



TOWN OF ST. PAUL  
PUBLIC HEARING MINUTES FOR BYLAW NO. 1239  
TOWN COUNCIL CHAMBERS  
JULY 5, 2017 – 7:00 P.M.

**Present:**

Mayor Glenn Andersen  
Deputy Mayor Norm Noel  
Councillor Judy Bogdan  
Councillor Edna Gervais  
Councillor Ken Kwiatkowski  
Councillor Dwight Wiebe

Regrets: Councillor Don Padlesky

**ADMINISTRATION:**

Chief Administrative Officer, Holly Habiak  
Municipal Planning Services (MPS), Jane Dauphinee  
Recording Secretary, Jim Laidley

**CALL TO ORDER:**

1. Hearing was opened by the Chair at 7:00 p.m.
2. Opening Remarks from the Chair (Mayor Andersen)
3. Presentation by CAO Habiak (attached hereto as **Schedule A**).
4. Summary of Submissions
  - a. Written Submissions  
One (1) written submission was received in advance of the hearing. The written submission was read into the record by the author Jean-Luc Lamoureux. The written submission is attached hereto as **Schedule B**.
  - b. Verbal Submissions  
Six (6) individuals provided verbal submissions. A summary of the verbal submission is included below:

NAME	COMMENTS
Dixie Dahlstedt (proponent)	<ul style="list-style-type: none"><li>Spoke in favor of the proposed bylaw and development</li><li>Indicated the landscaping will be innovative and provide buffering between the development and adjacent properties</li></ul>

Mayor Initials: GA

Recording Secretary Initials: JL

- Large landscaped areas and gardens will provide an amenity to those living in the development
- Indicated that they have provided a revised Area Structure Plan (Thursday June 29, 2017) which she indicated addresses all of the engineering concerns raised by the Town and demonstrated that there will be no negative impacts on Town infrastructure resulting from the development and this is demonstrated in the revised submission.
- Indicated that the revised Area Structure Plan provides for a large garden area that she will maintain ownership of.

#### **Council Questions:**

1. Why does the project not include housing for seniors under the poverty line?
  - **D. Dahlstedt** - it was considered but funding was not available and now the developer feels ill inclined to undertake additional development within the community so she has removed the long term care facility which could have provided additional seniors housing from her development plans.
2. Have you now submitted the engineering requested by the Town for the entire site?
  - **D. Dahlstedt** - Yes. The new submission addresses all of the concerns identified in relation to municipal infrastructure.
3. Same question to MPS
  - **MPS** – We have not completed our review but from the initial review the revised submission does not appear to include engineered drawings which reflect the ultimate end use of the entire site.
  - **D. Dahlstedt** indicated that the public hearing had been delayed.
4. In follow up, when was the completed Land Use Bylaw application had actually been submitted?
  - **D. Dahlstedt** indicated that it had been submitted in October of 2016 and then she indicated that it had been submitted again in January for 2017.
  - **Mayor Andersen** requested clarification from administration because the supporting documentation for the public hearing indicates that the revised title was not submitted until February 17 2017. Is that correct?

Mayor Initials: AD

Recording Secretary Initials: JS

- **Administration:** Yes
  - **Mayor Andersen:** asked when a new application with the new information was submitted?
  - **Administration:** It was never submitted. No new application for redistricting was ever provided. Administration allowed the applicant to proceed with the October 2016 application rather than requesting a new form be provided with the new title.
  - **MPS:** It is our understanding that the Town began circulating the Land Use Bylaw application for review and comments when the application form (including title were received as complete in February 17, 2017).
5. What are your plans for the 7 acre garden area?
- **D. Dahlstedt** indicated that she will never develop it and she will never give it to the Town.

Ted Gerlinsky

- Spoke in support of the proposed bylaw and development
- Believes it will reduce strain on existing limited seniors housing in the community.

David Inscho

- Spoke in support of the proposed bylaw and development Indicated that seniors should have choices regarding their housing including how and where they live. If seniors can afford higher end housing then they should have the opportunity to live where they choose.

Councillor Kwiatkowski clarified that the proposed development does not provide long term care facilities and as such it has not been demonstrated that it will reduce the demand for space in the Town's existing seniors care facilities or alleviate any of the existing burden on hospital beds as suggested by the presenters.

Stacy

Sandmeyer

- Spoke in favor of the proposed bylaw and development
- Expressed concerns with the use of the words "to date" in the report because they believe that they have provided all of the outstanding information with the submission received on June 30, 2017.

