

**PUBLIC HEARING AGENDA**  
**BYLAW 2023-08 and 2023-09**  
**Council Chambers 4528 – 51 Street**  
**November 8, 2023**

**Opening of Public Hearing** (Mayor to open public hearing)

1. **Purpose of Hearing** (to be read by Mayor)

The purpose of the public hearing for the following bylaws is to allow Council to hear from adjacent and affected property owners regarding the proposed bylaw amendments while meeting the requirements established within the Municipal Government Act, RSA 2000, Ch M26 for amendments to statutory documents and land use bylaw amendments. The purpose of each bylaw is as follows:

- The purpose of Bylaw 2023-08 is to amend Bylaw 2014-10 being the Municipal Development Plan to update Map 3 to show the most northerly 30m of Plan 8520435, Block 10, Lot 52 as commercial and the remainder of the parcel as residential.
- The purpose of Bylaw 2023-09 is to amend Bylaw 2018-13 being the Land Use Bylaw to reclassify the most northerly 30m of Plan 8520435, Block 10, Lot 52 be classified as C3 – Neighbourhood Commercial and the remainder of the parcel as R4 – High Density Residential.

2. **Confirmation of Notice** (asked for by Mayor) (reply from Development Officer)

Notice of the Public hearing was sent to adjacent property owners (within 60m) by regular mail.

Notice of the Public Hearing was placed on the [www.millet.ca](http://www.millet.ca) website to allow ample time for residents to view the Bylaw; and

Notice of the Public Hearing was posted at the entrance to the Town of Millet Administration Office at 4528 – 51 Street.

3. **Development Officers Report** (asked for by the mayor) (Reply from Development Officer)

In 2015 the Municipal Development Plan (MDP) Bylaw 2014-10 was approved by the Council. The purpose of the MDP is to act as a framework to guide future growth and development. Any proposed development must meet the MDP's requirements and generalized land use.

An application has been made to reclassify Plan 8520435, Block 10, Lot 52 being 5201 – 45 Avenue (herein referred to as the subject lands) to commercial and residential uses, however the land is currently classified as US - Urban Service in the MDP.

The US district as shown for the subject land in the MDP limits the available options for any future development on the site. The purpose of the US – Urban Service zoning is to

COUNCIL MEETING

NOV 08 2023

ITEM # 3.1

establish a district in which land is used for public and/or privately owned institutional, recreational and community service developments.

The application from the owner requests that land use for Plan 8520435, Block 10, Lot 52 being 5201 – 45 Avenue be amended from R3 – Medium Density Residential to C3 – Neighbourhood Commercial for the most northerly 30 meters and R4 – High Density Residential for the remainder of the parcel.

The C3 – Neighbourhood commercial zoning is new to Millet. Prior to the C3 District, all the commercial zonings contained uses that are very intensive and could conflict with adjacent residential properties. The purpose of the C3 district is to have land that is used for local retail and service outlet development, which provides for the sale of convenience goods and services in close proximity to residential areas. The permitted uses in the C3 district are single tenant commercial buildings, multi-tenant commercial buildings, convenience retail store, essential utility services, personal service businesses, professional, financial and office support service, restaurants are a discretionary use.

The differences between the R4 - High Density Residential and R3 – Medium Density Residential classifications are quite minimal. In the R4 district, apartments are a permitted use, and the other multi-family uses that are permitted in R3; are discretionary in R4. Those uses include duplex housing, fourplex housing, garden suites and garage suites. R4 has a higher site coverage at 50% compared to R3 at 30%. Front yard setbacks and minimum floor area are the same for both districts. The rear yard setback for the R4 district has a 13.0m setback for residential buildings without an attached garage compared to the R3 6m setback for the principal building. Side yard setbacks are the same in both districts however in the R4 district for apartments at 3.0m compared to the 1.5m in the R3 district. The only difference in the building heights is that apartments have a 12m maximum height were as the principal building in an R3 district can be maximum 10m.

I would also like to clarify that this public hearing today is only regarding the Municipal Development Plan amendment and Land Use Bylaw amendment. At this point no formal development applications have been received from the property owner.

