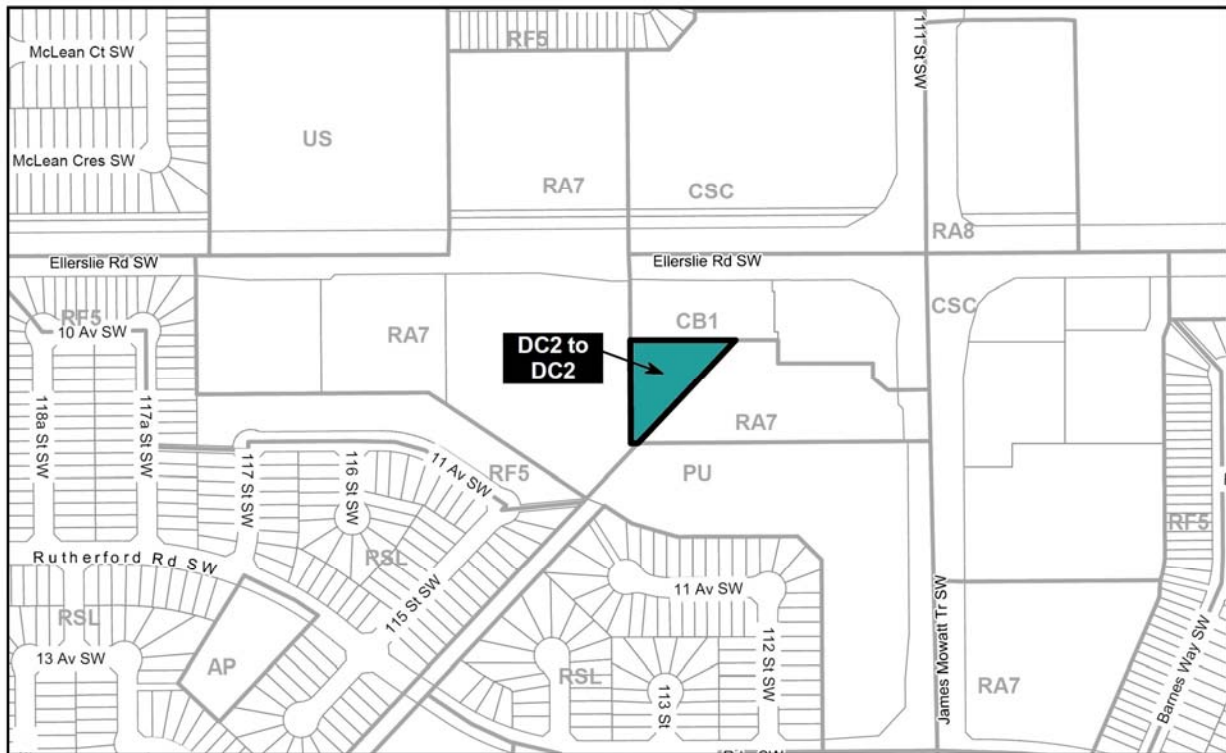


 **REZONING APPLICATION**
RUTHERFORD

11189 ELLSERSLIE ROAD SW

To allow for high density residential and non-accessory parking uses.



RECOMMENDATION AND JUSTIFICATION

Sustainable Development is in SUPPORT of this application because:

- it conforms with the applicable policies of the Rutherford Neighbourhood Area Structure Plan (NASP);
- the proposed rezoning is compatible with the existing surrounding uses; and
- it satisfies the technical and servicing requirements.

	EXISTING ZONING	CURRENT USE
SUBJECT SITE	(DC2) Direct Control Provision	Vacant lot
CONTEXT		
North	(CB1) Low Intensity Business Zone	Existing 2 storey building
East	(RA7) Low Rise Apartment Zone	4 storey residential development
South	(PU) Public Utility Zone	Storm water management pond
West	(RA7) Low Rise Apartment Zone	4 storey residential development

PLANNING ANALYSIS

The proposed rezoning complies with the Rutherford Neighbourhood Area Structure Plan which designates the subject lands for high density residential development that is to be implemented through a Direct Control Provision, with commercial uses located to the north.

