

**ATTACHMENT 2
BYLAW 17046
BYLAW 17047
FILE: LDA14-0365
WESTMOUNT**

DESCRIPTION:	AMENDMENT TO THE WEST INGLE AREA REDEVELOPMENT PLAN ZONING BYLAW AMENDMENT from (CB1) Low Intensity Business Zone to (DC2) Site Specific Development Control Provision Zone; <u>WESTMOUNT</u>
LOCATION:	10911 -124 Street NW and 12320-109 Avenue NW; located north of 109 Avenue NW and east of 124 Street NW
LEGAL DESCRIPTION:	Lots 21 and 22, Block 57, Plan RN39B
APPLICANT:	ParioPlan #605, 10080-Jasper Avenue NW Edmonton AB T5J 1V9
OWNER:	Yui Chuen Tang and Lai Tin Tang 11128-171 Avenue NW, Edmonton AB
ACCEPTANCE OF APPLICATION:	August 13, 2014
EXISTING DEVELOPMENT:	Two low rise apartment buildings and a duplex
SUSTAINABLE DEVELOPMENT'S RECOMMENDATION:	<hr/> That the Bylaw 17046 to amend the West Ingle Area Redevelopment Plan (ARP) be APPROVED That Bylaw 17047 to amend the Zoning Bylaw from (CB1) Low Intensity Business Zone to (DC2) Site Specific Development Control Provision be APPROVED.

DISCUSSION

1. The Application

This application contains the following components:

Bylaw 17046 proposes to amend the West Ingle Area Redevelopment Plan (ARP) to update Map 17- Land Use Districts to reflect the associated rezoning application.

Bylaw 17047 proposes to rezone the subject site from (CB1) Low Intensity Business Zone to (DC2) Site Specific Development Control Provision to allow for the development of apartment housing up to 23 m in height with a maximum of 35 residential/Live Work units, and commercial units with separate entrances at grade along 124 Street NW.

On January 26, 2015, the original application to amend the West Ingle Area Redevelopment Plan and rezone the subject property from (CB1) Low Intensity Business Zone to (RA8) Mid Rise Apartment Zone to allow for the development of a mid-rise apartment up to 6 storeys in height was brought to City Council for consideration. At the Hearing, City Council made a motion to refer the Bylaws back to the Administration to include commercial uses on the ground floor of the proposed development. As a result of the motion, the applicant has revised the rezoning application to a (DC2) Site Specific Development Control Provision based on the (RA8) Mid-rise Apartment zone.

2. Site and Surrounding Area

The subject site is located north of 109 Avenue NW and east of 124 Street NW in the Westmount neighbourhood. The site is 1486 sq. m in area and currently contains two low rise apartment buildings and one duplex, all built in the 1950s. The three buildings combined contain a total of 12 residential units.

Lands to the north are developed with apartment housing ranging from 2 ½ to 5 storeys in height and are zoned (RA8) Medium Rise Apartment Zone.

Lands to the east, across from the rear alley, are zoned (RF3) Small Scale Infill Development and developed with two storey single detached housing.

Lands to the south and southeast, across 109 Avenue NW are zoned (CB1) Low Intensity Business Zone and are developed with a range of small scale retail uses and a Religious Assembly Use.

Lands to west, across from 124 Street NW between 109 and 109A Avenue NW, are zoned (RA8) Medium Rise Apartment Zone and are developed with 2 ½ storey apartment buildings.

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One of the two existing low rise apartments.



View of existing duplex from 124 Street NW.



View of small scale retail/commercial uses from subject site looking southwest.

ANALYSIS

1. Compliance with Approved Plans and Land Use Compatibility

City of Edmonton Municipal Development Plan - The Way We Grow

This application is in accordance with The Way We Grow Policies that support residential infill development in mature neighbourhoods, including:

- Supporting neighbourhood revitalization, redevelopment and residential infill that contributes to the liveability and adaptability of established neighbourhoods;
- Encouraging good quality development of a type, density and form compatible with the character of the area and adjacent uses;
- Support neighbourhood commercial centres as community focal points by encouraging small scale residential and mixed use redevelopment;
- Providing a broad and varied housing choice, incorporating housing for various demographic and income groups in all neighbourhoods; and
- Optimizing the use of existing infrastructure in established neighbourhoods.