There are however several items as part of a future development permit process (as outlined in the Land Use Bylaw) that the property owner may be required to submit some or all of the following:

1. Traffic Impact Assessment
  2. Storm Water Management Plan
  3. Environmental impact assessment
  4. Geotechnical report
  5. Survey
  6. Landscaping plan
  7. Detailed site plan.
4. **Written Submissions** (asked for by Mayor) (reply by Development Officer)  
(Legislative Assistant to read written submissions if any submitted by deadline.)

**B & R James**  
**N. Jones-Michaud**  
**J & S Seaman**

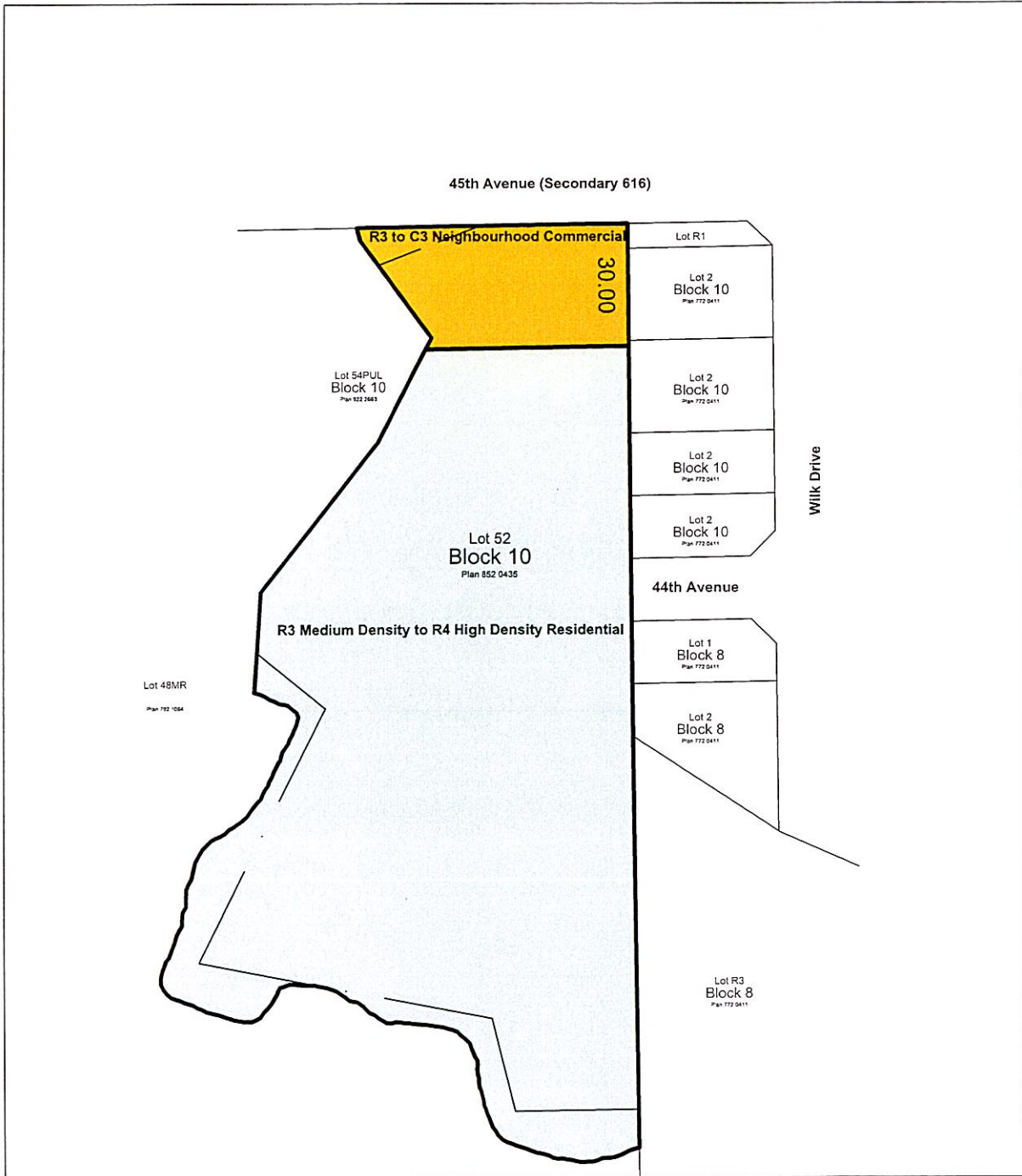
5. **Persons Wishing to be Heard** (Mayor to ask if there are any persons wishing to be heard) (Development Officer to reply)

