



Legislation Text

File #: BL-18-065, **Version:** 1

Bylaw 16/2018 - Erin Ridge North Area Structure Plan Amendment (1st Reading) and Bylaw 41/2018 - 130 Element Drive North Redistricting (1st Reading)

Presented by: Tracy Tsui, Planner

RECOMMENDATION(S)

1. That Bylaw 16/2018, being amendment 7 to Erin Ridge North Area Structure Plan Bylaw 33/2009, be read a first time.
2. That Bylaw 16/2018 be referred to the Edmonton Metropolitan Region Board (EMRB) for a decision.
3. That Bylaw 41/2018, being amendment 164 to Land Use Bylaw 9/2005, be read a first time.
4. That the public hearing for Bylaw 16/2018 be scheduled on February 25, 2019.
5. That the public hearing for Bylaw 41/2018 be scheduled on February 25, 2019.

PURPOSE OF REPORT

The purpose of this report is to outline the proposed amendments to Erin Ridge North Area Structure Plan (ASP) and to Schedule A of the Land Use Bylaw 9/2005. The Erin Ridge North ASP amendment requires a referral to the Edmonton Metropolitan Region Board (EMRB). Once there is a decision from the EMRB on the ASP, Council's decision as per the requirement of the Municipal Government Act (MGA) can occur. Both of the proposed amendments require a public hearing, as well as the approval of Council.

ALIGNMENT TO COUNCIL STRATEGIC PRIORITY

N/A

ALIGNMENT TO ADMINISTRATIVE PRIORITY

N/A

ALIGNMENT TO SERVICE DELIVERY

Land Use Planning

Service Name:

Current Planning Application Processing

Service Definition:

Processing and coordination of the approval of statutory plans and amendments, subdivision and condominiums applications.

Service Component:

Statutory Plans Amendments

COUNCIL DIRECTION

N/A

BACKGROUND AND DISCUSSION

Invistec Consulting Ltd., on behalf of Landrex Ventures (2106844 Alberta Ltd.), submitted the following applications:

- **Erin Ridge North Area Structure Plan Amendment:** To change the designation of the lands at 130 Element Drive North from Medium/High Density Residential to Medium Density Residential.
- **Redistricting:** To redistrict 130 Element Drive North from Medium/High Density Residential (R4) District to Medium Density Residential (R3A) District.

The legal description of the subject area is Plan 172 0358, Block 1, Lot 3, and the municipal address is 130 Element Drive North. The area of the site is 1.63 hectares \pm (4.03 acres \pm). Access to the subject area will be from Element Drive North. Please refer to the attachment entitled: *Location Map*.

The Municipal Development Plan (MDP) shows the subject area designated as Residential. The proposed amendments are in keeping with the MDP.

History

A Development Permit (DP) was approved for 57 townhouse units at 130 Element Drive North on March 19, 2018. The review and approval of this DP was based on the Land Use Bylaw that was consolidated by Bylaw 27/2017. The Land Use Bylaw was later consolidated by Bylaw 2/2018, where the residential sections of the Land Use Bylaw had significant changes approved. Prior to Bylaw 2/2018, the Land Use Bylaw allowed the subject Medium/High Density Residential (R4) site to develop townhouses under the density regulations for the Medium Density Residential (R3A) District. Section 8.25 (16) stated, "townhousing development in an R4 District shall comply with requirements for development in the R3A District". The 57-unit townhouse provided a site density of 35 dwelling units per hectare, which met the R3A requirement.

Subsequent to the DP being approved, the developer proposed to increase the number of townhouse units from 57 to 70, an increase of 13 townhouse units. This would provide a site density of 43

dwelling units per hectare. However, with the new Land Use Bylaw regulations for the residential districts, Bylaw 2/2018, the Medium/High Density Residential (R4) District must now meet the density of 94 dwelling units per hectare. There is also no longer the option to refer to a lower density residential district for townhousing requirements.

The Medium Density Residential (R3A) District requires a density of 40 to 94 dwelling units per hectare, and this district can accommodate the development of 70 townhouse units at 130 Element Drive North.

Erin Ridge North ASP Amendment

The proposed redistricting of 130 Element Drive North from Medium/High Density Residential (R4) to Medium Density Residential (R3A), requires an amendment to the Erin Ridge North ASP to change the designation of lands from Medium/High Density Residential to Medium Density Residential. Amendments to the Erin Ridge North ASP include minor text amendments to adjust the residential statistics and maps.

