

PROPOSED REDISTRICT APPLICATION AGENDA ITEM 3.5 COUNCIL PUBLIC HEARING JANUARY 25, 2022

Submission from Carol Zukiwski, 10531-129 Street

Executive Summary

It is my submission that this application should be denied based on:

- the principles in the City Plan applied in the context of this site;
and
- good planning principles considering scale of the proposed development, parking and access.

Misconceptions about this Application

There have been a number of media articles about this proposed application, which might have given the impression that the opposition to the application is based on the classic ‘not in my backyard’ attitude.

This is not the case.

There has been intensification of residential development in the neighborhood through infill development, garage suites, and row housing (between 129 street and 130 street facing 107 avenue). Indeed, our neighborhood is already well on its way to achieving the desired outcome for re-developing neighborhoods as described on page 140 of the City Plan.

The neighbors, including myself, have been clear to the applicant and to Councilor Stevenson, that it is the RA8 zoning which poses the concerns, not increased residential density. I would support rezoning the site to a Direct Control District.

Council’s Authority under the *Municipal Government Act*

Council’s authority is found in section 230(5) of the *Municipal Government Act*. After the public hearing and after considering the information received at the hearing, and any other matter council considers appropriate council may:

- (a) pass the bylaw;
- (b) make any amendment to the bylaw considered necessary;
- (c) defeat the bylaw.

I respectfully submit that Council should vote to defeat the Bylaw.

After defeating the Bylaw, Council may wish to direct administration to facilitate discussion between City Administration, the neighbors and the applicant with an eye to working out the parameters of a Direct Control District zoning for this site.

Questions for Administration

The Report of Administration is lacking in substantive information regarding a number of key pieces of information:

- (a) the number of residents per hectare – where the neighborhood is at after several years of infill development (row housing, narrow lots and garden suites);
- (b) the actual distance to the LRT stations;
- (c) how the proposed re-zoning would meet the objectives of the District Plan (draft);
- (d) how the proposed development would meet the planning principles in the District Plan (Draft);
- (e) how the proposed development would impact traffic patterns on the already strained 128 and 129 streets;
- (f) whether there are other 6 story mixed commercial and residential developments located in an RF1 district with access to the site from the lane;
- (g) if there are other sites as described in (d) – what are the traffic impacts, upgrades to the lane, snow clearing of the lane, and parking impacts on the street; and
- (h) whether Administration has considered whether the lane between 128 and 129 streets can be widened given the power poles and existing garden suites.

Council's Exercise of Discretion

Deciding whether or not to pass a bylaw to change the zoning of a parcel of land is a discretionary decision. When exercising that discretion, I submit that you have regard for the guidance in the City Plan, and good planning principles.

The City Plan is the overarching umbrella legislation and contains the following concepts:

- (a) District and Local Nodes of development which are centered around a transit facility;
- (b) Primary Corridors which would have mass transit and see intensified residential and commercial development at the District and Local Nodes;
- (c) The recognition that the City is comprised of a series of communities, thereby recognizing that local context is important (City Plan pages 9 – 16); and
- (d) Phasing growth over time and recognizing that not everything in the City Plan is about making something new, the City Plan is also designed to preserve attributes most valued in a neighborhood (City Plan page 7).

Although the District Plan is in draft form, it contains a number of good planning principles that provide another level of context within which to consider how to apply the overarching goals of the City Plan to the application.

The District Plan contains a number of themes which I submit are applicable to this application. The District Plan:

- (a) is to be read harmoniously with the City Plan, meaning that a proposed re-zoning or development should be able to satisfy both the City and District Plans (District Plan s. 1.2);
- (b) is meant to provide guidance to re-zoning decisions (District Plan s. 1.3);
- (c) recognizes the importance of site access for vehicles (District Plan s.2.1.2.2);
- (d) is meant to manage the transition between developments through setbacks and stepbacks (District Plan s. 2.1.2.6);
- (e) is meant to guide development of residential development adjacent to mass transit (LRT station) (District Plan s.2.2.1.2);
- (f) is meant to concentrate the most intensive development within nodes and corridors (District Plan s.2.2.1.3)
- (g) is meant to foster a mix of housing types (District Plan s. 2.2.2);
- (h) encourages small scale infill (District Plan 2.2.2.2);
- (i) focuses on nodes adjacent to mass transit facilities meaning within 200 metres of an LRT station (District Plan s. 2.2.2.4); and
- (j) encourages working with property owners to identify and prioritize development (District Plan 4.1.2.2).

Application of Discretion to this Application

The reasoning which seems to be advanced in support of this application is that because Stony Plain Road is a Primary Corridor, the City Plan allows mid to hi rise development along a 3 – 5 block radius of the Primary Corridor (City Plan page 102). This reasoning does not consider the other very strong message from the City Plan that this type of density is planned for the major and District Nodes. The subject site is not located at a Node (City Plan page 104).

Our neighborhood is only two blocks wide between 107 Avenue to the north and Stony Plain to the south. Blindly applying the direction on page 102 of City Plan would see the entire residential neighborhood eliminated.

The closest Local Nodes that have already started development are 142 street and Stony Plain Road to the west and possibly 124 Street and Stony Plain Road to the east. Allowing the proposed re-zoning to RA8 at this single site would not create a Local Node.

I also submit that when you apply the principles from the District Plan, this proposed re-zoning does not meet those objectives.

Conclusion

I respectfully ask that Council vote to defeat the proposed bylaw for the reasons above. I ask that Council direct Administration to facilitate discussion regarding a Direct Control District Bylaw for this site. The use of a Direct Control District would recognize the unique nature of this site, access and parking challenges. A Direct Control District would at the same time advance the goals of the City Plan to increase residential density and offer alternatives to single family residences in our neighborhood.

Enclosures:

Fact Sheet (2 pages)

Images regarding distance to LRT stop (____pages)