(Mayor to ask if there are any other persons wishing to be heard) (Public opportunity to speak) (second time)

(Mayor to ask if there are any other persons wishing to be heard) (Public opportunity to speak) (third time)


6. **Closure of Public Hearing**

# PROPOSED REZONING OF 5201 45TH AVENUE



- C3 NEIGHBOURHOOD COMMERCIAL
- R4 HIGH DENSITY RESIDENTIAL

**Legal Description:** (the "Property")  
 Lot 52 Block 10 Plan 852 0435  
 Municipal Address:  
 5201 45th Avenue  
 Millet, Alberta

 <p><b>SEDA GEOMATICS INC.</b>  <small>SURVEYORS • CONSULTANTS • GEOMATICS</small></p>		11463 Winterburn RD NW Edmonton, AB T5S 2Y3 T. 780-594-5380 sedesign.ca
DATE: 2023/07/12	FILE NUMBER: M006-0008	
DRAWN BY: BMD	CHECKED BY: BMD	DRAWING FILE: M006-0008TENTv4

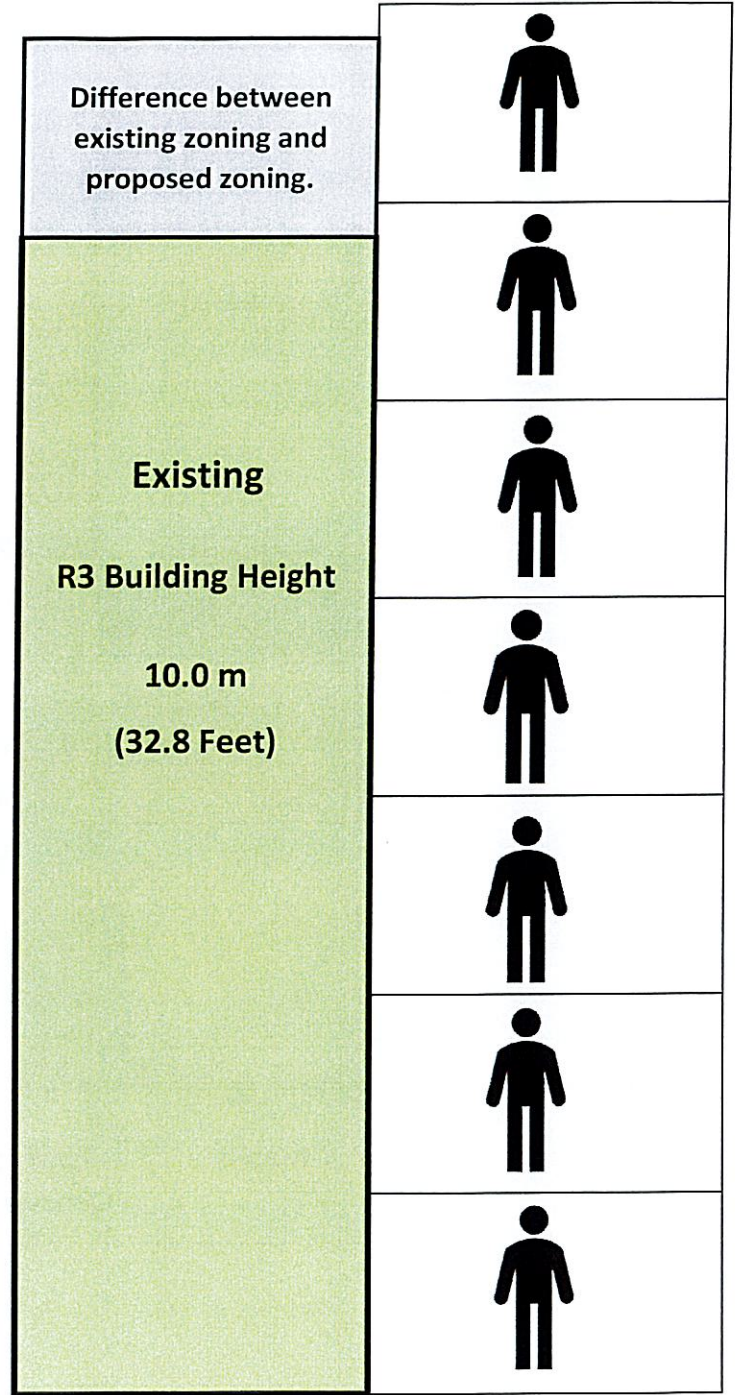
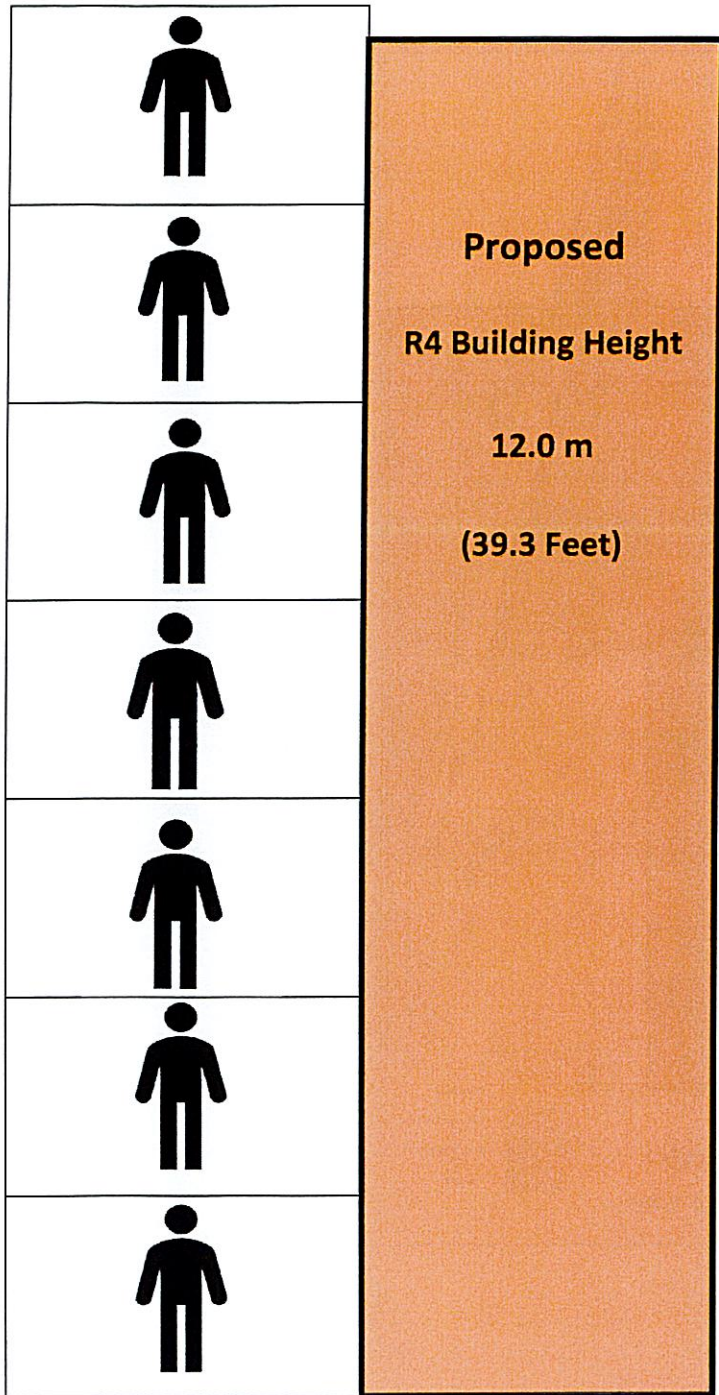
**BYLAW 2023-08  
COMPARISON BETWEEN R3 AND R4  
PERMITTED AND DISCRETIONARY USES**

R3 - MEDIUM DENSITY RESIDENTIAL	R4 - HIGH DENSITY RESIDENTIAL
<b>PERMITTED USES</b>	<b>PERMITTED USES</b>
	Apartment Building
Accessory Building	Accessory Building
Attached Garage	
Carport	Carport
Decks and Patios	
Detached Garage	Detached Garage
Demolition of building	Demolition of building
Essential Utility Services	Essential Utility Installations
Foster Home	Foster Home
Fourplex Housing	
Home Office	Home Office
Kinship Care Home	Kinship Care Home
Row Housing	
Semi-Detached Housing, on separate titels	
Triplex Housing	
Additional uses accessory to the above	Additional uses accessory to the above

