

Bylaw 17885

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 2328

WHEREAS Lot 1, Block 130, Plan 2602HW; located at 13923 - 102 Avenue NW, Glenora, Edmonton, Alberta, is specified on the Zoning Map as (RF1) Single Detached Residential Zone; and

WHEREAS an application was made to rezone the above described property to (DC2) Site Specific Development Control Provision;

NOW THEREFORE after due compliance with the relevant provisions of the Municipal Government Act RSA 2000, ch. M-26, as amended, the Municipal Council of the City of Edmonton duly assembled enacts as follows:

1. The Zoning Map, being Part III to Bylaw 12800 The Edmonton Zoning Bylaw is hereby amended by rezoning the lands legally described as Lot 1, Block 130, Plan 2602HW; located at 13923 - 102 Avenue NW, Glenora, Edmonton, Alberta, which lands are shown on the sketch plan attached as Schedule "A", from (RF1) Single Detached Residential Zone to (DC2) Site Specific Development Control Provision.
2. The uses and regulations of the aforementioned DC2 Provision are attached as Schedule "B".

3. The sketch plan attached as Schedule "A" and the uses and regulations of the DC2 Provision shown on Schedule "B" attached are hereby incorporated into the Zoning Bylaw, being Part IV to Bylaw 12800, The Edmonton Zoning Bylaw.

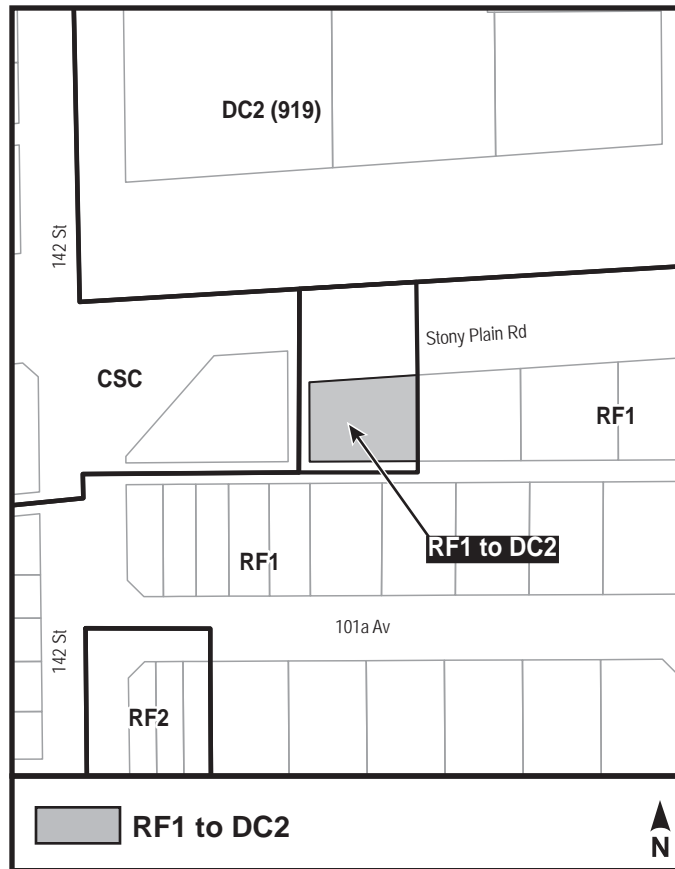
| | | |
|-------------------------|--------|---------------|
| READ a first time this | day of | , A. D. 2017; |
| READ a second time this | day of | , A. D. 2017; |
| READ a third time this | day of | , A. D. 2017; |
| SIGNED and PASSED this | day of | , A. D. 2017. |

THE CITY OF EDMONTON

MAYOR

CITY CLERK

BYLAW 17885



SCHEDULE “B”**(DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION****1. General Purpose**

To accommodate a row housing development characteristic of urban settings that, provides a more intensive development with emphasis on quality of architecture, smaller setbacks, orientation to 102 Avenue, higher site coverage, and reduced private amenity requirements.

2. Area of Application

This Provision shall apply to an approximately 700 m² site legally described as Lot 1, Block 130, Plan 2602HW in the Glenora neighbourhood, as shown on Schedule A adopting this Provision.

