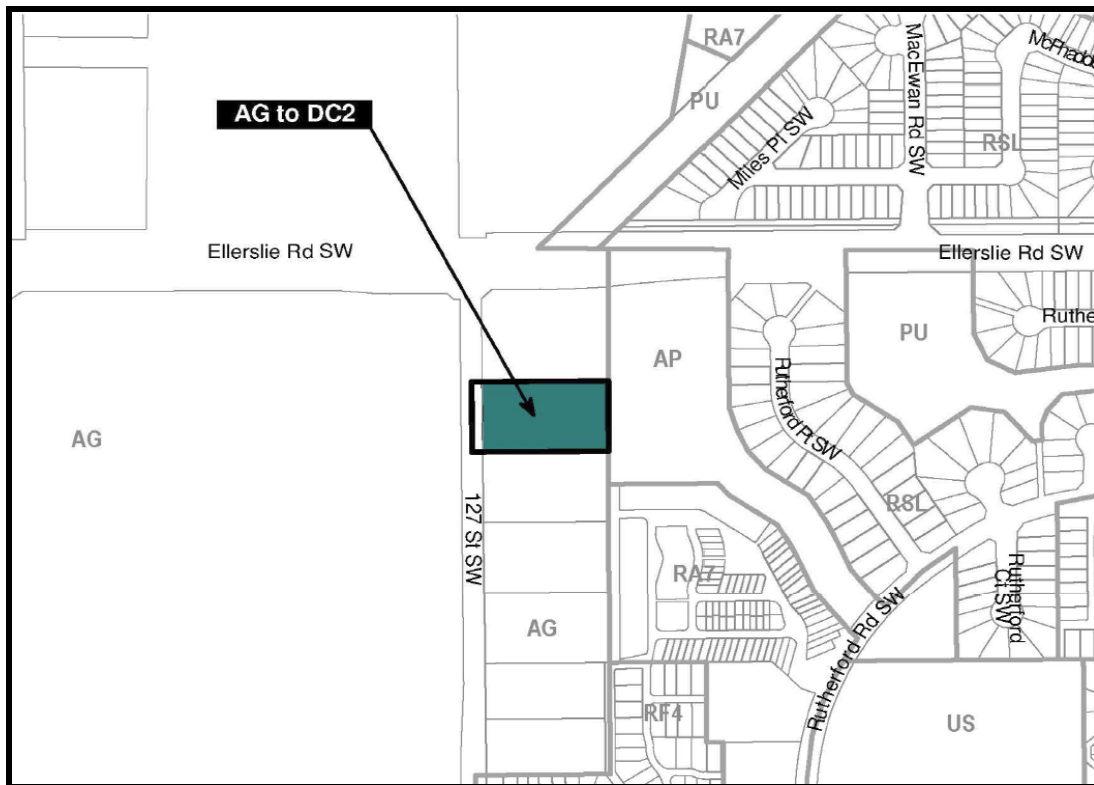




CITY PLANNING REPORT PLAN AMENDMENT AND REZONING RUTHERFORD

1107-127 Street SW

To allow low density residential or commercial health services development as site specific uses.



RECOMMENDATION AND JUSTIFICATION

City Planning is in **SUPPORT** of this application because it:

- allows for redevelopment of the site retaining the single family character of the exterior of the existing building;
- accommodates low density residential and low intensity commercial uses compatible with surrounding existing and planned land uses; and
- aligns with objectives of the Rutherford Neighbourhood Area Structure Plan (NASP).

THE APPLICATION

1. BYLAW 18781 proposes to amend the Rutherford Neighbourhood Area Structure Plan (NASP) allowing a commercial use on the subject site under a (DC2) Site Specific Development Control Provision.. The proposal includes changes to the statistics table, figures and a text of the NASP. It reallocates a 0.8 hectare Low Density Residential land use site to Commercial. A minor increase in the overall residential density for the Neighbourhood Area Structure Plan is the result.
2. CHARTER BYLAW 18782 proposes to amend the Zoning Bylaw from (AG) Agricultural Zone to (DC2) Site Specific Development Control Provision to allow for the development of either a low density residential development or a commercial health services use, while maintaining the exterior residential character of the existing building.

The applicant's intent is to provide a small medical clinic to serve clients with intellectual disabilities in the Edmonton Region. The application would allow for expansion of the current Major Home Based Business to a stand alone clinic on the site.

