

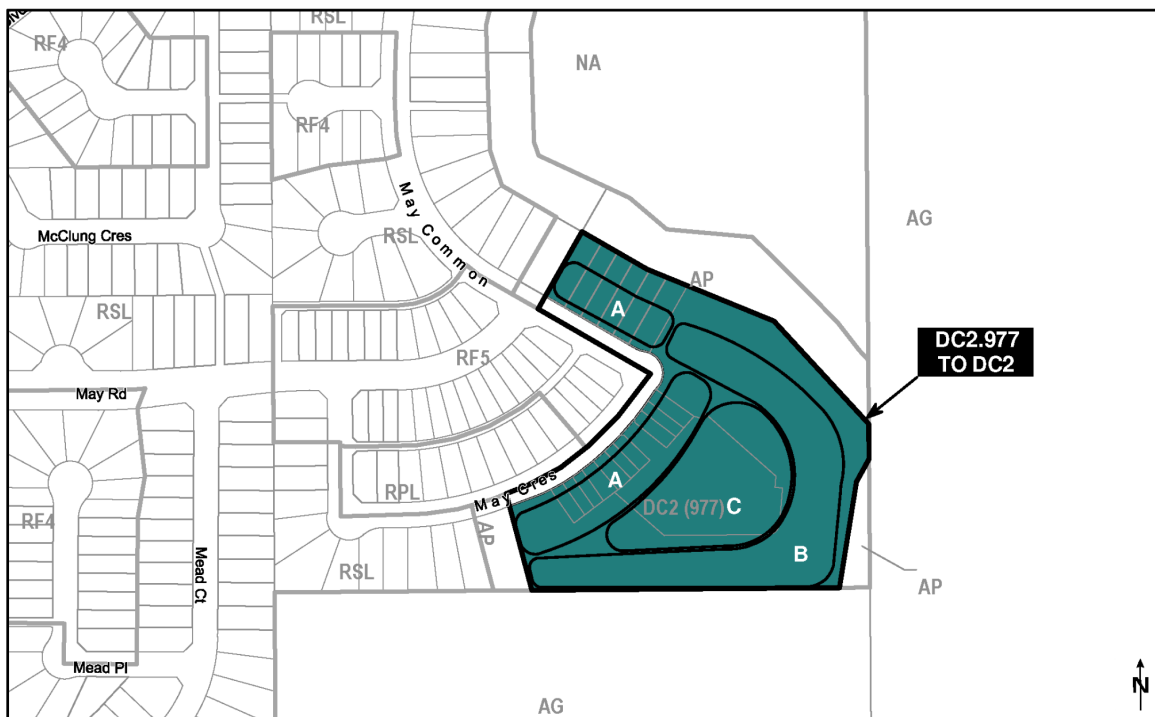
Administration Report

Magrath Heights

Edmonton

7107, 7109, 7111, 7113, 7115, 7117, 7131, 7133, 7135, 7145, 7147, 7149, 7151, 7153, 7155, 7157, 7121 & 7137 - May Crescent NW

To allow for a greater mix of uses and flexibility on the site through revisions to an existing (DC2) Site Specific Development Control Provision, Magrath Heights



Recommendation: That **Charter Bylaw 20209** to amend the Zoning Bylaw from (DC2.977) Site Specific Development Control Provision to (DC2) Site Specific Development Control Provision be **APPROVED**.

Administration **SUPPORTS** this application because it:

- will diversify the land use composition in the Magrath Heights neighbourhood
- will provide additional amenities and services to local residents with minimal impact on adjacent uses
- aligns with objectives of The City Plan by supporting the development of 15-minute districts and providing for medium density housing in a targeted growth area

Application Summary

CHARTER BYLAW 20209 will amend the Zoning Bylaw, as it applies to the subject site, from (DC2.977) Site Specific Development Control Provision to (DC2) Site Specific Development Control Provision to reduce the minimum site density, accommodate additional opportunities for Major Home Based Businesses, Minor Home Based Business, and Residential Sales Centre uses, and make administrative updates throughout.

This application was accepted on April 29, 2022, from NEXT Architecture on behalf of Landmark South Ekos Communities Inc.