3. Permitted Uses

- a. Minor Home Based business
- b. Residential Sales Centre
- c. Row Housing
- d. Fascia On-premises Signs

4. Development Regulations

- a. The development shall be in general accordance with the attached Appendices (listed below). These Appendices are schematic illustrations of the intended development.
 - i. Appendix 1: Site Plan
 - ii. Appendix 2: North Elevation
 - iii. Appendix 3: South Elevation
 - iv. Appendix 4: Illustrative Landscape Plan
- b. The minimum Site area shall be 700 m².
- c. A maximum of 4 Dwelling units shall be permitted.
- d. The maximum Height shall not exceed 10.0 m.
- e. The Front Setback shall be a minimum of 2.5 m and a maximum of 5.5 m.
- f. Minimum Side Setbacks shall be provided, on the following basis:
 - i. 1.2 m along the west Lot line abutting the Side Lane
 - ii. 3 m along the east Lot line
- g. The Rear Setback shall be a minimum of 5.5 m.
- h. The maximum Site Coverage shall be 55%.

- i. Each Dwelling shall provide a minimum of 2 bedrooms.
- j. Amenity Areas
 - i. A minimum Private Outdoor Amenity Area of 8.0 m² per dwelling shall be provided.
 - ii. Structures may project into the Rear Setback up to a maximum distance of 1.0 m.
 - iii. Notwithstanding Section 47 of the Zoning Bylaw, where Private Outdoor Amenity Area is provided, the minimum dimension shall be 1.5 m.
- k. A solid uniform screen fence, 1.8 m in height, shall be installed along the east and west property lines except within the required Front Yard.

5. Urban Design and Built Form

- a. Row Housing shall have rear attached garages.
- b. All Dwelling units shall be oriented to front onto 102 Avenue. Each dwelling unit shall have a well-defined individual front door with access to the ground level, leading to a public sidewalk.
- c. The front and rear façades of the building shall be designed with detail and articulation to ensure that each Dwelling unit is individually identifiable.
- d. Building façades shall be articulated by a combination of recesses, entrances, windows, projections, change in building materials or colours, and shall be in general accordance with Appendix 2: North Elevation and Appendix 4: South Elevation.
- e. All exposed building faces shall have consistent and harmonious exterior finishing materials such as stone, masonry, metal, wood panels, cement panels, and/or glass.
- f. Exterior lighting associated with the development shall be designed, located or screened so as to reduce impacts on adjacent off-site residential units.

6. Parking and Access

- a. Driveways shall only be permitted abutting the rear Lane.
- b. Off-street Parking shall be provided in Garages incorporated into the rear of the building. A minimum of two parking spaces shall be provided per each Dwelling unit.

7. Landscaping

- a. Landscaping shall comply with Section 55 of the Zoning Bylaw and provided in general accordance with Appendix 5: Illustrative Landscape Plan.
- b. Landscaping for the Site shall include a minimum of 4 trees and 12 shrubs.
- c. Landscape design shall consider appropriate plant material for horticultural zone 3a.
- d. Landscaping within the Setback area along the eastern Lot line shall be designed to provide a visual buffer through the use of columnar form trees and/or shrubs.

Appendix 1: Site Plan



Appendix 2: North Elevation



Note: exterior finishes and colors are subject to change.