The proposed amendment is required to be reviewed by the Edmonton Metropolitan Region Board (EMRB) as it within 0.8 km of a planned Park and Ride and future LRT Station as identified on Schedule 10B:Transportation Systems - Regional Transit and Trails to 2044 in the Edmonton Metropolitan Region Growth Plan (EMRBGP). According to Ministerial Order Section 4.2. j), the plan amendment requires a board referral prior to third reading at a regular Council meeting.

SITE AND SURROUNDING AREA

The subject site is an existing country residential lot and includes a single detached residence, located in the northwest corner of the Rutherford neighbourhood. It is bounded by 127 Street SW on west (designated as an arterial road), a church to the north, a treed park site to the east and country residential lots to the south. The site is within 150 metres of a planned future Park and Ride and transit station west of 127 Street SW and north of Ellerslie Road. Southwest of the site is the location of a future provincial hospital and health campus site.



AERIAL VIEW OF APPLICATION AREA

	EXISTING ZONING	CURRENT USE
SUBJECT SITE	(AG) Agricultural Zone	Single Detached Housing with a Major Home Based Business to operate a health clinic
CONTEXT		
North	(AG) Agricultural Zone	Religious Assembly
East	(AP) Public Parks Zone	Treed Park Space
South	(AG) Agricultural Zone	Country Residential Lots
West	(AG) Agricultural Zone	Farmland

PLANNING ANALYSIS

PLAN IN EFFECT

The proposed NASP amendment and rezoning supports the policies of the Edmonton Metropolitan Region Growth Plan (EMRGP) by contributing to the development of the region as a hub and gateway to Northern Alberta by expanding the sector related to health.

The application is ready for two readings following the public hearing after which it would be referred to the EMRB in accordance with Ministerial Order MSL:111/17, given the geographical location of the subject site in proximity to a "Planned LRT line" and "Park and Ride" location identified in the EMRGP. As the proposed plan amendment is minor in nature and overall increases the planned residential density, administration approached EMRB staff to discuss whether the application could be interpreted as "not materially affecting the statutory plan in principle or substance" in accordance with Section 4.3. The requirement to refer the application to the EMRB was confirmed.

The proposed application meets Rutherford Neighbourhood Area Structure Plan strategies of encouraging living choices and diversified business opportunities as well as maximizing the use of existing infrastructure with a high priority of efficient use of land, enhancing the quality of the urban environment.

LAND USE COMPATIBILITY

The proposed DC2 Provision would allow for continuation of low density residential uses or a low intensity health clinic in the existing structure. The provision would limit the floor area of the proposed health services uses and associated parking required. A site plan with the DC2 Provision includes a requirement for screening around the edges of the site that can include retention of existing landscaping and some fencing to address compatibility with adjacent land uses.

The proposed DC2 Provision maintains the height of the building (maximum 10 m) and vehicular access to the site from 127 Street SW. The provision maintains the residential character of the existing building. The table below compares key regulations between the current and the proposed zoning.

	Current Zoning: (AG)	Proposed Zoning: DC2 Provision
Purpose	<ul style="list-style-type: none"> ● To conserve agricultural and rural use ● Allows one residential unit (given the site area) 	<ul style="list-style-type: none"> ● Low density residential development or ● Health service use within an existing residential structure
Uses	<ul style="list-style-type: none"> ● Farms ● Single detached housing with minor/major home based business 	<ul style="list-style-type: none"> ● Single detached housing and semi-detached housing with minor/major home based business ● Secondary and garden suites ● Health services use
Maximum Height	<ul style="list-style-type: none"> ● 10 m 	<ul style="list-style-type: none"> ● 10 m
Development Setbacks	<ul style="list-style-type: none"> ● Front: 7.5 m ● Rear: 7.5 m ● Side: 7.5 m 	<ul style="list-style-type: none"> ● Front: 7.5 m ● Rear: 7.5 m ● Side: 7.5 m
Site Coverage	<ul style="list-style-type: none"> ● no maximum site coverage area identified 	<ul style="list-style-type: none"> ● maximum site coverage is 5%
Floor Area	<ul style="list-style-type: none"> ● no maximum floor area identified 	<ul style="list-style-type: none"> ● maximum floor area for health services use is 400 m²
Landscaping	<ul style="list-style-type: none"> ● in accordance with the Zoning Bylaw 	<ul style="list-style-type: none"> ● in accordance with the Zoning Bylaw
Parking Requirements	<ul style="list-style-type: none"> ● in accordance with the Zoning Bylaw 	<ul style="list-style-type: none"> ● in accordance with the Zoning Bylaw

TECHNICAL REVIEW

No civic departments or utility agencies expressed objection to the proposed NASP amendment and rezoning, and all requirements have been addressed.