Mayor Initials: 

Recording Secretary Initials: 



**Council Question – Can administration clarify?**

- MPS indicated that they are not prepared to agree with Ms. Sandmeyer's statement. At this time, MPS does not believe that all of the requested supporting documentation or a complete Area Structure Plan have been submitted. So these items are appropriately identified as outstanding.

Pat O'Neill

- Spoke in favor of the proposed bylaw and development
- But indicated that he also thought it was important that no development occur unless it could be demonstrated that there would not be unanticipated or negative effects on existing residents and that the infrastructure was in place to appropriately service the development.
- Mr. O'Neill recounted an example where this did not occur in town (Spring Gardens?) and how dangerous the situation could have become had the Town not stepped in (at tax payer's expense) to correct the deficiency. He indicated that he would not like to see that happen with this project.

Nathan  
LaFrance

- Presented information and a written submission re: the proposed landscaping plan for the development
- Mr. LaFrance indicated that the design would be innovative and utilize rainwater for the watering of the landscaping.

**Council Questions**

1. Does the storm water management plan prepared for the development account for the harvesting of rainwater?
  - Mr. LaFrance and Ms. Dahlstedt both indicated that it does.
2. How the stormwater for irrigation would be managed and stored?
  - **D. Dahlstedt** indicated that there will be an above ground pond for storage as shown in the more recent Area Structure Plan submission
  - Mr. LaFrance contradicted Ms. Dahlstedt and indicated that the water will be stored underground.

5. Mayor Anderson closed this public hearing on Bylaw 1239 at 8:12 p.m.

Mayor Initials:   A  

Recording Secretary Initials:   JL

## SCHEDULE A

# PUBLIC HEARING STAFF REPORT

Public Hearing Date: 5 July 2017  
Public Hearing Time: 7:00 p.m.

**BYLAW NO.:** Bylaw #1239

**LEGAL DESCRIPTION:** Block A, Plan 31AI

**PROPOSAL:** Proposed amendment to Bylaw #1155 the Land Use Bylaw of the Town of St. Paul as amended. The proposal would redistrict Block A, Plan 31AI

**BACKGROUND:**  
**From:** R2 (Residential) District  
**To:** R3 (Residential Multi-Family)  
The amendment to Schedule A – Land Use District Map, within the Town of St. Paul Land Use Bylaw (Bylaw 1155 as amended) has been proposed by the Dahlstedt Partnership Corporation to facilitate the development and subdivision of row houses, triplexes and duplexes targeted at residents within the 55+ demographic age bracket.

The proposed development would be both a staged and phased development and would result in the eventual build out of 68 dwelling units (48 row houses and 20 duplex and triplex units) over approximately 4.5 ha (11.2 ac.) of the 7.57 ha (18.7 ac.) site. A final end use for the remaining stage of the development has not been clearly identified. Recent additional information submitted on June 29 2017 indicates the proposed interim use of the balance of the site would be a 7.5 ac. private garden area.

Information requested by administration to ensure that the proposed use of the land is suitable for the site and is consistent with Policy 3.4.2(a) an d6.1.2 (f) of the Town's Municipal development Plan have not been provided by the proponent.

Specifically, the proponent has not provided an acceptable Area Structure Plan for the Municipality's consideration. Further the proponent to date has not provided several of the underlying reports which would form the basis for an Area Structure Plan, which may include information respecting: land suitability; compatibility with neighboring developments; a biophysical assessment; housing mix; an elevation of environmental impacts as well as servicing requirements (water, storm sewer, sewer); consideration of linked and integrated park and open space and retention of natural corridors and pond areas.

### MPC RECOMMENDATION

On May 16<sup>th</sup> 2017, at the request of the proponent, the Town's MPC was convened to review and make a recommendation to Council on the proposed LUB amendment.

MPC has provided the following recommendation:

[Whereas the Municipality's Development Plan Bylaw #1155 states:

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Mayor Initials: 

Recording Secretary Initials: 

Policy 3.4.2 (a): The Town shall require the preparation and adoption of Area Structure Plans for all new development areas prior to consideration of any rezoning, subdivision or development projects within the Town.

Policy 6.1.2 (f): Through the Area Structure Plans...the Town of St. Paul should ensure that neighborhoods are designed in a manner that makes them safe, attractive and well serviced.

Whereas to date the Developer has not provided the proposed Area Structure Plan for the Municipality's consideration. Further the Developer to date has not provided several of the underlying reports which would form the basis for an Area Structure Plan, which may include information respecting: land suitability; compatibility with neighboring developments; a biophysical assessment; housing mix; an elevation of environmental impacts as well as servicing requirements (water, storm sewer, sewer and roads ( a statement by Alberta Transportation that no Traffic Impact analysis is required has been provided); consideration of linked and integrated park and open space systems and retention of natural corridors and pond areas.

