

We welcome additional dialogue in this matter.

April 24, 2021

Dear Mayor Scott, Counsellors and Administration,

Last year my property in Draper flooded. My home was high enough that it did not flood, but the rest of my property was flooded. We get floods every three or four years during the ice break up. Mostly, it is not that high.

I live at the mouth of Draper in the small holdings area. I have listened to Dr. Sauve speak about prohibiting large animals in the flood plain a few years ago during another Council meeting. He indicated the danger that this can cause with harmful bacteria in manure on flooded areas. I thought that this issue had already been legally decided by Council.

I do not want my property infested with harmful bacteria the next time it floods. Please do not allow this to happen in our area where it floods regularly. I have enough to do when it floods without worry about this also.

I therefore ask you to remove the rule that allows livestock in my area from the Land Use Bylaw.

Thank you,

Cindy Archer

Section 17 (1) FOIPe

From: [REDACTED]
To: [Legislative Assistants](#)
Subject: Written Submission LUB
Date: Monday, April 26, 2021 8:17:55 AM

External Message - Please be cautious when opening links or attachments in email

Name Wayne Woodhouse

[REDACTED]

Fort McMurray, Alberta

[REDACTED]

I am speaking in favor of the Land Use Bylaw proposed changes as it pertains to Accessory Buildings.

Increasing from the current 140 square meters to the proposed 250 square meters is a step in the right direction **and I am in support of this change to the bylaws.**

I would suggest that this accessory building could be increased even more to 350 square meters along as there is trigger on building coverage compared to total lot size.

For example if you said the main dwelling plus accessory buildings can not exceed 10 % to 12 % of lot size would be a fair addition. In the case of someone building or has a large home that is greater than 10% of the lot size limit the accessory building to a maximum of 250 square meters.

The current land use bylaw restricts accessory buildings and forcing people to build large attached garages to their homes. I think with proper land coverage people can build multiple structures and maintain pleasing properties if the RMWB policies it properly.

Feel free to call or email should you want clarification.

Wayne Woodhouse

From: Section 17 (1) FOIP
To: [Legislative Assistants](#)
Subject: LUB
Date: Monday, April 26, 2021 8:22:25 AM

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Good Morning,

I would like to submit the following message to Council for the LUB for the meeting tomorrow April 27th.

Hi Council,

Once again I, Brandon Howse, cannot phone into the meeting with my concerns as I am working turnaround on nightshifts, but I would like to state that the Land Use Bylaw needs to be postponed with more consultation with the public, especially the rural areas. We know that the administration is not strong in the communication and consultation department and the changes made to the rural parts of the LUB really affect Draper as we lie mostly under the 250.9m elevation. The summary of changes posted on the RMWB website does not portray an accurate picture of the changes. In fact, it is actually quite deceiving. Even changes to definitions have carefully thought-out wording to throw you off. A quick survey online also does not portray an accurate count of people for or against the changes because in most cases they are only reading the summary of changes and to find an updated copy of the new LUB requires a bit of digging on the website which is deceitful to the public. Once again I ask that the approval of the LUB be postponed until a full consultation process can be done, meaning in-person meetings with administration. If that means waiting a few months or a year for COVID to slow down then that's what needs to happen.

Thank-you,

Brandon Howse



FORT MCKAY FIRST NATION

April 26, 2021

Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, Alberta, T9H 2K4
Attention: Mayor and Council, per Mayor Don Scott, QC
Indigenous and Rural Relations, per Dennis Fraser

Sent via regular mail and email to: legislative.assistants@rmwb.ca and
dennis.fraser@rmwb.ca

Re: Proposed changes to the Land Use Bylaw; Bylaw No. 21/003

Dear Neighbours:

I am writing this formal letter to put you on notice that changes to the Land Use Bylaw must always be the subject of deep consultation¹ with Fort McKay First Nation. The proposed public hearing where participants are allowed five minutes to speak may be suitable for most purposes, but it is not adequate consultation with Fort McKay First Nation. I will explain:

We are the Fort McKay First Nation, and we are the beneficiaries of Treaty 8. Treaty 8 is not only *our* founding document, it is also *yours*. Without Treaty 8, the Regional Municipality of Wood Buffalo would be trespassers on all these lands. Treaty 8 gives Alberta (and therefore RMWB) limited authority to “take up” lands for settlement and industrial purposes. It also imposes the restriction that the taking up of land must stop when it affects our Treaty rights. It is always a balancing act between your rights and ours—now, and forever.

