

ATTACHMENT 2
BYLAW 17154
FILE: LDA15-0023
GLENORA

DESCRIPTION: ZONING BYLAW AMENDMENT from (RF1) Single Detached Residential Zone to (UCRH) Urban Character Row Housing Zone; GLENORA.

LOCATION: 14035 and 14039 – 106 Avenue NW

LEGAL DESCRIPTION: Lots 9 and 10, Block 69, Plan 839HW

APPLICANT: Daniel Belostatsky
307 Weaver Point NW
Edmonton, AB T6M 2J4

OWNER: 1678091 Alberta Ltd.
503, 9921 – 104 Street NW
Edmonton, AB T5K 2K3

ACCEPTANCE OF APPLICATION: January 15, 2015

EXISTING DEVELOPMENT: Single Detached Homes and a Detached Garage

SUSTAINABLE DEVELOPMENT'S RECOMMENDATION: That Bylaw 17154 to amend the Zoning Bylaw from (RF1) Single Detached Residential Zone to (UCRH) Urban Character Row Housing Zone be APPROVED.

DISCUSSION

1. The Application

The applicant proposes to rezone the subject site from (RF1) Single Detached Residential Zone to (UCRH) Urban Character Row Housing Zone which allows medium density Row Housing in a manner that is characteristic of urban settings. It is the applicant's stated intent to demolish the existing single detached homes and develop a six (6) unit row house building, in conformance with the *Residential Infill Guidelines*.

2. Site and Surrounding Area

The proposed rezoning is on the western edge of the Glenora neighbourhood, which is an established residential neighbourhood and is predominantly zoned (RF1) Single Detached Residential Zone. The Glenora Neighbourhood is also within the boundary of the Mature Neighbourhood Overlay which ensures that most small-scale new development is compatible with adjacent properties and maintains a pedestrian-friendly streetscape.

The land surrounding the subject site is primarily zoned RF1 and developed with Single Detached Housing. To the immediate south, is an RF1 Zone parcel that is home to Alberta Heath Service's EMS Glenora Station. Further south, across 105 Avenue NW, is a small parcel which is zoned (CNC) Neighbourhood Convenience Commercial Zone in which a small scale, pedestrian oriented commercial building exists as well as an (RA7) Low Rise Apartment Zone parcel in which a three storey apartment building has been developed. To the west, across 142 Street NW, the land south of 106 Avenue NW is primarily zoned (RF3) Small Scale Infill Development Zone, and the land north of 106 Avenue NW is primarily zoned RF1.



Site Photo: Aerial view of site from west. Property lines are approximate.

The site is also in proximity to four of the Edmonton Transit System's routes which run along 142 Street NW and 107 Avenue NW which provide alternative modes of transportation to the personal vehicle. Further, the subject site is located approximately 700 metres, or a ten minute walk, from the future 142 Street LRT station.

ANALYSIS

1. Compliance with Approved Plans and Land Use Compatibility

The Municipal Development Plan, *The Way We Grow*, identifies the Glenora neighbourhood as an "Established Neighbourhood". This proposed rezoning is consistent with the following policies of the Municipal Development Plan:

- encouraging a minimum of 25 percent of city-wide housing unit growth to locate in the Downtown and mature neighbourhoods where infrastructure capacity supports redevelopment;
- support redevelopment and residential infill that contributes to the livability and adaptability of established neighbourhoods and which are sensitive to existing development; and
- promote the development of family-oriented housing and walkability in established neighbourhoods to support existing school and institutional infrastructure.

As the subject site is within the mature area of the city, the *Residential Infill Guidelines* direct the type of zoning encouraged on the subject site. The *Guidelines* encourages the development of Row Housing with six (6) or more units on the edge of a neighbourhood where the block face fronts onto an arterial or service road such as 142 Street NW. The *Guidelines* also state that:

- row houses are generally 2 ½ story buildings;
- no dwellings are placed over one another;
- each dwelling has individual and direct access to the street; and,
- each dwelling is oriented to the street, and has some private open space in the front and back.

While the proposed development fronts onto 106 Avenue as opposed to fronting onto 142 Street NW, Sustainable Development feels that the proposed building orientation better meets some of the other built form and design criteria of the *Guidelines*, especially in terms of minimizing shadowing and maximizing sunlight. The UCRH Zone ensures that all other locational criteria are met.