Through discussions with the Urban Design Team, the application was revised to include more enhanced landscaping to break-up the massing of the existing commercial building located north of the site and to provide for a more compatible interface with the approved high density development along the north edge of the site where the proposed additional surface parking is proposed.

TECHNICAL REVIEW

All comments from affect City Departments, utility agencies and school boards have been addressed.

Transportation Planning and Engineering advises that the applicant extend the joint access easement from Ellerslie Road SW to the subject property.

The Planning and Design Section had requested that additional landscaping be provided to buffer the site from the existing development to the north. The applicant complied with this request to the satisfaction of the Planning and Design Section.

PUBLIC ENGAGEMENT

ADVANCE NOTICE November 12, 2015	<ul style="list-style-type: none"> • Number of recipients: 271 • One response was received requesting clarification of what was proposed.
PUBLIC MEETING	<ul style="list-style-type: none"> • Not held for this application.

Information about the application was given to the respondent. No other inquiries were received.

CONCLUSION

Sustainable Development recommends that City Council APPROVE this application.

ATTACHMENTS

- 2a Summary of changes to the DC2 Provision
- 2b Application Summary

Underline = Addition

~~Strikethrough~~ = Deletion

1. General Purpose

To establish a Site Specific Development Control Provision to accommodate a high density apartment building that ensures compatibility with surrounding land uses and quality urban design while accommodating the unusual triangular shape of the property.

2. Area of Application

Lot 94, Block 10, Plan 062 7887; containing 0.413 ha, more or less, located south of Ellerslie Road SW and west of ~~111th Street~~ James Mowatt Trail SW, Rutherford, as shown on Schedule "A" of the Bylaw adopting this Provision.

3. Uses

- a) Apartment Housing
- b) Residential Sales Centre
- c) Minor Home Based Business
- d) Non-accessory Parking
- e) Fascia On-Premises Signs
- f) Freestanding On-Premises Signs
- g) Projection On-Premises Signs
- h) Temporary On-Premises Signs

4. Development Regulations

- a) Development shall be in general accordance with the attached Appendices as follows:

- ~~i. Appendix 1, Site Plan;~~
- ~~ii. Appendix 2, Elevations~~
- ~~iii. Appendix 3, Underground Parking;~~
- ~~iv. Appendix 4, Landscaping Concept;~~
- ~~v. Appendix 5, Amenity Space and Pedestrian Circulation Map; and,~~
- ~~vi. Appendix 6, Parking and Vehicular Circulation Plan.~~

- i. If Non-accessory Parking is proposed in accordance with the regulations of this Site Specific Direct Control Provision, development shall be in general conformance with the following Appendices:

- Appendix 1a, Site Plan;
- Appendix 2a,b,c,d, Elevations;
- Appendix 3a, Underground Parking;
- Appendix 4a, Landscaping Concept;
- Appendix 5a, Amenity Space and Pedestrian Circulation Map; and,

Appendix 6a, Parking and Vehicular Circulation Plan.

i.ii. If Non-accessory Parking is not proposed, ceases to exist, or the easements thereto, or the signed Development Agreement to allow landscaping on Lot 91, Block 10, Plan 0627887 is dissolved, landscaping shall be provided on Site in general conformance with the following Appendices:

Appendix 1b, Site Plan;

Appendix 2a,b,c,d, Elevations;

Appendix 3b, Underground Parking;

Appendix 4b, Landscaping Concept;

Appendix 5b, Amenity Space and Pedestrian Circulation Map; and

Appendix 6b, Parking and Vehicular Circulation Plan.

~~ii.~~

b) The ~~following building setbacks~~building shall be Setback as indicated on Appendix ~~1a or 1b~~, Site Plan:

i. A minimum Setback of 7.5 m from the southeast property line;

ii. A minimum Setback of 13.0 m from the north property line; ~~and,~~

~~e)iii.~~ A minimum Setback of 4.5 m from the west property line;-

~~f)c)~~ The underground parkade shall be ~~S~~setback from the southeast property line a minimum of 7.5 m as indicated on Appendix ~~3a or 3b~~, Underground Parking Plan.