This proposal aligns with the goals and policies of The City Plan.

Community Insights

Based on the characteristics of this application the file was brought forward to the public using the Basic Approach. This approach was selected because the proposed land uses are compatible with the surrounding area and there were only responses from two people received to the Pre-Application Notice and Advance Notice. The Basic Approach included the following techniques:

Applicant's Pre-Application Notice to property owners within 60 m and the Terwillegar and Twin Brooks Community Leagues - February 23, 2022

- Number of recipients: 34
- Number of responses with concerns: 2

Advance Notice to property owners within 60 m and the Terwillegar and Twin Brooks Community Leagues - June 3, 2022

- Number of recipients: 36
- Number of responses with concerns: 2

Webpage

- edmonton.ca/magrathheightsplanningapplications

Comments heard throughout the various methods include:

- Impact of Major Home Based Businesses will contribute to vehicular congestion and parking impacts to the neighbourhood.
- The proposal is an over-densification of the site and will negatively impact the adjacent natural area.

Administration responded with information on the regulations applicable to Major Home Based Businesses to mitigate impacts, and discussed Open Option Parking applicability to the site.

No formal feedback or position was received from the Terwillegar Community League or Twin Brooks Community League at the time this report was written.

Site and Surrounding Area

The subject site is about 3.56 hectares in area, located in the southeast portion of the Magrath Heights neighbourhood adjacent to Whitemud Park and Whitemud Creek Ravine. Vehicular access is provided from May Crescent NW which abuts the west side of the site. The surrounding area is generally developed with single and semi-detached housing, as well as a medium density residential site several blocks north. Transit is accessible along Mactaggart Drive, about a 500 metre walking distance from the site.



Aerial view of application area

	EXISTING ZONING	CURRENT USE
SUBJECT SITE	(DC2.977) Site Specific Development Provision	Medium Density Residential (under construction)
CONTEXT		
North	(AP) Public Parks Zone (NA) Natural Areas Protection Zone	Park Whitemud Creek Ravine
East	(AP) Public Parks Zone (AG) Agricultural Zone	Park Whitemud Creek Ravine
South	(AG) Agricultural Zone	Whitemud Creek Ravine
West	(AP) Public Parks Zone (RPL) Planned Lot Residential Zone (RF5) Row Housing Zone	Parks Single Detached Houses Semi-detached Houses

Planning Analysis

The City Plan

The Magrath Heights Neighbourhood Area Structure Plan (NASP), which guided the original development of the neighbourhood, was repealed by City Council in 2021. The proposed rezoning aligns with The City Plan's target to accommodate future growth for an additional 1 million population within Edmonton's existing boundaries. The Magrath neighbourhood is identified as an area of anticipated growth between the 1 and 1.25 million population markers.

Opportunities for Major and Minor Home Based Businesses to be located throughout the site also aligns with goals of The City Plan to develop 15-minute communities, providing additional amenities, services, and employment opportunities within close proximity to primarily residential areas.

Land Use Compatibility

The current DC2.977 Provision was approved on December 4, 2017 under Bylaw 18227. The proposed DC2 retains most of the regulations of DC2.977, including the site plan and circulation network, architectural and design elements, sustainability guidelines, and access to the top-of-bank trail system. As detailed in the DC2 Track Changes (Appendix 1), the proposed changes include:

- The addition of Residential Sales Centre, Major Home Based Business, and Minor Home Based Business uses (previously allowed only in Area C) to Areas A and B
- A reduction in the minimum density from 63 dwelling units per hectare (du/ha) to 58 du/ha
- Administrative updates throughout:
 - Updated terminology for medium density housing (reflecting Zoning Bylaw text amendments under Charter Bylaw 18967) and supportive housing use classes (reflecting Zoning Bylaw text amendments under Charter Bylaw 19490)
 - Application of Open Option Parking as adopted by Council in 2020
 - Removal of clause based on Developer-Sponsored Affordable Housing Policy C582, which was repealed by Council in 2021

At present, residents in Magrath Heights and neighbouring MacTaggart have limited local access to commercial areas, with the closest being approximately 2 km walking distance from the rezoning site. The addition of opportunities for Major and Minor Home Based Businesses across the site will provide a greater diversity of uses while having limited impact on adjacent residential areas. Major and Minor Home Based Businesses must comply with the regulations of Sections 74 and 75 of the Zoning Bylaw, which ensure that each business is compatible with the residential character of the area and has minimal exterior impacts.

