

ATTACHMENT 2
BYLAW 17261
BYLAW 17262
FILE: LDA13-0058
JACKSON HEIGHTS

DESCRIPTION: AMENDMENT TO THE BURNEWOOD NEIGHBOURHOOD
AREA STRUCTURE PLAN

ZONING BYLAW AMENDMENT from (RF1) Single Detached Residential Zone to (DC2) Site Specific Development Control Provision; JACKSON HEIGHTS

LOCATION: East of 50 Street NW and south of Jamha Raod
4461 – 50 Street NW

LEGAL DESCRIPTION: Portion of Block C, Plan 9122397

APPLICANT: Parioplan
#605, 10080 – Jasper Avenue
Edmonton, AB T5J 1V9

OWNER: The Pentecostal Assemblies of Canada
4461 – 50 Street
Edmonton, AB T6L 7A3

ACCEPTANCE OF APPLICATION: February 6, 2013

EXISTING DEVELOPMENT: Undeveloped

SUSTAINABLE DEVELOPMENT'S RECOMMENDATION: That Bylaw 17261 to amend the Burnewood Area Structure Plan be APPROVED

That Bylaw 17262 to amend the Zoning Bylaw from (RF1) Single Detached Residential Zone to (DC2) Site Specific Development Control Provision be APPROVED

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DISCUSSION

1. The Application

This is a two part land development application to amend the Burnewood Neighbourhood Area Structure Plan (NASP) and rezone 1.86 ha in the Jackson Heights Neighbourhood.

The proposed amendment to the Burnewood NASP is to redesignate a 1.16 ha from Townhouse uses to Apartment uses.

The proposed rezoning is from (RF1) Single Detached Residential Zone to (DC2) Site Specific Development Control Provision to allow the development of low rise apartments.

2. Site and Surrounding Area

The site is located in the northwest part of the Jackson Heights neighbourhood, south of Jamha Road NW and east of 50 Street NW. The site is undeveloped. West of the site is a religious assembly on land zoned (US) Urban Services Zone. North, east and south of the site is single and semi-detached housing on land zoned RF1, (RPL) Planned Lot Residential Zone and (RF5) Row Housing.



Air Photo of Site

ANALYSIS

1. History of Application

This application was originally made with the rezoning component being a request to rezone to the (RA7) Low Rise Apartment Zone. Public consultation on the application to RA7 included the following:

- An advance notice was sent to surrounding property owners, the Burnewood Community League, the Millwoods Council of Community Leagues Area Council and The Woodvale Community League on February 21, 2013.
- A Public Meeting was held on December 3, 2013 and was attended by approximately 60 residents.

In order to mitigate concerns from the community that were heard through the public consultation process, the application was revised to a Direct Control Provision, for the purpose of developing two low rise apartments, that are compatible with the surrounding neighbourhood, to a maximum of 175 units. The revised application was submitted in December 2014 with a reduction in the density that could otherwise be allowed under the RA7 Zone, and includes provisions to ensure compatibility with surrounding development such as building siting and architectural treatment to reduce massing. The Site Plan was developed with a building orientation that was in response to concerns of the low density residential to the south.

2. Compliance with Approved Plans and Land Use Compatibility

Municipal Development Plan, *The Way We Grow*

The rezoning of this site is in conformance with The Way We Grow policies regarding growth management and creating complete, healthy, liveable communities such as the following Policies:

- 3.5.1.1 Support redevelopment and residential infill that contributes to the livability and adaptability of established neighbourhoods and which are sensitive to existing development.
- 4.2.1.1 Support neighbourhood revitalization, redevelopment and residential infill that contribute to the livability and adaptability of established neighbourhoods.
- 4.2.1.6 Optimize the use of existing infrastructure in established neighbourhoods.
- 4.2.1.8 Address the compatibility of land use within the neighbourhood in the review of all development proposals.
- 4.4.1.1 Provide a broad and varied housing choice, incorporating housing for various demographic and income groups in all neighbourhoods.