Appendix 3: South Elevation



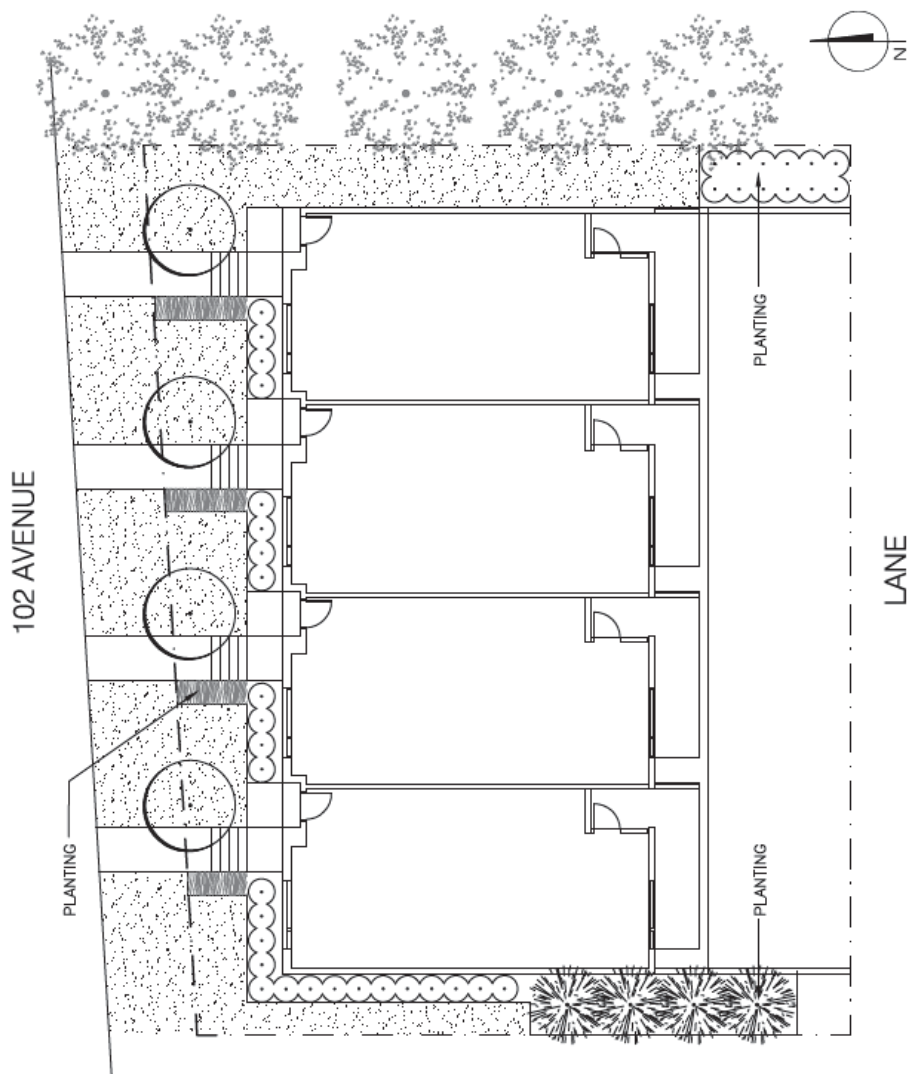
Note: exterior finishes and colors are subject to change.

Appendix 4: Illustrative Landscape Plan

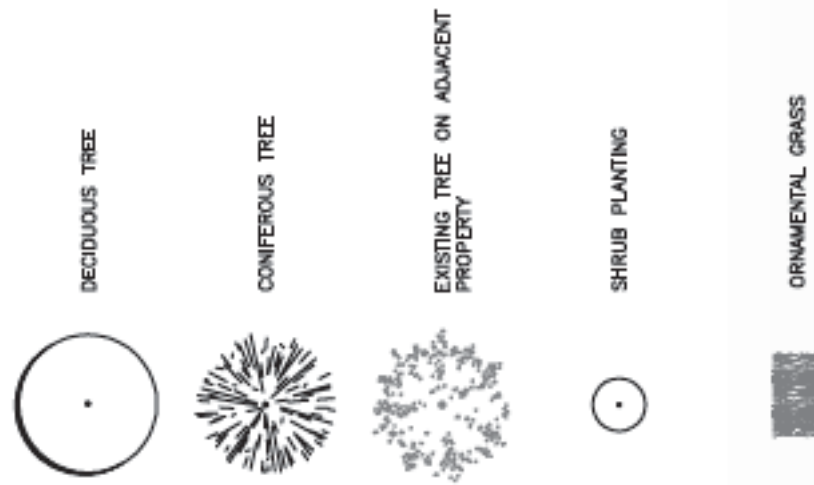
HAYA FOURS DEVELOPMENT
102 AVENUE, EDMONTON, AB
LANDSCAPE CONCEPT

APPENDIX I

LEGEND



Scale N.T.S.



ORNAMENTAL GRASS



Rezoning, GLENORA

13923 - 102 AVENUE NW

To allow for the development of a 4 unit row house, with a maximum of 10 metres in height. Onsite parking will be provided within attached garages accessed off the rear lane.



Front Elevation

RECOMMENDATION AND JUSTIFICATION

Sustainable Development is in SUPPORT of this application because it:

- Aligns with the Transit Oriented Development guidelines to provide an opportunity for more transit supportive densities in proximity to a future transit station;
- Provides an alternative housing choice in a mature neighbourhood; and
- Is sensitive in scale with the surrounding low density development.