Fire Rescue Services and EPCOR Water noted that there is a deficiency in on-street fire hydrant spacing adjacent to the property. Additional levels of on-site fire protection will be required at the Development Permit stage.

Onsite soil testing is also required at the development permit stage for applications that involve disturbance of soil.

PUBLIC ENGAGEMENT

<p>PRE-APPLICATION LETTER (Applicant) April 27, 2018</p>	<ul style="list-style-type: none"> ● Number of recipients: 12 ● Number of responses: 1 with concerns and 1 with support <ul style="list-style-type: none"> ○ Topic of concerns included: <ul style="list-style-type: none"> i. A preference for residential uses in the area; ii. questioning level of adequate sanitary service; and iii. decrease in property values. ○ Support was for the provision of the proposed health service use in a country residential setting
<p>ADVANCE NOTICE August 5, 2018</p>	<ul style="list-style-type: none"> ● Number of recipients: 13 ● Number of responses with concerns: 3 <ul style="list-style-type: none"> ○ Common concerns included: <ul style="list-style-type: none"> i. Traffic congestion with on-street parking; ii. negative impact on adjacent real estate values; and iii. sanitary service levels questioned ● In response to the concerns, a technical review determined that the scale of development allowed would not significantly affect traffic and parking. The applicant added buffering around the edges of the site as elaborated in the attached "What We Heard Report" (Appendix I)
<p>PUBLIC MEETING December 4, 2018</p>	<ul style="list-style-type: none"> ● Number of recipients: 291 ● Number of attendees: 45 ● Number of comment sheets in opposition: 3 ● Number of comment sheets in support: 39 ● Number of neutral comment sheets: 2 ● The 'What We Heard Report' (Appendix 1) summarizes concerns and responses to them
<p>WEBPAGE</p>	<ul style="list-style-type: none"> ● www.edmonton.ca/rutherford

CONCLUSION

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

APPENDICES

1. "What We Heard" Public Engagement Report
2. Approved NASP Table 3 Land Use and Population Statistics - Bylaw 15563
3. Proposed NASP Table 3 Land Use and Population Statistics - Bylaw 18781
4. Approved NASP Figure 6: Development Concept - Bylaw 15563
5. Proposed NASP Figure 6: Development Concept - Bylaw 18781
6. Context Map for Rezoning
7. Application Summary

WHAT WE HEARD REPORT

Rutherford Rezoning Application – AG to DC2 (LDA18-0303)

PROJECT ADDRESS: 1107 - 127 Street SW

- PROJECT DESCRIPTION:**
- The owner has applied to rezone the subject property from (AG) Agricultural Zone to (DC2) Site Specific Development Control Provision which would allow for health care services on the site, while maintaining the exterior character of the existing single detached house.
 - Amendment to the Rutherford Neighborhood Area Structure Plan (NASP) would allow for the proposed DC2 zone at the subject site.

TYPE OF ENGAGEMENT	DATE	RESPONSES/ # OF ATTENDEES
DC2 Pre-application letter from the Applicant	April 27, 2018	No. of recipients: 12 No. of responses received: 2
Advance Notification from the City	August 5, 2018	Two phone call inquiries and one e-mail summarizing concerns
Public Engagement Event (drop-in format) hosted by the City	December 04, 2018	No. of attendees: 45 No. of written comments received: 44 Comments received via e-mail: 2

ABOUT THIS REPORT

The information in this report includes responses to the advanced notice and feedback gathered during and after the December 04, 2018, Public Engagement Event (drop-in format). This report will be shared with those who emailed the file planner, and who provided their email address at the event. This summary will be shared with the applicant and the Ward Councillor. If/when the proposed rezoning and plan amendment advances to Public Hearing, this report will be included in the information provided to City Council.



