

BYLAW No. 1461
of the
TOWN OF PINCHER CREEK

A BYLAW OF THE MUNICIPALITY OF THE TOWN OF PINCHER CREEK, IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ESTABLISHING A REDEVELOPMENT AREA AND ADOPTING THE DOWNTOWN PINCHER CREEK AREA REDEVELOPMENT PLAN.

Pursuant to the Planning Act, RSA 1980, as amended, the Council of the Town of Pincher Creek adopts the following:

A. PURPOSE AND APPLICATION

1. In accordance with the Planning Act, the purpose of this Area Redevelopment Plan (Bylaw No. 1461) is to:
 - (a) improve land and preserve, improve and rehabilitate existing buildings;
 - (b) establish, improve or relocate public roadways, public utilities or other services; and
 - (c) accommodate other appropriate development;in the downtown.
2. This Area Redevelopment Plan (Bylaw No. 1461) applies to the lands shown on the Area Redevelopment Plan Guide Map. (Map 1)

B. GOALS AND OBJECTIVES

1. **GOALS**
 - 1.1 To strengthen downtown Pincher Creek's subregional service centre function, particularly its retail function.
 - 1.2 To improve the functioning and appearance of the downtown.
2. **OBJECTIVES**
 - 2.1 To ensure that retail uses, and other downtown uses, are provided with suitable locations in the downtown, for long-term expansion.
 - 2.2 To encourage land use and development which attracts people to the downtown, and to make the downtown a people-oriented place.
 - 2.3 To improve traffic circulation and ameliorate the parking problem in the downtown.
 - 2.4 To improve the pedestrian and shopping environment in the downtown.

- 2.5 To consider climatic and microclimatic effects, particularly wind, when developing a development strategy for the downtown.
- 2.6 To provide guidelines to ensure better architectural compatibility between buildings.
- 2.7 To acknowledge and minimize, where possible, the impact of downtown redevelopment or expansion on existing land use.
- 2.8 To identify opportunities for developing public access to the rear of lots.
- 2.9 To address opportunities for comprehensive and incremental development.
- 2.10 To facilitate the development of a positive and unified identity for the downtown.
- 2.11 To complement the overall economic and social planning for the community.
- 2.12 To identify a program of follow-up studies and monitoring procedures to ensure that the policies of this plan can be implemented and that they remain relevant to changing circumstances.
- 2.13 To maintain, as far as possible, a compact downtown.

C. POLICIES

1. DEFINITIONS

- 1.1 **Act** means the Planning Act, Chapter P-9, RSA 1980, and all subsequent amendments thereto.
- 1.2 **Council** means the council of the Town of Pincher Creek.
- 1.3 **May** means, within the context of a policy, that the action is discretionary.
- 1.4 **Municipal Planning Commission (MPC)** means the Municipal Planning Commission as established by bylaw.
- 1.5 **Shall** means, within the context of a policy, that the action is mandatory or obligatory.
- 1.6 **Should** means, within the context of a policy, that the action is advised in order to attain the goals and objectives of this Area Redevelopment Plan. Unlike the mandatory "shall", "should" is not mandatory or obligatory, but simply indicates a course of action that is recommended.

2. AREA REDEVELOPMENT PLAN GUIDE MAP

- 2.1 Subdivision development and redevelopment of the lands affected by this plan shall, as far as possible, be in accordance with the Area Redevelopment Plan Guide Map, Map 1, which forms part of this bylaw.
- 2.2 Subject to the policies of this plan, land use district designations in the land use bylaw, land use bylaw amendments, proposed roadways, and development, redevelopment,

and subdivision applications should not be approved unless they are in accordance with Map 1.

3. APPENDICES

3.1 Council recognizes that Appendix A is not binding or obligatory, but Council endorses:

- (a) Appendix A and the maps, recommendations and suggestions contained therein; and
- (b) the implementation of the recommendations and suggestions contained in Appendix A.

4. DOWNTOWN EXPANSION AND REDEVELOPMENT

4.1 Council endorses the downtown expansion areas proposed in Section 3.2 of Appendix A and outlined on Map 6, namely:

- Area 1 - north of the creek;
- Area 3C - the Central School site;
- Area 3E - bounded by Main, St. John, Kettles and Davidson;
- Area 5 - the 0.8 acre parcel west of the community centre.