• THE APPLICATION

Bylaw 17885 proposes to amend the Zoning Bylaw from (RF1) Single Detached Residential to (DC2) Site Specific Development Control Provision. The applicant's stated intent is to develop a 4 unit row house, with a maximum height of 10 metres. Initially the applicant proposed a 4 unit row house, with a maximum height of 14 metres and 2nd storey rear balconies. However, as a result of feedback received, the building was redesigned. The 2nd storey balconies were removed, and the height was reduced to 10 meters to provide an appropriate transition between the adjacent single family homes and the commercial uses to the west.

The proposed DC2 Provision includes:

- Row Housing with a rear attached Garage (maximum 4 units)
- minimum 2 bedrooms per unit
- maximum 10 m in height
- maximum 55 % site coverage and
- Landscaping in accordance with the Zoning Bylaw



Site Plan



Rear Elevation

SITE AND SURROUNDING AREA

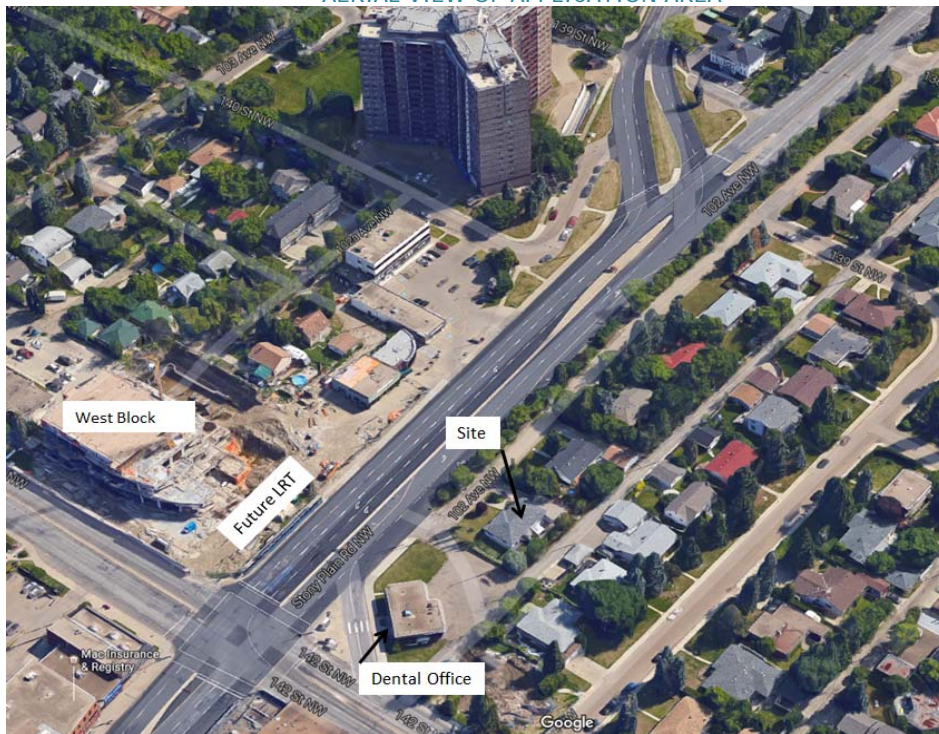
The site fronts onto the service road adjacent to Stony Plain Road NW and is in close proximity to 142 Street NW. Currently, the site includes a single detached home with an attached garage.

To the east and south, land is zoned (RF1) Single Detached Residential Zone developed with single-detached houses. The property directly west is zoned (CSC) Shopping Centre Zone and developed with a Dentist Office. To the west, across 142 Street NW, the land is zoned (CSC) Shopping Centre Zone and currently contains a vacant commercial building.

To the north across Stony Plain Road is the future 142 Street LRT Neighbourhood Transit Station. This land is zoned DC2 Site Specific Development Control Provision. The DC2 Provision regulates the West Block mixed-use, transit-oriented, urban village and allows for 3 residential/commercial towers between 15 to 90 m in height, with a maximum of 500 dwelling units resulting in a maximum density of 312 – 343 du/ha and a publically accessible plaza.



