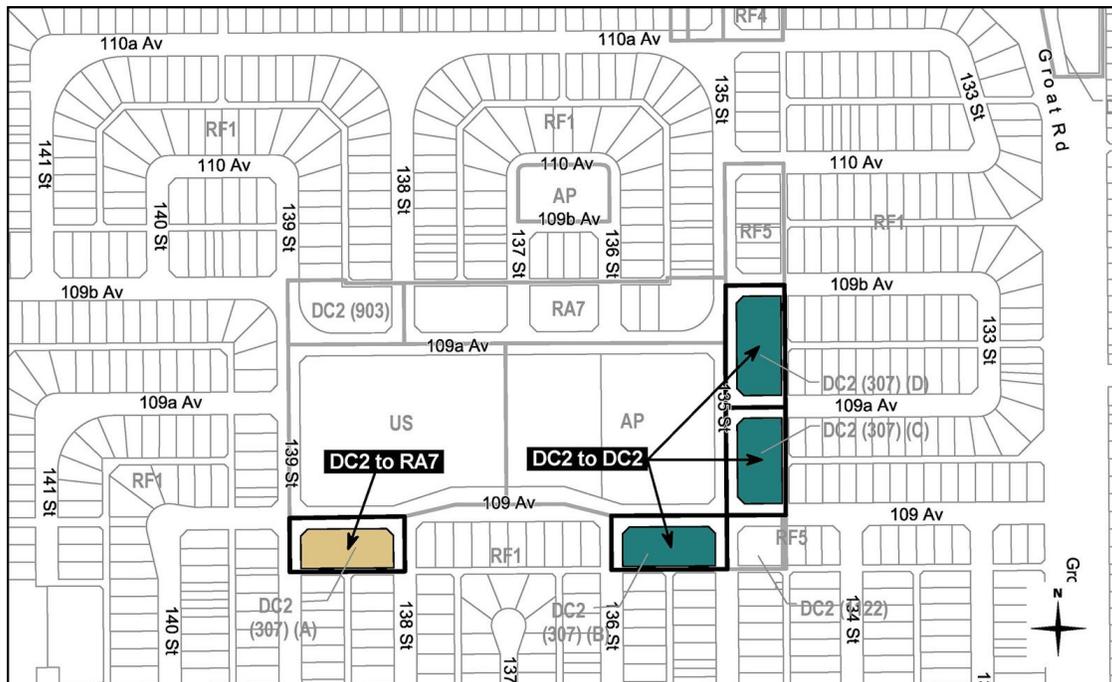




# ADMINISTRATION REPORT REZONING NORTH GLENORA

## 13803 - 109 Avenue NW, 13503 - 109 Avenue NW, 10905 - 135 Street NW

To allow for low rise Multi-unit Housing.



**Recommendation:** That Charter Bylaw 19660 to amend the Zoning Bylaw from from a (DC.307) Site Specific Development Control Provision to the (RA7) Low Rise Apartment Zone and a new (DC2) Site Specific Development Control Provision be APPROVED.

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

- The site proposed for RA7 zoning is more appropriate for standard zoning instead of site specific zoning;
- The differences between the existing and proposed zones are minimal and will lead to comparable developments and impacts; and
- The proposed RA7 Zone will facilitate development in line with the intent and objectives of the North Glenora Community Plan, Residential Infill Guidelines and The City Plan.

## Report Summary

This land use amendment application was submitted by Der & Associates Architecture Ltd. on November 26, 2020 on behalf of Regency Developments. This application proposes to change the designation of four parcels from a (DC2.307) Site Specific Development Control Provision to the (RA7) Low Rise Apartment Zone (13803 - 109 Avenue NW) and a new (DC2) Site Specific Development Control Provision (13503 - 109 Avenue NW & 10905 - 135 Street NW).

The proposed RA7 Zone would allow for a 16 metre high (approximately 4 storey) residential building with limited commercial opportunities at ground level, such as Child Care Services, General Retail Stores and Specialty Food Services. The proposed DC2 Provision for the remaining 3 sites is identical to the existing DC2 Provision in terms of development rights and requirements, with only administrative changes to update terminology and references. See Appendix 1 to this report for a detailed comparison. The DC2 to DC2 rezoning is necessary in order to remove the proposed RA7 site from the original area of application.

These sites are already zoned to allow a low rise built form which is considered appropriate and compatible at this location. The degree of change in development rights proposed by this rezoning is considered relatively minor. It is the Administration's opinion that this zoning change is compatible with the Guiding Principles of the non-statutory North Glenora Community Plan, the objectives of the Residential Infill Guidelines and the infill goals of The City Plan.

## The Application

1. CHARTER BYLAW 19660 to amend the Zoning Bylaw from a (DC2.307) Site Specific Development Control Provision to the (RA7) Low Rise Apartment Zone and a new (DC2) Site Specific Development Control Provision.

The current DC2 Provision applies to 4 sites:

- 13803 - 109 Avenue NW (Area A - Lot 41, Block 7, Plan 3624HW)
- 13503 - 109 Avenue NW (Area B - Lot 41, Block 5, Plan 3624HW)
- 10905 - 135 Street NW (Area C - Lots 16 - 18, Block 1, Plan 3751HW)
- 10905 - 135 Street NW (Area D - Lots 47 - 49, Block 1, Plan 3751HW)

All 4 sites are under the same ownership and the developer intends to redevelop all 4, over time, starting with 13803 - 109 Avenue NW (Area A). Area A currently contains a 14 Dwelling Row House built in the 1950's, but the current DC2 Provision from 1993 allows for a 13 metre high (3 storey) low rise apartment with up to 36 dwellings.

The developer attempted to redevelop this property under the existing DC2 Provision. A Development Permit was approved by the Development Authority, with variances to the building design, parking and landscaping, but the decision was appealed. The Subdivision and Development Appeal Board granted the appeal and refused the permit citing that the Development Authority failed to follow the directions of Council as interpreted through the existing DC2 Provision from 1993.

