

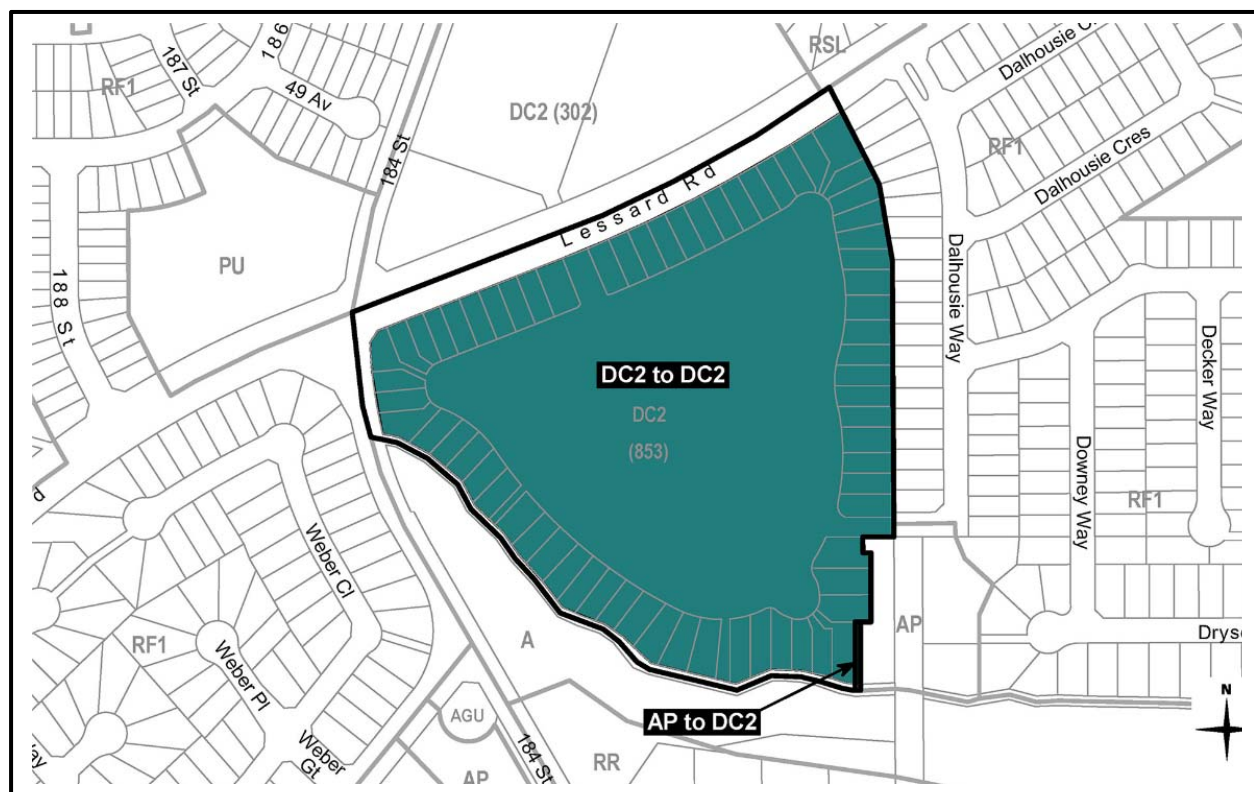


PLAN AMENDMENT AND REZONING APPLICATION

Donsdale

18333, 18343 Lessard Road NW and 701 Dalhousie Way

To remove a 3 metre strip of parkland for sale to adjacent land owner to allow for low density residential development.



RECOMMENDATION + JUSTIFICATION

Sustainable Development is in SUPPORT of this application on the basis that:

- it does not affect the use and functionality of the park site to the east; and
- will allow for a developed house on the site to be granted the necessary development approval.

HISTORY

On November 7, 2016 Council passed a motion that Bylaw 17809 be referred back to the Administration to work with the proponent on options for achieving a 4.5 metre setback and return to a future City Council.

Subsequent to that motion, Administration has defined the area required to meet the proposed Bylaw, prepared a sales agreement, established a value and revised the bylaw and this report to address the changes that have occurred as part of the direction. A necessary amendment to the Donsdale NSP has also been prepared and the removal of the MR designation has been prepared.

THE APPLICATION

BYLAW 18117 is an amendment to the Donsdale Neighbourhood Structure Plan that removes a 3 metre (0.015ha) strip of parkland along the southwestern portion of the neighbourhood park.