AERIAL VIEW OF APPLICATION AREA



OBLIQUE VIEW OF APPLICATION AREA

| | EXISTING ZONING | CURRENT USE |
|---------------------|---|--|
| SUBJECT SITE | (RF1) Single Detached Residential Zone | Single Detached House |
| CONTEXT | | |
| North | (DC2 (919) (1)) Site Specific Development Control Provision | Commercial and Residential Uses, under development |
| East | (RF1) Single Detached Residential Zone | Single Detached House |
| South | (RF1) Single Detached Residential Zone | Single Detached House |
| West | (CSC) Shopping Centre Zone | Dental Office |

PLANNING ANALYSIS

The proposed rezoning provides an opportunity for increasing density in proximity to a future transit station and is designed to mitigate impacts on the surrounding single detached properties.

Overall, this proposal will:

- Introduce an additional and attractive medium density housing form in the Glenora Neighbourhood;
- Support transit infrastructure; and
- Provide an appropriate transition between the single family and the commercial/mixed land uses.

The introduction of row housing in this location provides an alternative housing form in the Glenora neighbourhood. There are a very limited number of row housing units developed in the neighbourhood. This development will provide opportunities for young families to move into the area or allow existing residents a chance to downsize and remain in the neighbourhood.

The site's location on a Transit Avenue and across from a future "Neighborhood LRT Station" is a prime location for increasing densities. The Transit Oriented Design Guidelines (TOD) suggests a 4 storey apartment is appropriate for this site. Initially the applicant did contemplate a 3 storey (14 m) 4 unit row house but after public consultation they decided to limit the site to a 2 storey (10 m) 4 unit row house.

The TOD Guidelines support the introduction of increased height and higher density development. The proposed DC2 provision controls development and provides assurance that the row house will be built with a maximum height of 10m providing a sensitive transition between the single family and the nearby commercial/mixed land uses.

PLAN REVIEW

There is no neighbourhood plan in effect for the Glenora neighbourhood. The subject site is currently located within the Mature Neighbourhood Overlay (MNO). If approved, the MNO will no longer apply as the overlay applies to land zoned RF1, RF2, RF3, RF4 and RF5.

Edmonton's Municipal Development Plan (MDP), The Way We Grow, approved by Council in 2010, sets out a goal that a minimum of 25% of all new housing in the city should be located in existing neighbourhoods. If approved, this proposal will contribute to the MDP 25 % housing goal in the mature areas.

LAND USE COMPATIBILITY

This is an appropriate site for the proposed development and is compatible with surrounding land uses in the area based on the following site attributes:

- Located on a service road adjacent to an arterial, within 200 m of a future LRT Neighbourhood Station, with direct access to a rear lane.
- Located on a Transit Avenue;
- In close proximity to community amenities;
- The required parking is provided with attached garages which reduces potential for increased on-street parking by residents occupying the units; and
- Supports Community vision for lower scale residential development and City Policy to increase density.

TRANSIT ORIENTED DEVELOPMENT

The proposal aligns with the TOD guideline objective which strives to provide opportunity for more transit supportive densities, and intensification with the provision that development is sympathetic to surrounding existing uses.

The future Transit station located on the north side of Stoney Plain Road is identified as a "Neighbourhood Station". The TOD Guidelines suggest 4 storey apartment style housing would be appropriate at this location although townhouses and duplex housing are also appropriate within 400m of a transit site.

TECHNICAL REVIEW

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

PUBLIC ENGAGEMENT

| | |
|---|---|
| PRE-APPLICATION NOTICE December 3, 2015 | <ul style="list-style-type: none">• Number of recipients: 29• As Reported by applicant |
| Advanced Notice | <ul style="list-style-type: none">• Number of recipients: 32 |

| | |
|--|---|
| October 7, 2016 | <ul style="list-style-type: none">• Three emails of objection |
| OPEN HOUSE Date January 19, 2017 | <ul style="list-style-type: none">• Open House• Number of attendees: 32• Number of feedback forms in support: 0• Number of feedback forms with concerns: 15• See attached report, "What We Heard" |
| OPEN HOUSE Date March 1, 2017 | <ul style="list-style-type: none">• Open House• Number of attendees: 12• Number of feedback forms in support: 0• Number of feedback forms with concerns: 0• See attached report, "What We Heard" |

Pre-Notification Mail Out (December 3, 2015)

On December 3, 2015, the applicant sent out a pre-notification to the surrounding property owners and the Glenora Community League. The proposal was for a four unit row house, 14m in height. Based on the feedback, the applicant retained the four unit row house, redesigned the building, removed the 2nd storey rear balconies and reduced the height to 10 m.