MEETING FORMAT

At the public engagement event, attendees were able to view display boards with project, planning process and contact information. They asked questions to the City Staff, the applicant, and the property owners on a 1:1 basis. Attendees were also invited to share their feedback in written form. The City also received 2 follow-up emails with comments. The questions or comments received by the public and the related responses by the City are consolidated in the following table:

Topic	Questions/Comments	Responses
Site Edge Treatment	<ol style="list-style-type: none"> 1. Would the landscaping along the north edge of property be retained similar to the southern edge? 2. Want solid fencing on the south side of the property to keep dogs out and people in. 	<ol style="list-style-type: none"> 1. The applicant has revised their site plan to include a 7.5 m wide maintained landscaped setback area on the north edge similar to what is proposed on the south side. 2. Trespassing is handled through bylaw enforcement.
Traffic and Transportation	<ol style="list-style-type: none"> 3. Would there be sufficient parking on the property? 4. Is Ellerslie Road capable of handling the traffic due to the proposed development? 5. What would be the impact of future Park and Ride? 	<ol style="list-style-type: none"> 3. The proposed on-site parking will be reviewed based on Zoning Bylaw requirements. 4. Based on the scale of development proposed, Ellerslie Road has a current capacity to handle anticipated traffic due to the proposed development. 5. The Park and Ride is a different project. A draft Traffic Impact Assessment (TIA) has been prepared which is being looking at. The TIA is looking at the roadway configuration required to accommodate traffic generated by the Park and Ride. Preliminary comments include recommendations such as the addition of turn bays at the 127 Street & Ellerslie intersection.

	<p>6. Is there any plan for pedestrian connectivity from the subject property to the nearby transit facilities?</p> <p>7. Keep the bus system as a priority for Rutherford</p>	<p>6. When the area to the west 127 street develop (plan for the hospital site), pedestrian connectivity will be incorporated.</p> <p>7. The existing bus service for Rutherford is well used and is acknowledged as an important level of service. This information has been passed on to Bus Network Redesign team.</p>
Signage	<p>8. How is signage being treated?</p>	<p>8. The proposed revised zone regulation specifies one freestanding sign and one fascia sign with limited sizes, height, and illumination restriction.</p>
Utilities	<p>9. How is sewer service affected?</p> <p>10. Will there be any additional fire hydrants?</p>	<p>9. There is an existing storm sewer which can be tied into along 127 Street, but there is no sanitary sewer in 127 Street. The proposed development includes an on-site sanitary system that will be City requirements.</p> <p>10. The installation of an on-street fire hydrant will be required with redevelopment of the site.</p>
Other	<p>11. Can the property be rezoned again?</p> <p>12. Why not apply for a clinic at an existing commercial location?</p>	<p>11. Property owners have a right to propose rezoning. Should a proposal be made that is not conforming to the neighborhood plan, a plan amendment and notification would be required and the application would go through a full review.</p> <p>12. See the above note regarding development rights. The applicant wants to expand the current business. It has proved to be a pleasant environment and it is intended to keep its small scale appeal.</p>

	<p>13. What's to stop more of the large country residential lots from following suit when the new hospital goes in?</p>	<p>13. Landowners are entitled to submit land use planning applications. Submissions would be reviewed considering their merits at that time, and would receive a full technical review and evaluation in terms of impacts on land use plans and servicing in the area. Any changes to provincial lands that has occurred west of the site would figure into that analysis.</p>
	<p>14. This will change the nature of the area and decrease property values.</p>	<p>14. Many factors influence property values. The proposal maintains the residential exterior character of the existing single family house. Floor area for the health service use is limited.</p>
	<p>15. Will there be any overnight residents in addition to the clinic use?</p>	<p>15. There will be no live-in patient treatment at the clinic. Site will operate as a health service use (clinic) or single detached residence but not both.</p>
	<p>16. What about overnight security?</p>	<p>16. The business will determine its own security needs.</p>

Comments supporting the application are as follows:

- Access to the clinic is favorable due to its proximity to future LRT, Anthony Henday Drive, future hospital and bus transit.
- Existing clients support expansion of this clinic in this location and responds to demand for new patients.
- The proposed development is designed to be less institutional and more residential in its design and will contribute to a comfortable environment for its clients.