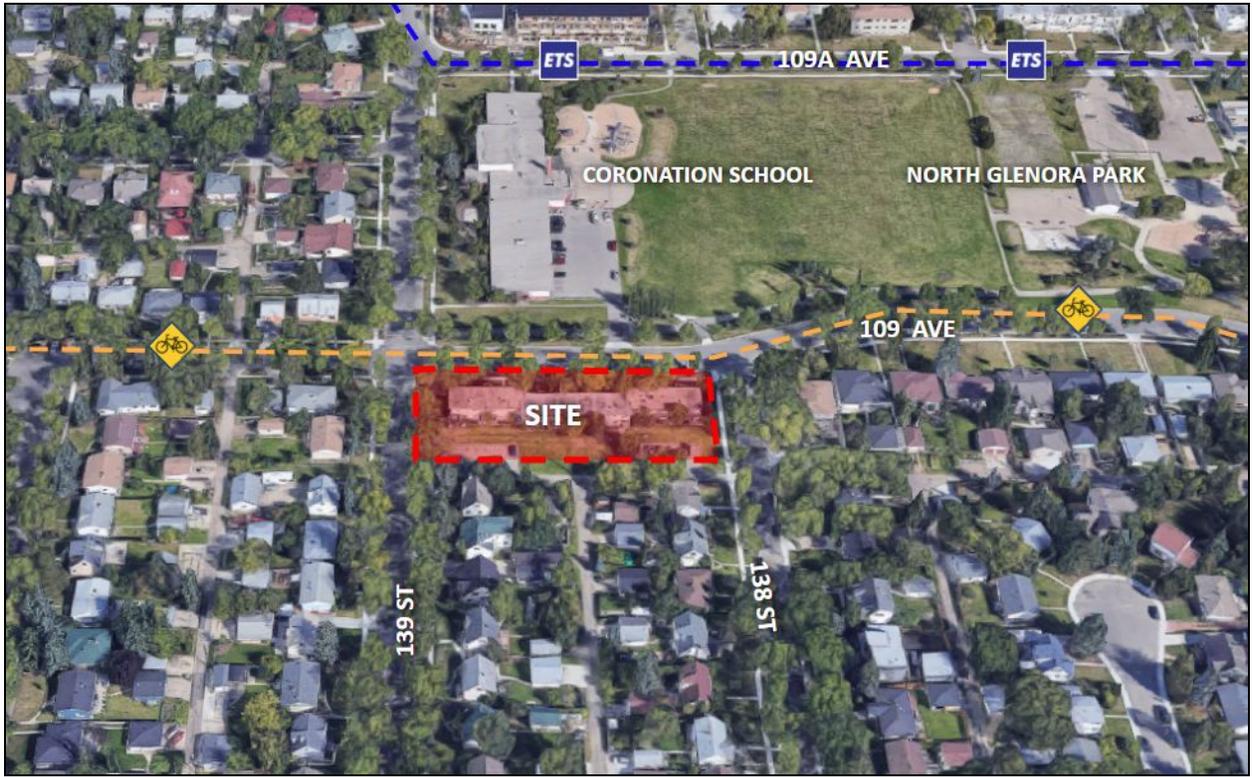


AERIAL VIEW SHOWING ALL FOUR SITES

Because the current DC2.307 applies to all 4 sites, all 4 sites need to be rezoned to remove the reference to the site being rezoned to RA7. The proposed DC2 Provision for the remaining 3 sites is identical to the existing DC2 Provision in terms of development rights and requirements, with only administrative changes to update terminology and references. As such, the analysis within this report will only focus on the site proposed to be rezoned to the RA7 Zone.

## Site and Surrounding Area

The site is located on the interior of the North Glenora community at the intersection of two local roads. An on-street bike route runs past the site and bus service is nearby, one block to the north.



AERIAL VIEW OF APPLICATION AREA

	EXISTING ZONING	CURRENT USE
<b>SUBJECT SITE</b>	(DC2.307-A) Site Specific Development Control Provision	14 Dwelling Row House
<b>CONTEXT</b>		
North	(US) Urban Services Zone	Coronation School
East, South & West	(RF1) Single Detached Residential Zone with Mature Neighbourhood Overlay	Single Detached Housing



LOOKING SOUTHWEST FROM 109 AVENUE NW



LOOKING NORTHEAST FROM 139 STREET NW

## Planning Analysis

### BROADER NEIGHBOURHOOD PLANNING CONTEXT

This site is part of a partial “ring” of existing multi-unit housing developments that exist at many locations around the central open space containing Coronation School and North Glenora Park. There have also been a few recent applications for new development at locations on the “ring” that have historically been lower density.



The zoning for these sites have a combination of RA7 and DC2 Zoning. Due to the age of the existing multi-unit housing buildings, combined with these new applications, this area is in the midst of experiencing a wave of redevelopment. While each site will likely be dealt with on a case by case basis, Administration recognizes the cumulative nature of these changes over time and will ensure the planning analysis each time factors in this broader context.

### STANDARD VS. SITE SPECIFIC ZONING

While the existing zone is a (DC2) Site Specific Development Control Provision, it is from 1993 and created in a different era of planning in Edmonton and under the now obsolete Land Use Bylaw 5996. With regards to the criteria of today’s Zoning Bylaw, Administration does not see this site as having sufficient unique characteristics that require site specific regulations to ensure land use conflicts with neighbouring properties are minimized. It is of a regular shape,

separated from any other property by a road or a lane and across from a school yard and surface parking lot. As such, a standard zone is appropriate and the RA7 Zone is the most comparable standard zone to the existing DC2 Provision. By using the standard (RA7) Low Rise Apartment Zone, the future development will better conform with today's standards for things like parking, landscaping, lighting and amenity area and requirements for these features will mature with any future Zoning Bylaw changes going forward.

### **LAND USE COMPATIBILITY**

Both the current and proposed zones allow for a low rise built form of similar intensities and the degree of change in development rights proposed by this rezoning is considered relatively minor. Notable changes are:

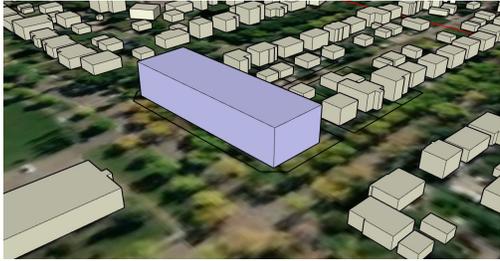
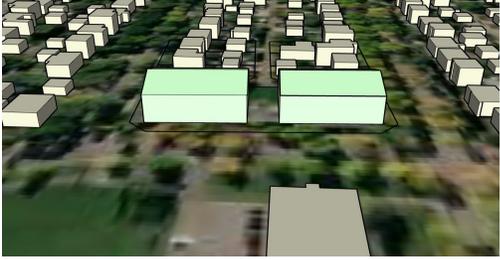
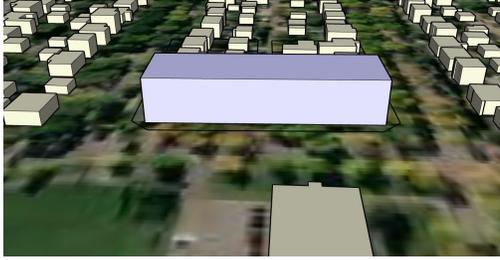
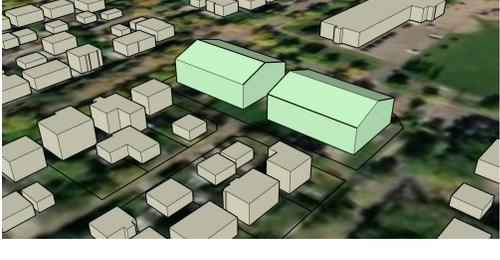
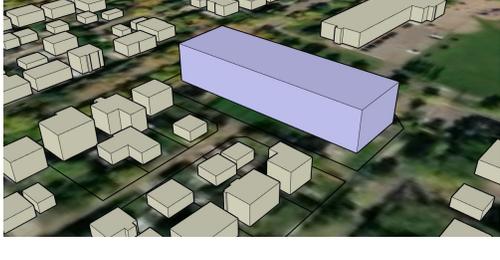
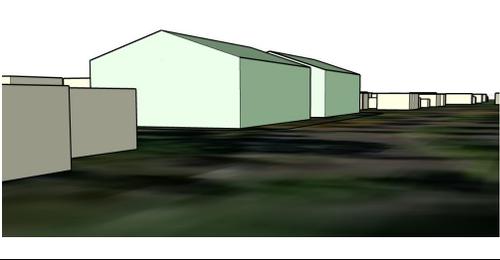
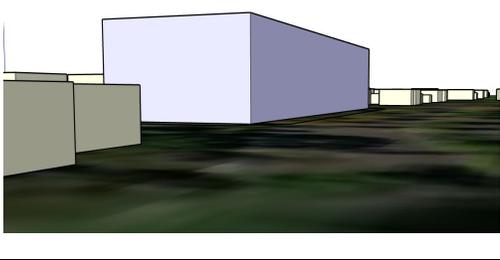
- One extra storey of height;
- No maximum number of dwellings in the RA7 Zone;
- Introduction of Open Option Parking through standard zoning; and
- Introduction of limited commercial opportunities.

The table below shows a more complete comparison of the two zones.