Land use is what Treaty 8 is all about. Our Treaty rights are based on *use of the land*—all the land over which RMWB exercises municipal jurisdiction. It is a question of sharing, or partnership. Under the Treaty, Alberta (and RMWB) can use this land, but only if it does not infringe on our Treaty rights. Your *land use* bylaw is a serious, ongoing, potential threat to our Treaty rights. You can amend the land use bylaw, but only if those amendments do not infringe those rights.

The law provides for a way for this inherent tension to be resolved. When you make an amendment to the land use bylaw, you must engage in deep consultation with Fort

¹ “Deep consultation” is a legal term. In a Treaty situation, “deep consultation” is usually required: *Kwakiutl* 2015 BCCA 345; *Clyde River* 2017 SCC 40.



FORT MCKAY
FIRST NATION

McKay First Nation to make sure that the amendment does not affect our Treaty rights. The law is clear about RMWB's obligations. A Treaty partner has

a positive obligation to reasonably ensure that aboriginal peoples are provided with all necessary information in a timely way so that they have an opportunity to express their interests and concerns and to ensure that their representations are seriously considered and, wherever possible, demonstrably integrated into the proposed plan of action.²

Deep consultation does not happen overnight. It certainly does not happen on April 27th with a five-minute presentation.

We are putting you on notice that if you proceed to pass the land use bylaw without engaging in deep consultation, we may be required to challenge your action in court, either now, or upon a future attempt to implement the bylaw. We will present a copy of this letter to the Court to show that we made our position clear.

We acknowledge that RMWB is making efforts to improve its relationships with Indigenous peoples, particularly the First Nations whose Treaty rights are protected by the *Constitution Act, 1982*. Those efforts are a welcome step in the right direction and we look forward to a long and mutually prosperous relationship as neighbours, in the spirit of partnership laid down by Treaty 8.

You may direct questions about our position to our Government Relations department, to the attention of Michael Evans.

Very sincerely,

Section 17 (1) FOIP

Chief Mel Grandjamb

Section 17 (1) FOIP

Cr. David Bouchier

Section 17 (1) FOIP

Cr. Raymond Powder

Section 17 (1) FOIP

Cr. Crystal McDonald

Section 17 (1) FOIP

Cr. Melinda Stewart

cc: Chris Johnson, CEO
Mike Evans, Sr. Mgr., Govt. Relations

² *Kwakiutl*, 2015 BCCA 345, at paragraph 77.

From: Section 17 (1) FOIP
To: [Legislative Assistants](#)
Subject: Land use by laws
Date: Monday, April 26, 2021 11:31:23 AM

External Message - Please be cautious when opening links or attachments in email

To whom it may concern

Please let this letter be addressed at the meeting that is being held tomorrow Tuesday, In regards to some of the changes that are being implemented that will be affecting the Draper area.

Please let it be known that my husband and I are strongly opposed to having livestock animals located in the flood plane area of Draper. We were severely impacted by the flood and did experience water issues when we were able to return to our home that caused quite amount of concern. After some time of having the water concerns addressed retested refilled etc. it is evident to me that we would be in no position to be able to cope with bacteria such as E. coli caused by animals feces. This was felt firsthand.

This is especially most important for the homes that are located below the 251 flood levels

Sheri Gaunt

Sent from my iPhone

From: no-reply@rmwbext.ca
To: [Legislative Assistants](#)
Subject: New Public Hearing Submission
Date: Monday, April 26, 2021 10:50:34 AM
Attachments: [2021-04-26-007.pdf](#)

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Hello,

Please note the following response to Public Hearing has been submitted at Monday April 26th 2021 10:49 AM with reference number 2021-04-26-007.

A PDF version of the request form is attached to this email.

- **First name**
Will
- **Last name**
Adam
- **Organization represented**
Camgill Development Corporation
- **Email address**
will.adam@camgill.com
- **Check off the Bylaw(s) for which this submission is for**
Bylaw No. 21/003 – Land Use Bylaw
- **What kind of submission would you like to make?**
Written submission
- **Do you wish to speak at the hearing?**
Yes
- **Please upload your written submission or any related documents.**
 1. [C6 - Gateway District - Land Use.pdf \[91.7 KB\]](#)

Land Use Bylaw 21/003
Part 6 Land Use Districts

13. C6 — Gateway District

13.1. Purpose

The purpose of this district is to provide for vehicle oriented commercial development along high volume, high visibility corridors, development uses may serve a regional trade area.