<b>DISCRETIONARY USES</b>	<b>DISCRETIONARY USES</b>
Assisted Living Facility	Assisted Living Facility
Bed and Breakfast Facility, within an approved single dwelling building	
Boarding and Lodging House	Boarding and Lodging House
	Development regulated by the Condominium Property Act
Day Home Operation, within an approved single dwelling building	
	Duplex Housing
	Essential Utility Services
	Fourplex Housing
	Garage Suite
	Garden Suite
	Global Vacation Rental Market, within an approved single dwelling building
Major Home Based Businesses	
Minor Home Based Businesses	
Modular and RTM Housing	Modular and RTM Housing Units
Residential Care Facility	Residential Care Facility
Residential Sales Centre	Residential Sales Centre
	Row Housing
Row Housing, Stacked	Row Housing, Stacked
	Semi-Detached Garage
	Semi-Detached Housing
Single Dwelling Building	
Tent Structures	Tent Structures
	Triplex Housing
Additional uses accessory to the above	Additional uses accessory to the above

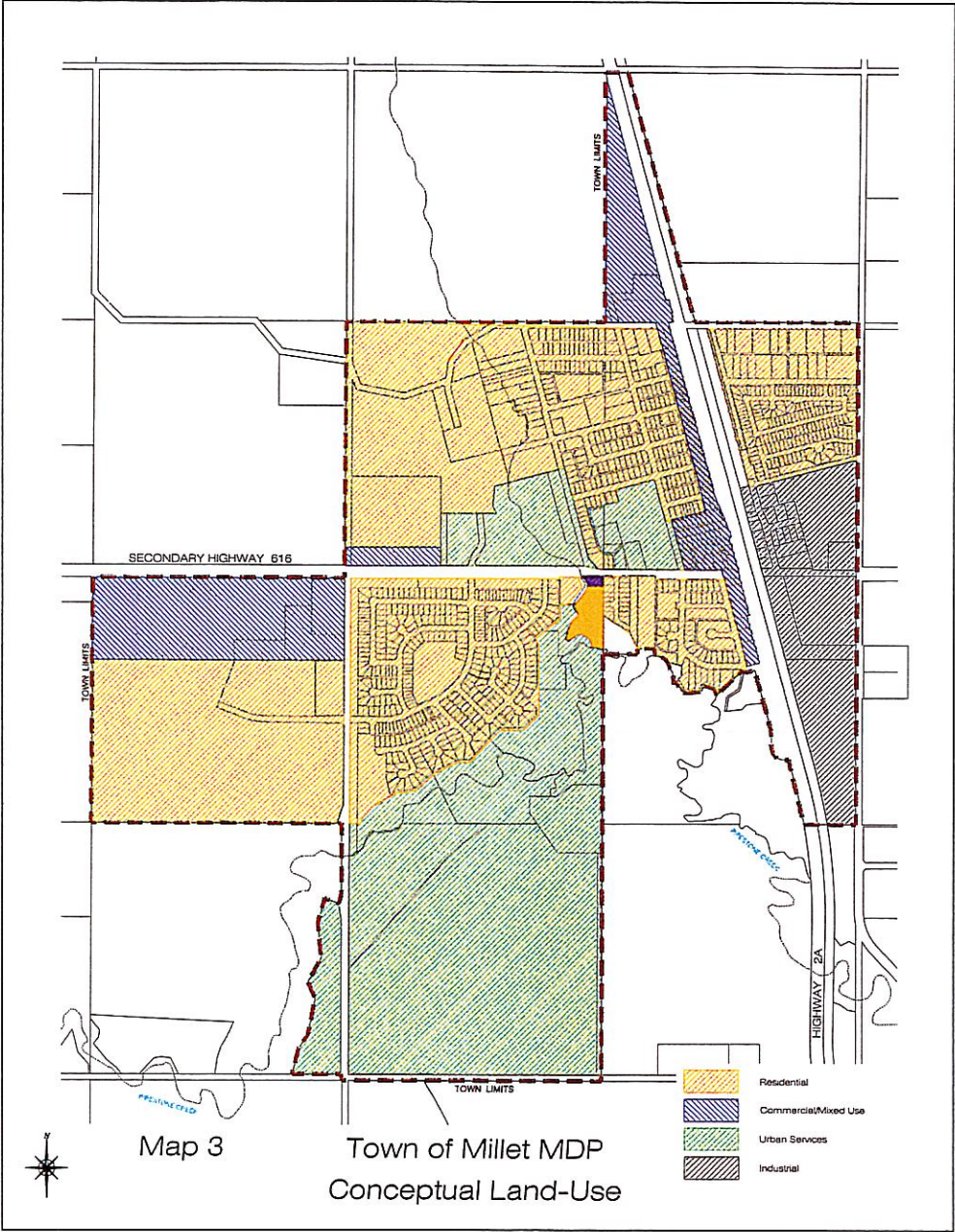
**Difference between the R3 and R4 District Regulations  
Setbacks, Density, Coverage, Height**