<b>Feature</b>	<b>Current DC2 (307-A)</b>	<b>Proposed RA7</b>
<b>Height</b>	13 m (3 storeys) - sloped roof	14.5 m - flat roof 16.0 m - sloped roof (approximately 4 storeys)
<b>Floor Area Ratio</b>	1.5	2.3 - 2.5
<b>Number of units</b>	36	13 minimum, no maximum
<b>Site Coverage</b>	50%	N/A
<b>North Setback</b>	6.0 m	4.5 m
<b>South Setback</b>	6.0 m	7.5 m
<b>West Setback</b>	4.5 m	4.5 m
<b>East Setback</b>	4.5 m	4.5 m
<b>Number of buildings</b>	2	1
<b>Space between buildings</b>	Approximately 10.0 m	N/A
<b>Parking</b>	Approximately 59 spaces (all underground)	No spaces required <sup>1</sup> (surface or underground)
<b>Vehicle Access Locations</b>	109 Avenue & 135 Street	Rear Lane

1 - On June 23, 2020, City Council approved Open Option Parking, which provides developers' flexibility to choose the amount of on-site parking that they feel is appropriate for their projects, including visitor parking. It's important to note that open option parking doesn't necessarily mean no parking. It is actually more likely to result in the "right amount" of parking as builders know their parking needs best and have an interest in ensuring they are meeting market demand for parking spaces, including for visitor spaces. The parking supply for this project will accordingly be determined at the Development Permit stage.

The graphics below are rough massing models of both the existing and proposed zones to get a visual sense of the differences. There are many required design details of both zones that are not shown.

	<b>Current DC2.307-A</b>	<b>Proposed RA7</b>
<b>Looking Southeast</b>		
<b>Looking South</b>		
<b>Looking Northwest</b>		
<b>Ground level looking southwest</b>		

A low rise built form is generally considered appropriate and compatible at this location. The site is directly south of Coronation School and North Glenora Park. This open space is nearly surrounded by zoning that allows for low rise buildings, including existing RA7 Zoning along much of the north edge of the park. The additional height, and subsequent increased sun shadow, will primarily be felt by the school parking lot, which is not of concern.

While the RA7 Zone allows for commercial uses, the following restrictions would apply:

- Commercial Uses shall not be located above the ground floor;
- the total Floor Area of each commercial premises shall not exceed 275 m<sup>2</sup>; and
- these Uses shall not be permitted in any freestanding structure separate from a structure containing Residential Uses. Their principal entrance shall be a separate, outside entrance.

In addition, the actual types of commercial businesses allowed by the proposed RA7 Zone are limited and designed to be ones that are generally compatible with residential development such as coffee shops, small healthcare offices, retail stores and hair salons.

Administration has concluded that the proposed RA7 Zone is compatible with the surrounding sites and neighbourhood in both uses and built form.

## **NORTH GLENORA COMMUNITY PLAN**

The North Glenora Community Plan is a non-statutory plan that applies to the neighbourhood and this site. As per the report when the plan was brought forward to City Council for consideration in 1998:

“The North Glenora Community Plan is a community driven community development document containing recommendations aimed at fulfilling vision statements and guiding principles relating to land use planning, infrastructure and quality of life issues for North Glenora. Approval of the Plan document will signify Council's agreement, in principle, with the recommendations and guiding principles of the North Glenora Community Plan.”

The plan contains 3 guiding principles related to redevelopment of land, with associated recommendations:

1. Guiding Principle: Accommodate redevelopment in a manner consistent with the existing development and zoning of the community.
  - a. Recommendation: That the current residential zoning be retained to control land use density unless it can be demonstrated to the community that a rezoning would be in keeping with the Guiding Principles of this Plan as well as the goals and objectives of residents and property owners who might be affected.
2. Guiding Principle: Maintain the current mix of housing types in order to meet a range of socio-economic needs while continuing to emphasize the single family dwelling.
  - a. Recommendation: That future residential rezoning proposals be reviewed by the community through a process that ensures compatibility with the Guiding Principles of this Plan, the goals and objectives of residents and property owners, and a consensus of opinion within the community.
3. Guiding Principle: Consider innovative redevelopment proposals that are consistent with the housing needs of the community and with the character of North Glenora.
  - a. Recommendation: That the Community League recommend Land Use Bylaw changes to the City, as they may arise, that would allow for innovative residential redevelopment consistent with, and complementary to, existing forms and styles of residential development in North Glenora.

Based on the Administration's review, the proposed rezoning is compatible with the above guiding principles. The proposed RA7 Zone exists in similar contexts in the community so is "consistent with the existing development and zoning of the community". By facilitating a redevelopment on a site already containing and zoned for multi-unit housing and not at a location that would replace single detached housing, this proposal helps to "maintain the current mix of housing types in order to meet a range of socio-economic needs while continuing to emphasize the single family dwelling". Approximately 84% of the dwellings in the neighbourhood will continue to be Single Detached Houses.

Although the third guiding principle is quite subjective, the proposed RA7 Zone can be considered "consistent with the housing needs of the community" because it is already a multi-unit housing site. As well, the Administration believes the proposed RA7 Zone will lead to a development that is more "in character" with North Glenora than the existing DC2 Provision. The existing DC2 Provision mandates "Tudor", "Colonial" and "Victorian" building designs, none of which are prevalent in a community where most houses are typical 1950's era bungalows.

## **RESIDENTIAL INFILL GUIDELINES**

In terms of location, the Residential Infill Guidelines do not support low rise apartments at this location and suggest they should be directed to corner sites on the edges of the neighborhood along arterial roads or integrated with existing commercial sites. However, this also means that these guidelines also wouldn't support the existing 1993 DC2 Provision which allows for a 3 storey apartment building. In fact, the guidelines wouldn't even support the existing 14 unit row house currently on the site and built in the 1950's. For these reasons, Administration believes that the locational criteria for low rise apartments in these guidelines is likely too restrictive and considered to be largely irrelevant in this instance.

These guidelines also have other criteria beyond location and the building design in the existing DC2 Provision is seen to better conform with these guidelines in terms of architecture and massing. For example, it includes regulations to break the development into 2 buildings on a long site. The RA7 Zone would allow one building with over 70 metres of frontage, more than the 48 metre maximum recommended by the guidelines.

The RA7 Zone is seen to better conform with these guidelines in terms of streetscape interface and site layout. For example, the RA7 Zone would require mostly individual ground oriented entrances for each unit facing the streets, similar to the townhouse style pattern of entrances that exist on the site now. The existing DC2 Provision would just have one main entrance. The RA7 Zone would also require all vehicle access to be from the lane whereas the existing DC2 Provision requires vehicle access to be from 109 Avenue NW, creating an interruption of the pedestrian sidewalk and treed boulevard and something that is being actively discouraged today.

Although no application or development ever conforms with all these guidelines, overall, it is the Administration's opinion that the proposed RA7 Zone better meets the intent of these guidelines. Several features of the 1993 DC2 Provision represent outdated infill practices that are seen as less compatible with the existing area, the 2009 guidelines, and progress on infill planning made over the last decade..

## **THE CITY PLAN**

The City Plan does not provide specific direction for the development intensity of this site, as it is not within an identified development node or corridor. However, given the location within the Central Planning District, this rezoning, which would allow for a moderate increase in density, supports the higher level targets of having 50% of net new dwellings being added through infill city-wide, and 600,000 additional residents being welcomed into the redeveloping area.

## **Technical Review**

### **DRAINAGE**

Permanent sanitary and storm sewer servicing is available to the proposed rezoning area off the existing sanitary and storm sewer mains that exist within 109 Avenue NW. Administration does not have concerns with the potential sanitary flows from development allowed under the proposed RA7 Zone at this location.

With respect to stormwater runoff, through redevelopments, Administration works to maintain or incrementally improve the level of service provided by the existing drainage system through redevelopment considerations such as on-site stormwater management. The proposed development will be required to provide on-site stormwater management with storage provisions within the property to accommodate excess rainfall from a 1 in 100 year rainfall event with an outflow rate of 35 litres per second per hectare to the existing storm sewer system. This will result in a reduction of stormwater flows entering the neighbourhood's drainage system during heavy rainfall events.

### **WATER SERVICING**

There is a deficiency in on-street hydrant spacing adjacent to the property. City of Edmonton Standards requires hydrant spacing of 90 metres for the proposed zoning. Hydrant spacing in the area is approximately 95 metres. The applicant is currently required to construct one new hydrant on 109 Avenue NW at their expense. This will be reviewed again at the Development Permit stage and the exact details may change, but proper fire protection requirements will still need to be met.