~~e)d)~~ The following required landscaped ~~Y~~yards shall be applied except as required for vehicular and pedestrian circulation as indicated on Appendix ~~1a or 1b~~, Site Plan:

i. A minimum landscaped Yard of 7.5 m from the southeast property line to the building;

ii. A minimum landscaped Yard of 1.8 m adjacent to the north property line; and,

iii. A minimum landscaped Yard of 4.5 m from the west property line to the building.

~~f)e)~~ The maximum ~~floor area ratio~~Floor Area Ratio shall not exceed 2.41.

~~g)f)~~ The maximum building ~~H~~height shall not exceed 26 m nor 8 ~~S~~storeys.

~~h)g)~~ Platform structures (balconies) may project 2.0 m into a required ~~Y~~yard except the west and north ~~Y~~yards, as indicated on Appendix ~~1a or 1b~~, Site Plan, as applicable.

~~i)h)~~ The number of dwelling units shall not exceed 105, ~~n~~or 254 units/ha.

~~j)i)~~ Amenity ~~areas~~Areas shall consist of:

i. A minimum ~~A~~amenity Aarea of 29.3 m² per dwelling (See Appendix ~~5a or 5b~~, Amenity Space and Pedestrian Circulation, as applicable);

ii. A minimum ~~amenity space~~Amenity Area of 45 m² shall be provided within the building for active recreational purposes. This area shall not be developed as residential units; and

iii. Outdoor, at grade ~~amenity space~~Amenity Areas, as identified on Appendix ~~5a or 5b~~, Amenity Space and Pedestrian Circulation, as

applicable, shall be provided as follows:

- A. Amenity Area A shall be a minimum of 77 m².
- B. Amenity Area B shall be a minimum of 103 m².
- C. Amenity Area C shall be a minimum of 94 m².

~~k~~j) Development shall be in accordance with the following architectural features, to the satisfaction of the Development Officer, as generally illustrated on Appendix 2a or 2b, Elevations, as applicable:

- i. All exterior finishing materials shall be of a high quality acrylic stucco, durable and attractive in appearance and with consistent treatment on all faces of the building.
- ii. On site security and building lighting shall provide a safe-lit environment and ensure that the illumination is directed downwards and not towards adjacent properties.
- iii. All mechanical equipment on the roof of any building shall be concealed by screening in a manner compatible with the architectural character of the building, or concealed by incorporating it within the building.

~~k~~k) A Crime Prevention Through Environmental Design (CPTED) Assessment shall be submitted, reviewed and accepted by the Development Officer prior to the issuance of a Development Permit to ensure that development on the Site provides a safe urban environment in accordance with the guidelines and principles established in the Design Guide for a Safer City.

~~m~~l) The following fencing requirements shall be consistent with the architectural theme of the development and shall be constructed on ~~site-Site~~ as indicated on Appendix 4a or 4b, Landscaping Concept, as applicable:

- i. A 1.2 m high solid screen wood fence along the north property line except where required for vehicular circulation;
- ii. A 1.2 m high wrought iron fence along the southeast property line except where required for vehicular circulation; and,
- iii. A decorative pedestrian entrance gate made with wrought iron, at the south end of the ~~property-Site~~ to provide connectivity between the multi-use trail and the sidewalk located along the western edge of the ~~S~~site.