Although the minimum site density is proposed to be reduced from 63 to 58 du/ha, which equates to about 18 fewer units across the site, this is well above both typical medium density project site standards

(at a minimum of 45 du/ha) and the Edmonton Metropolitan Region Board's density targets. Regulations of the DC2 provision enable a mix of built forms which provide housing options within the "missing middle" in a neighbourhood primarily characterized by low density residential.

Technical Review

Transportation

The site is well connected to area roadways and active modes network. Additional active modes connectivity to the existing network will be provided within and through the development site. The existing transportation infrastructure has capacity to accommodate development-generated traffic.

Transit

ETS currently operates local bus service near the rezoning site on MacTaggart Drive. This local bus route runs between Leger Transit Centre and Century Park Transit Centre/LRT Station, connecting area residents to the larger city-wide transit network.

Drainage

Storm and sanitary servicing shall be in accordance with the accepted Magrath Heights Neighbourhood Design Reports and subsequent amendments dated March 2004, April 2006, and February 2008. Permanent sanitary and storm sewer service connections are available from the sewers along May Crescent. Additional uses described under the proposed zone would not have a significant impact on existing drainage infrastructure.

Geotechnical

A top-of-bank restrictive covenant agreement applies to the property and geotechnical reports and updates were previously completed. Development and subdivision of the site must comply with the covenant agreement and geotechnical reports. The proposed rezoning does not impact the geotechnical considerations for the site.

EPCOR Water

The applicant/owner will be responsible for all costs associated with providing City standards for water supply including any changes to the existing water infrastructure required by this application.

All other comments from affected City Departments and utility agencies have been addressed.

Appendices

- 1 DC2 Track Changes
- 2 Application Summary

(DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION

1. General Purpose

To establish a Site Specific Development Control Provision to accommodate a range of medium Density residential housing forms with the opportunity for small scale commercial uses. The Site design will be based on principles of sustainability and will include public pedestrian connections to the top of bank, located along the Whitemud Creek Ravine.

2. Area of Application

This provision shall apply to a 3.56 ha Site legally described as Lots 25-424, Block 10, Plan 21227181624358; consisting of a 3.56 ha Site located ~~on the east side~~ of May Crescent, south of 23 Avenue and Whitemud Creek, as shown on Schedule “A” of the ~~is~~ Charter Bylaw adopting this provision, Magrath Heights.

3. Uses

a. Area A

- ~~i.~~ ~~Limited Group Home~~
- i. Live Work Unit
- ii. Major Home Based Business
- ~~ii.~~ iii. Minor Home Based Business
- iv. Multi-unit Housing, restricted to ~~r~~Row hHousing
- ~~iii.~~ v. Residential Sales Centre
- vi. Semi-detached Housing
- ~~iv.~~ vii. Supportive Housing, restricted to Limited Supportive Housing

b. Area B

- ~~i.~~ ~~Limited Group Home~~
- i. Live Work Unit
- ii. Major Home Based Business
- iii. Minor Home Based Business
- iv. Multi-unit Housing
- ~~ii.~~ v. Residential Sales Centre
- ~~iii.~~ Row Housing
- ~~iv.~~ vi. Semi-detached Housing
- Stacked Row Housing