BYLAW 17809 as amended is a rezoning from (AP) Public Park and (DC2) Site Specific Development Control Provision Zone to (DC2) Site Specific Development Control Provision Zone to sell the narrow strip of land to allow for the necessary dwelling unit side yard of 4.5 metres along the eastern property line.

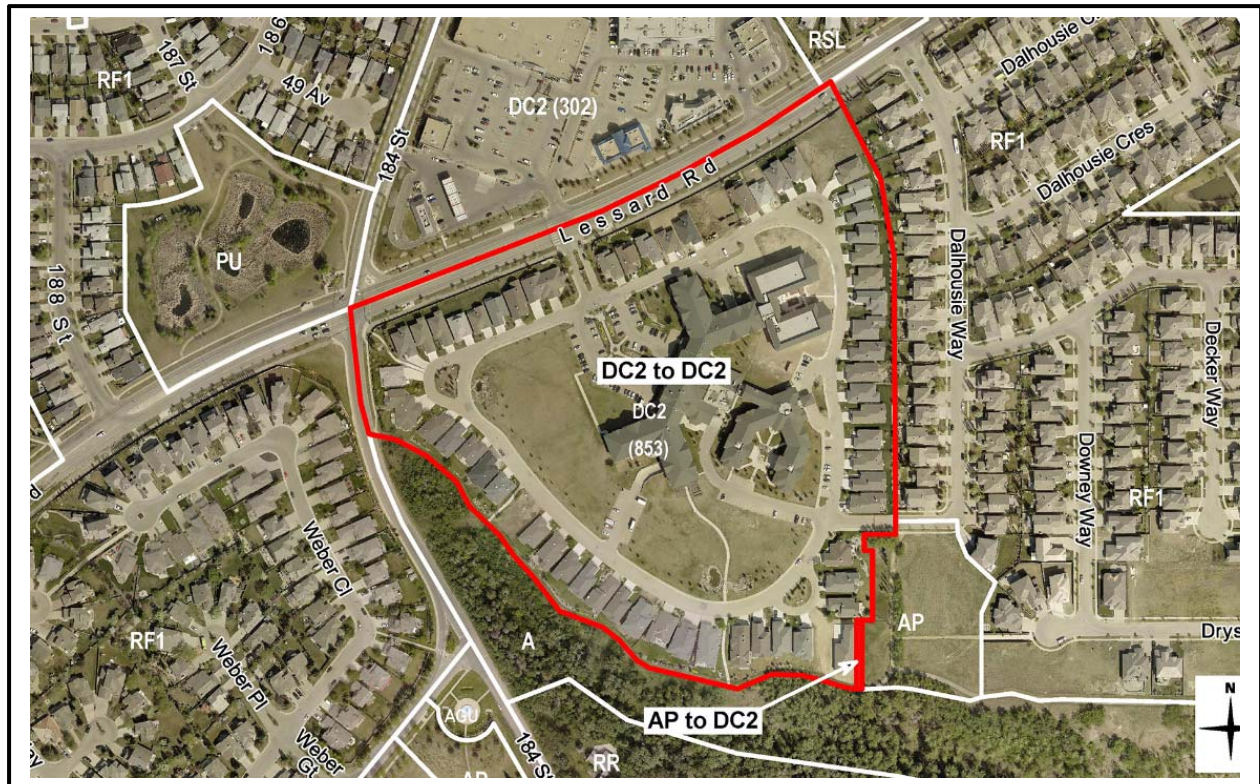
The remainder of the DC2 provision applied to the larger site will remain unchanged.

This rezoning application had resulted from Unit 34 that was constructed without a development permit. Subsequently, Sustainable Development contacted the owner and a development permit was submitted and refused as the eastern side yard was deficient. The refusal was appealed to the Subdivision and Development Appeal Board who could not hear the appeal as the Board does not have jurisdiction to relax regulations within a (DC2) Site Specific Development Control Provision. As a result, the only recourse was to have Council consider rezoning the entire area with a new Site Specific Development Control Provision.

Based on the council direction, a sales agreement for 3 m (0.015 ha.) of parks space has been prepared and therefore there is a need to rezone part of the park space to DC2 as it will be amalgamated into the Touchmark property. Also, the approval of the amendment to the Donsdale NSP will be required. The purpose of the plan amendment and rezoning is to allow for a land sale between Touchmark and the City of Edmonton. This exchange will allow the landowner to keep the house in its built location. Overall, this minor adjustment will have little impact on the use and functionality of the greater park area.

