



# ADMINISTRATION REPORT REZONING, PLAN AMENDMENT GARNEAU

## 11049 & 11053 - 83 Avenue NW

To allow for medium rise Multi-unit Housing.



**Recommendation:** That Bylaw 19750 to amend the Garneau Area Redevelopment Plan and Charter Bylaw 19751 to amend the Zoning Bylaw from the (RA9) High Rise Apartment Zone with the High Rise Residential Overlay to the (RA8) Medium Rise Apartment Zone be **APPROVED**.

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

- the differences between the current and proposed zones are not significant relative to the surrounding context; and
- the proposed RA8 Zone complies with the land use objectives of the Garneau Area Redevelopment Plan and better conforms with direction from The City Plan.

## Report Summary

This rezoning application was submitted by the City of Edmonton on March 9, 2021 with an intent to develop Supportive Housing at this location. This application proposes to change the designation of two lots from the (RA9) High Rise Apartment Zone with High Rise Residential Overlay to the (RA8) Medium Rise Apartment Zone. While the development rights of both zones are similar, the RA8 Zone allows for a mid-rise multi-unit housing development with more flexibility for designing a future building than is found in the RA9 Zone.

The rezoning would lead to the isolation of a single lot that would be difficult to develop under its existing zoning without significant variances, but the rezoning complies with the land use objectives of the Garneau Area Redevelopment Plan and the proposed RA8 Zone meets the desired development intensity directed by The City Plan, while the current RA9 Zone would not.

## The Application

1. BYLAW 19750 to amend the Garneau Area Redevelopment Plan to update three maps to reflect the rezoning proposed by Charter Bylaw 19751. The maps to be updated are:
  - Schedule C - General Land Uses
    - Update to reflect proposed rezoning (hatch rezoning site as for Medium rise apartments).
    - Administrative update to the land use designation shown for 3 other sites where zoning changes have already been approved by City Council, but where this plan map was not updated at the time.
  - Schedule I - Detailed Land Use Sub Area 1
    - Update to reflect proposed rezoning (hatch rezoning site as for Medium Rise Apartment).
    - Administrative update to the land use designation shown for 2 other sites where zoning changes have already been approved by City Council, but where this plan map was not updated at the time.
  - Schedule Q - Proposed Zoning - Update zoning from RA9 to RA8 for rezoning site.
2. CHARTER BYLAW 19751 to amend the Zoning Bylaw from the (RA9) High Rise Apartment Zone with the High Rise Residential Overlay to the (RA8) Medium Rise Apartment Zone.

The proposed RA8 Zone would allow for a 23 metre high building (approximately 6 storeys) intended for residential uses such as Multi-unit Housing, Lodging Houses and Supportive Housing as well as limited commercial opportunities at ground level, such as Child Care Services, Convenience Retail Stores and Specialty Food Services. This application is an initiative of the City of Edmonton and there is currently an intent to develop Supportive Housing at this location.

## Site and Surrounding Area

The site is located on the southeast corner of 83 Avenue NW and 111 Street NW, within walking distance of the University of Alberta education and healthcare campuses. Both 82 (Whyte) Avenue NW and 112 Street NW, each a block away to the south and west respectively, carry Frequent Bus Routes and the Health Sciences/Jubilee LRT Station is approximately 530 metres away. The site is directly on the 83 Avenue NW On-Street Protected Bike Lane and with the completion of the Building Great Neighborhoods - Garneau Project in 2023, this bike lane will continue northbound on 111 Street NW from 83 Avenue NW.



AERIAL VIEW OF APPLICATION AREA

	EXISTING ZONING	CURRENT USE
<b>SUBJECT SITE</b>	(RA9) High Rise Apartment Zone with High Rise Residential Overlay	Vacant Land
<b>CONTEXT</b>		
North	(DC1) Direct Development Control Provision - Special Character Residential Area	Single Detached Houses
East	(RA9) High Rise Apartment Zone with High Rise Residential Overlay	Single Detached House & 5 Storey Multi-unit Housing Building
South	(CO) Commercial Office Zone	5 Storey Commercial Building
West	(DC2.732) Site Specific Development Control Provision	High Rise Mixed-Use Towers



VIEW OF SITE LOOKING SOUTHWEST



VIEW OF SITE LOOKING NORTHEAST

## Planning Analysis

### LAND USE COMPATIBILITY

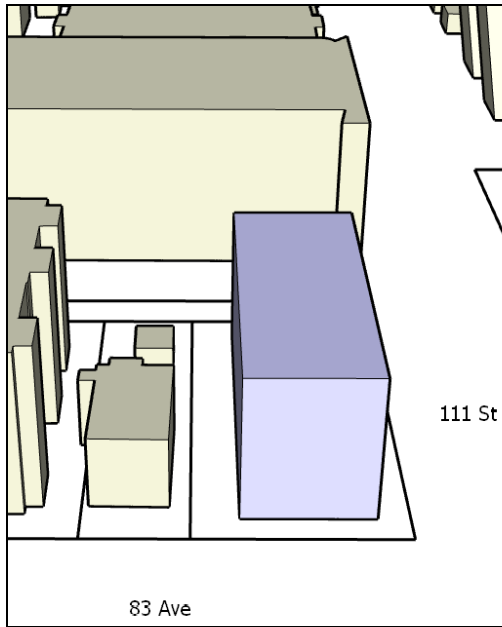
Both the current and proposed zones are considered compatible with the surrounding land uses, most of which are high intensity residential and commercial buildings.

