

BYLAW NO. 4589

A BYLAW OF THE CITY OF MEDICINE HAT to amend Bylaw No. 3940, the Cimarron Area Structure Plan; and Bylaw No. 4168, the City of Medicine Hat Land Use Bylaw.

WHEREAS the land shown in Schedule "B" to this Bylaw and legally described as a Portion of Block X, Plan 3467AV (subject lands), are presently designated as FUD – Future Urban Development in the City of Medicine Hat Land Use Bylaw.

AND WHEREAS Council wishes to adopt amendments to the Cimarron Area Structure Plan as shown in Schedule "A";

AND WHEREAS Council wishes to amend the Land Use Bylaw No. 4168 by redesignating the subject lands as shown in Schedule "B";

AND WHEREAS the requirements of the *Municipal Government Act* RSA 2000, Chapter M-26 with regard to the advertising of this Bylaw have been complied with;

AND WHEREAS copies of this Bylaw and related documents were made available for inspection by the public at the office of the City Clerk as required by the *Municipal Government Act* RSA 2000, Chapter M-26;

AND WHEREAS a public hearing with respect to this Bylaw was held in the Council Chambers at City Hall on July 2, 2019 at 6:30 p.m.;

NOW THEREFORE THE MUNICIPAL CORPORATION OF THE CITY OF MEDICINE HAT, IN COUNCIL ASSEMBLED, ENACTS AS FOLLOWS:

NAME OF BYLAW

1. This Bylaw may be cited as the Cimarron Area Structure Plan Amendment and Land Use Amending Bylaw No. 4589.
2. Bylaw No. 3940 is amended by making the changes to the Cimarron Area Structure Plan forming part of that Bylaw as set out in Schedule "A" attached hereto and forming part of this Bylaw.
3. Bylaw No. 4168, the City of Medicine Hat Land Use Bylaw, is hereby amended by redesignating the subject lands as R-LD - Low Density Residential district, U – Utilities district, and OS – Open Space district, as shown in Schedule "B".
4. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME in open Council on June 3, 2019.

READ A SECOND TIME in open Council on July 2, 2019.

READ A THIRD TIME in open Council on July 2, 2019.

SIGNED AND PASSED on July 3, 2019



MAYOR: Keith E. (Ted) Clugston



CITY CLERK: Angela Cruickshank

Schedule "A"
Amendment to the Cimarron Area Structure Plan



SCHEDULE A - COULEE RIDGE DEVELOPMENT

Proposed Amendment to the Cimarron Area Structure Plan

(Bylaw No. 3940, Adopted August 17, 2009)

Prepared for Coulee Ridge Development Inc.

For Submission to the City of Medicine Hat

May 9, 2019

File #: 145801

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1 INTRODUCTION

1.1 Purpose of the Amendment and Rationale

The original Cimarron ASP was approved by City Council on August 17, 2009 and became Bylaw 3940. This proposed amendment to Bylaw 3940 was brought about by development interest in the portion of the ASP area that is currently under the ownership of the Coulee Lands Development Ltd. To date, there has been no development within the Cimarron ASP boundary, therefore, this proposed development would be out of sequence with the original bylaw, if it were the initial phase of development in the area.

The purpose of the overall Area Structure Plan (ASP) is to provide policy guidance for the plan area to ensure orderly development. An ASP is a long-term document with a horizon around 20 years. It is anticipated that as variables change this plan may be required to evolve with amendments. Plan amendments are generally discouraged, but if needed in the future, should remain consistent with the broad intent of the plan. This ASP amendment is in effect only for the "Amendment Area Boundary" lands, as shown in Figure 1 – Location Plan. This ASP amendment has no standing outside the "Amendment Area Boundary" lands, as shown in Figure 1.

1.2 Plan Area

The amendment plan area for Coulee Ridge is bordered by:

- 10th Avenue SW, on the west;
- Seven Persons Creek valley on the north;
- Naismith Coulee on the east;
- An existing utility corridor and undeveloped land on the south.

Figure 1 shows the amendment plan area, in relation to the overall Cimarron plan area.

2 PROPOSED LAND USE

2.1 Overall Density

In the amended Cimarron ASP, the Coulee Ridge lands are now envisioned to consist of low density development (14 units/ha) only and will not include any medium density and townhouse residential development.

It is envisioned that higher density projections would be provided along corridors that can be serviced efficiently, in other portions of Cimarron. Furthermore, it is envisioned that lower density residential can be located on the periphery of the Cimarron neighbourhood, where access is limited, such as Coulee Ridge. It is understood that this lower density projections, in areas such as Coulee Ridge, may reduce some City services such as transit, proximity to neighbourhood parks, future schools, or other amenities.