Burnewood Neighbourhood Area Structure Plan

The site is currently zoned RF1. The land was zoned to RF1 several years ago under the Burnewood NASP applicable at that time, in anticipation of low density residential

BYLAW 17261
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development; however, the land did not develop in that way. Then in 1991, under Bylaw 9768 the Burnewood NASP was amended to identify the area for Apartment and Townhouse uses. There was not a corresponding rezoning of the land from RF1 to zones that would accommodate Apartment and Townhouse uses, and instead the plan indicated that Land Use Bylaw / Zoning amendments would occur as development progressed.

Given that 0.7 ha of the 1.86 ha site is designated for Apartment housing and the 1.16 ha balance of the site is designated for Townhouses; an amendment to the Burnewood NASP is required. The amendment consists of a change to Map 7 – Proposed Burnewood Land Use Plan and the Land Use and Population Statistics will be updated accordingly in tables and text. In the Burnewood NASP, the site allows for both Apartment and Row Housing, or 137 units. This application proposes 175 units.

The proposed amendment will increase the planned density of the neighbourhood to 24.6 du/nrha. The neighbourhoods in the Burnewood NASP area were built out prior to the adoption of the density targets by the Capital Region Board (CRB). For this area of the City, the target is 30-45+ dwelling units per net residential hectare (du/nrha). This application achieves an increase in overall density thereby moving the density toward the prescribed range.

The proposed rezoning complies with the following Development Objectives of the plan:

- To integrate the entire community while allowing for different living environments.
- To provide residential development sites that meet consumer demands.
- To encourage attractive and high quality built forms for all types of development.

3. Transportation and Utilities

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

Transportation advises the following:

- Based on the Transportation Impact Assessment (TIA), traffic generated by the proposed development represents a modest increase in peak hour traffic volumes along Jamha Road. Overall, the total daily traffic volumes along Jamha Road will remain within the acceptable limits for a collector roadway.
- Significant delays are experienced by motorists on Jamha Road at 50 Street during the AM peak hour, primarily due to queues and congestion along 50 Street. The City has completed a concept planning study for the future widening of 50 Street north of Whitemud Drive to a six lane divided arterial roadway which will address some of the congestion in the intermediate term. During the 2015-18 Capital Budget discussions, it was recommended that construction of improvements to 50 Street be deferred until after completion of the LRT along 66 Street / 75 Street to avoid concurrent construction along two adjacent and parallel arterial roadways. In the interim, the City will be undertaking a review of the

signal timing along 50 Street in 2015 to determine whether any optimizations can be made within the existing infrastructure to reduce congestion along the corridor without construction of the widening of 50 Street.

4. Parks and School Boards

The School Boards and the Parks Planning Section of Sustainable Development have expressed no concern regarding the proposed rezoning.

5. Environmental Review

As the property is already zoned for residential uses the review of an Environmental Site Assessment was not required by the City, and the site is deemed suitable for the intended use.

6. Surrounding Property Owners' Concerns

As part of a DC2 application, the applicant was required to do pre-application consultation with the community. The applicant reported the following community engagement:

- Two public information sessions were held on the evenings of September 30, 2014 and October 2, 2014 at the church, where the project team gathered feedback on the rezoning intent and preliminary site plan. The applicant reported that these events were attended by approximately 54 people. Comment sheets were provided by 23 people.
- In accordance with the Zoning Bylaw, a pre-application notification letter was mailed to surrounding property owners and the Burnewood Community League, the Millwoods Council of Community Leagues Area Council and The Woodvale Community League which highlighted the proposed development. The applicant reported receiving a response from six citizens, three in support, two that did not support (no reason identified) and one that expressed neither support or non-support but wanted additional drainage information.

Advance notification of the DC2 Provision application proposal was sent by Sustainable Development on February 21, 2015. Nine responses were received to this notice sent to surrounding property owners and the Burnewood Community League, the Millwoods Council of Community Leagues Area Council and The Woodvale Community League. Four of the calls / e-mails were in support of the project and five of the calls / e-mails were to state objections. A signed objection to the development proposal based on concern of traffic congestion, by 110 people living on Jeffreys Crescent, Jamha Road and Jarvis Crescent was received on March 5, 2015.