- ~~v.~~vii. Supportive Housing, restricted to Limited Supportive Housing
- c. Area C
 - ~~i.~~ Apartment Housing
 - ~~ii.~~i. Community Recreation Services
 - ~~iii.~~ii. Convenience Retail Stores
 - ~~iv.~~ Limited Group Home
 - ~~v.~~iii. Live Work Unit
 - ~~vi.~~iv. Major Home Based Business
 - v. Minor Home Based Business
 - ~~vii.~~vi. Multi-unit Housing
 - ~~viii.~~vii. Residential Sales Centre
 - ~~ix.~~viii. Restaurants
 - ~~x.~~ Row Housing
 - ~~xi.~~ix. Semi-detached Housing
 - x. Specialty Food Services
 - ~~xii.~~xi. Supportive Housing, restricted to Limited Supportive Housing
 - ~~xiii.~~xii. Urban Gardens
 - ~~xiv.~~xiii. Urban Indoor Farms
 - ~~xv.~~xiv. Urban Outdoor Farms
 - ~~xvi.~~xv. Fascia On-premise Signs
 - ~~xvii.~~xvi. Freestanding On-premises Signs
 - ~~xviii.~~xvii. Projecting On-premise Signs
 - ~~xix.~~xviii. Temporary On-premises Signs

4. Development Regulations

- a. Development shall be in general accordance with the attached appendices:
 - i. Appendix 1 - Conceptual Site Plan; and
 - ii. Appendix 2 - Site Circulation.
- b. The number of Dwellings shall not exceed 290.
- c. The minimum Density for the 3.56 ha Site shall be ~~58~~63 Dwellings per hectare.
 - i. Development Permit applications for portions of the Site shall include a proposed site plan for the entire Site, demonstrating that the minimum Density of ~~58~~63 Dwellings per hectare will be met.
 - ii. Notwithstanding 4(c)(i) above, Development Permit applications that do not alter Density on the Site may not require a site plan, at the discretion of the Development Officer.
- d. The maximum building Heights shall be in accordance with Appendix 1 – Conceptual Site Plan, and as follows:
 - i. Area A - shall not exceed 10.0 m;
 - ii. Area B - shall not exceed 14.0 m; and

- iii. Area C - shall not exceed 23.0 m.
- e. The following building Setbacks shall be applied, in conformance with Appendix 1 – Conceptual Site Plan:
 - i. The minimum Setback Abutting May Crescent shall be 3.0 m;
 - ii. The minimum Setback Abutting the Public Parks shall be 4.5 m;
 - iii. The minimum Setback adjacent to the Whitemud Creek Ravine shall be the ‘building foundation setback’, established by the geotechnical study.
- f. The required Privacy Zones within Separation Spaces between buildings on Site may be reduced to 3.0 m provided an acceptable landscaped buffer is provided, to the satisfaction of the Development Officer.
- g. For Multi-unit Housing within Area B, each principal Dwelling shall have individual front door access to ground level, except that access to Dwellings above the first Storey may be shared by two Dwellings.
- ~~g.~~h. Community Recreation Services, Convenience Retail Stores, Restaurants and Specialty Food Services shall be located only within the ground floor of a building which contains Multi-unit Housing~~Apartment Housing~~.
- ~~h.~~i. Total non-residential Floor Area shall not exceed 120 m² for the entire Site, unless, a supplemental traffic study is provided demonstrating that traffic volumes can be accommodated at the Site access and on the roadway network and without a need to revise the Conceptual Site Plan, to the satisfaction of Subdivision and Development Coordination (Transportation) and the Development Officer, prior to issuance of a Development Permit.
- ~~i.~~j. Signs shall comply with the regulations found in Schedule 59H.
- ~~j.~~k. Freestanding On-premises Signs and Temporary On-premises Signs shall be Accessory to a Residential Sales Centre.
- ~~k.~~l. Individual business identification signs shall be similar in proportion, construction materials and placement such that signs do not detract from the overall appearance of the development and have regard for scale of buildings, lighting, orientation and location on the Site in proximity to surrounding residential development.
- ~~l.~~m. Window signs in businesses shall be limited to 15% of the business’s window area.
- ~~m.~~n. Sign illuminations shall be directed downward.
 - ~~n. Prior to the issuance of the Development Permit, the Development Officer shall ensure that a signed agreement has been executed between the City and the owner, requiring the owner to provide the City, at the time of Development Permit approval, the option to purchase five percent of the proposed number of residential units (rounded to the nearest unit) at 85 percent of market value.~~