### **TRANSPORTATION**

The change from the existing DC2 Provision to the proposed RA7 Zone will move vehicle access to the site from 109 Avenue NW to the rear lane. This is preferred from a multi-modal traffic perspective as it creates fewer conflict points between pedestrians and vehicles and is in line with City practices for all scales of redevelopment. The exact location of site access from the lane will be reviewed with submission of a detailed site plan at the Development Permit stage.

Anticipated vehicular traffic generation from the proposed development is expected to be accommodated within the existing roadway network.

While street-parking adjacent to the site is unrestricted, it was noted through engagement that the spaces are often used for drop off and pick up of students across the street at Coronation School. Edmonton Public Schools identified no issues with the proposed redevelopment relative to parking/traffic impacts on the school. The City and the school board will continue working together to ensure steps are taken to monitor the area to ensure student safety.

## Community Engagement

While the initial Advance Notice was sent to the standard 60 metre radius around the site, plus the Community League, the response level was very high and represented input from the broader community. This was likely due to the efforts of the Community League and directly notified residents discussing with their friends and neighbours.

There were several initial comments wanting more, broader engagement as well as concerns that there wasn't enough information available to form an opinion on the nature of the zoning change. Administration felt that the nature of the rezoning (a proposed standard zone very similar to the existing DC2 Provision) did not warrant an enhanced engagement approach using an open house or comparable, COVID safe event. However, the Administration prepared an additional Zoning Comparison Document (See Appendix 2) and emailed it to everyone who had responded to the Advance Notice to ensure people were as informed as possible about the rezoning being proposed.

<p><b>ADVANCE NOTICE</b> January 5, 2021</p> <p><b>ZONING COMPARISON DOCUMENT</b> February 12, 2021 NOTE: Emailed to those who responded to the Advance Notice. (See Appendix 2)</p>	<ul style="list-style-type: none"> <li>● Number of recipients: 28</li> <li>● Number of responses in support: 1</li> <li>● Number of responses with concerns: 21             <ul style="list-style-type: none"> <li>○ North Glenora Community League</li> <li>○ One letter with 64 resident signatures</li> </ul> </li> <li>● Comments included:             <ul style="list-style-type: none"> <li>○ Do not want commercial uses here. Already other places in the area for that (x12)</li> <li>○ Impact of development on street parking if not enough on site parking provided (x9)</li> <li>○ Increased traffic/parking congestion near school - safety (x8)</li> <li>○ Neighbourhood density increasing too much with this and other redevelopment sites (x6)</li> <li>○ Developer is not engaging with the community enough/should consider community needs more (x5)</li> <li>○ Not enough engagement/all of community should be notified (x5)</li> </ul> </li> </ul>
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- o Worried about increased stress on drainage system (x5)
- o Existing DC2/3 storeys is enough density (x4)
- o Too tall/too dense (x4)
- o All 4 patio home sites should be dealt with together (x4)
- o Rezoning this site will set precedent for other 3 patio home sites (x3)
- o Concern about increase in traffic volume and speeding (x3)
- o Would negatively impact neighbourhood character (x3)
- o Less room for families/would not ensure family units (x3)
- o Will negatively impact property values nearby (x2)
- o Worried lower income families currently there will be pushed out of community (x2)
- o RA7 doesn't give enough of detail about what is planned (x2)
- o Negative crime impact with more people (x2)
- o Idling cars near school a safety concern (x2)
- o Roads are too narrow in neighbourhood to handle extra traffic (x2)
- o Should be houses, not an apartment building
- o Would welcome a more modern DC2 of similar scale
- o Worried this will be bigger than the development permit that was just refused by the appeal board
- o Don't want more low cost housing
- o Would be better to renovate existing buildings instead of building new
- o Ideally suited site for low rise apartments
- o Current property not well maintained by developer
- o The City should compare policies and guidelines with neighbourhood concerns
- o Can't rely on everyone taking transit at this location

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**WEBPAGE**

- [www.edmonton.ca/northglenoraplanningapplications](http://www.edmonton.ca/northglenoraplanningapplications)
- 

The letter from the North Glenora Community League focused on wanting more engagement and notification of the entire neighbourhood. In response, it was explained that Administration does not typically notify entire neighbourhoods of rezoning applications, particularly those where the proposed change in zoning is considered fairly minimal. Based on the relatively high number of responses received, Administration believes that the broader neighbourhood was made well aware, either through word of mouth or through the Community League's efforts, and able to provide informed feedback accordingly.

## Conclusion

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

## APPENDICES

- 1 DC2 Provision Comparison
- 2 Emailed Zoning Comparison Document
- 3 Application Summary

## DC2 Provision Comparison

Below is a comparison of the text of the original 1993 DC2 Provision with the proposed DC2 Provision. Due to the age of the existing DC2 Provision, there was a need for significant terminology and reference updates. In most cases, where the existing DC2 Provision referenced sections of the old Land Use Bylaw 5996, those applicable sections from Bylaw 5996 were copied into the proposed DC2 Provision. In some cases, if the differences between respective sections of Land Use Bylaw 5996 and the current Zoning Bylaw 12800 were negligible, the reference was simply updated to the Zoning Bylaw 12800 Section.

The 1993 DC2 Provision Appendices (Site Plan, Landscape Plan, Parking Plan and Elevations) remain the same, except the names have been updated with Area A being removed and the original Area B becoming the new Area A and the original Area C becoming the new Area B, etc.

Extensive effort has been made to ensure the proposed DC2 Provision is identical to the existing DC2 Provision in terms of development rights and requirements, with only administrative changes as described above.

**~~Strikethrough~~**: Proposed deletion from DC2 Provision

**Underline**: Proposed additions to DC2 Provision

### SCHEDULE “B”

#### (DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION

##### 1. General Purpose

To establish a Site Specific Development Control ~~District~~Provision to accommodate medium density residential developments in the form of low rise apartments that may also include a limited range of residential-related uses, with site specific development criteria designed to sensitively integrate and be compatible with the surrounding land uses and to achieve a high quality development appropriate for these sites, interior to a mature neighbourhood.

## 2. Area of Application

This ~~DC5 District~~DC2 Provision shall apply to ~~four~~three separate, but adjacent ~~sites~~Sites (designated Areas A, B, ~~C~~ and ~~DC~~ for descriptive purposes), located south of 109 Avenue, ~~between NW, at 135 and 139 Streets~~Street NW and east of 135 Street NW, between 109 Avenue NW and 109B ~~Avenues~~Avenue NW, North Glenora, as illustrated on Appendix I to this ~~District~~Provision.

Area A: Lot 41, Block ~~7~~, ~~Plan 3624 HW~~

~~Area B: Lot 41, Block 5~~, Plan 3624 HW

Area ~~CB~~: Lots 16, 17 and 18, Block 1, Plan 3751 HW, and

Area ~~DC~~: Lots 47, 48 and 49, Block 1, Plan 3751 ~~HSHW~~.

## 3. Uses

1. ~~Apartment~~Multi-unit Housing
2. ~~Offices in the Minor~~ Home Based Business
- ~~1. Homecrafts~~
3. Major Home Based Business
- ~~3.4.~~ Residential Sales Centre

## 4. Development Criteria

1. Development on these ~~sites~~Sites shall be substantially in accordance with the development criteria established herein, and the architectural and site design features illustrated in Appendix I appended to and forming part of this ~~redistricting bylaw~~Charter Bylaw.
2. The maximum ~~floor area ratio~~Floor Area Ratio shall not exceed 1.5.
3. The maximum number of ~~dwelling units~~Dwellings shall ~~not exceed 150~~be 114 at an overall ~~density~~Density of 123.8 ~~dwellings~~Dwellings/ha, distributed as follows:  
  
Area "A" - 36 units (127 ~~dwellings~~Dwellings/ha) ~~(51.4 dwellings/ae)~~;  
Area "B" - 36 units (~~127 dwellings~~120.6 Dwellings/ha) ~~(51.4 dwellings/ae)~~; and  
Area "C" - ~~36 units (120.6 dwellings/ha) (48.8 dwellings/ae)~~  
~~Area "D"~~ 42 units (121.0 ~~dwellings/ha) (49.0 dwellings/ae)~~Dwellings/ha.
4. The maximum ~~height~~Height shall not exceed 13 m ~~(42.6 ft.)~~ nor three ~~storeys~~Storeys. The maximum ~~height~~Height is determined from ~~grade~~Grade to the ridge of the roofline for the purpose of this ~~DC5~~DC2 project.
5. The maximum ~~site coverage~~Site Coverage shall not exceed 50%.