If you have questions about this application please contact:

Anshu Gupta, Planner, City Planning
780-496-5110 or anshu.gupta@edmonton.ca

Planning Coordination
CITY PLANNING



**Table 3* Rutherford Neighbourhood Area Structure Plan
Land Use and Population Statistics**

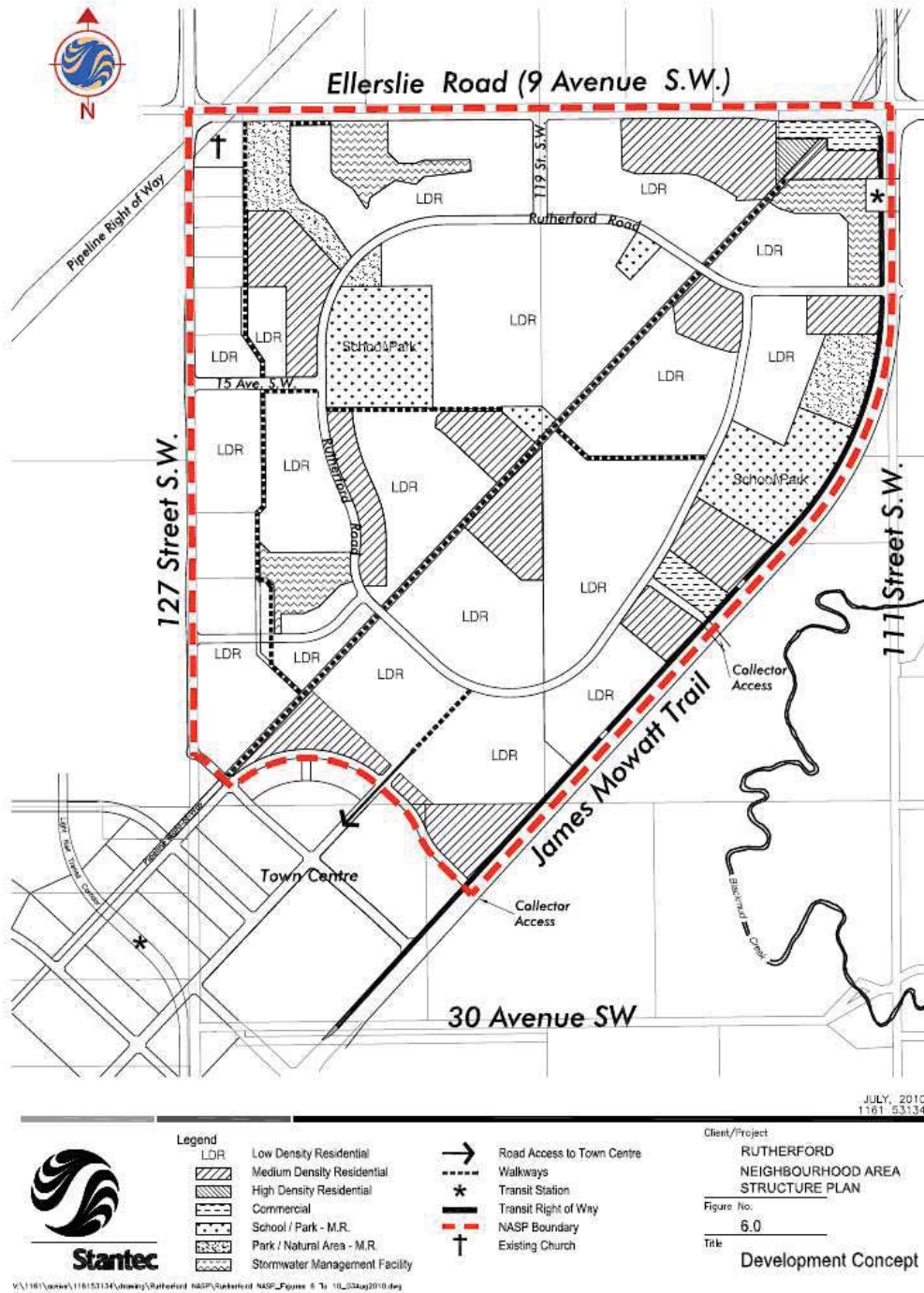
LAND USE	Area (ha)	% of GDA				
Gross Area	219.40					
Pipeline Right-of-Way	3.56					
Transit Right-of-Way	2.20					
Gross Developable Area	213.64	100.0%				
Commercial	2.37	1.1%				
Parkland, Recreation, School, Municipal Reserve						
Dispersed Parks	1.20	0.6%				
Public K-8 School / Park Site	6.90	3.2%				
Separate K-9 School / Park Site	5.60	2.6%				
Virginia Park Woodland	2.50	1.2%				
Southwest Mixedwood Natural Area	3.80	1.8%				
Transportation						
Circulation	38.69	18.1%				
Infrastructure / Servicing						
Stormwater Management	8.29	3.9%				
Total Non-Residential Area	69.35	32.5%				
Net Residential Area	144.29	67.5%				
RESIDENTIAL LAND USE, DWELLING UNIT COUNT AND POPULATION						
Land Use	Area (ha)	Units/ha	Units	People/Unit	Population	% of NRA
Low Density Residential						
<i>Single/Semi-Detached</i>	112.58	25	2,815	2.80	7,881	78.0%
Medium Density Residential						
<i>Row Housing</i>	7.68	45	346	2.80	968	5.3%
<i>Low-Rise/Medium Density Housing</i>	23.46	90	2,111	1.80	3,801	16.3%
High Density Residential						
<i>Medium to High Rise Units</i>	0.57	225	128	1.50	192	0.4%
Total	144.29		5,400		12,841	100%
Gross Population Density:	60.11	persons per gross developable hectare				
Net Population Density:	89.00	persons per net residential hectare				
Unit Density:	37.42	units per net residential hectare				
LDR/MDR/HDR RATIO	42.64% / 54.76% / 2.60%					
STUDENT GENERATION STATISTICS						
Public School Board		855				
Elementary	427					
Junior High	214					
Senior High	214					
Separate School Board		342				
Elementary	171					
Junior High	85					
Senior High	85					
Total Student Population		1,196				