5. Open Space and Landscaping

- a. A Landscape Plan shall be prepared by a registered landscape architect and shall include, but not be limited to the following elements:
 - i. paving system, paving stones, retaining walls, screening, and furniture (such as benches) to enhance passive recreation and enjoyment of open space;
 - ii. consider all-seasons in design and selection of plant materials;
 - iii. incorporate elements that minimize environmental and economic costs associated with their maintenance;
 - iv. favour use of deep rooted plant material for areas adjacent to Whitemud Creek Ravine, as per geotechnical recommendations;
 - v. detail of public pedestrian access through the Site in the general locations as shown on Appendix 2 – Site Circulation;
 - vi. restoration of plant species native to the adjacent Whitemud Creek Ravine and Edmonton region;
 - vii. the owner shall install a 1.2 m high fence consistent with the architectural features of the development. The fence shall be constructed wholly on privately owned lands along the north, south, and east boundaries of the Site. Gaps or gates in the fence shall be provided to facilitate access to walking paths and corridors as generally defined in Appendix 2 – Site Circulation; and
 - viii. fencing material shall be visually permeable to allow views through the Site and to the public park spaces along the Whitemud Creek Ravine.

6. Pedestrian and Vehicular Circulation

- a. A public access easement shall be registered on title prior to Condominium Plan Endorsement to ensure public accessibility through the Site to the top of bank Walkway along the primary pedestrian circulation network and the vehicle access/circulation in general conformance with Appendix 2 – Site Circulation.
- b. Site entrance features shall not restrict vehicle movements, encroach onto public roadways or impair sight lines for safe vehicular movement, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation).
- c. Site entrance features shall not restrict public access and pedestrian circulation from May Crescent NW into the Site.
- d. Designated corridors for pedestrian circulation shall connect with the existing top of bank trail network and community wide trails and sidewalks to provide opportunities for active circulation for residents, as well as for adjacent community residents, to the satisfaction of the Development Officer.
- e. The primary pedestrian circulation Walkways shall be:

- i. a minimum of 1.5 m wide, except that the Walkways between the internal vehicle access and the top of bank Walkway shall be a minimum of 3.0 m wide in general conformance with Appendix 2 – Site Circulation; and
 - ii. Hardsurfaced with lighting to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation).
- f. Secondary pedestrian connections may be provided between buildings, with paving stones or other natural or permeable materials, with consideration for privacy of future occupants.
- g. A minimum of 2 two-way vehicular accesses shall be provided from May Crescent, in general accordance with Appendix 2 – Site Circulation.
 - i. The northern access shall align with a leg of the May Crescent intersection. Access locations shall be provided in accordance with the City of Edmonton Access Management Guidelines;
 - ii. Where 2 two-way accesses are provided from May Crescent to the Site, the curb cut accesses shall be a minimum 9.0 m wide, in accordance with City of Edmonton Access Management Guidelines; and
 - iii. Prior to the issuance of a Development Permit, if a third, centrally located two-way access is proposed from May Crescent to Area C, the central access shall be a minimum of 9.0 m wide, and the northern and southern two-way accesses shall be a minimum 7.5 m wide, in accordance with City of Edmonton Access Management Guidelines.
- h. Vehicular circulation on the surface of the Site shall be provided with a minimum 7.0 m two-way drive aisle on the internal private roadway.
- i. Internal private roadways shall be constructed to a minimum standard width to reduce impermeable surfaces and to accommodate the swept path analysis requirements for waste management and emergency services vehicles, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation), Fire Rescue Services and Waste Management Services.
- j. Vehicular access to underground Parking Garages shall be from an internal private roadway.
- k. The ramp entrances to the underground Parking Garages shall be a minimum width of 6.0 m.
- l. Surface parking and drive aisles shall be located in a manner which minimizes conflict with pedestrian Walkways and vehicles, to the satisfaction of the Development Officer.
- m. Surface parking spaces shall have direct access to internal roadways.
- n. Surface parking shall not be permitted adjacent to May Crescent NW.