CONCLUSION

Sustainable Development recommends that City Council APPROVE this application.

APPENDICES

Appendix 1 What We Heard Report

Appendix 2 Application Summary

Written By: Vivian Gamache
Approved By: Tim Ford
Department: Sustainable Development
Section: Planning Coordination

WHAT WE HEARD REPORT

Rezoning in Glenora for a 4 unit Row house with a 10 m maximum height.

PROJECT ADDRESS: 13923 - 102 AVENUE NW

PROJECT DESCRIPTION: Rezoning from (RF1) Single Detached Residential Zone to (DC2) Site Specific Development Control Provision to allow development of a 4unit row house unit, with a maximum of 10 metres in height. Onsite parking will be provided within attached garages accessed off the rear lane.

EVENT TYPE: Open-House

MEETING DATE: January 19th, 2017 & March 1, 2017. Second meeting required due to an error in the advertising date.

NUMBER OF ATTENDEES: 57 (Open House January 19, 2017)
12 (Open House March 1, 2017)

ABOUT THIS REPORT

The information in this report includes feedback gathered from the following:

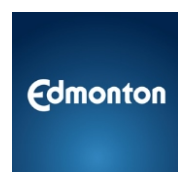
- DC2 Pre-notification process;
- Advanced notification process;
- Open houses (January 19th, 2017 & March 1, 2017).

This summary will also be shared with the applicant and the Ward Councillor. If/when the proposed rezoning advances to Public Hearing these comments will be summarized in the Report to Council.

MEETING FORMAT

The meetings format was a open house where attendees were able to view display boards with project information and ask questions of City Staff and the applicant. Planners were made

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available to answer questions throughout the open house and the attendees were encouraged to provide feedback. Comments from attendees were recorded by City staff during the meeting, and feedback and comments forms were also collected. Below is a summary of the comments we received and the main themes that emerged.

OPEN HOUSE and EMAIL FEEDBACK SUMMARY

WHAT WE HEARD

All comments from the open house, and from emails sent to the file planner are summarized by main themes below.

What we heard from the pre-notification and advanced notification

The applicant prepares a pre-notification to the adjacent landowners and Sustainable Development sent out advanced notifications. Comments received from both the notifications are summarized as follows:

- This application will be contested in a most vigorous manner at the Public Hearing
- The present plans are the ugliest building drawings and eye sore
- This architecture simply does not fit with the current 50's & 60's bungalows in this neighbourhood (Capital Hill – Glenora)
- Concerned about privacy as the balconies will overlook our property and yards;
- Concerned with the Noise generated from balconies
- This development will decline my property value
- The Caruthers Caveat is being completely ignored
- Concerned with the amount of density – West Block and Blue Chicago
- A 4 storey building is too high and create privacy concerns
- Glenora is a Historic Neighbourhood
- The trees will be removed
- An adjacent landowner was in support of the development, as this development is needed to provide high quality affordable housing to the mature neighbourhood.
- Traffic congestion in the back alley
- Safety concerns (children riding their bikes in the alley)
- People might park illegally in their rear lane driveway, and
- Emergency response would be delayed due to increased traffic.

The following is the response to emails:

As you are aware, this application was submitted by Joanna Wass at Haya Homes. The applicant came in to speak with the City last year with a proposal for apartment housing. At our suggestion, they reached out to the neighbours. Based on that initial feedback they revised their proposal to four unit 4 storey Row Houses and continued with their required pre application notification to owners and Community Leagues within 61 metres of the proposal.

Based on the feedback they received following their December 3, 2015 letter, they further reduced the height to 10 metres or 2 Storeys.

My understanding of the proposal is for the 4 units to have under ground garages, accessed from the rear lane, which depicted in the elevations provided by the applicant.

I have attached a copy of the proposed Direct Control Provision, but please note we are in early stages of review and it is likely to change with requests from the City and based on our community engagement. The City of Edmonton will also be hosting an Open House/Public Meeting for the application once initial technical feedback is received and reviewed.

