

**Amendment to the Clareview Town Centre
Neighbourhood Area Structure Plan**



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Table of Contents

1.0 INTRODUCTION	2
1.1 PLANNING & DEVELOPMENT HISTORY.....	2
1.1.1 Clareview Town Centre Neighbourhood Area Structure Plan	2
1.2 AMENDMENT LOCATION	3
2.0 AMENDMENT	5
2.1 AMENDMENT SUMMARY	5
2.2 RAILWAY COMPANY RIGHT-OF-WAY	5
2.2.1 Amendment Rationale	5
3.0 PROPOSED AMENDMENT TO THE CLAREVIEW TOWN CENTRE NASP	5
4.0 TEXT AMENDMENT TO THE CLAREVIEW TOWN CENTRE NASP	5
APPENDIX A –AMENDED NASP FIGURES	7

1.0 Introduction

This amendment report has been prepared by Stantec Consulting Ltd. on behalf of Cameron Development Corporation. This application proposes to amend the Clareview Town Centre Neighbourhood Area Structure Plan (NASP) text.

The preparation of this amendment has been guided by existing City of Edmonton and Capital Region Board plans and policies, as well as relevant Provincial and Federal statutes and regulations.

1.1 Planning & Development History

1.1.1 Clareview Town Centre Neighbourhood Area Structure Plan

The Clareview Town Centre NASP was originally adopted by Council in June 1980. The following amendments have been made to the ASP to date:

- Bylaw 6075 Approved June 25, 1980 (to adopt the Clareview Town Centre NASP).
- Bylaw 9841 Approved July 16, 1991 (Replace Appendix A and B with Appendix A)
- Bylaw 12858 Approved August 21, 2001 (Expand Transit Centre)
- Bylaw 12904 Approved November 27, 2001 (Expand Shopping Centre)
- Bylaw 13207 Approved November 6, 2002 (Replace Low Density Multiple with Low Rise Apartment and Low Density Residential)
- Bylaw 13254 Approved January 22, 2003 (Replace portion of Shopping Centre with Medium Rise Apartment)
- Bylaw 13318 Approved July 10, 2003 (Designate Northeast portion as Special Area)
- Bylaw 13630 Approved March 23, 2004 (Replace General Business and Highway Commercial with Medium Rise Apartment)
- Bylaw 13721 Approved May 11, 2004 (Replace Clareview Town Centre NASP map – administrative changes)
- Bylaw 14459 Approved January 23, 2007 (Replace General Business and Highway Commercial with Low Rise Apartments, Row Housing, Neighbourhood Commercial, and Park)
- Bylaw 15507 Approved July 19, 2010 (To ensure the Clareview Town Centre NASP is consistent with the policies of the Capital Region Growth Plan: Growing Forward and The Way We Move: Transportation Master Plan, and to allow

the opportunity for Row Housing to be developed onto sites fronting onto 144 Avenue)