6. The site layouts and building orientations shall be in accordance with the site plan for Areas A, B, ~~C~~, and ~~DC~~; as illustrated in Appendix I appended to this ~~district~~Provision and the following regulation:
  - a. The minimum front ~~yard~~Setback shall be 6.0 m ~~(19.7 ft.)~~.
  - b. The minimum rear ~~yard~~Setback shall be 6.0 m ~~(19.7 ft.)~~.
  - c. The minimum side ~~yard~~Setback shall be 4.5 m ~~(14.7 ft.)~~.
  
7. Separation Space shall be provided in accordance with the following:
  - a. Except as provided elsewhere in this section, shall be contained fully within the Site of the proposed development.
  - b. The minimum Separation Space in front of any windows, entry or similar opening shall be applied along the full length and height of the exterior wall of the room in which the particular opening or window is located, and it shall be measured horizontally outward from, and at right angles to, that exterior wall.
  - c. Except as provided for elsewhere in this section, the specified Separation Space shall be free of buildings and public roadways.
  - d. For the purpose of this DC2 Provision, Privacy Zone shall mean an area within the minimum Separation Space which shall be free of buildings, public roadways, walkways, on-site roadways, communal parking areas and communal Amenity Areas.
  - ~~d.e.~~ The minimum separating distance between two Dwellings shall be equal to the sum of the minimum Separation Spaces for the opposite windows and openings, except as provided in Section 58 of the Edmonton Land Use Bylaw. 4.7(1) of this Provision and Section 4.7(q) of this Provision.
  
  - f. Notwithstanding these regulations, the Development Officer may require a lesser Separation Space where other design solutions offer equivalent daylight, sunlight, ventilation, quiet, visual privacy and views.
  - g. A required Separation Space may be provided wholly or partly within a required Yard.
  - h. In front of a Principal Living Room Window, a Separation Space, with a minimum depth of 7.5 m or half the height of any wall opposite the said Window, whichever is greater, to a maximum of 10.0 m shall be provided.
  - i. Where a Principal Living Room Window faces directly onto a local public roadway other than a lane, communal walkway, on-site communal

- roadway or communal parking area, communal Amenity Area or accessory building or structure, these facilities or activity areas may be located within the minimum Separation Space where a Privacy Zone of at least 4.5 m is provided. This Privacy Zone shall be measured from the window to the nearest edge of the specified activity area. For local public roadways, the Privacy Zone shall be measured from the Window to the edge of the sidewalk or to the space reserved for a future sidewalk.
- j. Where the sill of a Principal Living Room Window is at least 2.0 m above the elevation of the exterior area immediately outside the Window for a distance of at least 4.5 m out from the Window, no minimum Privacy Zone is required.
- k. In front of a required Habitable Room Window other than the Principal Living Room Window, a Separation Space, with a minimum depth of 5.0 m or half the height of any wall opposite the said Window, whichever is greater, to a maximum of 7.5 m shall be provided.
- l. Where a Habitable Room Window on a building of two storeys or less directly faces a Blank Wall of an adjacent building also of two storeys or less, the minimum separating distance may be reduced to 3.0 m.
- m. Where a Habitable Room Window faces onto a local public roadway other than a lane, communal walkway, on-site communal roadway or communal parking area, communal Amenity Area or accessory building or structure, these facilities or activity areas may be located within the minimum Separation Space where a Privacy Zone of at least 3.0 m is provided. This Privacy Zone shall be measured from the Window to the nearest edge of the specified activity area. For local public roadways, the Privacy Zone shall be measured from the Window to the edge of the sidewalk or to the space reserved for a future sidewalk.
- n. Where Habitable Room Windows face onto exterior corridors or access ways for Dwellings located above Grade, the Development Officer may vary the Privacy Zone requirements of Section 4.7(m) of this Provision.
- o. Where the sill of a Habitable Room Window is at least 2.0 m above the elevation of the exterior area immediately outside the Window for a distance of at least 3.0 m out from the Window, no minimum Privacy Zone is required.
- p. In front of a Non-habitable Room Window, a Non-required Habitable Room Window, an Entry or a Blank Wall, a Separation Space, with a minimum depth of 1.2 m plus 0.3 m for each additional storey above the first storey to a maximum of 3.0 m shall be provided.
- q. Where two Blank Walls face one another, the required minimum Separation Space shall be calculated from only one of the Blank Walls.

Where the two Blank Walls are of different heights, the Separation Space shall be calculated from the Blank Wall having the greater height.

7.8. Developments in this ~~District~~Provision shall be designed in accordance with the following architectural guidelines, to the satisfaction of the Development Officer:

- a. The architectural styles of the buildings shall be substantially in accordance with the buildings' elevations, mass and rooflines illustrated in Appendix I appended to this ~~District~~Provision;
- b. The roof will be sloped to establish a residential character with dormers and other architectural features to add visual interest to the development;
- c. The roofing material of the buildings shall consist of cedar shakes, clay tiles, concrete shingles or products of a similar material to provide texture to the roof surface. Roofs hidden from view, or behind parapet walls, may be clad with asphalt shingles or built up roofing material;
- d. All exterior building ~~façades~~Facades must be clad with harmonious exterior finishes which are attractive in appearance, durable, of high quality, consistent with the character of the existing neighbourhood, and which shall include brick on all elevations to the ~~height~~Height of a full storey at the main floor; and
- e. The building elevations shall be designed and finished in a manner that minimize the perceived mass of the development when viewed from the street and neighbouring properties, and shall incorporate a partial roof at the line of the second floor to divide the building into a one storey base and two upper levels to reduce the perceived ~~height~~Height of the building.

8.9. Notwithstanding ~~Section 54 of~~regulations for projections in the ~~Land Use~~Zoning Bylaw, architectural projections are allowed as follows:

- a. Projections of a maximum of 1.0 m ~~(3.3 ft.)~~ into the required ~~yards~~Setbacks may be allowed for eaves, overhangs and architectural features;
- b. A covered entrance, at the main floor only, may project into the ~~side yard~~Side Setback a maximum of 2.0 m ~~(6.6 ft.)~~;
- c. A balcony or patio may be allowed to project into a side ~~yard~~Setback or

~~separation space,~~ Separation Space a maximum of 2.0 m (6.6 ft.).

~~9.10.~~ The ~~site~~Site security and building lighting must be located and designed to ensure that the illumination is directed downward and does not project outward from the ~~site~~Site.

~~10.11.~~ All mechanical equipment located on the roof of any building shall be completely screened or incorporated into the attic space.