West Ingle Area Redevelopment Plan (ARP)

It is the objective of the West Ingle ARP, adopted on May 14, 1985, to create a small scale pedestrian oriented commercial strip at specific locations along 124 Street NW between 107 Avenue NW and 111 Avenue NW. The proposed mixed use development

with commercial uses along 124 Street NW will reinforce this objective of the ARP while providing the development opportunity similar to the rest of the developments, zoned (RA8) Mid-rise Apartment, within the block face between 109 and 109A Avenues.

Residential Infill Guidelines (RIG)

The application meets all applicable Residential Infill Guidelines for Mid Rise Apartments, including:

- Requiring commercial uses at street level along 124 Street NW, a commercial/shopping street;
- All parking should be accessed from the adjacent lane;
- Residential parking should be provided underground or above ground parking structures screened with residential or commercial use to provide for active frontage; and
- All ground level units with street frontage should have an individual, private entrance that fronts onto a street with all other units accessed through a front entrance hall fronting onto a street.

Land Use Compatibility

Area along 124 Street NW, between 104 Avenue NW and 109 Avenue NW, is zoned (CB1) Low Intensity Business Zone and developed primarily with low intensity commercial development ranging from one to two storeys in height. Retail activities currently stop at 109 Avenue and continue along 124 Street north of 109 A Avenue. The proposed DC2 Provision will allow for a mixed use development that is consistent with the rest of the residential development within the block face between 109 Avenue NW and 109 A Avenue NW in height, density, and massing, while allowing pedestrian oriented retail/commercial activities to continue beyond 109 Avenue and connect with the commercial uses to the north.

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The following table compares some of the development regulations established under the existing and proposed zonings:

	CB1	RA8	Proposed DC2
Built Form			
Potential built form	Low rise apartment with commercial uses at street level	Mid-rise apartment which may contain commercial uses at grade	Mid-rise apartment with commercial uses required along 124 Street.
Commercial uses	15	3 discretionary uses	14
Residential uses	Apartment Housing use is only allowed within building where the 1 st storey is used for commercial purposes	Apartment Housing, commercial uses are not required at street level	Apartment Housing with commercial required at grade
Maximum Height	12 m Approx. 3 storey	23 m Approx. 6 storey	23 m Approx. 6 storey
Maximum Floor Area Ratio	2.0	2.5	2.7
Maximum dwelling units	Not specified (Existing buildings contain 12 dwelling units)	33	35 residential/Live Work units
Maximum site coverage	Not specified	50%	65%
Urban Design			
Front Setback	0 m	6.0 m	0 m, up to 2.5 m if street related activities such as sidewalk cafes, architectural features and Landscaping is provided
Side Setback on the north	3.0 m	4.5 m	0.0 m
Rear Setback (across the alley from low density residential)	3.0 m	7.5 m	7.5 m
Side Setback on the south (109 Ave)	3.0 m	4.5 m	3.0 m
Building Stepback from 124 Street NW	Not required	Not required	2.5 Stepback above the second storey on the west facade
Maximum length/intervals of Commercial Frontage	Not required	Not required	11 m
Parking			
Access	Via abutting lane	Not specified	Via abutting lane
Residential Parking requirements	As per Section 54 of the Zoning Bylaw	As per Section 54 of the Zoning	As per Section 54 of the Zoning Bylaw
Commercial Parking requirements	As per Section 54 of the Zoning Bylaw	As per Section 54 of the Zoning Bylaw	Parking requirement found in the Pedestrian Oriented Shopping Street Overlay is applied

Although 124 Street is not within the Pedestrian Oriented Commercial Street Overlay, the proposed DC2 has incorporated the following Development Regulations found in the Overlay to ensure the proposed building is Pedestrian oriented at the street level:

- 0 metre Setback along 124 Street NW;
- Requiring features such as outdoor sitting area, entrance features, canopies, landscaping to lend visual interest and a human scale to the development along 124 Street NW;
- Requiring clear glazing on a minimum of 70 % of the commercial frontage;
- Requiring ground floor commercial frontage to be articulated at a maximum of 11 m intervals; and
- Requiring building materials to be durable of high quality and appropriate for the development within the urban context.