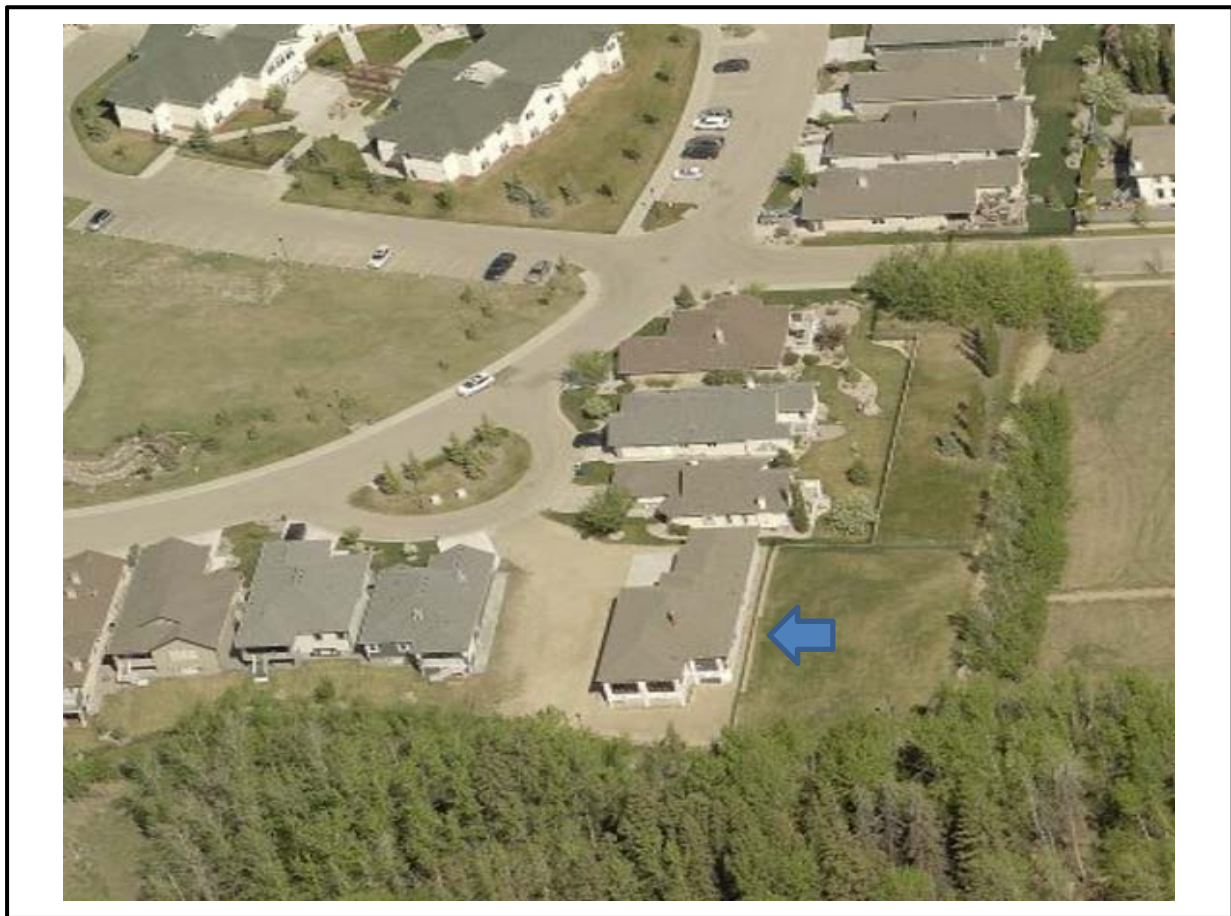
SITE AND SURROUNDING AREA

The amendment area is currently zoned (AP) Public Parks Zone and (DC2) Site Specific Development Control Provision Zone and is located in the neighbourhood of Donsdale which is primarily a residential neighbourhood. The majority of the neighbourhood is zoned for single family housing. The Touchmark site, that is the subject of these amendments, consists of a mix of row and semi-detached units with an institutional component for seniors in multiple complexes and 60 bareland units that are developed as for single detached dwellings. The park site exists in 4 separate titles and therefore only 701 Dalhousie Way is affected by the subdivision and sale.