4.2 Council endorses the development/redevelopment for commercial use, of the areas proposed in Section 3.2 of Appendix A and outlined on Map 6.

5. TRAFFIC, CIRCULATION AND PARKING

5.1 Council endorses the following traffic circulation options proposed in Section 4.4 of Appendix A and outlined on Map 7, namely:

- (a) the extension of Kettles Street, through the Valleyfair section of the Matthew Halton school grounds, east to Waterton Avenue;
- (b) the realignment of the two offset intersections on Main Street, at Bridge Street and at Christie Avenue, as part of the improvements to Main Street;
- (c) the construction of a link between Frederick Street and Robertson Avenue by means of a bridge over the creek;
- (d) the partial closure of a one-block stretch of East Avenue immediately south of Main Street, converting it into a one-way south and a parking street;

5.2 As soon as possible following improvements to Main Street, the town shall encourage and coordinate a comprehensive off-street parking program, having regard to the concept plan detailed on Maps 9 through 13.

5.3 In order to either provide additional downtown parking or improve existing facilities the town should:

- (a) paint or otherwise mark on-street parking stalls;
- (b) discourage long-term parking with better enforcement of time restrictions and consider additional time restrictions;
- (c) ensure developers provide either parking or cash-in-lieu at the time of development;

- (d) improve or rationalize existing parking areas;
- (e) encourage shared use of parking facilities where possible; and
- (f) purchase and develop one or more sites for municipal parking.

5.4 The existing walkways between Main Street and parking areas at the rear of buildings should be upgraded to create an attractive, convenient network of pedestrian accesses.

5.5 In situations where rear access to buildings via a lane or alley would be desirable, the town should secure public access by means of:

- (a) dedication of the lane or alley at the time of subdivision or development; or
- (b) an easement; or
- (c) acquisition of the necessary property.

5.6 The town should ensure that appropriately-located, designated loading spaces are sufficient to meet the needs of downtown commercial activity.

6. BUILT FORM AND URBAN DESIGN

6.1 Council endorses the introduction and ongoing use of urban design principles in the downtown that emphasize enhancing what exists, by retaining features that enhance and removing those which cover up or detract.

6.2 The urban design principles referred to in Policy 6.1 should be prepared as a set of written and graphic design guidelines which will address, among other items, colour palette, architectural treatment and signage.

6.3 The enhancement and improvement of downtown streets should be initiated and continued, using the implementation proposals listed in Section 5.13 of Appendix A.

6.4 The Municipal Planning Commission should ensure that all development and redevelopment projects, especially comprehensive ones, should be sympathetic to the downtown setting, maintain consistency with its existing surroundings, and respond to the vitality, activity and interest focused on the street.

6.5 Wherever there is a suitable gap between the downtown buildings, it should be developed as an attractive, well-lit walkway to off-street parking areas at the rear.

6.6 Any proposed development or subdivision affecting or likely to affect the area between any downtown buildings and the creekbank shall have regard to the varied and sometimes conflicting functions of this space as well as the proposed study of the creekbank walkway.

7. LAND USE AND LAND USE DISTRICT DESIGNATIONS

7.1 Land use and land use district designations in the land use bylaw shall conform to the prescribed land use as shown on Map 1, subject to the policies of this plan and the recommendations in Appendix A.