12. ~~Off~~Notwithstanding parking regulations in the Zoning Bylaw, off-street parking shall be provided in accordance with ~~Sec. 66 of the Land Use Bylaw~~the following to the satisfaction of the Development Officer, in consultation with Subdivision and Development Coordination (Transportation):

- a. Where the applicant for a Development Permit can demonstrate to the satisfaction of the Development Officer ~~and the City Engineer, through a demand study prepared and as follows:~~submitted with respect to the proposed development, that by virtue of the use, character, or location of the proposed development, and its relationship to public transit facilities and other available parking facilities, the parking requirement for the proposed development is less than any minimum or more than any maximum set out in this Provision, the Development Officer may allow a reduction from the minimum or an increase from the maximum in the number of parking spaces. The Development Officer shall submit the demand study to Subdivision and Development Coordination (Transportation) for analysis, and the proposed reduction or increase may be approved by the Development Officer only with the concurrence or conditional concurrence of Subdivision and Development Coordination (Transportation). In no case shall the resulting number of parking spaces be less than one per Dwelling in the case of Residential Uses.
- b. Resident parking shall be located wholly underground and shall be provided at a minimum of 1.0 ~~stall~~space per one bedroom ~~dwelling unit~~Dwelling, 1.5 ~~stall~~spaces per two bedroom ~~dwelling unit~~Dwelling, and 1.75 ~~stall~~spaces per three bedroom ~~dwelling unit~~Dwelling or larger; ~~and.~~
- c. Of the total number of parking spaces required, 1 ~~guest~~visitor parking space for every 7 ~~dwelling units~~Dwellings shall be readily available and

clearly identified as ~~guest~~visitor parking, to be located within the ~~rear yard setback abutting~~Rear Setback Abutting the ~~lane~~Lane, in a centralized location as illustrated in Appendix I. Visitor parking will be screened from the development with a combination of landscaped berms and planting.

- d. The Development Officer may accept tandem parking spaces of a number that is equivalent to the total required parking minus the total number of Dwellings and minus guest parking. Guest parking spaces shall not be in tandem.
- e. The number of bicycle parking spaces required shall be 5% of the number of off-street vehicular parking spaces required to a maximum of 50 bicycle parking spaces with 5 bicycle parking spaces being the minimum to be provided.
- f. Where the total number of parking spaces is determined by reference to a unit such as the floor area, the next higher number shall be required where the calculation results in a fractional number of parking spaces.
- g. The required parking spaces shall be wholly provided on the same site as the building.

~~11.13.~~ Vehicular access to the ~~underground parking area~~Underground Parkade will be restricted to 109 Avenue NW and 135 Street NW, as illustrated on the ~~site~~Site plans contained in Appendix I. Vehicular access to the ~~guest~~visitor parking area will be permitted from the ~~abutting lanes~~Abutting Lanes.

~~12.14.~~ ~~In addition to the parking restrictions of Section 55 of the Edmonton Land Use Bylaw in residential areas, no~~No recreational vehicles shall be parked at ~~grade~~ground level on the site.

~~13.15.~~ The development shall provide ~~amenity area~~a minimum Amenity Area of 7.5 m<sup>2</sup> (80.7 sq. ft.) per ~~Family-oriented dwelling unit or~~ any residential ~~unit~~Dwelling located on the main floor, for its use absolutely. Such areas shall be at ~~grade~~abutting~~Grade~~ Abutting the ~~dwelling unit~~Dwelling but screened with trees and hedges from adjacent views. Dwellings above the main floor will provide a minimum of 5.5 m<sup>2</sup> (~~60 ft.2~~) as private Amenity Space in the form of balconies. A sitting area of approximately 11.0 m<sup>2</sup> shall be provided at the main floor of each building.

14.16. Landscaping within the required ~~yards~~Setbacks shall include planting of mature coniferous and deciduous trees and shrubs to act as a buffer and reduce the perceived massing of the residential buildings. Mature deciduous trees shall be a minimum of 8.0 cm caliper and mature coniferous trees shall be a minimum of 3.0 m in height. ~~Notwithstanding these standards, landscaping within yards abutting lanes~~Setbacks Abutting Lanes at the rear of each site shall incorporate an intermittent 1.2 m high solid screen fence along the ~~property~~Lot line, and mature deciduous trees a minimum of 10 cm caliper and mature coniferous trees with a minimum height of 4.0 m, interspersed with evergreen shrubs, to act as a buffer against adjacent residential developments.

15.17. To ensure a high standard of appearance complementary to the buildings, and a sensitive transition to surrounding uses detailed landscaping plans for each Area shall be submitted to and approved by the Development Officer, prior to the approval of any building permits, with the exception of footings and foundations.

- a. these plans shall be substantially in accordance with the planting requirements illustrated in Appendix I, and shall include details of any decorative pavement, planters, fence, seating, pedestrian and security lighting, existing and proposed trees and shrubs, their species and size and soil depth and special provisions to facilitate plant growth for the entire project.
- b. the existing mature trees on site shall not be moved unless it is absolutely necessary to accommodate a building or structure, in which case they may be moved to another location on site.
- c. no boulevard trees shall be removed or relocated without the approval of the ~~Parks and Recreation Department~~Development Officer in consultation with Urban Forestry.

16.18. The Development Officer shall require, as a condition of approval, that the applicant provide an irrevocable letter of credit in the amount of 100% of the established ~~landscaping~~Landscaping costs for each Area, the conditions of the security being that:

- a. if the ~~landscaping~~Landscaping is not completed in accordance with the ~~provisions~~regulations of this ~~District~~Provision and the approved landscape plan(s) within one growing season after the completion of the

development, then the amount fixed shall be paid to the City for its use absolutely; and

- b. the Development Officer shall not release the letter of credit until an inspection of the site has demonstrated that the ~~landscaping~~Landscaping has been well maintained and is in a healthy condition two growing seasons after completion of the landscaping project.

~~17.19.~~ Signs shall be allowed in this district as provided for in accordance with Schedule ~~79B~~59B and in accordance with the general provisions of Section ~~79.1 to 79.9~~59 of the ~~Land Use~~Zoning Bylaw. Any building identification signs will be designed to be consistent with the style and detail of each building. Temporary freestanding real estate signage will be allowed during the marketing program of the development. No portable signs will be permitted whatsoever.

~~18.20.~~ No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within the required front ~~yard~~Setback and side ~~yards~~Setbacks. Guest parking and garbage containers shall be located in the rear ~~yard setback~~abuttingSetback ~~Abutting~~ the ~~lane~~Lane; they ~~will~~shall be screened from view from any adjacent ~~sites~~Sites and public roadways in accordance with the provision of Section ~~69.3~~55.4 of the ~~Land Use~~Zoning Bylaw.

~~1. Office in the Home shall be developed in accordance with the Section 84 of the Land Use Bylaw.~~

~~2. Home crafts shall be developed in accordance with Section 85 of the Land Use Bylaw, and~~

~~3. Residential Sales Centre shall be developed in accordance with Section 95 of the Land Use Bylaw.~~

~~4.1.~~ The Development Officer may grant relaxation to Sections ~~507~~940 to 61 of the ~~Land Use~~Zoning Bylaw and the ~~provisions~~regulations of this ~~district~~Provision, if in ~~his~~their opinion, such a variance would be in keeping with the ~~general~~purposeGeneral Purpose of this ~~District~~Provision and would not affect the amenities, use and enjoyment of neighbouring properties.

13803 - 109 Avenue NW  
LDA20-0388  
February 12, 2021

Edmonton

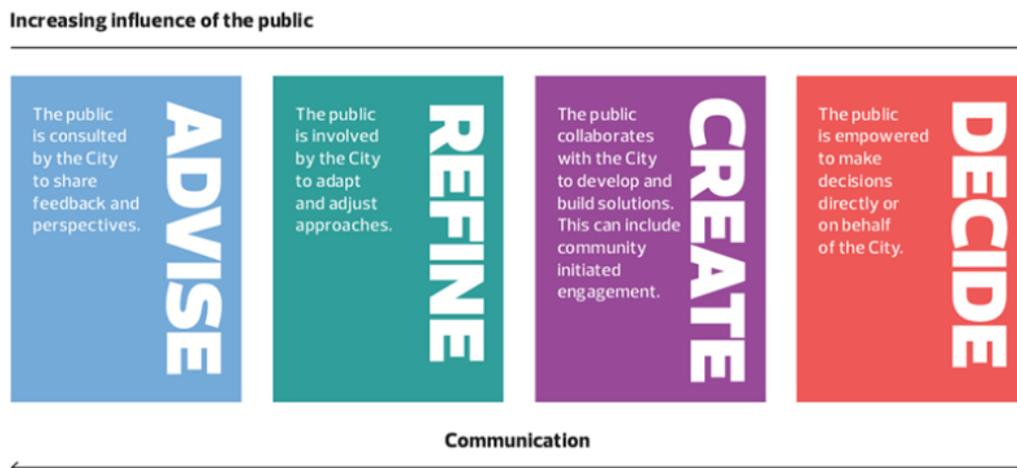
## ZONING COMPARISON DOCUMENT

An application has been made to rezone 13803 - 109 Avenue NW (Area A - Lot 41, Block 7, Plan 3624HW) from [\(DC2.307-A\) Site Specific Development Control Provision](#) to the [\(RA7\) Low Rise Apartment Zone](#). This document is intended to provide additional details about the differences between these two zones and what should be expected for the site if City Council approves the application.