AERIAL VIEW OF APPLICATION AREA

	EXISTING ZONING	CURRENT USE
SUBJECT SITE	(DC2) Site Specific Development Control Provision	Single Detached House under construction
CONTEXT		
North	(DC2) Site Specific Development Control Provision	Single Detached House
East	(RF1) Single Detached Residential Zone	Single Detached House
South	(AP) Public Parks Zone	Park
West	(DC2) Site Specific Development Control Provision	Single Detached Houses or vacant lots



PLANNING ANALYSIS

The applicant built the structure without permits in 2016. The DC2 regulation requires a 4.5 m setback from the east side of Unit 34 abutting the park space. The change in zoning will affect the individual property only.

As a result of the Council Motion from November 7, 2016, the administration has:

- set a sales value for the 3 m of park space (0.015 ha.),
- completed a sales agreement subject to council approval,
- amended the application to rezone part of the park space to DC2,
- received a subdivision application to separate the park area,
- prepared a Resolution to remove the MR designation from that portion of the park, and
- prepared an amendment to the Donsdale NSP.

The proposed plan amendment and rezoning will still meet the intent and goals of the Donsdale NSP and comply with all relevant principles. The plan amendment is simply an amendment to the appropriate figure contained in the Donsdale Neighbourhood Structure Plan. Further, the proposed land sale is compatible with surrounding existing and planned land uses.

TECHNICAL REVIEW

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

PUBLIC ENGAGEMENT

ADVANCE NOTICE July 16, 2016	<ul style="list-style-type: none">• Number of recipients: 37• No responses received
Revises notice sent June 5, 2017	<ul style="list-style-type: none">• Number of recipients: 143• No responses received

CONCLUSION

Sustainable Development recommends that City Council APPROVE this application.

APPENDICES

1. Approved DC2 – Track Changes
2. Application Summary
3. Approved Donsdale NSP
4. Proposed Donsdale NSP

Mark-up of Proposed Amendments

(DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION

1. General Purpose

To establish a Site Specific Development Control Provision (Area A, B & C) to accommodate the development of a comprehensively planned, seniors-oriented Continuing Care Retirement Community with low and medium density housing and institutional uses plus a variety of ancillary uses (e.g. dining facilities, health care services, recreation & fitness facilities) with site development regulations to ensure compatibility with adjacent residential development.

2. Area of Application

This Provision shall apply to Units 1 – 66, Block 5, Plan 122 3111 and Units 1-118 and A-E, Condominium Plan 1223097, as shown on Schedule “A” appended to the Bylaw adopting this provision, Donsdale.

3. Uses

Area A

- a. Minor Home Occupations
- b. Semi-Detached Housing
- c. Single Detached Housing
- d. Residential Sales Centre

Area B

- a. Apartment Housing
- b. Boarding and Lodging Houses
- c. Child Care Services
- d. Community Recreation Services
- e. Extended Medical Treatment Services
- f. Health Services
- g. Indoor Participant Recreation Services
- h. Personal Service Shops & Convenience Retail Stores when designed as an integral and secondary component of the development
- i. Private Clubs
- j. Private Education Services

- k. Religious Assembly
- l. Residential Sales Centre

Area C

- a. Extended Medical Treatment Facilities
- b. Health Services

4. Development Criteria

Before any development permits are issued in Areas A, B or C, a subdivision application shall be approved to create a separate parcel for the DC2 site. Development in all areas shall comply with the recommendations of the Geotechnical Evaluation prepared by Nichol's Environmental Canada, dated November 1999.

Area A

Development within Area A shall be in general conformance with the concept illustrated on the site plan (Appendix 1) and shall comply with the following criteria:

- a. there shall be a maximum of 74 dwelling units in Area A;
- b. the maximum Height shall not exceed 6.0 m (19.7 ft.) nor 1 storey;
- c. there shall be a minimum of 1.2m (3.94 ft) of space adjacent to the side wall of each building for a total of 2.4m (7.88 ft) between buildings. Where a building is located adjacent to a vehicular entrance to the site, there shall be a minimum of 3m (9.84 ft) between the building and the road carriageway.
- d. the minimum yard adjacent to the private road which separates Area A from Areas B & C shall be 4.5 m (14.8 ft.);
- e. the minimum yard adjacent to the future low density residential development on the east boundary of the site shall be 7.5 m (24.6 ft.);
- f. the minimum yard adjacent to Lessard Road shall be 6.0 m (19.7 ft.);
- g. the minimum yard adjacent to the Wedgewood Ravine and the proposed park site shall be 4.5 m (14.8 ft.); excluding Plan 1223111, Unit 34 where a minimum yard of 1.2m will be required at the along the east property line.
- h. a 1.83 m (6.0 ft.) screen fence, designed to the satisfaction of the Development Officer, shall be installed along the property lines adjacent to existing or future low density residential, Lessard Road and 184 Street ;
- i. a 1.2 m (3.9 ft.) screen fence, designed to the satisfaction of the Development Officer, shall be installed along the property line adjacent to the Wedgewood Ravine and park space;