<b>R3 - Medium Density Residential</b>		<b>R4 - High Density Residential</b>	
<b>Maximum Site Coverage</b>		<b>Maximum Site Coverage</b>	
1. Residential building, without attached parking	35%	1. Residential building, without in building parking	50%
2. Residential building combined with parking lot area	70%	2. Residential building combined with exterior parking	70%
3. Residential building with all underground parking and/or attached garages	50%	3. Residential building, with in building parking	60%
4. Detached garage, or carport parking total	20%	4. Detached garage or carport parking total	20%
		5. Accessory building	40m <sup>2</sup>
<b>Maximum Site Density Ratio</b>			
1. Fourplex, triplex	95 units/ hectare		
2. Row houses	45 units/ hectare		
<b>Minimum Front Yard Setback</b>		<b>Minimum Front Yard Setback</b>	
1. Principal building	6.0m	1. Principal building	6.0m
		2. Door access to parking	6.0m
		3. Decks and/or balconies	4.0m
		4. Detached garage, carport and accessory buildings	15.0m
<b>Minimum Rear Yard Setback</b>		<b>Minimum Rear Yard Setback</b>	
1. Principal building	6.0m	1. Residential building;	
2. Deck	3.0m	a) with a front attached garage	6.0m
3. Detached garage, rear entry	5.5m	b) without an attached garage	13.0m
4. Detached garage, side entry /front yard entry	1.5m	2. Deck, with balcony	5.0m
5. Accessory building	1.0m	3. Garage, rear entry	5.5m
		4. Detached garage side entry /front yard entry	
		a) less than 2.7m wall height	1.0m
		b) wall height 2.7 m or greater	1.5m
		5. Open carport	3.0m
		6. Accessory building, other than detached garage	1.5m
<b>Minimum Side Yard Setback</b>		<b>Minimum Side Yard Setback</b>	
1. Side yard	1.5m	1. All buildings	1.5m
(except that in the case of a parcel with no lane and no front facing attached garage, and no mutual access easement on side yard shall be 3 meters and the other shall be 1.5 meters.		2. Apartments	3.0m
2. Side yard on flanking street	3.0m	3. Non-covered decks	1.0m
<b>Maximum Building Height</b>		<b>Maximum Building Height</b>	
1. Principal building	10.0m	1. Apartments	12.0m
2. Detached garage, carport	5.0m	2. All other residential building styles	10.0m
3. Accessory building	4.5m	3. Accessory building	4.5m
4. Antenna structures	8.0m	4. <u>Garage, carport</u>	<u>5.0m</u>
<b>Minimum floor area</b>		<b>Minimum floor area</b>	
1. Single dwelling building, excluding attached garage	75m <sup>2</sup>	1. Duplex unit, or semi-detached unit	75m <sup>2</sup>
2. Duplex unit, or semi-detached unit	75m <sup>2</sup>	2. Apartment Unit	45m <sup>2</sup>
3. Apartment units	45m <sup>2</sup>	3. Units in all other building styles	60m <sup>2</sup>
4. All other building styles	60m <sup>2</sup>		