~~n~~m) Parking, Vehicular Circulation, and Garbage and Loading Area:

- i. No parking, loading, storage, trash collection, outdoor service, or display area shall be permitted within a required Yard (except in the northern portion of the ~~S~~site as indicated on Appendix 1a or 1b, Site Plan, as applicable);
- ii. A ~~minimum-maximum~~ of 18 Non-accessory ~~P~~parking ~~stalls-spaces~~ shall-may only be located along the northern portion of the ~~S~~site in accordance with Appendix 1a, Site Plan.
- iii. A temporary turnaround shall be constructed within the pipeline corridor with approval until such time as the lands located immediately east of this ~~S~~site are developed providing access directly to James Mowatt Trail;
- iv. Loading, storage and trash collections areas shall be located to the rear

or sides of the principal building and shall be screened from view from any adjacent ~~sites~~ Sites or public roadways with a 1.8 m high wood fence with hinged gates that is consistent with the main building and perimeter fencing in accordance with Appendix 4a or 4b, Landscaping Concept, as applicable;

- v. Internal access to the parcel will be from the site to Eilerslie Road and James Mowatt Trail;
- vi. In the event that the joint access easement exists as shown on Appendix 6a, access to the Ssite shall be provided in accordance with Appendix 6a;
- vii. In the event that the joint access easement exists as shown in Appendix 6b, access to the Ssite shall be provided in accordance with Appendix 6b; and,
- viii. Notwithstanding sign Schedule 59B, directional signage shall be provided for the one-way drop off operation at the entrance to the building, to the satisfaction of the Development Officer.

~~e)n~~ _____ Parking shall consist of the following and be in accordance with Appendix 6a or 6b, Parking and Vehicular Circulation, as applicable:

- i. The minimum total parking stalls provided shall be 169 stalls which include visitor parking;
- ii. The minimum underground residential parking stalls shall be 152 stalls, including 18 tandem stalls;
- iii. The minimum visitor parking stalls located at grade shall be 4 stalls;
- iv. The minimum underground visitor parking stalls shall be 13 stalls;
- v. The minimum secure underground bicycle parking shall be 25 stalls; and,
- vi. The minimum outdoor bicycle parking shall be 5 stalls.

~~e)o~~ _____ Main building entrances for any use shall be designed for universal accessibility. Change in elevation from the sidewalk to entrances of buildings shall be minimized. Sidewalk furniture and other elements shall be located out of the travel path to ensure they are not obstacles to building access.

~~e)p~~ _____ The following regulations are specific to the development of Non-aAccessory Parking:

- i. Prior to the issuance of a Development Permit, a Development Agreement shall be provided between Lot 91, Block 10, Plan 0627887 and Lot 94, Block 10, Plan 0627887 to permit Landscaping to be located on Lot 91, Block 10, Plan 0627887 as illustrated on Appendix 4a, Landscape Concept, to the satisfaction of the Development Officer.
- ii. If development of the Non-aAccessory Parking does not occur, ceases to exist, or the easements thereto, or the signed Development Agreement to allow Landscaping on Lot 91, Block 10, Plan 0627887 is dissolved, Landscaping shall be provided on Site as illustrated on Appendix 4b, Landscape Concept.

~~e)q~~ _____ The Developer shall enter into a Servicing Agreement for offsite improvements necessary as a result of the development. These improvements include but are not limited to the following:

- i. Additional levels of on-site fire protection shall be addressed as required. Engineering drawings must be submitted to EPCOR Water, Network Services for review and approval, prior to the release of drawings for building permit review; and
 - ii. Construction of a 1.5 m concrete walkway from the southerly limits of the site to tie into the existing multi-use trail within the pipeline corridor as indicated on Appendix 1a or 1b, Site Plan, as applicable.
- ~~s)r~~) A detailed Landscape Plan shall be submitted by a registered landscape architect in accordance with the Zoning Bylaw prior to the approval of any Development Permit. The landscape plan shall include pedestrian connections, exterior lighting and street/walkway furniture, landscape features, open spaces, fencing details, garbage enclosure details, and landscape design and material selection consistent with Appendix 4a or 4b, ~~Landscaping Plan~~ Landscape Concept, as applicable.
- ~~t)s~~) All landscaped Yyards and ~~amenity spaces~~ Amenity Areas shall contain a minimum of one tree for each 17.5 m² and one shrub for each 10 m² of any required Yyard or outdoor; at grade Amenity Area ~~amenity space~~.
- ~~u)t~~) All plantings shall conform to the following:
- i. The proportion of deciduous to coniferous trees and shrubs shall be approximately 60:40;
 - ii. 100% of required deciduous trees shall be a minimum of 75 mm caliper; and,
 - iii. 75% of required coniferous trees shall be a minimum of 2.5 m in height and 25% shall be a minimum of 3.5 m in height.
- ~~v)u~~) A public access easement shall be registered on the Certificate of Title to allow for public use of internal site sidewalks, as shown on Appendix 1a or 1b, Site Plan, as applicable, and Appendix 5a or 5b, Amenity Space and Pedestrian Circulation, as applicable.
- ~~w)v~~) 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 5% of the proposed number of residential units at 85% of the market price, or as prescribed in any future City of Edmonton's Affordable Housing Policy initiatives.
- ~~x)w~~) Prior to the issuance of a Development Permit, the owner shall enter into an agreement with the City whereby the Owner shall provide public art to a value equal to \$6.46 per square meter (approximately sixty cents per square foot) of Gross Floor Area. The public art will be:
- i. Acquired through a juried art procurement process administered by the Edmonton Arts Council; and
 - ii. Owned and maintained by the Condominium Association.
- ~~y)x~~) General Development Regulations and Special Land Use Provisions of the Zoning Bylaw shall apply, unless otherwise modified or regulated by this Provision.
- ~~z)y~~) The building shall meet the requirements of LEED Canada-NC 1.0 to achieve a LEED Silver sustainability target. Upon submission of a Development

Permit application, the applicant must submit a detailed report, endorsed by a third-party registered professional engineer or architect, indicating how the LEED Silver points will be achieved upon construction completion. This report must be approved by the Development Officer prior to the issuance of the Development Permit.

This Provision encourages that the following Sustainability Targets be included in the LEED Silver checklist and integrated into the building design to the satisfaction of the Development Officer:

- i. Sustainable Sites, a total of 5 points, for including site selection, development density, alternate transportation for public transportation access, bicycle storage and changing room, and stormwater management;
- ii. Water Efficiency, 4 points, for water efficiency landscaping by limiting or eliminating the use of potable water for landscape irrigation, maximizing water efficiency within the building with high efficiency fixtures and employing wastewater technology;
- iii. Energy and Atmosphere, 4 points, for using increasing levels of energy performance in energy consumption and cost in regulated and non-regulated uses, and employing best practice commissioning to verify that the entire building is designed, constructed and calibrated to operate as designed, in compliance with the Montreal Protocol;
- iv. Material and Resources, 5 points for including a construction waste management plan to divert waste up to 75% from the landfill, and using building materials that incorporate recycled contents. At least 10% of building material and products used will be extracted and manufactured regionally. In addition, a building durability plan will be developed and implemented in accordance with the principles of CSA S478-95 (2001);
- v. Indoor Environmental Quality, a total of 12 points, for providing effective delivery of supply air to support the safety, comfort and well being of building occupants, and together with this, preparing a construction IAQ management plan for construction and before occupancy. Construction specifications will indicate the use of low volatile organic compounds (VOC) for adhesives, sealants, paints and coatings, and carpets, and show controllability of systems in both perimeter spaces and non-perimeter spaces to achieve a daylight and view factor of 95%; and
- vi. Innovation and Design Process, 3 points, for the placement of signage in different parts of the building to educate occupants and visitors to the benefits of Green Buildings.

APPLICATION SUMMARY

INFORMATION

Application Type:	Rezoning
Bylaw:	17726
Location:	South of Ellerslie Road SW, west of James Mowatt Trail SW, north of Rutherford Road SW
Address:	11189 Ellerslie Road SW
Legal Description:	Lot 94, Block 10, Plan 0627887
Site Area:	0.4 ha
Neighbourhood:	Rutherford
Ward - Councillor:	9 – Bryan Anderson
Notified Community Organization(s):	Heritage Point Community League
Applicant:	Callidus, c/o Chris Dulaba

PLANNING FRAMEWORK

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

Written By:
Approved By:
Department:
Section:

Dan Boric
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Sustainable Development
Planning Coordination