An Open House was held on April 8, 2015 and was attended by approximately 55 residents. The purpose of the Open House was to allow residents to express feedback in

BYLAW 17261
BYLAW 17262
FILE: LDA13-0058
JACKSON HEIGHTS

three ways: through conversation with City staff and project representatives, via written feedback, and an open forum following a brief presentation. Four calls / e-mails were received from citizens indicating they would not be able to attend the Open House. One expressed support for the project and three expressed objection. Seventeen feedback forms submitted by those attending the Open house included comments from nine people regarding concern about the perceived detrimental impacts of the project on the neighbourhood. After the Open House four additional calls / e-mails were received from citizens, one provided pictures and video of parking/traffic conditions along Jamha Road, one wanting the information that was provided at the meeting and one providing feedback on the Open House format. One e-mail was received from ten residents of the adjacent condo to the east outlining concerns.

A summary of the community concerns reported to the City and collected through the engagement noted above, and the responses provided are summarized as follows:

1. Traffic – Citizens expressed that the proposed development would add to an existing traffic problem at 50 Street and Jamha Road. The added density would also increase pressure on 44 Avenue exiting to 50 Street and 43 Avenue and 38 Avenue exiting the neighbourhood to 34 Street. Administration advised the community the following:
 - While 50 Street needs to be widened, Jamha Road has room for additional capacity.
 - The residents can look to Transportation Demand Management for solutions: i.e. carsharing, using alternative transportation methods, modifying departure times.
 - Review of signalization timing will be completed by Transportation to try to improve flows along 50 Street. A signal at Jamha Road and 50 Street is not possible as it is too close to the Whitemud Drive signals to meet the required signalized intersection spacing.
 - The density of the proposed development is limited to 175 units and is less than what would be allowed under the RA7 Zone (232 units), therefore assuming a reduction in additional vehicle trips.
2. Parking – Existing residents noted that there is often church overflow parking on Jamha Road and adjacent local roads, creating additional congestion and safety concerns, especially in winter, and the proposed development will create additional on street parking demand. The Administration advised that:
 - The church has on-site parking in accordance with the Zoning Bylaw. The applicant advised that there are a couple of times a year where parking overflows onto the streets when the church facility is used for special events such as community graduations or other community events.
 - The proposed development is required to provide parking as per the Zoning Bylaw. The site is of sufficient size to allow for adequate parking on the site for the development.

- The community can pursue potential parking restrictions along roadways through the Residential Parking Program administered by Transportation Operations.
 - The City does have a seasonal parking ban on designated bus routes that are put into effect when there is significant snowfall that requires the plowing of major roadways.
3. Site Design – The residents in the dwelling units to the east of the site expressed concern that the proposed building is too close.
- The applicant has included a provision in the DC2 to ensure that the east building is between 10 m to 26 m from the property line of the RF5 development. (There is a 6 m walkway separation and a minimum 4 m to 20 m Setback required under the proposed DC2 for Building A.)
 - The proposed siting and orientation of the buildings were selected by the applicant to reduce visual impact to the low density development.
4. Building Design / Materials –Residents expressed concern that the area was intended to have high quality architecture and that the proposal was not of high quality materials and design and that the use of vinyl siding as a building material should be restricted for both aesthetic and safety (fire) reasons.
- The applicant modified the east elevation providing articulation of the façade, variations in roof lines, and adding color and material differentiation vertically and horizontally, as illustrated in Appendix II, Elevations. The DC2 contains provisions for the use of high quality materials and architectural expression.
5. Drainage – Some residents voiced concern that many new developments in established areas are causing drainage issues for adjacent properties and this development will to the same.
- The associated proposed subdivision will require a new Lot Grading Plan with the Servicing Agreement.
 - The Drainage Bylaw prohibits lots from draining onto an adjacent property.
6. Other resident concerns included the perception that there would be an increase in crime and that there would be an adverse impact on property values.