### The City of Edmonton's Public Engagement Spectrum

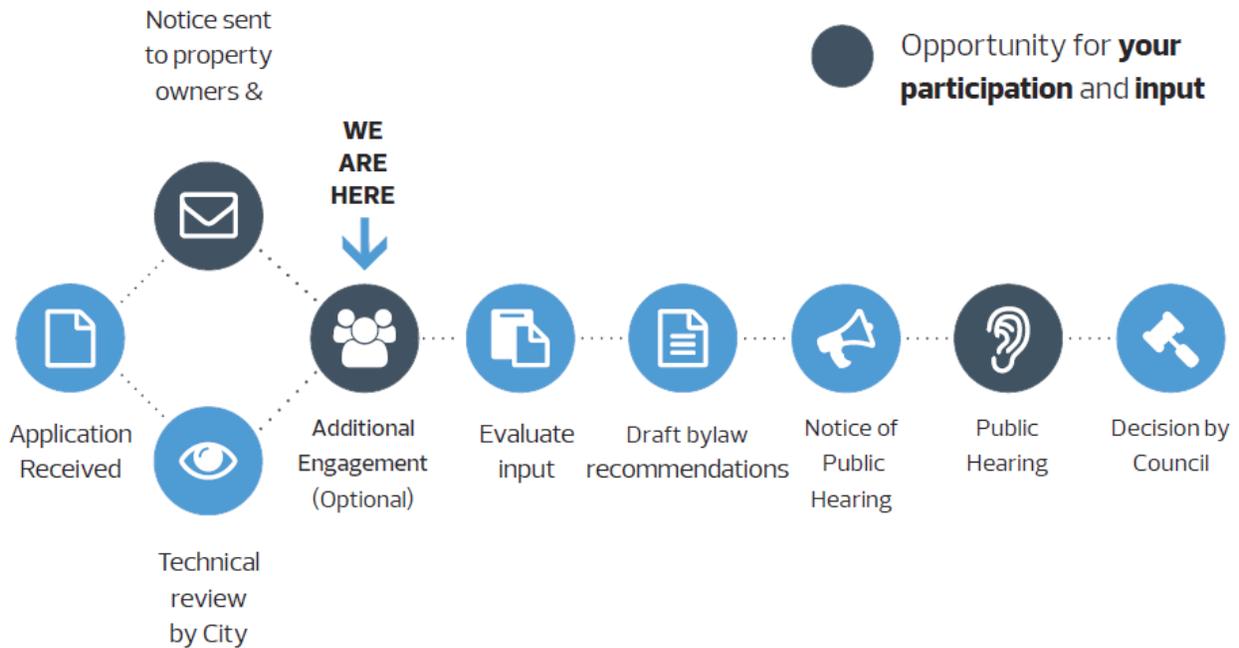
The [Public Engagement Spectrum](#) explains the 4 roles the public can have when they participate in City of Edmonton public engagement activities. As you move within the spectrum, there is an increasing level of public influence and commitment from the City and the public.

- **Advise:** The public is consulted by the City to share feedback and perspectives that are considered for policies, programs, projects, or services. **(Rezoning applications are within this category)**
- **Refine:** The public is involved by the City to adapt and adjust approaches to policies, programs, projects, or services.
- **Create:** The public collaborates with the City to develop and build solutions regarding policies, programs, projects, or services. This can include community initiated engagement.
- **Decide:** The public is empowered to make decisions directly or on behalf of the City about policies, programs, projects, or services.



Engagement for this rezoning application is within the “Advise” category, and the focus is on information sharing so that people are well-informed to participate in the future Public Hearing where Council makes a decision, and also for us to collect feedback so that we can inform Council about what we heard from nearby residents.

## Rezoning Process Chart



## North Glenora Patio Homes Zoning

The [current DC2 Provision](#) applies to this site, as well as 3 other nearby sites located at 13503 - 109 Avenue NW (Area B - Lot 41, Block 5, Plan 3624HW) and 10905 - 135 Street NW (Area C - Lots 16 - 18, Block 1, Plan 3751HW & Area D - Lots 47 - 49, Block 1, Plan 3751HW). While this application is only seeking a change in development rights on Area A (to [RA7](#)), technically, all 4 sites need to be rezoned to facilitate this. This is because the [current DC2.307](#) that applies to all 4 sites has to be amended to remove the reference to Area A (which would become [RA7](#)). When you see future Bylaws and maps for this application ahead of the Public Hearing, you will see reference to all 4 sites, but it is only Area A that would have anything change about the development rights for new construction through this application.

## Area A - Current Zoning

For Area A, the [current DC2.307-A Zone](#) allows for a 13 metre high (3 storey) low rise apartment with up to 36 dwellings. The exact zoning text can be found [here](#), with supporting visual appendices [here](#). The site plan and elevations for Area A are below.



## Area A - Proposed Zoning

Unlike the [current \(DC2\) Site Specific Development Control Provision](#), the proposed [\(RA7\) Low Rise Apartment Zone](#), referred to as a “standard zone”, does not include any building design or details. Instead, standard zones define parameters for the use of the land and the size and shape of buildings. Standard zones are applied to most properties within the City of Edmonton. With standard zoning, a landowner is then free to work within those parameters in designing their building at the Development Permit stage. A landowner can also apply for variances to these regulations at the Development Permit stage. When this is done, notices are mailed out to surrounding property owners and there is an opportunity to launch an appeal.

The proposed [RA7 Zone](#) would allow for a 16 metre high (approximately 4 storey) residential building with limited commercial opportunities at ground level, such as Child Care Services, General Retail Stores and Specialty Food Services.

## Open Option Parking

On June 23, 2020, City Council approved [Open Option Parking](#), which provides developers’ flexibility to choose the amount of on-site parking that they feel is appropriate for their projects. It’s important to note that open option parking doesn’t necessarily mean no parking. It is actually more likely to result in the “right amount” of parking as builders know their parking needs best and have an interest in ensuring they are meeting market demand for parking spaces.

Under the [current DC2 Provision](#), the developer has to follow the parking requirements that existed in 1993 when the DC2 Provision was approved, under the 1985 Land Use Bylaw 5996. Land Use Bylaw 5996 was repealed in 2001 when the current [Zoning Bylaw 12800](#) was approved, but the existing DC2 Provision was carried over into the new Zoning Bylaw. Under the proposed [RA7 Zone](#), the developer would be required to follow today’s version of the Zoning Bylaw, which now includes [Open Option Parking](#). This parking strategy already applies to all standard zones in the City, such as those that cover nearly all of North Glenora, including the existing [RA7 Zoning](#) along the north side of North Glenora Park.

The City recognizes that residents have concerns about on-street parking congestion. This pressure is not new. Even under the old rules, there were instances where parking for a new development was not sufficient or certain areas experienced a high rate of redevelopment that led to an increase in curbside parking

pressure. The City will continue to work with neighbourhoods, as we do now, to apply on-street parking management tools, such as paid parking and restricted parking, to manage on-street parking where needed in these instances.