13.2 Permitted uses	13.3 Discretionary uses
(a) <u>Accessory building</u>	(a) <u>Adult entertainment facility*</u>
(b) <u>Animal care services, minor</u>	(b) <u>Animal care services, major</u>
(c) <u>Automotive vehicle sales or rental</u>	(c) <u>Auctioneering facility*</u>
(d) <u>Casino</u>	(d) <u>Automotive and equipment service</u>
(e) <u>Commercial guest accommodation</u>	(e) <u>Cannabis retail store*</u>
(f) <u>Commercial school, minor</u>	(f) <u>Child care facility</u>
(g) <u>Drinking establishment</u>	(g) <u>Commercial school, major</u>
(h) <u>Equipment rental</u>	(h) <u>Contractor, limited</u>
(i) <u>Fleet service</u>	(i) <u>Crematorium</u>
(j) <u>Health facility, minor</u>	(j) <u>Drive through</u>
(k) <u>Nightclub</u>	(k) <u>Essential public service</u>
(l) <u>Liquor store</u>	(l) <u>Funeral home</u>
(m) <u>Parking lot</u>	(m) <u>Live-work unit</u>
(n) <u>Parking structure</u>	(n) <u>Heavy equipment or mobile home sales</u>
(o) <u>Retail, general</u>	(o) <u>Plant nursery</u>
(p) <u>Retail, convenience</u>	(p) <u>Office</u>
(q) <u>Restaurant, major</u>	(q) <u>Recreation facility, indoor</u>
(r) <u>Restaurant, minor</u>	(r) <u>Religious assembly</u>
(s) <u>Public utility</u>	(s) <u>Similar use</u>
(t) <u>Service station, major</u>	(t) <u>Special event</u>
(u) <u>Shopping centre</u>	(u) <u>Warehouse and storage</u>
*NP Notice Posting	

13.4 Site Standards

The following standards shall apply to every development in this district.

Site Standard	Provision
(a) <u>Lot area</u> (minimum)	0.5ha
(b) <u>Lot width</u> (minimum)	30.0m
(c) <u>Front yard setback</u> (minimum)	3.0m
(d) <u>Rear yard setback</u> (minimum)	6.5m where the <u>lot</u> is <u>adjacent</u> to a residential <u>district</u> 4.5m in all other cases
(e) Side <u>yard setbacks</u> (minimum)	6.5m where the <u>lot</u> is abutting to a residential <u>district</u> Minimum 3.0m in all other cases
(f) <u>Height</u> (maximum)	30.0m for <u>commercial guest accommodation</u> 14.0m in all other cases
(g) <u>Landscaping</u> (minimum)	10%
(h) <u>Floor area ratio</u> (maximum)	1.5, may be varied to a maximum of 2.5

Land Use Bylaw 21/003
Part 6 Land Use Districts

13.5 Additional Provisions:

- (a) Loading, storage, trash collection areas and grease traps shall be located to the rear or sides of the principal building and shall be screened from view from any adjacent parcels and streets.
- (b) The Development Authority may attach conditions to all permitted and discretionary uses regarding the size, location, screening and landscaping of the outdoor display areas and storage areas, to ensure that development is compatible with surrounding developments.
- (c) A development permit shall not be issued for a special event within 100m from the boundary of a parcel of any urban residential district or rural residential district.

13.6 Additional Provisions for Discretionary Uses

- (a) In addition to the setback requirements of this district, the Development Authority may, as a condition of approval, require an additional setback for that portion of a commercial guest accommodation that exceeds 14.0m in height in order to protect the amenity and privacy of development in any abutting residential district. The Development Authority shall not require a total yard greater than the height of the building.
- (b) A commercial guest accommodation may exceed a floor area ratio of 1.5, to a maximum floor area ratio of 2.5, provided that a traffic impact assessment and servicing studies support the proposed density based on infrastructure capacity and shall be at the discretion of the Development Authority.

13.7 Built Form Provisions — Siting

- (a) Pedestrian access should be provided to the site at convenient locations.