Whereas the Municipality's Land Use Bylaw #1155 includes provisions whereby a person may apply to have the Bylaw amended (see Part 5.2 and 5.3);

Now Therefore, be it resolved that:

1. The members of the MPC are of the view that the proposed redistricting may possibly facilitate a development that would be appropriate, and indeed very attractive and beneficial to the Municipality;
2. However, without the information that would typically be referenced as part of an Area Structure Plan, the MPC would recommend against Council proceeding with the redistricting as it appears premature. This is in part, because there are extensive uses within the proposed Residential District R3, and in particular numerous Permitted uses that could have an extensive impact on infrastructure and neighboring developments. For example, without this information it is premature to determine if the redistricting would result in a development that is " well serviced";
3. The MPC encourages the Developer to provide the appropriate information to the Municipality's administration as soon as possible;
4. Should the Developer be intent on proceeding with the redistricting application before Council, it may do so pursuant to the procedures referenced in the Land Use Bylaw Part 5.2 and 5.3. The Councillors present will consider all information presented at that time. If the Developer so wishes a Special Council meeting can be arranged.

**PUBLIC NOTIFICATION  
& ADVERTISING:**

Notification and advertising requirements for a Land Use Bylaw Amendment and Public hearing identified within the MGA have been satisfied.

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Mayor Initials: AA

Recording Secretary Initials: JK



**Adjacent Land Owner Notification**—on June 15, 2017 adjacent landowners were mail notified of the proposed LUB amendment, provided with information about the public hearing and invited to attend and/or make written submissions.

**Newspaper Ads – On 2)** June 20, 2017 and June 27, 2017 notices were placed in the St. Paul Journal which provided information about the proposed Bylaw (Bylaw #1239) and presented information about the time and location of the public hearing being held today.

One written response was received on July 4, 2017.

**RECOMMENDATION:**

In the opinion of Town administration, with the public hearing being held today, notification and public consultation requirements stated within the *Act* have been satisfied.

The Town's administration recommends that Council, following the public hearing, reject the redistricting application. The Town's administration has sought advice from its advisors (planning, engineering and legal), who all concur that it is not prudent to proceed with the redistricting as the application does not include documentation and information typically referenced as part of an Area Structure Plan:

- See correspondence from Municipal Planning Services Ltd. as referenced in chronology, including most recent correspondence ;June 12, 2017
- See correspondence from MPE Engineering Ltd. Ltd. as referenced in chronology, including most recent correspondence; June 9, 2017
- See correspondence from Brownlee LLP as referenced in chronology, including most recent correspondence; June 12, 2017

**SUBMITTED BY:**

Holly Habiak CAO, for the Town of St. Paul

**ATTACHMENTS:**

1. Advertisements
2. Proposed Bylaw #1239

Mayor Initials: 

Recording Secretary Initials: 

**SCHEDULE B**

RECEIVED JUL - 4 2017

Letter for Council on proposed re-zoning for vacant Land on North end of town


I would like to start by thanking town council for giving me the opportunity to speak publicly today by not approving the re-zoning of the Land bordering my family's home without a public inquiry at the last town council meeting.

I am speaking to you today not as a realtor or business man but as a concerned father of three children, husband and tax payer of this town. My family's home is located at 5117 56 Ave the last house at the end of the block on 56 Ave and my home and backyard borders this proposed development. I would like to make a note that this is the only piece of property my wife and I have to our names. I do not have any interest in any other development or investments in this town.

When we first heard about the proposed development we like any other reasonable home owner had questions about the proposed site plan and more specifically what was planned for the land directly bordering my home and unfenced backyard where my children play. We wanted to know what they were willing to do to work with neighbours to soften the impact on residential homes such as setbacks, landscaping and we had general questions about timelines for construction. Turns out what the developer has planned for the land bordering my home and back yard is potentially what they call a Boulevard which to me sounded like a nice walking trail for residents. Upon further inquiry I would probably personally best describe it as a potential Ring Road, Access Road or service road that wraps around her proposed development.