Cimarron is intended to be an integrated complete neighbourhood. Thus, all components of Coulee Ridge will have consideration for and work to integrate with the rest of the Cimarron so that residents can freely connect (either as a pedestrian or vehicle) throughout Cimarron. It is envisioned that Coulee Ridge will be designed to

maximize integration to the broader Cimarron community through land use, pedestrian connections, as well as road and lot configurations.

The Land Use Plan can be referenced in Figure 2.

2.2 Parks, Open Space and Trails

The City requires all new communities to have excellent trails and connections to existing City trail networks. The creek valleys offer special and unique opportunities for conservation and public access to natural areas and spectacular views. The eastern edge of Coulee Ridge is bounded by Naismith Coulee, which is a tributary to the Seven Persons Creek valley. A top of bank trail and public access is not required along this finger coulee as there is an existing trail at the toe of the slope, however a trail connection from Coulee Ridge will be provided, that will connect to the existing trail system in Naismith Coulee.

The north boundary is framed by the Seven Persons Creek valley escarpment. A trail will be provided along the north edge of Coulee Ridge, that will provide access to the views located along the Seven Persons Creek valley, as shown in Figure 3. This trail will provide connection to a trail system around the storm pond, in addition to the connection to the Naismith Coulee trail system. For the portions of the trail area that will be contained within the development, a partial MR credit will be provided. MR credit will be given for the storm water management facility, as per the City's MR policies.

It is envisioned that additional discussions will be required, as the developer wishes to provide parks, water features or other recreational facilities within Coulee Ridge. It is understood that future amendments will be required to address these development concepts.

2.3 Slope Setbacks

A slope setback line has been established for the Coulee Ridge area, to ensure that all of the rear property lines will be set at a safe distance from the slopes along the north and eastern boundaries of the development. The specific geotechnical investigation and report will be provided at the Functional Servicing Report stage.

It is envisioned that the proposed 3.0m trail system along the Seven Persons Creek valley, will be set at a minimum distance of 10m from the rear property lines, where possible. Portions of this trail will lie within the environmental reserve portion of the slope setback, which will provide greater views of the creek valley and will meet the minimum separation distance from the rear property lines. Lands beyond (above) the safe development setback line, that are required for the 3.0m trail, will be dedicated as Municipal Reserve.

2.4 Environmental

Areas within and around the Coulee Ridge Development have the potential to provide suitable wildlife habitat. Updated biophysical and environmental studies have been completed, that will be submitted with the FSR. While these reports did not identify any species or habitat that would require the implementation of federal or provincial development setback distances, it is important to note that additional field work will be required prior to the start of construction, to ensure that seasonal changes or migration patterns will not change these original findings.

The original Cimarron ASP stated that lands east of 10th Avenue would not require a Historical Resources Impact Assessment, it is understood that there is a potential to encounter historical resources in the

uncultivated portion of the development, specifically, within the areas of the coulees and drainage routes to Seven Persons Creek. Additional studies will be completed with the FSR that will adequately address the potential for Historical Resources in these areas and will identify any mitigation measures, if necessary.

3 SERVICING

The overall servicing concept for Coulee Ridge is shown in Figure 4.

3.1 Sanitary

The original ASP for Cimarron indicated that the sanitary sewer flow, from the Coulee Ridge area would flow by gravity to the north-west side of the Coulee Ridge development and would require the installation of a new lift station to pump the sanitary flow to the south. The lift station was anticipated to service a population of approximately 8,300 people in the north-west portion of the Cimarron area. Since Coulee Ridge is proposed to be the initial development in Cimarron, the lift station will need to be constructed with the first phase of Coulee Ridge. It is not financially feasible to construct the ultimate lift station, with the first phase of Coulee Ridge, that will service the 8,300 projected population. Additionally, this lift station may need to operate for many years before its service area reaches this projected population, if ever, which will likely provide the City of Medicine Hat with operational and maintenance challenges. Currently, no changes are being proposed, to the lift station catchment area. Lift station options will be explored at the Functional Servicing Report stage, that will address the interim and ultimate configurations. The design and appearance of any lift station options, must be consistent with the quality and style that fits the residential neighborhood context.

The land required for the ultimate lift station location and configuration, will be provided at the subdivision stage, for the initial phase of Coulee Ridge.