2. Parking, Loading and Traffic

Transportation Services reviewed the application and expressed no objection to the proposed plan amendment and rezoning.

Vehicular access to the proposed development will be from the abutting lane, with most parking to be provided underground. Vehicular parking requirement for commercial uses found in the Pedestrian Oriented Shopping Street Overlay has been applied to this site, while vehicular parking requirements for residential uses will be in accordance with Section 54 of the Zoning Bylaw. The proposed Direct Control Provision provides the opportunity for a parking variance if a Parking Demand Study is submitted in conjunction with an application for Development Permit. Bicycle parking will be contained within the building and be provided in accordance with Section 54.3 of the Zoning Bylaw.

As commercial uses within the proposed development are limited at street level along 124 Street, loading space requirement has been reduced to one loading space on site, and will be accessed from the abutting alley.

3. Other Civic Departments and Utilities

Drainage Services reviewed the application and expressed no objection to the proposed plan amendment and rezoning application.

Other Civic Departments and utility agencies have expressed no objection regarding this application.

4. Environmental Site Review

A Phase I Environmental Site Assessment was submitted for review and the site is deemed suitable for the proposed uses.

5. Surrounding Property Owners' Concerns

An advance notification was sent to the surrounding land owners, Westmount Community League and the 124 Street and Area Business Revitalization Zone on August 26, 2014. In response to the notification, Sustainable Development received 17 responses, with 16 respondents expressing objection and 1 requesting additional information. Reasons for objection or concerns were reiterated at the public meeting.

A public meeting held by City Wide Planning on October 7, 2014, was attended by 30 citizens. Sustainable Development received 15 comments in response as a result of the public meeting.

Comments received in response to the notification and at the public meeting include:

- ARP is dated and does not reflect current conditions and needs of the area;
- The ARP should not be changed on an ad-hoc basis;
- A comprehensive plan is required to direct the flux of development along 124 Street NW;
- Future development should contain commercial at street level;
- Height of building should be limited to 4 storeys;
- Shadow impact;
- Insufficient on-street parking in the area;
- Drainage system is not designed to support development of this magnitude;
- The City should come to terms with the development process that separate zoning from development and building permits processes, multiple rezoning has occurred to the site and efforts by different parties are wasted if the proposed plan does not materialize.

Sustainable Development offers the following in response to the concerns:

- A sun/shadow study will be required for development 6 storeys or more in height at the development permit application to assess different methods to mitigate shadowing impacts;
- A Parking Demand Study and Traffic Impact Assessment may be required for future developments at the development permit stage to determine parking requirements;
- 124 Street NW, an arterial road and transit corridor, has the capacity and existing services to accommodate additional traffic and density; and
- Drainage Services has advised that the proposed rezoning will not significantly affect sewer and drainage infrastructure requirements in the rea.