* As Amended by Bylaw 15563, November 8, 2010

Table 3* **Rutherford Neighbourhood Area Structure Plan Land Use and Population Statistic**

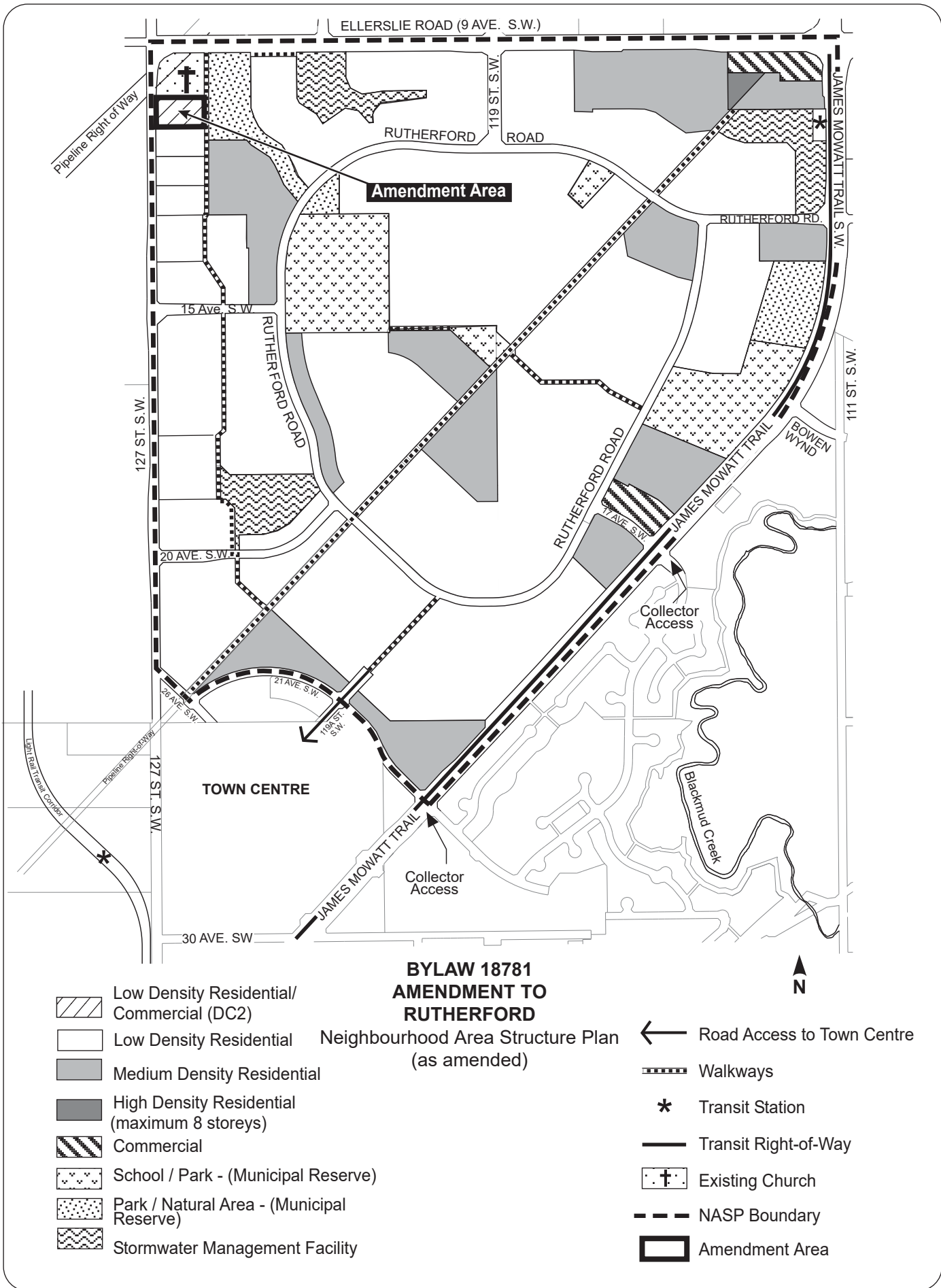
LAND USE	Area (ha)	% of GDA				
Gross Area	219.4					
Pipeline Right-of-Way	3.56					
Transit Right-of-Way	2.2					
Gross Developable Area	213.64	100%				
Commercial	3.17	1.5%				
Parkland, Recreation, School, Municipal Reserve						
Dispersed Parks	1.2	0.6%				
Public K-8 School / Park Site	6.9	3.2%				
Separate K-9 School / Park Site	5.6	2.6%				
Virginia Park Woodland	2.5	1.2%				
Southwest Mixedwood Natural Area	3.8	1.8%				
Transportation						
Circulation	38.69	18.1%				
Infrastructure / Servicing						
Stormwater Management	8.29	3.9%				
Total Non-Residential Area	70.16	32.8%				
Net Residential Area	143.48	66.9%				
RESIDENTIAL LAND USE, DWELLING UNIT COUNT AND POPULATION						
Land Use	Area (ha)	Units/ha	Units	People/Unit	Population	% of NRA
Low Density Residential						
<i>Single/Semi-Detached</i>	111.77	25	2794.25	2.8	7,824	77.9%
Medium Density Residential						
<i>Row Housing</i>	7.68	45	346	2.8	968	5.4%
<i>Low-Rise/Medium Density Housing</i>	23.46	90	2,111	1.8	3,801	16.4%
High Density Residential						
<i>Medium to High Rise Units</i>	0.57	225	128	1.5	192	0.4%
Total	143		5,380		12,784	100%
Gross Population Density:	60 persons per gross developable hectare					
Net Population Density:	89 persons per net residential hectare					
Unit Density:	38 units per net residential hectare					
LDR/MDR/HDR RATIO	52%	46%	2%			
STUDENT GENERATION STATISTICS						
Public School Board		855				
Elementary	427					
Junior High	214					
Senior High	214					
Separate School Board		342				
Elementary	171					
Junior High	85					
Senior High	85					
Total Student Population		1,196				