The sanitary force main would connect to a proposed gravity sanitary sewer system that would eventually be installed in the SW 13-12-6 W4M quarter section. Since the Coulee Ridge development is being proposed as the initial stage of development within the Cimarron area, development has yet to occur in the SW 13-12-6 W4M quarter section, thus, the gravity sanitary sewer system is not available for discharging the Coulee Ridge force main flows. Once development proceeds in the SW 13-12-6 W4M quarter section, the Coulee Ridge force main will connect to the gravity system, as originally proposed.

In the interim, the Coulee Ridge force main will be extended south, along 10th avenue SW, to South Boundary Road. The force main will then extend east and connect to the existing gravity sewer system that exists in South Boundary Road. The exact force main alignment and connection location will be detailed in the Coulee Ridge Functional Servicing Report.

3.2 Water

The Cimarron area will ultimately be serviced with a water trunk that will be installed along South Boundary Road, with connection points throughout the overall development, as well as Sierra Boulevard and Southridge Drive. This water trunk is currently proposed as an off-site levy project and the installation timing will depend on the development demands in the area. Additionally, the timing of the water line installation may be determined by the SW Connector construction.

For the initial stages of the Coulee Ridge development, an interim water connection will be required, to the existing system in the area. It is currently envisioned that the interim connection will be in the vicinity of Sierra

Boulevard and follow the alignment of the existing 600mm water trunk that runs east-west on the south side of the Coulee Ridge development, as shown in Figure 4. Line assignments, UROWS and exact connection locations will be evaluated with the water network analysis portion of the Functional Servicing Report, to ensure that the interim connection(s) will provide the servicing requirements as outlined in the City's Municipal Servicing Standards.

3.3 Storm

Coulee Ridge will require the construction of a fully functioning storm water management facility/pond, that will be constructed with the initial phase of the development. The storm pond catchment area for this amendment does not change the original catchment areas that were contemplated for the Coulee Ridge area. Further analysis will be completed at the FSR stage, to determine the exact catchment area for the Coulee Ridge storm pond.

The original ASP had shown ponds 2, 3 and 4 of Cimarron, connected in series, to convey the storm water discharge from each storm pond, to the Naismith Coulee discharge location. Options will be evaluated at the FSR stage, to determine optimal connections for the storm trunks that service ponds 2, 3 and 4.

Since pond 2 will be constructed in its ultimate configuration of Coulee Ridge phase 1, the discharge to Naismith Coulee will be constructed with Phase 1 as well, to form the ultimate system. Each future phase of Coulee Ridge will be an extension of the minor system servicing the area and will not require removal of interim storm water management measures.

3.4 Gas and Electric

Servicing options are being explored with the City's gas and electric servicing departments, to extend the shallow utility services from the existing developments in the area, the Coulee Ridge development. The City has an important electric transmission line immediately south of the Coulee Ridge Development and the placement of additional utilities in the vicinity of this infrastructure, may result in the City requiring additional right of way, to accommodate the additional infrastructure.

4 TRANSPORTATION

Additional roadway networks through the Cimarron area have not yet been constructed, therefore, 10th Avenue will be upgraded as the primary access point from South Boundary road, to the Coulee Ridge Development. Since the preferred alignment for the SW Connector will likely require 10th Avenue to be re-aligned, a significant portion of the initial costs to upgrade 10th Avenue, for the Coulee Ridge Development, may be throw away costs and will not be subject to an endeavour to assist. Prior to additional development proceeding in the remaining Cimarron area, the City will require the completion of a comprehensive ASP amendment that will consider the SW Connector, along with the remainder of the Cimarron area.

4.1 10th Avenue Access

10th Avenue will be upgraded as the primary access through the Cimarron area, to the Coulee Ridge Development. A Traffic Impact Analysis will be completed with the FSR that will address the anticipated traffic volumes and any additional transportation upgrades that may be required. 10th Avenue will be upgraded to a

2-lane cross section, to the same standard of South Boundary Road, in the area where 10th will connect to South Boundary Road.

4.2 Internal Road Network

The internal road network within the Coulee Ridge Development will have multiple connection points to the adjacent roadways on the west and south borders of the development, regardless of the potential realignment of the SW Connector. These multiple connection points will provide access for future development, along with an integrated mobility network of roadways.