Since we dared ask simple questions as a bordering neighbour, and voiced our families concerns publicly the developer's response has been discourteous, aggressive and self-interested. I see the very same tactics used against third parties hired by the town (municipal planning services) and town employees in a very open fashion. Now, it seems that Anyone who inquires for certain information, asks the wrong questions or requests standard documentation in order to follow our towns protocol and bylaws are suddenly deemed unreasonable, incompetent to do their jobs and threatened with a law suit if things don't go the developers way. I refer to the article published by the St. Paul Journal in the June 13<sup>th</sup> article where Dalstead corporation has stated they will sue Municipal planning services for millions of dollars in order to recuperate their loses if MPS continues to hold up the project. As well as the uncalled for and disrespectful comments made against our town CAO during the last town council meeting and published in an article on the proposed development by St. Paul Journal in the June 20<sup>th</sup> article.

It's important to know that my wife and I are not against development. But it must be well planned and fall in line with our town municipal needs. That being said I do not support this proposal for re-zoning until the town understand the full impact this re-zoning will have on our town's infrastructure,

Mayor Initials: 

Recording Secretary Initials: 




RECEIVED JUL - 4 2017

neighbourhoods and its residents. It would be irresponsible for the town to approve re zoning without a local area structure plan, having done all of its due-diligence, going over and above in order to protect themselves and its residents from potential liability. Let me give you an example of what worries me, I'm been told by some of our local firefighters that our new pumper fire truck sucks so much water that it can drain the lines in the spring creek subdivision within a few minutes and even suck all the water out of residents toilets if they didn't have the proper back flow valves. Now this proposed development is on the furthest road north in town. If a fire was ever to happen can the town guarantee my families safety that they will have adequate water pressure to extinguish a large fire, on a massive multiphase project of this size once all phases are complete? If not. Why would we approve the re-zoning now and deal with the issues and details at a later time? Is that in the best interest of the town and its residents or, the for profit-developer?

Now let's talk sewer and drainage. I was told by the developer of my subdivision that rain water and storm drains are to flow west to east on 56 Ave yet every time we experience a big rain fall the water flows like a river west down towards my home and the proposed development. Can the town guarantee we have the infrastructure to make sure our storm drains and sewer lines will not get overwhelmed which could result in significant damage to our personal property from sewer backups and flooding?

Now we are talking about a multi-phase multimillion dollar project that won't take months, but years to build and complete we simply do not have the infrastructure to accommodate this type of construction and future proposed local traffic on 56 avenue, Not without compromising the safety of children and adults alike. It's also important to note that on 56 Ave we are not equipped with sidewalks on either side of the street or back alley. This means that every time I wish to take my 3 children under the age of five to the park, I am forced to walk with them in the middle of the road between parked vehicles in order to reach Desjardins park or any other services this town has to offer. Without a back alley we have no other escape route whatsoever and the developer is proposing to put a gated community at the end of the road which would make us trapped in our corner of 56 Avenue. We already experience a high level of traffic and parking issues on the days Grace Gardens is hosting a service or any event at the Ukrainian Cultural center. If a Funeral service happens on a Tuesday morning when our entire block brings out their garbage to the front Curve the Garbage truck is unable to even turn around at the end of the street in order to pick up our garbage.

When I purchased my home I knew the zoning next door was R2 and that we may be dealing with some form of construction and development in the future. I agree that there is a need for senior housing within the town but I believe the need is more based on government subsidized housing with rental rates variable based on income and savings for each individual senior. What I would like to see happen and believe there is a real need for is an intergraded multi-generational community of single family homes and duplexes that is open and inviting in nature.

Mayor Initials: 

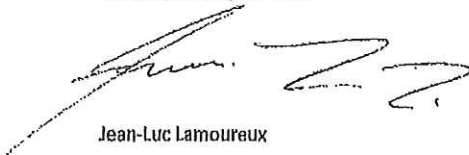
Recording Secretary Initials: 

RECEIVED JUL 4 2017

By agreeing to re-zone the land R2 to R3 this opens up the flood gates to all sorts of possibilities for this land and not all of which I believe to be a good fit personally. I have heard that Country Garden villas have suggested a 24hrs care center in its future phases of construction. The type of work will affect the surrounding neighbourhood indefinitely with emergency traffic personnel and staff coming and going at all hours of the night. This is not what I signed up for as a tax payer when I bought a residential house in my once quiet neighbourhood.

The above concerns are only a few of the real issues that require the town to receive and study a local area structure plan paid for by the developer regardless of the cost and timeline associated with this process. This is not being Technical or difficult but instead standard proactive town planning.

Thanks you for your time.







Jean-Luc Lamoureux

Concerned citizen.

Mayor Initials: AL

Recording Secretary Initials: JK

  
\_\_\_\_\_  
Glenn Andersen, Mayor  
\_\_\_\_\_  
Jim Laidley, Recording Secretary

Mayor Initials:  \_\_\_\_\_  
Recording Secretary Initials:  \_\_\_\_\_