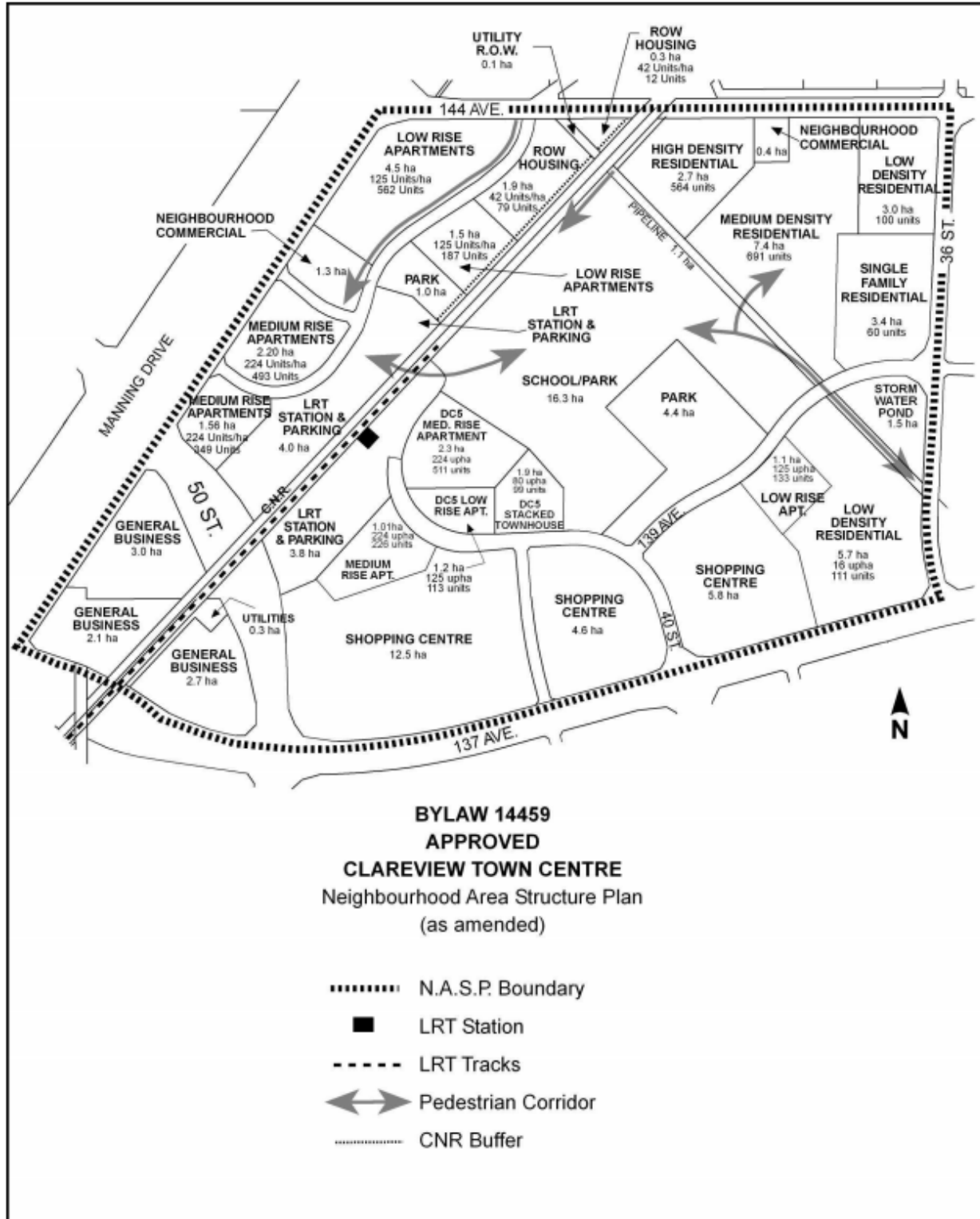
1.2 Amendment Location

The Clareview Town Centre NASP (**Figure 1**) comprises approximately 120 hectares and is bound by the following:

- **Northern Boundary** – 144 Avenue
- **Eastern Boundary** – 36 Street
- **Southern Boundary** – 137 Avenue
- **Western Boundary** – Manning Drive

The proposed amendment affects the land within the central portion of the Clareview Town Centre adjacent to the Railway Company right-of-way.

Figure 1: Clareview Town Centre NASP Land Use Concept



2.0 Amendment

2.1 Amendment Summary

The proposed amendment deals with a portion of the Clareview Town Centre NASP adjacent to the Railway Company right-of-way. The amendment proposes to remove reference to the transfer of ownership of the land adjacent to the Railway Company right-of-way from the private landowner to the Railway Company.

2.2 Railway Company Right-of-way

A berm and fence is to be constructed as indicated in the Clareview Town Centre NASP, adjacent to the Railway Company right-of-way. The proposed amendment removes text directing that ownership of the portion of the berm east of the fence be transferred from the private landowner to the Railway Company after construction is complete.

2.2.1 Amendment Rationale

The Railway Company has indicated that they do not intend to take ownership of this land.