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In terms of other design criteria, the *Guidelines* state the following:

- building mass should be arranged to minimize shadowing and to optimize access to sunlight for units on the site and on adjacent properties
- the maximum building length or row houses should be no more than 48 metres, permitting views through the site and limiting mass along the block face;
- the building should front onto the street
- each unit should have individual front door access to the street;
- all units should be designed to have easy access to outdoor, ground level amenity space;
- the privacy of units on site and on adjacent properties should be maintained by minimizing overlook from the building through:
 - setbacks and articulation of the building; and,
 - careful placement of windows, doors and patios.
- row house developments should maintain streetscapes that are compatible with existing development by:
 - providing individual front entrances and landscaped yards; and,
 - defining individual units through such features as the design of roof lines, entrances, and building materials.
- sufficient onsite parking should be provided for all units as required by the Zoning Bylaw;
- parking should be provided at the rear of the buildings; and,
- parking should be accessed from the adjacent lane.

The applicant's stated intention to orient the row houses along the avenue with detached garages that are generally in alignment with the property to the east and accessed off of the adjacent lane ensures:

- that shadowing is minimized and that sunlight is maximized as a development oriented towards 142 Street NW would cast a shadow towards the east in the evenings;
- that the existing 106 Avenue NW streetscape is maintained;
- that parking will be provided at the rear of the building and accessed through the lane; and,
- that the parking requirements of the Zoning Bylaw are met.

Further, the maximum building length is less than the maximum permitted by the *Guidelines*. The UCRH Zone also ensures that each unit will have front door access to 106 Avenue NW and that all units will be designed to have easy access to outdoor, ground level amenity space. Finally, although the design specifics in terms of the placement of doors and windows are yet to be determined, the privacy of units on site and on adjacent properties will minimize overlook through either a 3 metre interior side yard setback, or a 1.2 metre interior side yard setback with a 1.8 stepback above two storeys or exceeding 8.6 metres in height.

The proposed rezoning complies with the City's *Zoning Bylaw 12800* provisions for the UCRH Zone which allows for row housing. As the combined site size is approximately 34.78 m wide by 41.21 m deep, with an area of 1,429 m², the subject site meets the minimum lot size requirements for the applicant's intention to develop a six (6) unit row house.

2. Transportation and Utilities

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

3. Parks and School Boards

The Parks Planning and Biodiversity Section of Sustainable Development, the Edmonton Public School Board, and the Edmonton Catholic School Board have not expressed any concerns to the proposed rezoning.

4. Surrounding Property Owners' Concerns

On January 16th, 2015, an advance notice of this application was sent to surrounding property owners, the Glenora Community League, and the Grovenor Community League. As a result of this advanced notification, at the time this report was written, Sustainable Development received two (2) phone calls and one (1) email requesting more information, and one (1) email in opposition.

Those who asked for information or were opposed to the proposed rezoning expressed concerns about the aesthetic appearance and height of the proposed development, a lack of parking in the area as well as the potential impact on snow clearing and emergency access to 106 Avenue NW, potential for a negative impact on property values, concerns about how waste will be collected from the site, as well as concerns about the loss of green space, mature trees, and the impact on local avian populations. There was also a suggestion that the City purchase the two lots to create a park.

With regards to the visual or aesthetic appearance of the proposed development, Sustainable Development advised those concerned that, at this stage in the development approval process, the applicant is not required to provide detailed designs with this application and that detailed designs will be required at the Development Permit stage. Sustainable Development also advised those concerned about height that the maximum height allowed under the UCRH Zone is no higher than 12.0 m or three storeys and that an increased side yard setback would be required should the proposed design not step-back the third story.

In terms of parking, Sustainable Development informed the concerned residents that the Edmonton Zoning Bylaw has minimum parking requirements that are calculated on a per dwelling basis and that the applicant will be required to meet the minimum parking standards for every dwelling that is proposed to be constructed. Further, in response to

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the concerns about any potential increase in traffic, snow clearing, and emergency operations, Sustainable Development informed the concerned community members that this application was circulated to Transportation Services and that any potential negative impact from the proposed development would be evaluated and that the developer would be required to mitigate any concerns that Transportation identified.

With respect to how waste will be collected from the site, Sustainable Development advised the concerned property owners that the Waste Management Department will review the specific details for waste collection at the Development Permit stage.