13.8 Built Form Provisions — Massing

- (a) For developments containing exclusively residential uses, where the development is more than three (3) storeys tall but less than six (6) storeys, the building shall stepback a maximum of 3.0m at a height of 10.5m or three (3) storeys. This stepback may be used as an amenity area for the development on upper floors.
- (b) The maximum building length shall be 80m.
- (c) High-rise bar buildings (seven to ten (7-10) storeys)
 - i. The front facade of the building shall stepback after the third, fourth, or fifth storey for a maximum of 5m.
 - ii. Where the lot abuts a low-rise residential district at the rear, a 45° angular plane shall be taken from a height of 10.5m above the 7.5m rear yard setback line and subsequent storeys shall fit within this angular plane.
- (d) High-rise tower and podium buildings (seven to fifteen (7-15) storeys)
 - iii. The building shall have a podium of maximum three (3) storeys (10.5m).
 - iv. The tower shall be setback from the facade of the podium a minimum of 3.0m on all sides facing a street or public open space.
 - v. The maximum tower floor plate shall be 750sq m.
 - vi. Towers shall be separated by a minimum of 25.0m. A maximum of two towers are permitted per block.
- (e) Shall be oriented and designed to limit shadows on parks, schools and open spaces.

13.9 Built Form Provisions — Architectural Elements

- a) The facade of all development shall be articulated through the use of different materials, colors, massing, windows, projections, recessions and similar architectural treatments.
- b) Building design shall positively address the arterial road and/or highway frontage through architectural detail and materials, articulation of the building facade and/or landscape treatment facing these public street corridors. The open space between the building and the highway shall be landscaped. If parking is proposed between the building facade and highway, it shall incorporate an attractive landscaped buffer.
- c) Blank walls facing streets, public spaces or pedestrian routes shall not be permitted.
- d) Spill out areas may include covered walkways which can be used for patios and which can extend to the front lot line.
- e) Building entrances shall be easily accessible by pedestrian traffic and clearly defined through the use of architectural elements.

From: Section 17 (1) FOIP
To: Legislative Assistants; Section 17 (1) FOIP; Section 17 (1) FOIP
Subject: Objection to revised LUB for Draper
Date: Monday, April 26, 2021 2:10:17 PM

External Message - Please be cautious when opening links or attachments in email

This is to advise administration, Mayor and Council that we strongly object to the proposed LUB as it pertains to Draper. Why do politicians and bureaucrats think they have to stick their noses in every aspect of every resident's business? Do you really think that you need to protect us from ourselves? In previous years we have spent hours on committees to help draft the ASP and LUB for the area and it was designed as a rural area. It was designed in collaboration with Admin and council and rural residents. This revision is a knee jerk reaction to the limits placed on any development under the 250.9 m elevation restrictions placed on us after the 2020 flood and it is wrong! The more you raise the elevation for flood abatement for Fort McMurray, the more you negatively impact residents upstream.

The proposed changes are so restrictive that they inhibit any possibility of utilizing our properties to actually enjoy the rural surroundings and the potential to use the land for anything!

We want the opportunity to have a say in how any changes made will impact our lives.

Chuck and Meridel Graves

Sent from my iPad

Dear Mayor and Council,

We are asking that the proposed bylaws be postponed for at least 6 months given that the changes are only punishing Draper Residents. We feel there has not been proper consultation or engagement with residents other than a survey that didn't touch on many areas, and lack of transparency in the overview that was provided for people to read. It did not provide details of any sort and didn't provide a link to the proposed LUB, in fact we had to call pulse to find out where it was on the RMWB website.

These bylaws are doing the opposite of what they are supposed to- essentially trapping Draper property owners into the land. All opportunities for growth, such as agricultural, commercial, recreational (just to name a few) have been removed, leaving residents with limited opportunity to bring value to their properties, therefore devaluing properties even more. The list is long on what we are "NOT" allowed to have compared to what we are allowed, and that is not what a city should be doing to a community in their area during a pandemic and economic downturn.

People should be focused on their health and the health of their families and their city should be fostering the ability to do so. This bylaw should be postponed until residents can be focused on how this will affect their home, land value and livelihoods.

We ask again that you postpone the proposed bylaw changes until residents are properly consulted of the changes.

Tina & Tony Piche

Draper Road Residents