BYLAW 17261
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JUSTIFICATION

Sustainable Development recommends that Bylaw 17261 to amend the Burnewood Neighbourhood Area Structure Plan be APPROVED and that Bylaw 17262 to amend the Zoning Bylaw from (RF1) Single Detached Residential Zone to (DC2) Site Specific Development Control Provision be APPROVED on the basis that the application conforms to the Municipal Development Plan, *The Way We Grow*, meets the intent of the Burnewood NASP, meets the technical requirements of Civic Departments and utility agencies, and will result in development that is compatible with the surrounding land uses.

ATTACHMENTS

- 2a Approved Burnewood Neighbourhood Area Structure Plan
Land Use and Population Statistics – Bylaw 13263
- 2b Proposed Burnewood Neighbourhood Area Structure Plan
Land Use and Population Statistics – Bylaw 17261
- 2c Approved Burnewood Neighbourhood Area Structure Plan – Bylaw 16019
- 2d Proposed Burnewood Neighbourhood Area Structure Plan – Bylaw 17261
- 2e Surrounding Land Use Zone Map
- 2f Proposed Rezoning – Bylaw 17262

Written by: Cyndie Prpich
Approved by: Tim Ford
Sustainable Development
July 6, 2015

TABLE 1
BURNEWOOD NEIGHBOURHOOD AREA STRUCTURE PLAN
APPROVED LAND USE AND POPULATION STATISTICS
BYLAW 13263

	Area (ha)	% of GDA		
Gross Area	305.62			
PUL (Pipeline Corridor)	6.67			
Environmental Reserve	38.64			
Gross Developable Area	260.31	100.00		
Municipal Reserve (Schools and Parks)	22.62	8.69		
Institutional	3.10	1.19		
Commercial	1.99	0.76		
Roadways	65.56	25.19		
PUL (Stormwater Retention Pond)	3.16	1.21		
Total Non-Residential Area	96.43	37.04		
Net Residential Area	163.88	62.96		
Residential Land Use	Area (ha)	Units	% of Total Units	Population
Low Density Residential	152.00	3,040	77.33	10,670
Row Housing (RF5)	7.16	301	7.66	864
Low Rise Apartments (RA7)	4.72	590	15.01	1,210
Total Residential)	163.88	3,931	100.0	12,744
Gross Population Density: 41.70 persons per gross hectare				