In terms of concerns about the loss of green space, mature trees, and the impact on local avian populations, Sustainable Development advised the concerned citizen that under existing bylaws and regulations, trees on private property are not within the City's jurisdiction. Further, Sustainable Development did advise the concerned citizen that the City does have the Corporate Tree Management Policy (C456A) to ensure the protection of public street trees.

This application was brought before Council at the April 13, 2015 Public Hearing. At that time, Council passed the following motion:

“That Bylaw 17154 be referred back to Administration to discuss with the applicant and the adjacent land owners options for the redevelopment of the site.”

On April 20th, representatives from Sustainable Development met with the applicant and the immediately adjacent property owners to the east. At that meeting, the applicant provided the design details that they were considering in terms of height, massing, the step back at the east end of the structure, accessory building (garage) locations, and intended architectural style. The applicant agreed at that meeting, that to provide certainty to the immediately adjacent property owners, a Restrictive Covenant would be registered against the subject sites' titles to ensure that the design details discussed would be firmly committed to by the applicant.

Further, on May 27th, an Information Session was held for the broader area of adjacent property owners and the Glenora and Grovenor Community Leagues. At that meeting, the applicant and the Sustainable Development representatives went over the proposal as well as the policies and regulations that lend support to the proposed row houses.

Attendees at that meeting, or through correspondence after the meeting, raised the following, which have been grouped by topic.

Maintaining Streetscape and Neighbourhood Character

- Concern that the desire to maximize development revenue outweighs maintaining neighbourhood character and existing investment;
- Resident want to ensure that development permits are issued with consideration for the Mature Neighbourhood Overlay and enforcement action is taken if not;

- Concern that the development would have a negative impact on property values; and
- That the price point of the development is not attainable by young families and will result in fewer children in the neighbourhood.

Scale and Orientation of the Proposed Development

- Residents asked questions about the orientation of the development on the avenue versus the street, which provides for better transition to and light penetration to the east;
- Residents asked about the setbacks, transitioning and overall scale of the development. The developer provided preliminary plans and intentions for stepping back the development from existing development.

Traffic & Infrastructure

- Questions were asked about current drainage and storm infrastructure, Sustainable Development advised of development permit requirements with regard to grading and service connections; and
- Residents posed questions regarding the street network and the capacity for additional traffic in the laneway and southbound turns from the alley onto 142 Street. Sustainable Development advised that at the development permit stage of development Transportation Services would review access requirements.

The Applicant, Owner of the properties and Sustainable Development Representatives attempted to answer and alleviate many of the concerns that were raised. Nevertheless, there was still a general discomfort from the community with this proposal.