4.3 Emergency Access

Since the primary access point to Coulee Ridge will be from 10th Avenue SW, a secondary emergency access will be required, to meet the emergency service requirements. Figure 5 shows three options that are being evaluated for emergency access connection routes. Options 1 or 2 are the Developers preferred routes, since option 3 would require significant grading work, to ensure the emergency access route design will meet the requirements set out in the City's Municipal Servicing Standards Manual. Access easements/rights-of-ways are currently being negotiated with the adjacent land owner, for options 1 and 2. Once other lands develop in the Cimarron area, additional access points will be provided and the emergency access for Coulee Ridge will no longer be required.

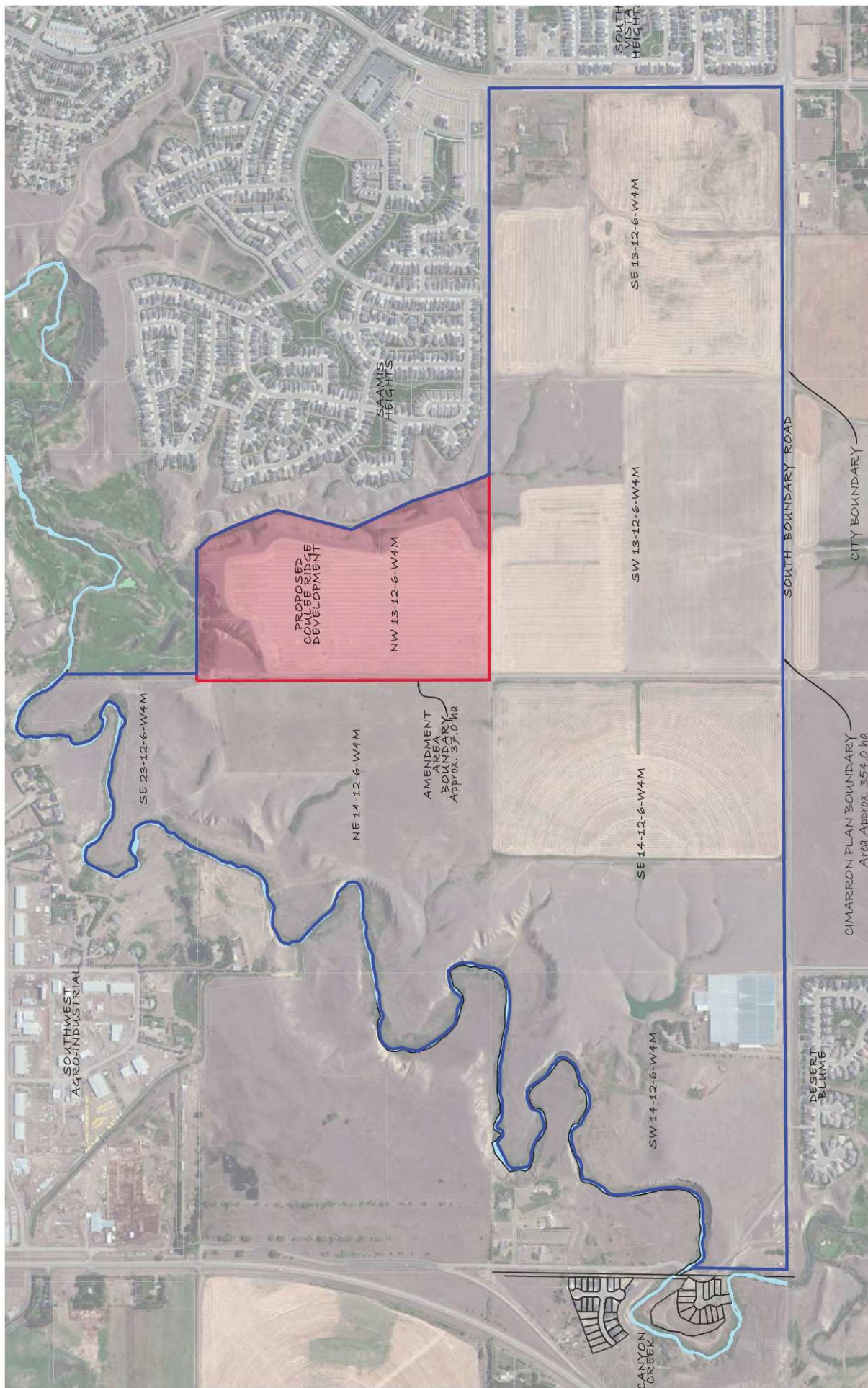
5 EMERGENCY SERVICES

Emergency Services will be required to evaluate the emergency response times to the Coulee Ridge Development. If during the review, the response time is verified to be greater than 10 minutes, the City may pose additional building/siting requirements which may involve:

1. Homes in Coulee Ridge may be required to implement residential sprinklers that meet the National Fire Protection Administration 13R Standard; or
2. Requiring greater building separation through doubling the building code setbacks.

