



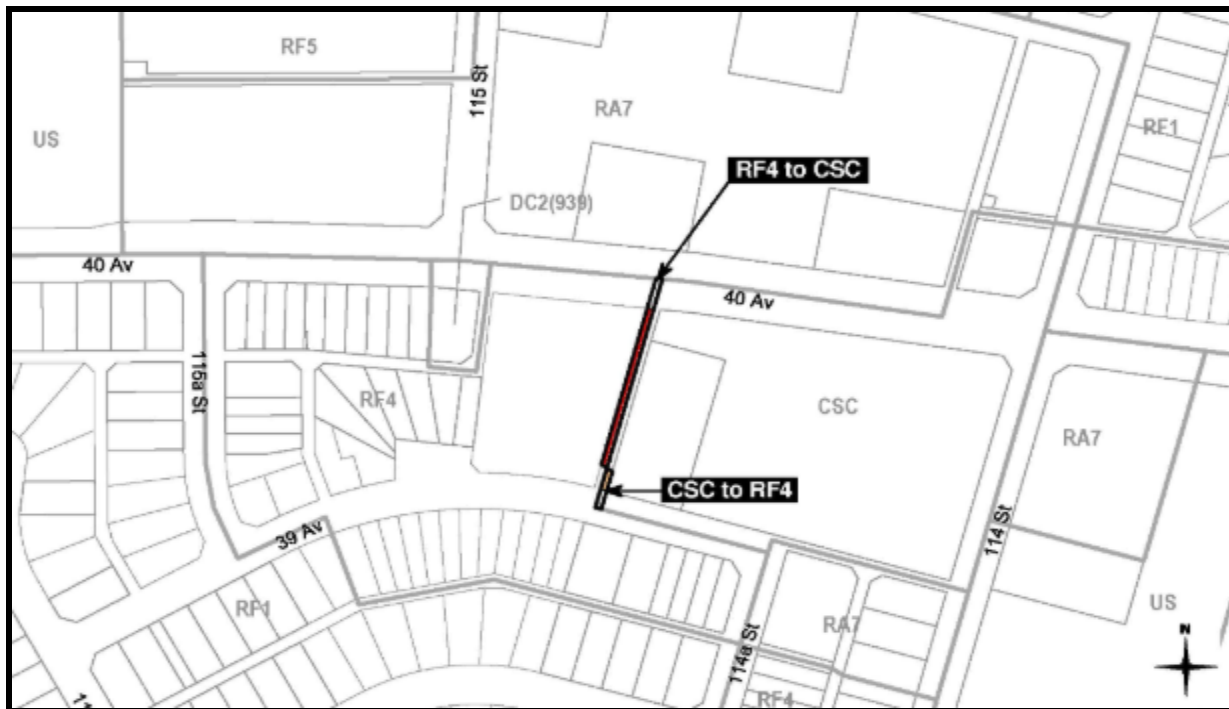
ADMINISTRATION REPORT **REZONING, CLOSURE** Greenfield

11403 - 40 AVENUE NW

11431 - 40 AVENUE NW

11445 - 40 AVENUE NW

To close a road right-of-way and rezone the property to be consistent with the proposed lot lines.



RECOMMENDATION AND JUSTIFICATION

Administration is in **SUPPORT** of this applications because:

- it will adjust the zoning boundaries to match the new property lines,
- in conjunction with a proposed closure of the laneway, it will continue to allow access to the church lands from 39 Avenue without any physical changes ; and
- will improve traffic flow on the commercial site as it will become a slightly larger site.

THE APPLICATION

1. **CHARTER BYLAW 19411** proposes to amend the Zoning Bylaw from (CSC) Shopping Centre Zone and (RF4) Semi-detached Residential Zone to (CSC) Shopping Centre Zone and (RF4) Semi-detached Residential Zone to realign the zoning lines;
2. **Bylaw 19404** proposes to close a portion of road right-of-way west of 114 Street NW and south of 40 Avenue NW; and
3. **Bylaw 19405** proposes to close a portion of road right-of-way west of 114 Street NW and south of 40 Avenue NW.

The three bylaws that make up this application are the result of the proposed closure of a laneway that exists between 39 and 40 Avenues NW, west of 114 Street. The proposed road closure area has been deemed surplus by Transportation as is not required for road right-of-way purposes.

Three properties abut the closure area, and the adjacent owners have agreed to split the area to satisfy their needs. The majority of the area is proposed to be acquired by the commercial development to the east, and a small portion at the south end of the right-of-way is proposed to be acquired by the church to maintain access from 39 Avenue NW. In both cases, the land acquired through the closure is to be consolidated with the appropriate adjacent larger parcel. Separate bylaws are required to facilitate the details of the two individual sales agreements.

The Charter Bylaw realigns the zoning line from the centre of the laneway to be consistent with the proposed property lines. The rezoning will facilitate a land sale agreement between the city and private landowners.

SITE AND SURROUNDING AREA

The subject site of the closure is the laneway between three properties fronting onto 40 Avenue NW and 39 Avenue NW.



AERIAL VIEW OF APPLICATION AREA

	EXISTING ZONING	CURRENT USE
SUBJECT SITES	(CSC) Shopping Centre Zone (RF4) Semi-detached Residential Zone	church and shopping center
CONTEXT		
North	(RA7) Apartment Housing Shopping Zone	apartment buildings
East	(CSC) Shopping Centre Zone	shopping center
South	(RF4) Semi-detached Residential Zone	single detached housing
West	(RF4) Semi-detached Residential Zone	single detached housing

PLANNING ANALYSIS

There is no plan in place for the Greenfield neighbourhood.

The owners of the commercial center to the east seek to acquire the laneway to enlarge their site. As part of the review for closing City-owned right-of-way, it became clear that the Church needed to retain a portion of the alleyway to access their property - specifically, the parking lot.

As a result, the proposed closure area is in two parts: the larger portion to be sold and consolidated with the commercial property to the east and the smaller portion on the south to be sold and consolidated with the church site to the west.

As a direct result of the proposed closure and sale, the zoning needs to be realigned to match the new property lines. The proposed right-of-way closure and rezoning are consistent and compatible with the existing development in the area.

All comments from civic departments and utility agencies regarding this proposal have been addressed.

PUBLIC ENGAGEMENT

ADVANCE NOTICE August 10, 2018	<ul style="list-style-type: none">• Number of recipients: 321• No responses received
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CONCLUSION

Administration recommends that City Council **APPROVE** this application.

APPENDICES

1. Application Summary

APPLICATION SUMMARY

INFORMATION

Application Type:	Rezoning and closure
Bylaws:	19404, 19405
Charter Bylaw:	19411
Location:	South of 40 Avenue NW and west of 114 Street NW
Addresses:	11403 - 40 AVENUE NW, 11431 - 40 AVENUE NW, 11445 - 40 AVENUE NW
Legal Descriptions:	Lot 24A, Block 63, Plan 3614NY, & Lot 20, Block 63, Plan 6624NY
Site Area (closure):	.04 ha.
Neighbourhood:	Greenfield
Notified Community Organizations:	Greenfield, and Royal Gardens Community Leagues & Southwest Area Council of Community Area Council
Applicant:	James Gray

PLANNING FRAMEWORK

Current Zone:	(CSC) Shopping Centre Zone and (RF4) Semi-detached Residential Zone
Proposed Zone:	(CSC) Shopping Centre Zone and (RF4) Semi-detached Residential Zone
Plan in Effect:	NA
Historic Status:	NA

Written By:	Don Read
Approved By:	Tim Ford
Branch:	Development Services
Section:	Planning Coordination