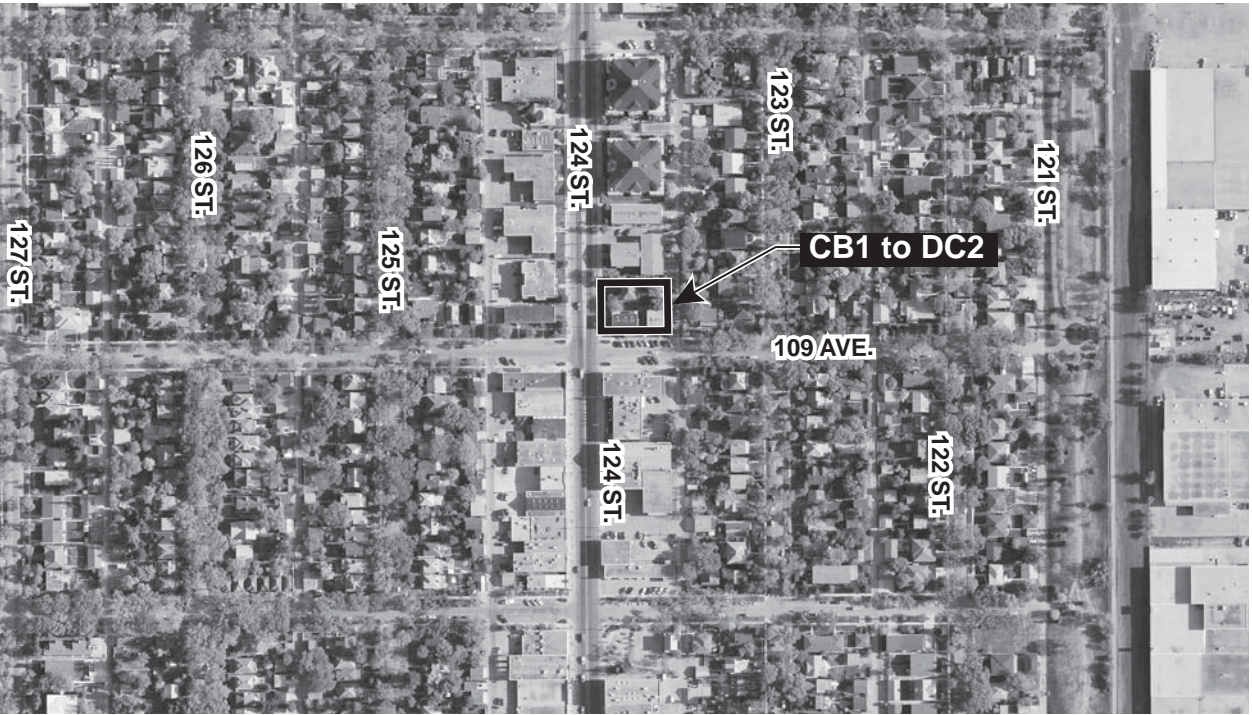
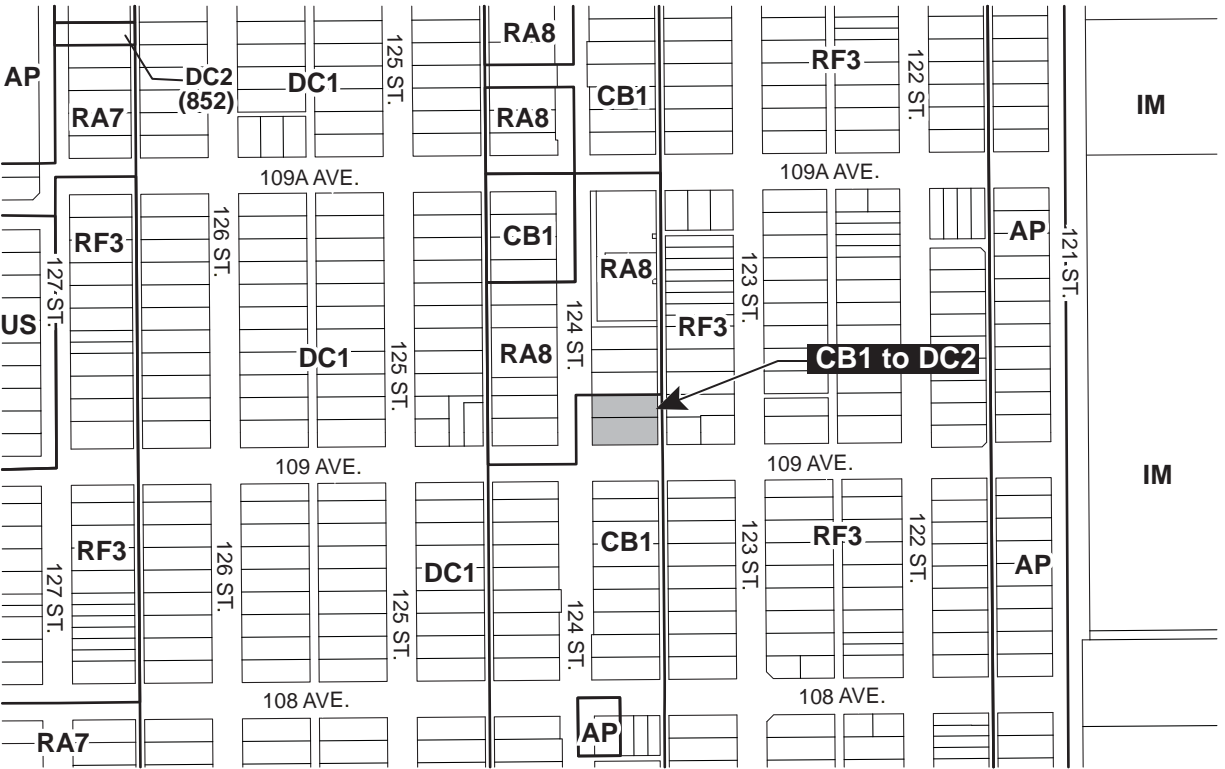
JUSTIFICATION