Map 3 – Revised October 2023

Proposed to Replace existing





**Comments regarding proposed Land use Bylaws 2023-08 & 2023-09**

- 1) We would like to know if an environmental impact study will be carried out before these bylaws are changed. Our concern is the negative impact that a high-density residential subdivision will have on the wildlife, trees and waterway in the parkland surrounding the said area.
- 2) We are also concerned as to how the new area will be accessed via the existing Wilk drive on the present non-exit road going west between 208 and 212 Wilk drive. This roadway is not wide enough and is at a higher grade to facilitate a proper connection to the new area. Our concerns are the increased traffic for a small area, and drainage problems related to grade issues at the connection point.
- 3) We are concerned for the future of the Pipestone and Eyot creeks that currently run through the 65-acre park system. The Alberta Government must have minimum setbacks for construction around these water bodies. How will these be maintained in a high-density residential setting?
- 4) In such a high-density residential setting how will it be possible to maintain access to all types of emergency vehicles. We think it would make more sense to have the south portion re-zoned to a low-density category that may blend better with the existing community.
- 5) If construction starts where would the large trucks and machines gain entry to the construction sites. Driving through existing residential areas would be very dangerous and irritating to the existing residents. Many Children walk from Moonen heights to the school and pass directly by the area in question causing ongoing pedestrian safety concerns.
- 6) We understand the complexities there must be in developing a portion of land as we have here, but we think it is imperative that the landowner should meet with the residents of Wilk drive in a public forum to discuss and make suggestions as to how some of these problems could be solved or mitigated before the subdivision plans are started.

To whom it may concern:

Sorry for the late email, I tried sending it on October 30th, but it did not send properly as I was doing it in my phone in a bad cell service area.

I live at 208 Wills Dr.

My concerns in this proposal are the following

1: the construction timelines and noise issues. I'm not home all the time being a truck driver, but my husband is as he's a student working online. He is also a night owl and sleeps during most of the day. This will greatly affect his ability to get his courses finished if he's constantly being woken up. We moved to Millet because it's a quiet community where I had grown up.

2: Property values

When I talk to somebody in your office, you said that property values wouldn't be affected, but I know that isn't true in most scenarios as people don't want to live in view of apartments. If they live by a park with a creek, they want to see the park and the creek not a building.

3: The future care and upkeep of the property.

I've seen it many times in smaller cities and towns where you have a decent landowner, and Building Manager when the property first gets put up even though people were against it, but then they sell it, and the next people turn out to be more like slumlords and the property goes into disrepair and starts looking very trashy, bringing down like I mentioned, earlier property values in the area. How can you 100% guarantee that the upkeep of this property will stay on the high-end side of things in 5 to 25 years?

4: the increase of residence they don't pay tax As a recent renter, I've seen it far too many times that people who only rent, and I've never owned a home, are very disrespectful to the property and areas surrounding their home, and have a little regard to the upkeep of the area, unless it affects them directly. I'm worried having renters is going to cause a decline in the towns, overall charm and beauty as people who don't really care about it other than it's a place to live and nothing more start over running yet

5: noise, traffic and population issues

Having a higher residency in one area, a.k.a. apartment buildings, has an increase of potential noisy people and vehicles at all hours of the day and night. Millet is a bedroom community, and we like it that way as it is quiet and peaceful most of the day and night. Having people coming in and out all the time can be problematic. When I lived in Wetaskiwin, it was definitely an issue for me, and I don't think it's fair to have to wear earplugs in my own home for no real reason.

6: the potential utility issue

With the volume of water, sewage and power that will be needed for this property. I am concerned that will start having utility issues in a couple of years, especially if the property owner or building owner, or whoever takes care of that particular issue for the property winds up being more like a slumlord, or an absolute cheapskate, and refuses to do proper upkeep.

7: With the increase of residents in the area, I'm also worried about the crime rate also rising. We already have enough issues with several people stealing cars and breaking into things, bringing in more people is only going to exasperate the problem

I know the potential increase of residence can increase the influx of funding through small business spending in the town, but the potential issues and risks that come along with it I don't think out way that small gain.

If Millet was wanting to expand and put in apartment buildings, then they should do it with the properties closer to the highway away from the parks and residential areas. It'll negate a lot of the property value and traffic issues that I mentioned as concerns above.

Thank you for your consideration

Sincerely Nikki^\_^

Sent from my iPhone

We are writing this letter to express our strong opposition towards a request for two bylaw amendments to permit a rezoning at 5201 - 45 Ave from R-3 to R-4 and U-S to C-3.

As 10-year residents at 222 Wilks Drive, it came as quite a surprise to us that council is considering amending their bylaws to accommodate this request. What benefit would it be to change this newly designated R-3 zone (Used to be zoned and connected to Urban Service and Open Space District) to a C-3 (Neighborhood commercial district) in that area of Millet? I have many concerns and questions when it comes to these amendments.