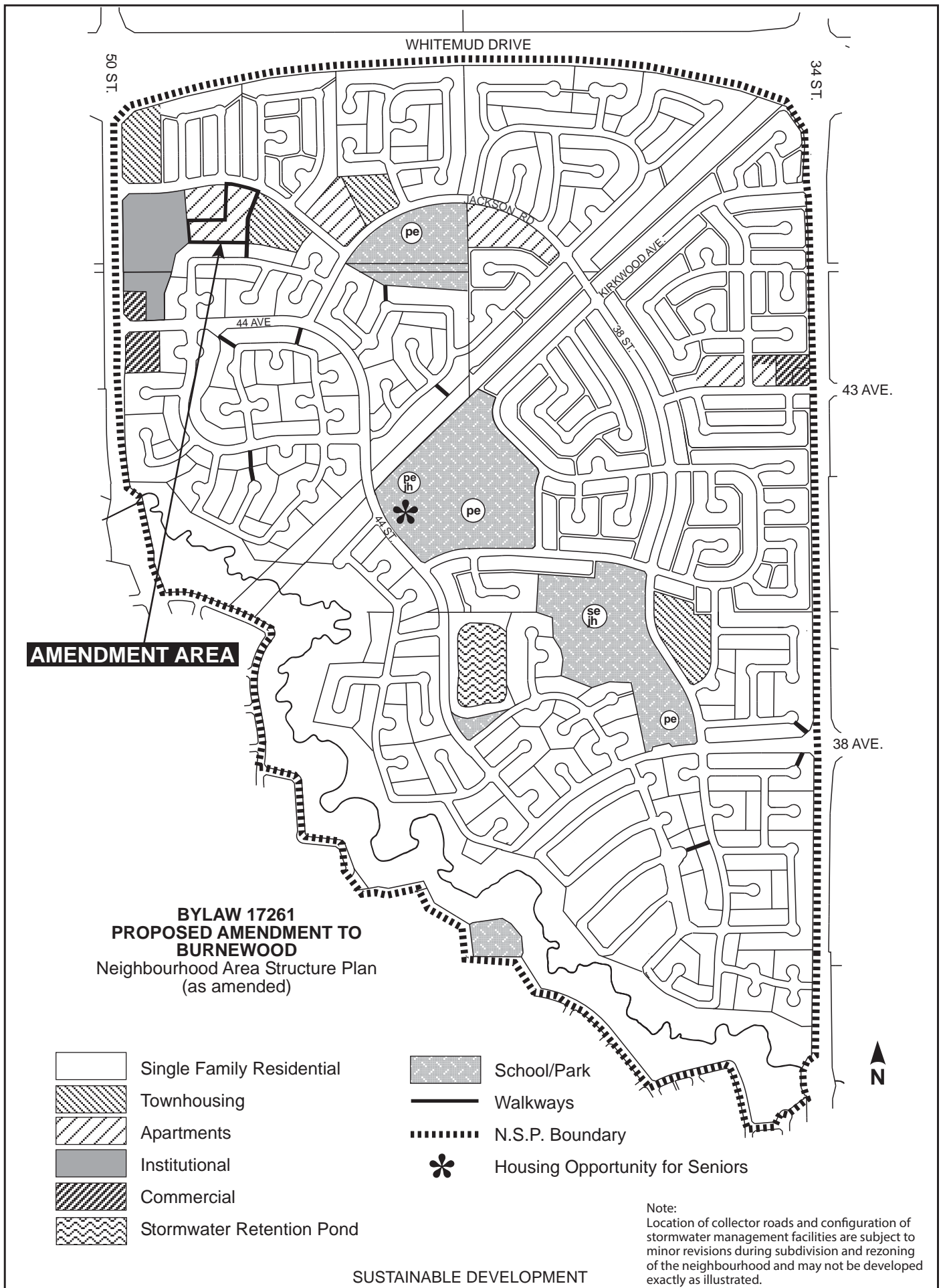
TABLE 2
BURNEWOOD NEIGHBOURHOOD AREA STRUCTURE PLAN
PROPOSED LAND USE AND POPULATION STATISTICS
BYLAW 17261

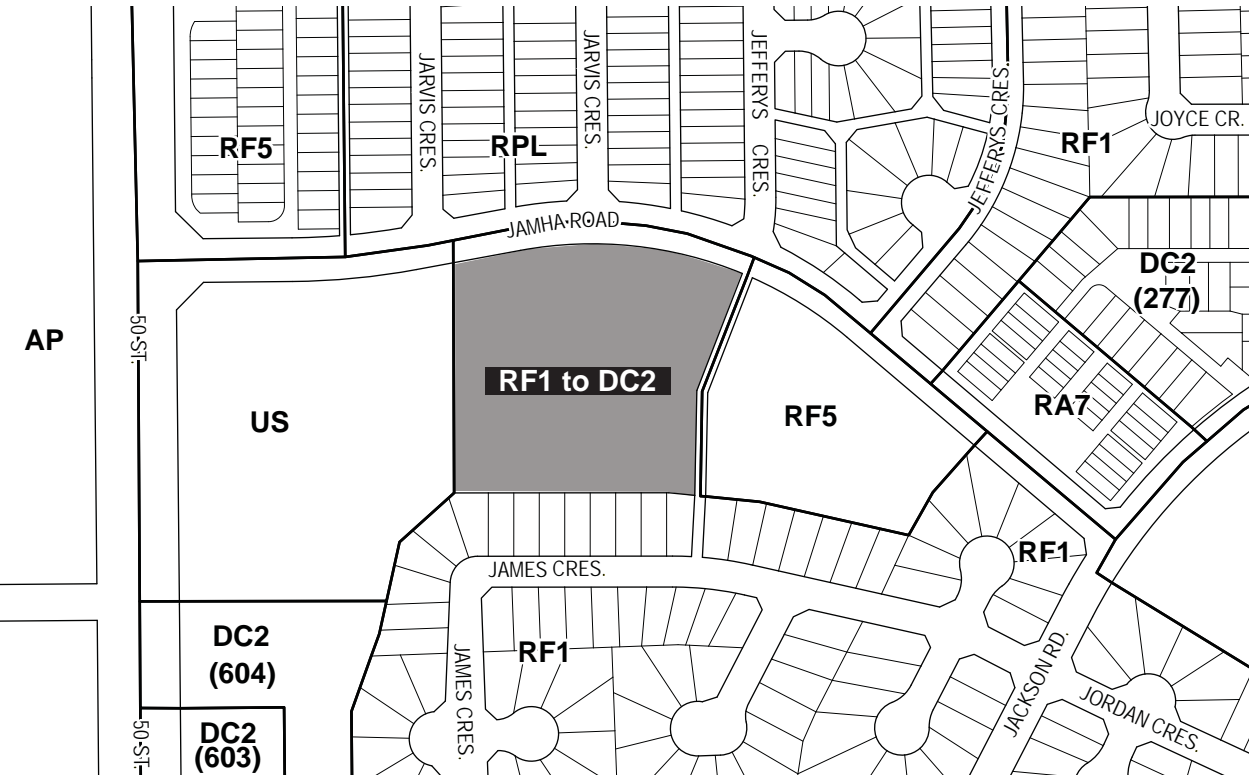
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Total Non-Residential Area	96.43	37.04
Net Residential Area	163.88	62.96