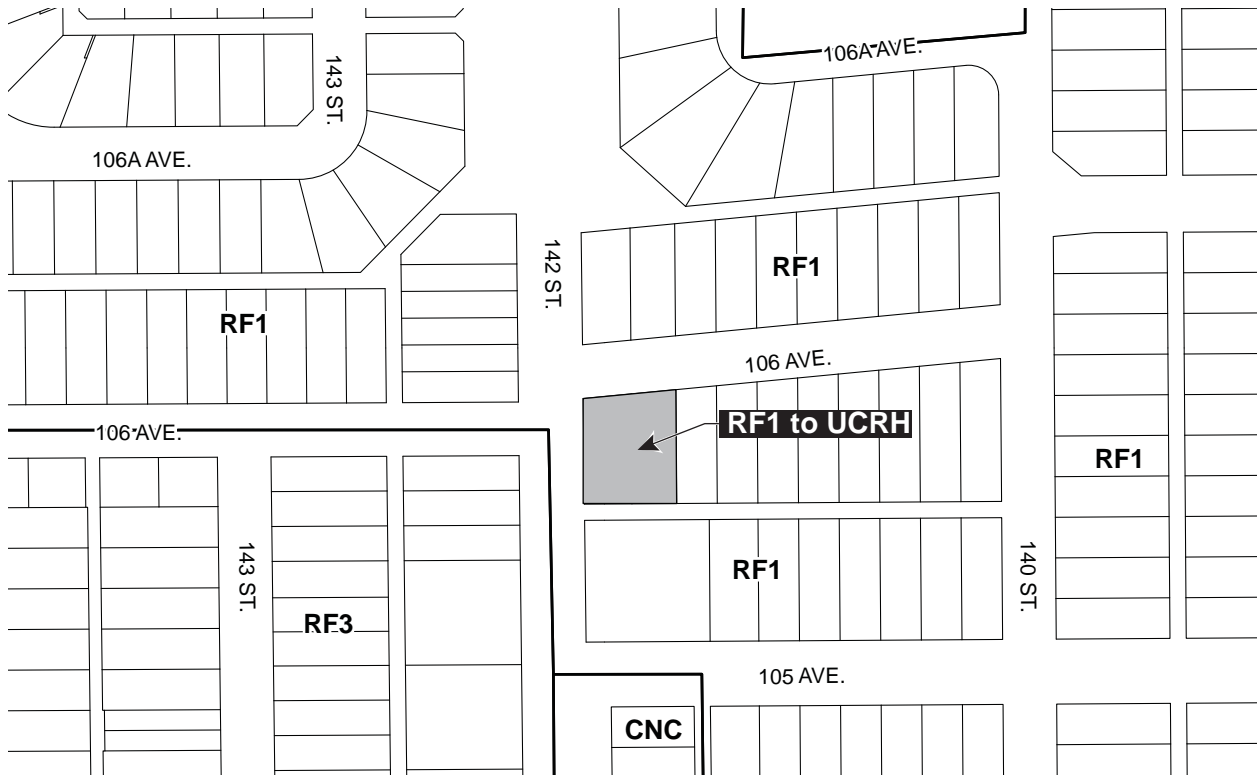
JUSTIFICATION

Sustainable Development recommends that Bylaw 17154 to amend the Zoning Bylaw from (RF1) Single Detached Residential Zone to (UCRH) Urban Character Row Housing Zone be APPROVED on the basis that the proposed development complies with the objectives and intent of *The Way We Grow*, the *Residential Infill Guidelines*, promotes limited residential infill, provides the opportunity for family-oriented housing, is compatible with the surrounding existing land uses, and meets the technical requirements of affected Civic Departments and utility agencies.

ATTACHMENTS

2a Maps

Written by: Christopher Wilcott
Approved by: Tim Ford
Sustainable Development
July 6, 2015



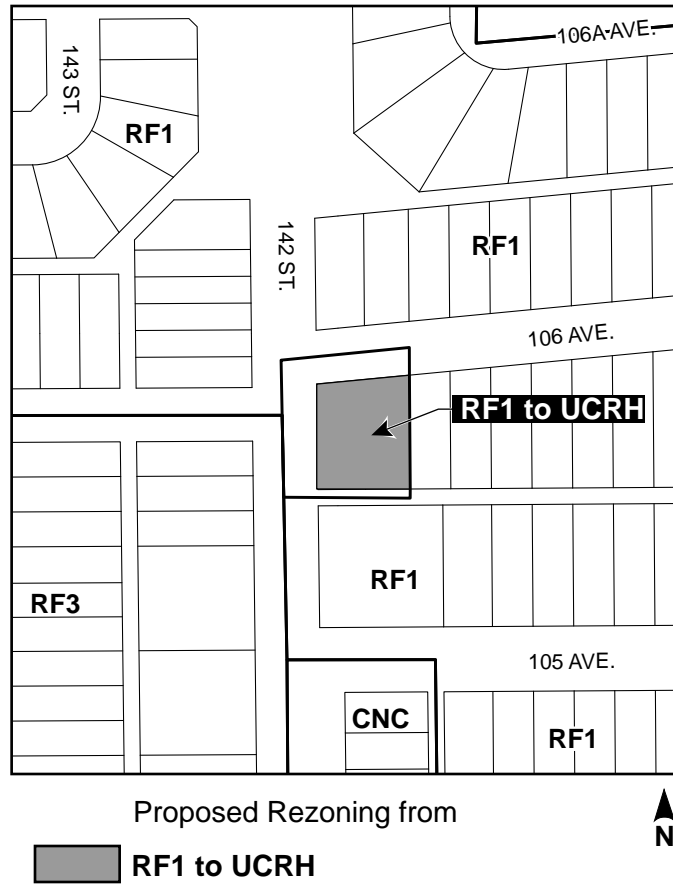
SURROUNDING LAND USE ZONES



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The purpose of proposed Bylaw 17154 is to change the Zoning Bylaw from (RF1) single detached residential zone to (UCRH) urban character row housing zone, Lots 9 and 10, Block 69, Plan 839HW, as shown on the attached sketch. This zone provides the opportunity for medium density Row Housing in a manner this is characteristic of urban settings, in conformance with the Residential Infill Guidelines. Sustainable Development supports this proposed bylaw.

PROPOSED REZONING

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