- j. parking for Area A shall meet the requirements of Section 66 of the Land Use Bylaw;
- k. Signs shall be allowed in this Provision in accordance with Schedule 79B and the general provisions of Sections 79.1 to 79.9 of the Land Use Bylaw.
- l. A communal amenity area shall be provided as generally shown on Appendix 1.

Area B

Development within Area B shall be in general conformance with the concept illustrated on the site plan (Appendix 1) and shall comply with the following criteria:

- a. the maximum number of dwelling/sleeping units in Area B shall not exceed 280;
- b. development in Area B shall comply with the Separation Space requirements in Section 58 of the Land Use Bylaw;
- c. the maximum Height shall not exceed 12.0 m (40 ft.) nor three storeys;
- d. parking for both Area B and Area C combined shall include a minimum of 75 underground stalls and 165 surface stalls;
- e. the minimum yard adjacent to the private road which separates Areas B and C from Area A shall be 4.5 m (14.8 ft);
- f. Signs shall be allowed in this Provision in accordance with Schedule 79B and the general provisions of Sections 79.1 to 79.9 of the Land Use Bylaw.
- g. At least 2 communal amenity areas shall be provided as generally shown on Appendix 1.

Area C

Development within Area C shall be in general conformance with the concept illustrated on the site plan (Appendix 1) and shall comply with the following criteria:

- a. the maximum number of dwelling/sleeping units for Extended Medical Treatment Services shall be 96;
- b. development in Area C shall comply with the Separation Space requirements in Section 58 of the Land Use Bylaw;
- c. the maximum Height shall not exceed 12.0 m (40 ft.) nor three storeys;
- d. the minimum yard adjacent to the private road which separates Area C and B from Area A shall be 4.5 m (14.8 ft.);
- e. parking for both Area B and Area C combined shall include a minimum of 75 underground stalls and 165 surface stalls;
- f. Extended Medical Treatment Services shall not include out-patient services for non-residents of the Continuing Care Retirement Community;

- g. Signs shall be allowed in this Provision in accordance with Schedule 79B and the general provisions of Sections 79.1 to 79.9 of the Land Use Bylaw.

APPLICATION SUMMARY

INFORMATION

Application Type:	Rezoning
Bylaw(s):	17809
Location:	South east corner of 18343 Lessard Road NW
Address(es):	18333 and 18343 Lessard Road NW and 701 Dalhousie Way
Legal Description(s):	Condominium Plans 1223111 and 1223097, Lot 100MR, Block 54, Plan 1621162
Site Area:	N/A
Neighbourhood:	Donsdale
Ward - Councillor:	5 – Michael Oshry
Notified Community Organization(s):	Lessard Community League and West Edmonton Communities Council Area Council
Applicant:	Celebration Homes Inc.














PLANNING FRAMEWORK

Current Zone(s) and Overlay(s):	(DC2) Site Specific Development Control Provision Zone
Proposed Zone(s) and Overlay(s):	(DC2) Site Specific Development Control Provision Zone
Plan(s) in Effect:	Donsdale Neighbourhood Structure Plan
Historic Status:	None

Written By:	Don Read
Approved By:	Tim Ford
Department:	Sustainable Development
Section:	Planning Coordination