In alignment with the Open Option Parking project, the City has embarked on a parallel project to review and modernize the City's public parking management approach. At the June 23, 2020 City Council Public Hearing, Administration was given direction to examine the impacts of how the opportunity of shared parking has affected communities in specific high-demand locations. This shared parking work and the review and modernization of the City's public parking management approach will be presented to the Urban Planning Committee in the first quarter of 2021.

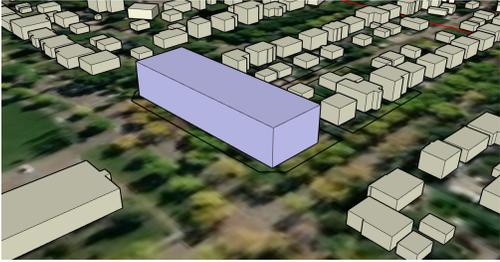
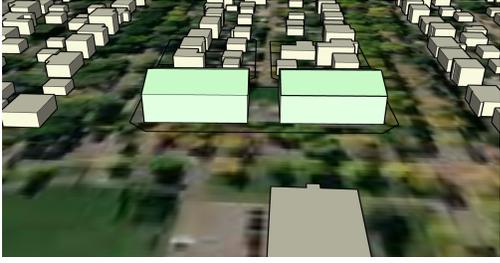
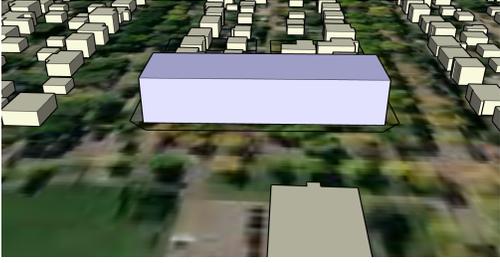
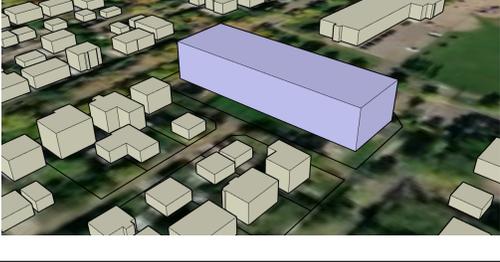
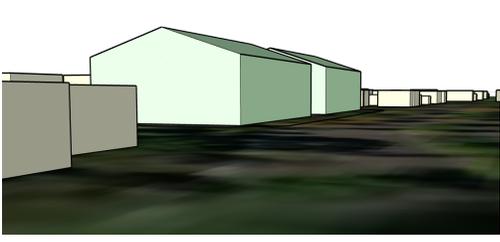
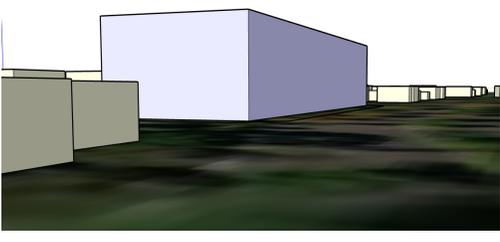
### Zoning Change Comparison Table

Feature	Current DC2 (307-A)	Proposed RA7
Height	13 m (3 storeys) - sloped roof	14.5 m - flat roof 16.0 m - sloped roof (approximately 4 storeys)
Floor Area Ratio <sup>1</sup>	1.5	2.3 - 2.5
Number of units	36	13 minimum, no maximum
Site Coverage	50%	N/A
North Setback	6.0 m	4.5 m
South Setback	6.0 m	7.5 m
West Setback	4.5 m	4.5 m
East Setback	4.5 m	4.5 m
Number of buildings	2	1
Space between buildings	Approximately 10.0 m	N/A
Parking	Approximately 59 spaces (all underground)	No spaces required (surface or underground)
Vehicle Access Locations	109 Avenue & 135 Street	Rear Lane

<sup>1</sup> - Definitions for more technical terms like this can be found online in [Section 6 of the Zoning Bylaw](#)

## Zoning Change Comparison Graphics

The graphics below are rough massing models of both the existing and proposed zones to get a visual sense of the differences. There are many required design details of both zones that are not shown.

	Current DC2.307-A	Proposed RA7
Looking Southeast		
Looking South		
Looking Northwest		
Ground level looking southwest		

## **RA7 Zone - Commercial Uses**

While the [RA7 Zone](#) allows for commercial uses, the following restrictions would apply:

- Commercial Uses shall not be located above the ground floor;
- the total Floor Area of each commercial premises shall not exceed 275 square metres; and
- these Uses shall not be permitted in any freestanding structure separate from a structure containing Residential Uses. Their principal entrance shall be a separate, outside entrance.

In addition, the actual types of commercial businesses allowed by the proposed [RA7 Zone](#) are limited and designed to be ones that are generally compatible with residential development such as coffee shops, small healthcare offices or retail stores and hair salons.

## **Developer's Stated Current Intent**

Understanding that within the [RA7 Zone](#), as a standard zone, the developer will be able to finalize decisions on the following items at the Development Permit stage, they have provided the following information as to what their current plans are for the site. It is important to note that if the zoning is approved, they would not be obligated to follow this intent exactly should things change for them later on.

- An entirely residential building, not currently contemplating any commercial uses.
- If the [RA7 Zone](#) is approved, they would seek the maximum build out of the [RA7 Zone](#), but no variances to it would be sought and it would be followed exactly.
- Number of units - Approximately 45
- Size of units - Approximately 50/50 split between 1 and 2 bedroom units
- Parking - Approximately 15 spaces total (see [Open Option Parking](#))

In addition, because the same developer owns all 4 Patio Home sites, they have shared their intent to redevelop all 4 over time. If the [RA7 Zone](#) is successful for Area A, they would likely seek this zoning on the other 3 sites as well. City Administration has advised the developer to deal with each of these sites separately. This is because each has its own unique surrounding context and land use impacts and there could be a situation where Administration or Council may want to support one site but not another. If they were all under one rezoning application, it wouldn't be possible to do this. Administration will ensure that City Council is aware of this broader intent when they are considering this specific rezoning.

## Useful Links

- [What is Zoning Booklet](#)
- [North Glenora Community Plan](#)
- [The City Plan](#)
- [Residential Infill Guidelines](#)
- [Zoning Bylaw Renewal Initiative](#)
- [Open Option Parking](#)

## Feedback

The information in this document is meant to inform you more fully of the proposed changes for this site. If you have already provided feedback and this information does not change anything about what you have previously stated, there is no need to provide your feedback again. However, if reading the above information has changed your opinion of this proposal (either more or less in support), please feel free to share your latest perspectives by contacting:

**Andrew McLellan, RPP, MCIP**

PLANNER II

DEVELOPMENT SERVICES | PLANNING COORDINATION

780-496-2939 OFFICE

780-401-7050 FAX

[andrew.mclellan@edmonton.ca](mailto:andrew.mclellan@edmonton.ca) EMAIL

Edmonton Tower

6th Floor, 10111-104 Avenue NW

Edmonton AB T5J 0J4

## APPLICATION SUMMARY

### INFORMATION

Application Type:	Rezoning
Charter Bylaw:	19660
Location (Proposed RA7):	Southeast corner of 109 Avenue NW & 139 Street NW
Address (Proposed RA7):	13803 - 109 Avenue NW
Legal Description (Proposed RA7):	Lot 41, Block 7, Plan 3624HW
Site Area (Proposed RA7):	2,845.8 m <sup>2</sup>
Neighbourhood:	North Glenora
Notified Community Organization:	North Glenora Community League
Applicant:	Der & Associates Architecture Ltd.

### PLANNING FRAMEWORK (Proposed RA7 Site)

Current Zone:	(DC2.307-A) Site Specific Development Control Provision
Proposed Zone:	(RA7) Low Rise Apartment Zone
Plan in Effect:	North Glenora Community Plan
Historic Status:	None

Written By:	Andrew McLellan
Approved By:	Tim Ford
Branch:	Development Services
Section:	Planning Coordination