~~o. Parking requirements will be applied to the Site as a whole. If the Site is developed in phases, the parking locations for each phase shall be established prior to the issuance of a Development Permit, in consultation with Subdivision and Development Coordination (Transportation), to the satisfaction of the Development Officer.~~

7. Site Planning

- a. A transition of building forms, from ground-oriented along May Crescent and in the northeast and southeast corners of the Site to midrise in the interior of the Site shall be arranged on-site to minimize impact of Height and massing on adjacent properties, as generally shown on Appendix 1 – Conceptual Site Plan.
- b. Storage and garbage collection facilities shall be located on private property and screened from view of adjacent public roadways and residential units to the satisfaction of the Development Officer.
- c. Waste collection and storage areas shall be designed and located to the satisfaction of the Development Officer in consultation with Waste Management Services and Subdivision and Development Coordination (Transportation).
- d. For any buildings that have more than four Storeys, waste collection and waste storage areas shall be located adjacent to an internal roadway.
- e. Waste and recycling collection for ~~ground-oriented~~ Semi-detached Housing Uses and Multi-unit Housing Uses with individual entrances at ground level; ~~Row Housing and Stacked Row Housing uses~~ shall be located at curb side pick up or at designated locations along the internal roadway, to the satisfaction of the Development Officer in consultation with Waste Management Services and Subdivision and Development Coordination (Transportation).

8. Architecture

- a. Buildings shall be designed to achieve a cohesive style and architectural theme across the area of application through the use of similar exterior building materials and features.
- b. Buildings shall be finished with durable materials that may include wood siding, cladding, composite panel, cement-fibre siding, brick, concrete envelope materials, masonry, acrylic stucco, glass and metal.
- c. Irrespective of building style, vinyl siding and California or Arizona stucco are not permitted as exterior materials.
- d. All mechanical equipment, including roof mechanical units, shall be concealed by screening in a manner compatible with the architectural character of the building.
- e. Development shall create an active Frontage for all ~~ground-oriented~~ Semi-detached Housing and Multi-unit Housing Uses; ~~Row Housing and Stacked Row Housing Uses~~ directly accessible to May Crescent.
- f. Dwellings fronting May Crescent shall feature articulated and separated external front door entrances with municipal addresses.
- g. Design techniques, including, but not limited to, the use of sloped roofs, variations in building Setbacks and articulation of building Façades, shall be employed in order to minimize the perception of massing of buildings when viewed from adjacent residential areas and roadways.

- h. Passive surveillance in the form of view corridors to the top of bank pathway shall be encouraged to promote safety and facilitate Crime Prevention Through Environmental Design (CPTED) principles.

9. Sustainability Measures

- a. The Site shall apply sustainable design targets that reduce consumption of energy, water, and materials through the use of design techniques and implementation consistent with best practices in sustainable design with regard for, but not limited to:
 - i. meeting energy efficiency standards equivalent to or exceeding BuiltGreen Gold, LEED for homes Gold, or EnerGuide rating of 80;
 - ii. installing devices to assist with the reduction of passive overheating such as sunshades and large building overhangs; and
 - iii. providing an easily-accessible dedicated area or areas for the:
 - a) collection and storage of materials for recycling such as, paper, corrugated cardboard, glass, plastics and metals in accordance with the City of Edmonton recycling program; and
 - b) recycling and/or salvaging of non-hazardous construction and demolition debris.

Application Summary

Information

Application Type:	Rezoning
Charter Bylaw:	20209
Location:	East of May Crescent, south of 23 Avenue and Whitemud Creek
Addresses:	7107, 7109, 7111, 7113, 7115, 7117, 7131, 7133, 7135, 7145, 7147, 7149, 7151, 7153, 7155, 7157, 7121 & 7137 - May Crescent NW
Legal Descriptions:	Lots 25 - 42, Block 10, Plan 2122718
Site Area:	3.56 ha
Neighbourhood:	Magrath Heights
Ward:	pihêsiwin
Notified Community Organizations:	Terwillegar Community League Twin Brooks Community League
Applicant:	NEXT Architecture

Planning Framework

Current Zone:	(DC2.977) Site Specific Development Control Provision
Proposed Zone:	(DC2) Site Specific Development Control Provision
Plan in Effect:	The City Plan
Historic Status:	None

Written By:

Approved By:

Branch:

Section:

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Development Services

Planning Coordination