Sustainable Development recommends that Bylaws 17046 and 17047 be APPROVED on the basis that the application is in general compliance with Council approved plans and policies, meets all the technical requirements of Civic Departments and utility agencies, and is compatible with surrounding land uses.

ATTACHMENTS

2a Maps

Written by: Carman Yeung
Approved by: Tim Ford
Sustainable Development
October 19, 2015



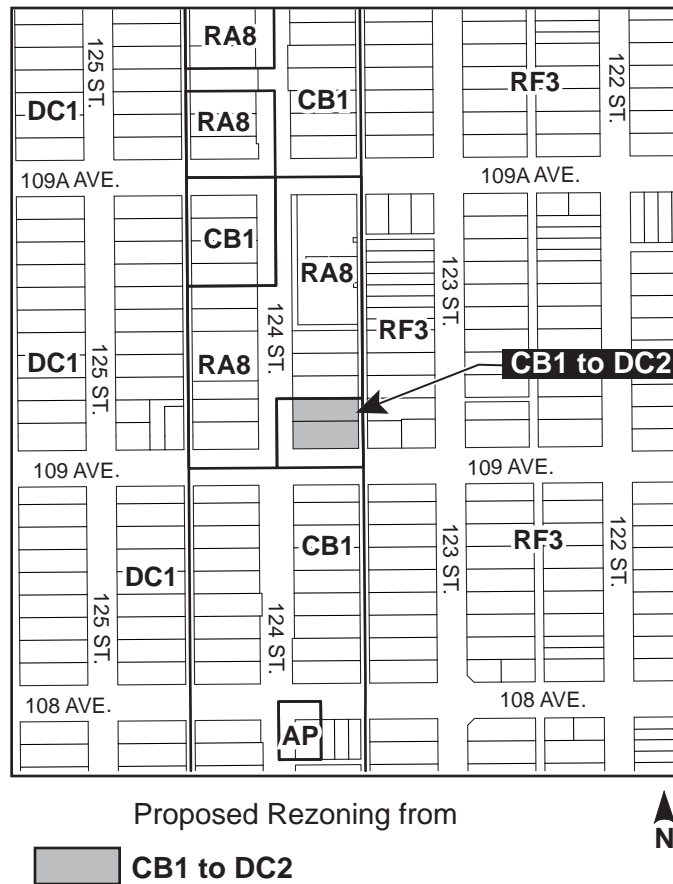
SURROUNDING LAND USE ZONES



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Location: 10911 - 124 Street NW
and 12320 - 109 Avenue NW



The purpose of proposed Bylaw 17047 is to change the Zoning Bylaw from (CB1) low intensity business zone to (DC2) site specific development control provision, Lots 21 and 22, Block 57, Plan RN39B, as shown on the attached sketch. This zone provides the opportunity for the development of a medium-rise apartment building up to 23 metres in height with commercial uses at street level along the east side of 124 Street NW. The proposed apartment building will allow a maximum of 35 residential/live work units. An associated West Ingle Area Redevelopment Plan amendment, Bylaw 17046, is proceeding concurrently with this Bylaw. Sustainable Development supports this proposed bylaw.

PROPOSED REZONING

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