Based on the Transit Orientated Development Guidelines, 2 storey town homes and duplex housing are appropriate at this location. However, the Guidelines state that on arterial, collector roads and large sites, 4 storey apartment housing is appropriate. As this site is located on an arterial, across from the future Glenora LRT Station, up to a 4 storey apartment could be developed at this site.

Increased Traffic on the Back Alley

In terms of your concerns about the traffic in the back alley, this application has been circulated to Transportation Services. If they have any concerns about the potential impacts of parking, the developer will be required to demonstrate how they plan to mitigate those potential impacts.

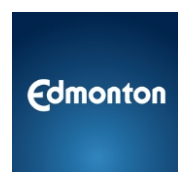
The Carruthers Caveat

The Carruthers Caveat is a private to private matter. For more information regarding the Carruthers' Caveat and its interpretation, the applicant should contact their legal representative.

Historic Character of the Area

The Heritage Management Unit, in conjunction with a heritage consultant, will be completing the Glenora Historic Resources Inventory project at the end of 2016. In total, 125 properties will have been evaluated by the Edmonton Historical Board for potential inclusion on the Inventory of Historic Resources in Edmonton. The project will also identify and evaluate potential heritage character areas nodes in the community where heritage resources and character are still present and may be suitable for future rezoning to DC1 to retain that character (similar to the Westmount Architectural Heritage Area DC1).

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Infill Development

In terms of your comments about the character of the neighbourhood and how this proposed development may fit into the area, the policies applicable to this site are the Transit Oriented Development Guidelines. These Guidelines support increased density in areas less than 400 metres to a future LRT station.

Property Taxes and Values

The City follows the guidelines established by the provincial government and uses a property assessment process. Properties in the area are reassessed based on market value on an annual basis.

Tree Removal

The City of Edmonton currently does not have a tree clearing policy. A policy is being pursued to ensure that mature trees on private property are maintained during infill development.

Please note: A copy of the proposed DC2 was attached to the response emails for their review.

What we heard from the Open House meetings

- The approach that the city is taking to mature neighbourhoods is disturbing
- The Postcard was incorrect (dated, stated the Open House would be on January 19, 2015)
 - In response to the date error, a second Open House Meeting was held.
- All the residences of Glenora were not properly notified about the rezoning change The entire neighbourhood of Glenora should have been notified (not just within 60 m)
- Some information is missing regarding setback on the property, therefore is misleading
- A shortage of information – no site plan
- Objection to sales centre in the DC2 provision
- Objection to the row house development
- Design materials presented does not reflect other materials used in the neighbourhood
- Not enough set back 2.2 m at one end is not enough We built in Glenora because of the neighbourhood character
- The proposed built form is not compatible (aesthetic) with neighbourhood design
- Not in keeping with the Mature Neighbourhood Overlay
- Future development should remain single family
- Concerned that this is not affordable housing
- Already density increases with Crescent Place and Glenore Skyline and Blue Chicago
- Too many skinny home popping up in the neighbourhood
- The West Block will supply enough residential density to the neighbourhood
- The character of the community & heritage should be preserved
- The proposed zoning is in conflict with existing caveat
- Carruthers Caveat clearly states single family dwelling and no business in homes

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- Concerned that traffic is already an issue Feel the TOD guidelines have been relaxed and variance given to this site
- They will see increased traffic from this proposal and the West Block development
- The meeting format does not work should have a presentation followed by a question and answer period, and
- The drainage system is at capacity.

Application Summary

| INFORMATION | |
|-------------------------------------|---|
| Application Type: | Rezoning |
| Bylaw(s): | 17885 |
| Location: | South of Stoney Plain Road NW and east of 142 Street NW |
| Address(es): | 13923 - 102 AVENUE NW |
| Legal Description(s): | Plan 2602HW Blk 130 Lot 1 |
| Site Area: | 705 m ² |
| Neighbourhood: | Glenora |
| Ward - Councillor: | 6 - Scott McKeen |
| Notified Community Organization(s): | Glenora Community League, Stoney Plain Road and Area Business Revitalization Zone |
| Applicant: | Haya Homes |

| PLANNING FRAMEWORK | |
|----------------------------------|---|
| Current Zone(s) and Overlay(s): | (RF1) Single Detached Residential Zone and Mature Neighbourhood Overlay |
| Proposed Zone(s) and Overlay(s): | (DC2) Site Specific Development Control Provision |
| Plan(s) in Effect: | None |
| Historic Status: | None |