3.0 Proposed Amendment to the Clareview Town Centre NASP

The Clareview Town Centre NASP (Bylaw 6075) is hereby amended by incorporating the following changes to the NASP:

- a) substituting "Exhibit 1.0 – Proposed Residential Building Setback / Buffering Adjacent to Railway" with the figure enclosed herein as "Exhibit 1.0 – Proposed Residential Building Setback / Buffering Adjacent to Railway" in Appendix A – Amended NASP Figures

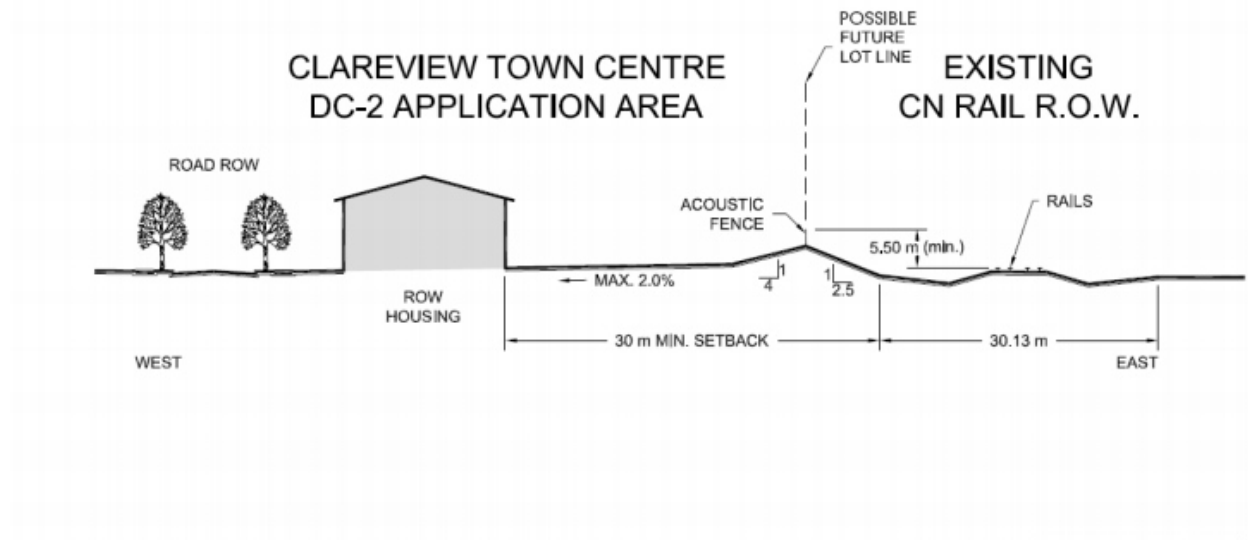
4.0 Text Amendment to the Clareview Town Centre NASP

Section	Amendment
4.3.2 Town Centre Institution and Open Space Uses	Remove the following from seventh paragraph: Upon construction of the berm and fence, ownership of the land on the side of the fence adjacent to the existing Railway Company's right-of-way will be transferred to Railway Company and consolidated with the Railway Company's right-of-way. Any proposed alterations to the existing drainage pattern affecting Railway property must receive prior concurrence from the Railway and be substantiated by a drainage report to the satisfaction of the Railway. An agreement would be entered into

	<p>between the developer and Railway Company to provide stormwater management on the east side of the berm next to the railway tracks.</p>
<p>4.3.3 Town Centre Residential Uses</p>	<p>Remove the following from the tenth paragraph:</p> <p>Upon construction of the berm and fence, ownership of the land on the side of the fence adjacent to the existing rail right of way will be transferred to Railway Company and consolidated with the railway right of way. An agreement would be entered into between the developer and Railway Company to provide stormwater management on the east side of the berm next to the railway tracks.</p> <p>Remove the following from the eleventh paragraph:</p> <p>Private property lines extend to the top of the berm and †The rear yards of houses back on to the buffer, providing opportunities for natural observation and access control in this area.</p>

Appendix A –Amended NASP Figures

Exhibit 1.0



Appendix II
**Building Setback / Railway
Buffer Cross Section**
Clareview Town Centre