6 COMMUNITY CONSULTATION AND IMPLEMENTATION

Coulee Ridge values collaboration with all stakeholders involved in the project, including the adjacent land owners. On-going dialogue have been taking place with each of the adjacent owners, in the area of Coulee Ridge, to determine how services and infrastructure can be optimized. To date, the overall tone has been positive and encouraging towards the Coulee Ridge Development obtaining the required development approvals. If at any point, concerns are raised by adjacent land owners, the City will be notified immediately and steps will be taken to address the concerns to the satisfaction of all stakeholders.

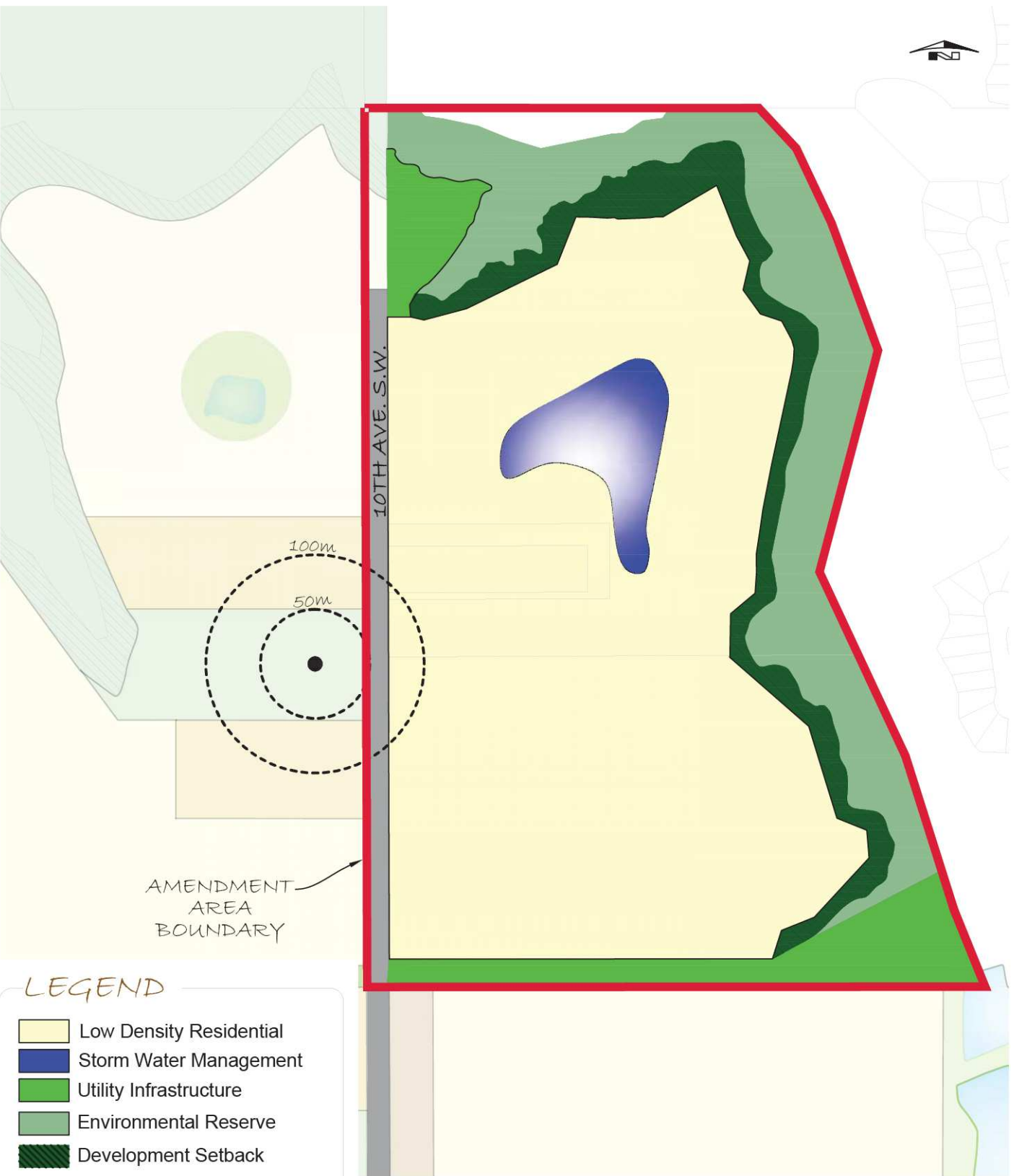


AMENDMENT BOUNDARY CONTAINING APPROXIMATELY 37.0 ha
WITHIN NW 1/4 13-12-6-W4M

Scale = 1:15000

May 2019

145801-may19-location

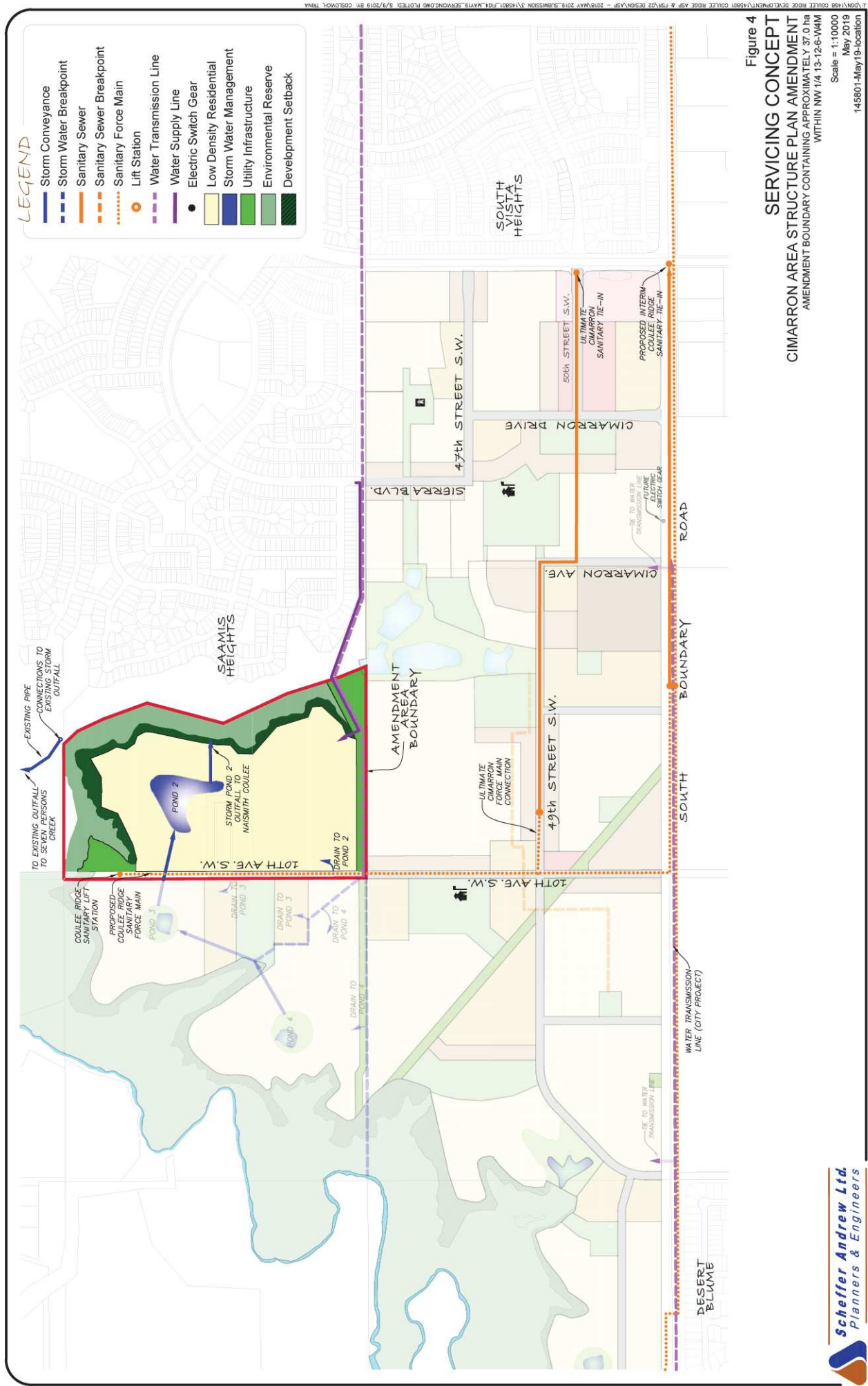


LEGEND

- Low Density Residential
- Storm Water Management
- Utility Infrastructure
- Environmental Reserve
- Development Setback
- Collector Road
- Gas Well & Setbacks