8. LAND USE BYLAW AMENDMENTS

- 8.1 All redesignation should occur prior to:
- any new development or redevelopment under the current zoning;
 - any new subdivision in accordance with the current zoning.
- 8.2 In the interests of maintaining a compact downtown (Objective 2.14), council should discourage a land use bylaw amendment which would have the effect of:
- extending the downtown area along Main Street, past Waterton Avenue and into the industrial area;
 - expanding the downtown into the area bounded by Hewetson, Bridge, Frederick and Adelaide;
 - extending the downtown area northward along Hewetson Avenue, linking it with the Ranchland Shopping Centre;
 - expanding downtown in an easterly direction past Davidson Avenue prior to development or redevelopment of the areas designated in Policy 4.1.
- 8.3 A new land use district for all or part of downtown expansion Area 1 (north of the creek) should be prepared, having regard to:
- which existing uses would be reaffirmed as conforming uses;
 - appropriate minimum lot dimensions and area;
 - urban design considerations;
 - results and recommendations of the Pincher Creek floodplain study;
 - redesignation of the former Co-op site and the mobile home park for primarily public and institutional, and office uses; and
 - the accommodation of a limited amount of retail activity.
- 8.4 The land use bylaw should be amended to create a new "Office" land use district, initially applicable to the north side of Area 2C, with offices as the essential permitted use.
- 8.5 The following downtown expansion areas should be redesignated Downtown/Retail Commercial:
- Area 3C - the Central School site;
 - Area 3E - bounded by Main, St. John, Kettles and Davidson;
 - Area 5 - the 0.8 acre parcel west of the Community Centre.
- 8.6 In order to secure the extension of Kettles Street and limit any renovations or additions to the existing structures, the northerly 120 feet of the Valleyfair section of the Matthew Halton School ground should be redesignated as Direct Control.
- 8.7 The land use bylaw should be amended to allow the MPC to make paving of privately-owned off-street parking a condition of development approval.
- 8.8 The land use bylaw should be amended to allow shared use of parking and joint loading spaces.
- 8.9 The following criteria should be incorporated in the "Standards of Development" or other appropriate schedule of the Land Use Bylaw:

- (a) no front yard setbacks to be allowed in the downtown (i.e. to ensure building to front property line);
- (b) no parking in the front yard space shall be allowed in the downtown.

8.10 The signage schedule in the land use bylaw shall be reviewed and, if necessary, amended to ensure it complements and furthers the intent of this plan.

9. IMPLEMENTATION

9.1 Council endorses the implementation proposals outlined in Appendix A and the implementation table contained in Section 6 of Appendix A.

10. LIAISON, COORDINATION AND MANDATORY REFERRALS

10.1 Council endorses the suggestions or recommendations respecting liaison and coordination contained in Section 6.4 of Appendix A.

10.2 Council or the Municipal Planning Commission shall solicit and consider the comments of the staff of the Oldman River Regional Planning Commission before:

- (a) council considers an amendment to his area redevelopment bylaw; and
- (b) council considers an amendment to the land use bylaw affecting the area that is subject to this area redevelopment plan.

11. FOLLOW-UP ACTIVITIES

11.1 Council endorses conducting the following activities referred to in Section 6.9 of Appendix A, including:

- (a) monitoring the supply and demand for downtown commercial land;
- (b) the development and completion of a comprehensive off-street parking program;
- (c) rationalization of rear access to buildings by means of a comprehensive network of lanes, alleys and easements;
- (d) the preparation of a set of written and graphic design guidelines;
- (e) a detailed plan for improvement and redevelopment of the creekbank.

12. FUNDING

12.1 Council endorses the following as potential sources of funding for improvement to downtown Pincher Creek:

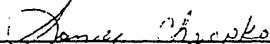
- (a) Main Street Alberta;
- (b) provincial grants;
- (c) federal programs;
- (d) local financing; and
- (e) private funding and volunteers.

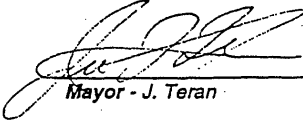
13. AREA REDEVELOPMENT PLAN REVIEW AND AMENDMENT

13.1 This area redevelopment plan should be:

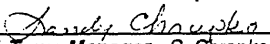
- (a) reviewed whenever it becomes necessary to do so;
- (b) reviewed at least once every five years from the date of its adoption by bylaw and
- (c) amended whenever it becomes necessary to do so in accordance with the Act.

READ a first time this 8th day of November, 1993.


Town Manager - S. Chrapko

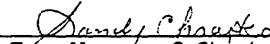

Mayor - J. Teran

READ a second time this 13th day of December, 1993.


Town Manager - S. Chrapko


Mayor - J. Teran

READ a third time and finally PASSED this 13th day of December, 1993.


Town Manager - S. Chrapko


Mayor - J. Teran