The proposed changes would allow the owner to develop, up to, an apartment building in a primarily R-1/R-2 area. This parcel adjoins a beautiful Urban service area. We believe an R-3 zone is the maximum residential density for that Parcel, given its location and the fact that it's connected to an Urban Service and Open Space District, which holds a purpose to establish a district in which land is used for public and/or privately owned institutional, recreational and community service developments.

The proposed changes would allow a C-3 Zone (Neighborhood commercial) in an area where there are no other C-3 zones, much less any other commercial uses. A conceptual land use plan should identify where growth and expansion should occur. This is clearly the wrong area for these proposed amendments. We believe that it's not the right area to construct any building under a C-3 and/or an R-4 zone.

Are there any other C-3's in Millet? There are other empty lots under C-1 and C-2 within this town that maybe should be utilized first, where most of the commercial establishments are located. Why would the town add a C-3 when there are so many vacancies within the C-1 and C-2 zones already? Perhaps keeping commercial towards the main street is best. This may deter theft from the residential area as it seems to already be a problem in the primary C-1 and C-2 areas. Bringing a commercial zone to a neighborhood isn't necessary for Millet. I didn't see it written in the LUB as an option for zoning. Please confirm.

A larger development would not be aesthetically pleasing for this part of town. This includes Wilks Drive, Hwy 616 and the neighbors to the South/southeast who

look down on this beautiful area daily, who were not notified about these amendments. R-1 to R-3 would be a better plan for this part of Millet.

We also worry about the effects the building process will have on the environment in the area. How will it affect the creeks' habitat and the neighboring properties, visually and environmentally? The town must be entrusted with preserving Millet's creeks, waterways, and habitats for our wildlife that walk through/live in that area.

Have you considered the environmental impact? Has a study been done? If not, I would like to request an **environmental impact study**. Has a **shadow or wind impact study** been completed to see if there will be a negative impact to the creek or the adjoining neighbors? If not, I would like to request that as well. These are very important tools for development, especially when a property has already been rezoned, prior to the most current rezoning and is connected to an Urban Service Area.

I would like to see the Traffic study, assuming one has been completed, (Did the Department of Transportation already rejected a road turning off the 616, into this area, that was requested through a prior development agreement, as it is entering a School Zone? If approved, the road/extended driveway will be existing behind the C-3 property? One vehicle turning in versus how many vehicles turning in if there might be a commercial building in front of an apartment building.

Have you considered how many people would be turning into the driveway off Highway 616 before a school zone? Considering a Neighborhood Commercial development and a high-density residential development, the traffic would increase significantly. If no study is available, I would like to request a **traffic impact study**. That would clarify the traffic impact to the area.

Are there any other R-4's in this part of town? It's already an R-3 in a very well-established R-1/R-2 area.

The current map for conceptual land use in the Municipal Development Plan shows the whole proposed parcel as Urban Service zoning. Was there an R-3 rezoning approved? Your proposal map looks like it says R-3 so please clarify.

\*Your plans have very small lettering on your map legends which make it very hard to see/understand what is actually happening.

I am requesting that all the studies mentioned above be completed before the amendments are considered:

- **Environmental impact study**
- **Shadow study**
- **Wind impact study**
- **Traffic impact study**

Please consider the time, effort, and stress levels this request has caused to the landowners & longtime residents on Wilks Drive who purchased property because of these residential zones, the Urban Service area, the school, the creek, and the peacefulness. This is a residential area. Not a commercial area. Residents are continuously battling proposed development agreements and now this proposed amendment.

Why approve this rezoning? It makes no sense to the current or prior zoning. The property is already zoned above the surrounding residential zones. Please consider that the MDP states, under Residential Development, Policies:

*3.1.7 Established Neighborhoods - The Town will ensure stable neighborhoods are not subject to major redevelopment by providing stronger land-use regulations in these designated areas.*

*3.1.8 Established Neighborhoods - Established neighborhoods are encouraged to maintain the existing characteristic and appeal of their community.*

Sorry to have been so long-winded and possibly repetitive but I know that something amazing could be developed on this property.... but not by way of this rezoning. Planner and developers, ask our town's opinion. Work with the residents. You might be happily surprised and supported, with their help.

Lastly, the property owners, Planners and Developers, for the proposed rezoning parcel, don't live on or near the site but your abutting residents do. Please consider our submission.

Thank you.