Figure 2
LAND USE PLAN
CIMARRON AREA STRUCTURE PLAN AMENDMENT

AMENDMENT BOUNDARY CONTAINING APPROXIMATELY 37.0 ha
WITHIN NW 1/4 13-12-6-W4M
Scale = 1:5000
May 2019
145801-May 19-land use



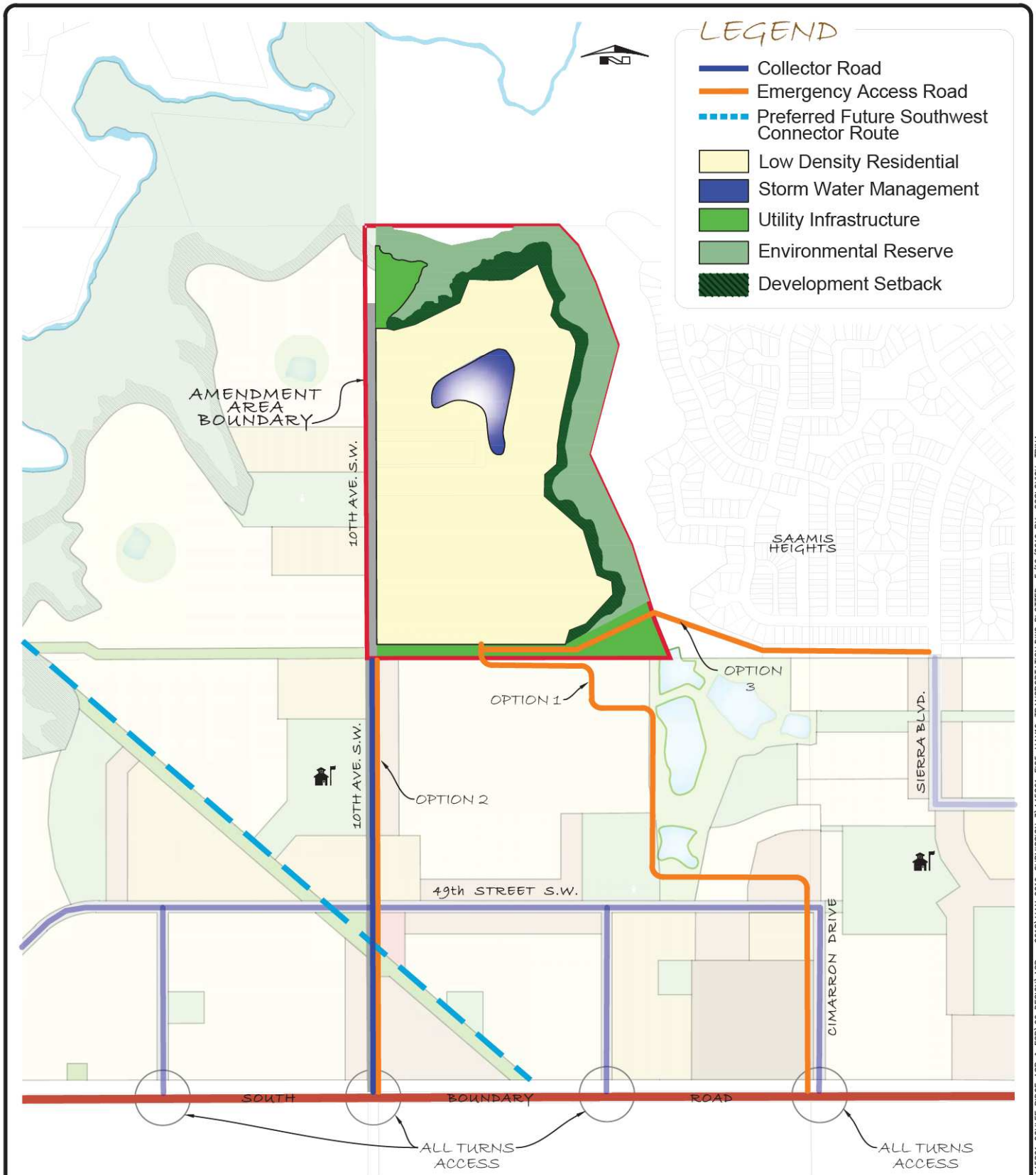


Figure 5
TRANSPORTATION NETWORK
CIMARRON AREA STRUCTURE PLAN AMENDMENT

AMENDMENT BOUNDARY CONTAINING APPROXIMATELY 37.0 ha
 WITHIN NW 1/4 13-12-6-W4M

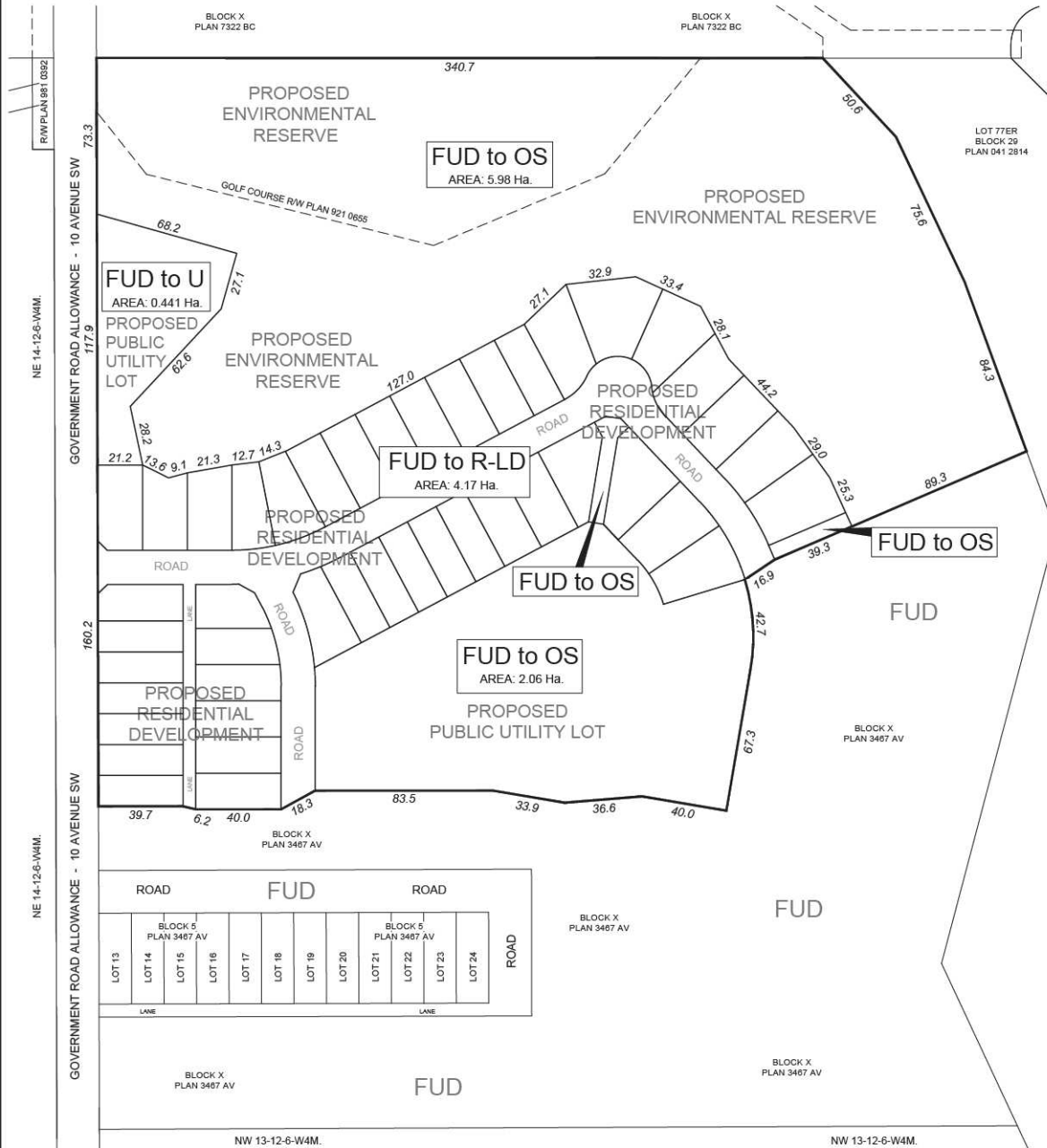
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May 2019

145801-May 19-transportation

Schedule "B"
Amendment to the Land Use Bylaw

SCHEDULE 'B'
LAND USE BYLAW AMENDMENT



LEGAL DESCRIPTION:
PORTION OF BLOCK X, PLAN 3467 AV

PROPOSED REDESIGNATION:
FUD - FUTURE URBAN DEVELOPMENT DISTRICT
TO
R-LD - RESIDENTIAL LOW DENSITY DISTRICT,
OS - OPEN SPACE DISTRICT,
U - UTILITIES DISTRICT



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