Residential Land Use	Area (ha)	Units/ha	Units	People/ Unit	% of Total Units	Population
Low Density Residential	152.00	20	3,040	3.51	75.5	10,670
Row Housing	6.00	42	252	2.87	6.3	723
Low Rise Apartments	5.88	125	735	2.05	18.2	1,507
Total Residential	163.88		4,207		100.0	12,900

Gross Population Density: 42.2 persons per gross hectare

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.





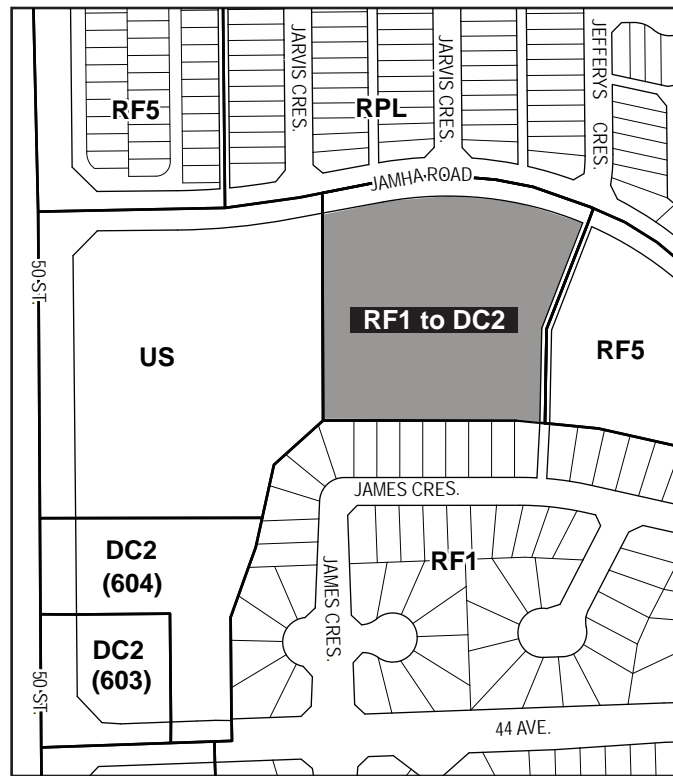
SURROUNDING LAND USE ZONES



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JACKSON HEIGHTS, BYLAW 17262

Location: 4461 - 50 Street NW



Proposed Rezoning from

 **RF1 to DC2**


The purpose of proposed Bylaw 17262 is to change the Zoning Bylaw from (RF1) single detached residential zone to (DC2) site specific development control provision, a portion of Block C, Plan 9122397, as shown on the above sketch. This zone provides the opportunity for the development of two low rise apartment buildings in conformance to the Burnewood Neighbourhood Area Structure Plan, as amended under the associated Bylaw 17261. Sustainable Development supports this proposed bylaw.

PROPOSED REZONING

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