Regarding residential statistics, the Erin Ridge North ASP anticipated 226 dwelling units for the Medium/High Density Residential (R4) site. However, the DP issued for 57 townhouse units under Bylaw 27/2017, and the proposed 70-unit townhouse under Bylaw 2/2018, does not meet this potential. Changes to the text and residential statistics within the Erin Ridge North ASP are therefore required.

Please refer to the attachments entitled: *Bylaw 16/2018, Schedule A Erin Ridge North ASP - Tracked Changes, and Schedule A Erin Ridge North - Clean.*

The Erin Ridge North ASP was approved under the *Capital Region Board's Growth Plan 2009*, and *Municipal Development Plan (Policy 4.11)*, which states that the overall residential density in a neighbourhood must meet a minimum of 30 dwelling units per hectare. The approved 57-unit townhouse and proposed 70-unit townhouse provides a density of 33 and 34 dwelling units per hectare, respectively, in the overall neighbourhood.

Redistricting

The proposal is to amend Schedule A of the Land Use Bylaw by changing 130 Element Drive North from Medium/High Density Residential (R4) to Medium Density Residential (R3A), to allow a 70-unit townhouse development. Please refer to the attachment entitled: *Bylaw 41/2018.*

Edmonton Metropolitan Region Board (EMRB) Referral

Processing of the ASP amendment application requires a referral to the EMRB according to Section 4.2 (g) and (j) of the EMRB's Regional Evaluation Framework (REF) 2.0 document:

(g) The proposed statutory plan amendment results in a decrease of the planned density of the statutory plan area.

- The proposed statutory plan amendment is from 38 dwelling units per net residential hectare to 34 dwelling units per net residential hectare, which is a decrease of four (4) dwelling unit per net

residential hectare for the statutory plan for Erin Ridge North.

(j) The plan area of the proposed amendment to the statutory plan includes a Park and Ride or Planned LRT line or the boundaries of the proposed amendment to the statutory plan are within 0.8 km of a Parkand Ride or planned LRT line as identified on Scheudle 10B:Transporation Systems - REgiuonal transit and Trails to 2044 in the Edmonton Metropolitan Region Growth Plan.

- A portion of the amendment area is within the LRT Corridor 0.8 km buffer. Please refer to the attachment entitled: LRT Buffer Map.

The application must be referred to the EMRB after Council's first reading of Bylaw 16/2018 and before third reading. As such, the application will be circulated to EMRB after first reading, and before the public hearing, second reading, and third reading. EMRB's review of the application, including the appeal period, will require approximately ten (10) weeks.

STAKEHOLDER COMMUNICATIONS OR ENGAGEMENT

The proposed amendments were circulated on August 8, 2018 to internal departments, external referral agencies, and property owners within a 100-metre radius. There were no objections.

The public hearing is scheduled for February 25, 2019. Notice of the public hearing will be provided through the City website and to property owners within a 100-metre radius of the subject area; posting of the agenda report on the City website will be on February 8, 2019; and Citylights advertisements will be posted on February 9 and 16, 2019.

IMPLICATIONS OF RECOMMENDATION(S)

Financial:

None at this time.

Legal / Risk:

None at this time.

Program or Service:

None at this time.

Organizational:

The approval of the amendment applications within this agenda report will have immediate impact on the Planning and Development Department as a Development Permit application will have to be reviewed. Other various departments may also need to conduct inspections and be involved in meetings with the developer or consultants.

ALTERNATIVES AND IMPLICATIONS CONSIDERED

If Council does not wish to support the recommendation, the following alternative could be considered:

Defeat first reading of Bylaw 16/2018 and Bylaw 41/2018, which will have the following implications:

- The ASP amendment application will not be referred to the EMRB.
- The applicant cannot reapply within six months on this site for an ASP amendment or redistricting.
- The proposed residential development for a 70-unit townhouse will miss the 2019 building season.
- The applicant may still proceed with the approved Development Permit for a 57-unit townhouse.

Report Date: December 3, 2018

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Committee/Department: Infrastructure & Development Services

Deputy Chief Administrative Officer/Chief People Officer: Michelle Bonnici

Chief Administrative Officer: Kevin Scoble