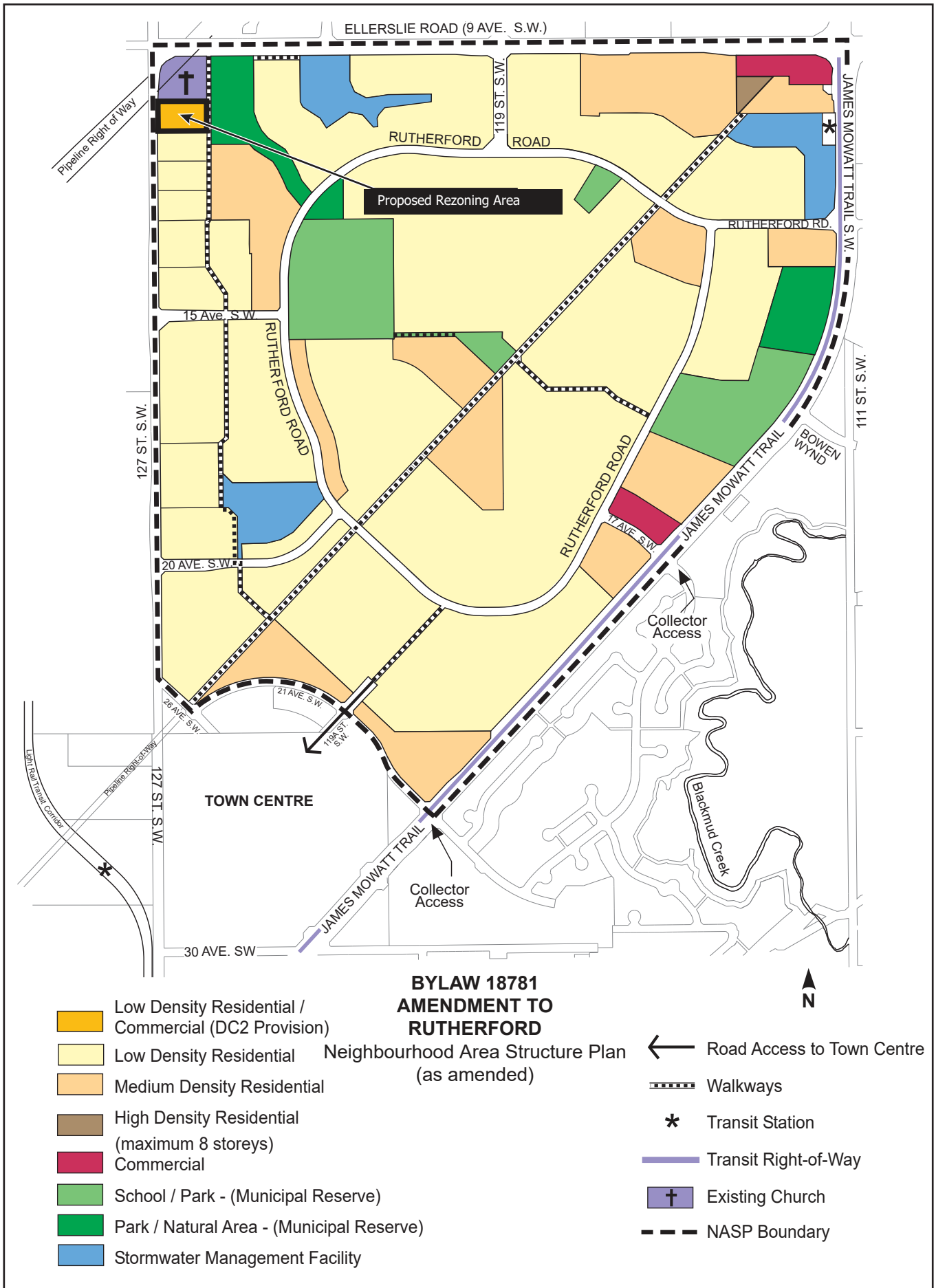
Figure 6* Development Concept



* Bylaw 15563, November 8, 2010

Figure 6 Development Concept





APPLICATION SUMMARY

INFORMATION

Application Type:	Plan Amendment, Rezoning
Bylaw(s)	18781
Charter Bylaw(s):	18782
Date of Application Acceptance	June 5, 2018
Location:	East of 127 Street SW and South of Ellerslie Road
Address(es):	1107-127 Street SW
Legal Description(s):	Lot 6, Plan 9620787
Site Area:	0.809 ha
Neighbourhood:	Rutherford
Ward - Councillor:	9 - Tim Cartmell
Notified Community Organization(s)	Heritage Point Community League
Applicant:	Green Space Alliance Consulting

PLANNING FRAMEWORK

Current Zone(s)	(AG) Agricultural Zone
Proposed Zone(s)	(DC2) Site Specific Development Control Provision
Plan(s) in Effect:	Rutherford NASP Heritage Valley Servicing Concept Design Brief

Written By:	Anshu Gupta
Approved By:	Tim Ford
Branch:	City Planning
Section:	Planning Coordination