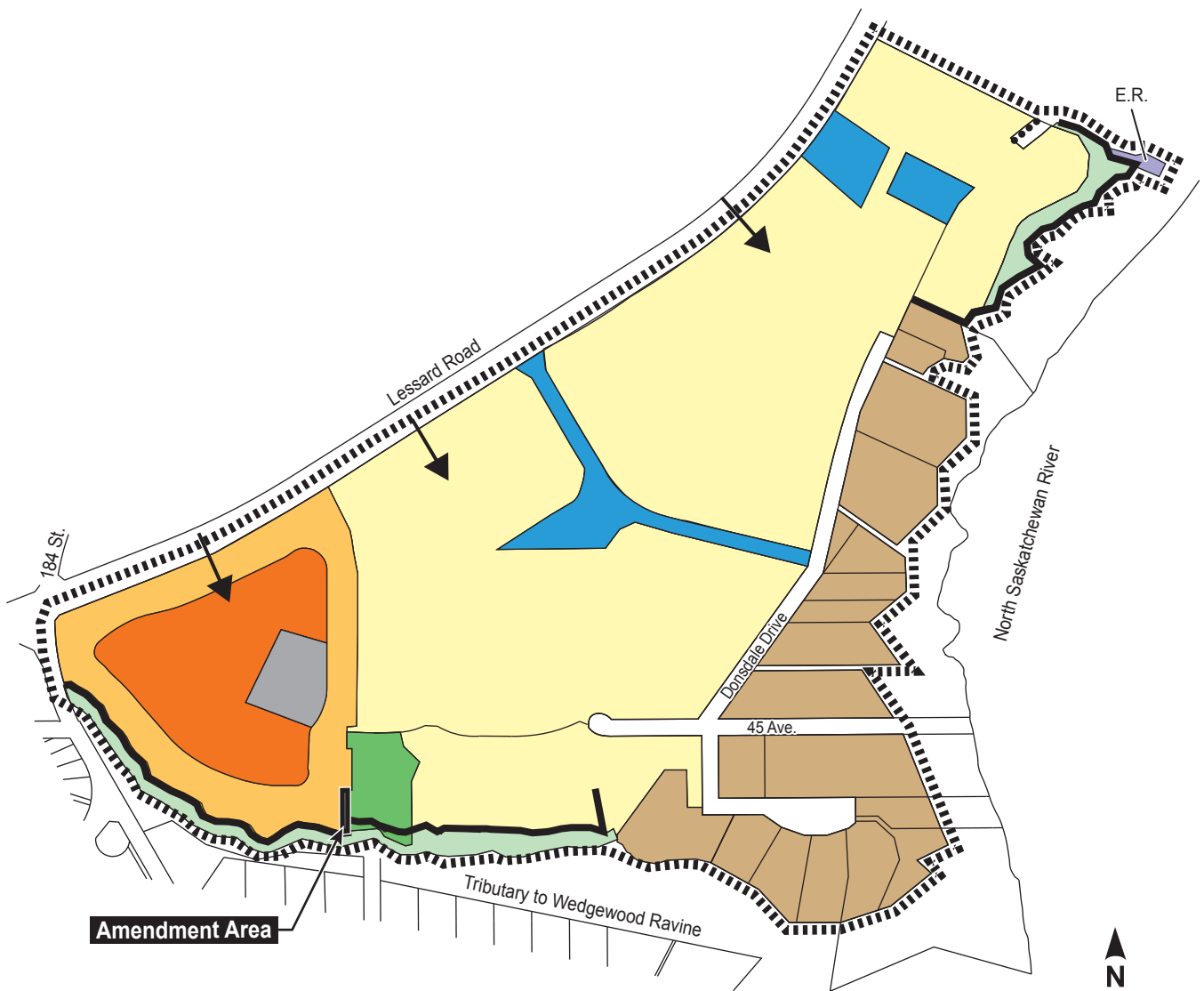


BYLAW 17519
APPROVED DONSDALE
 Neighbourhood Structure Plan
 (as amended)














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|---|--|
|  Low Density Residential |  Natural Area / Viewpoint |
|  Existing Country Residential |  Environmental Reserve (E.R.) |
|  Direct Control Low Density Residential |  Upland Setback |
|  Direct Control Medium Density Residential |  Walkway |
|  P.U.L. (Dry Pond) |  Access Point |
|  Direct Control Institutional |  N.S.P. Boundary |
|  Neighbourhood Park | |

SUSTAINABLE DEVELOPMENT

Note: Location of collector roads and configuration of stormwater management facilities are subject to minor revisions during subdivision and rezoning of the neighbourhood and may not be developed exactly as illustrated.



BYLAW 18117
AMENDMENT TO DONSDALE
 Neighbourhood Structure Plan
 (as amended)

- | | |
|---|--|
|  Low Density Residential |  Natural Area / Viewpoint |
|  Existing Country Residential |  Environmental Reserve (E.R.) |
|  Direct Control Low Density Residential |  Upland Setback |
|  Direct Control Medium Density Residential |  Walkway |
|  P.U.L. (Dry Pond) |  Access Point |
|  Direct Control Institutional |  N.S.P. Boundary |
|  Neighbourhood Park | |

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