Across the avenue to the north is a "Special Character Residential Area" under a (DC1) Direct Development Control Provision to ensure the preservation of homes and sensitive architectural treatment of new development in this area. The majority of the block on the south side of 83 Avenue NW is already made up of existing mid-rise and high-rise buildings, and both the current and proposed zones are considered compatible with this Special Character Residential Area, as the site is separated from it by a 20.0 m wide roadway.

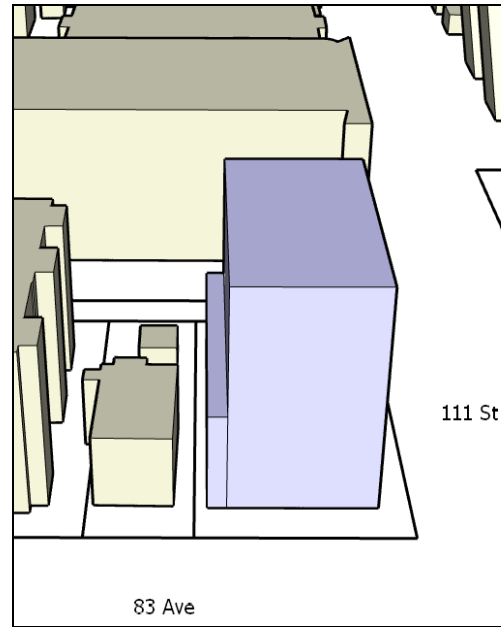
If this site is rezoned to RA8, it will be the only site with this zoning on the south side of this block where the rest of the properties are zoned RA9. The RA8 and RA9 zones are considered compatible with each other and are compared in the table below. Due to the site size, the RA8 Zone actually allows for a greater development intensity than the RA9 Zone where buildings taller than 15 metres are only allowed on sites over 1800 m<sup>2</sup>.

	<b>RA9 Zone + HRO</b> <i>Current</i>	<b>RA8</b> <i>Proposed</i>
<b>Maximum Height</b>	15.0 - 17.5 m	23.0 m
<b>Maximum Floor Area Ratio (FAR)</b>	2.3 - 3.2	3.0 - 3.3
<b>Maximum Density</b>	10-23 Dwellings	No Max (Minimum 6 Dwellings)
<b>Minimum Setbacks</b>		
<b>North</b>	3.0 m	4.5 m
<b>West</b>	3.0 m	3.0 m
<b>South</b>	3.0 m	7.5 m
<b>East</b>	4.5 m	1.2 - 3.0 m

The adjacent house to the east would be isolated by redevelopment of these two lots (see Isolation section below for further details). If redevelopment were to occur on these two lots, the current RA9 Zone would require a more sensitive lateral transition to the house than the proposed RA8 Zone, with a lower height and a greater interior side setback. The proposed RA8 Zone would require greater front and rear setbacks. However, considering the zoning for the house is RA9 and this zone doesn't allow Single Detached Housing as a Permitted or Discretionary Use, this is not a situation where the transition needs to have the same sensitivity as when RA8 or RA9 is abutting a zone intended for Single Detached Housing.



POTENTIAL RA9 BUILT FORM



POTENTIAL RA8 BUILT FORM

## USES

While the RA9 Zone contains limited commercial uses similar to those found in the RA8 Zone, there are restrictions on them in the Zone itself and in the High Rise Residential Overlay. The most applicable of which is that they would need to be in a tower development of at least 35.0 m in height and abutting an arterial roadway, which is not possible here due to the site size as explained in the previous section. The change to the RA8 Zone would therefore introduce more commercial opportunities than the RA9 Zone currently allows, but with the following restrictions:

- Commercial uses shall not be located above the ground floor;
- the total floor area of each commercial premises not fronting an arterial road shall not exceed 275 m<sup>2</sup>;
- these uses shall not be permitted in any freestanding structure separate from a structure containing residential uses. The principal entrance to these uses shall be a separate, outside entrance.

Commercial uses that would be permitted (under the above restrictions) in the proposed RA8 Zone, but not possible under the current RA9 Zone with the High Rise Residential Overlay, are:

- Convenience Retail Stores
- General Retail Stores
- Professional, Financial and Office Support Services
- Specialty Food Services

Because of the restrictions to the location and scale of these uses, they are considered compatible with residential development. Moreover, because the General Purpose and Regulations of both zones require new development to be primarily residential, Administration does not view this zoning change as an introduction of commercial development.

## **ISOLATION**

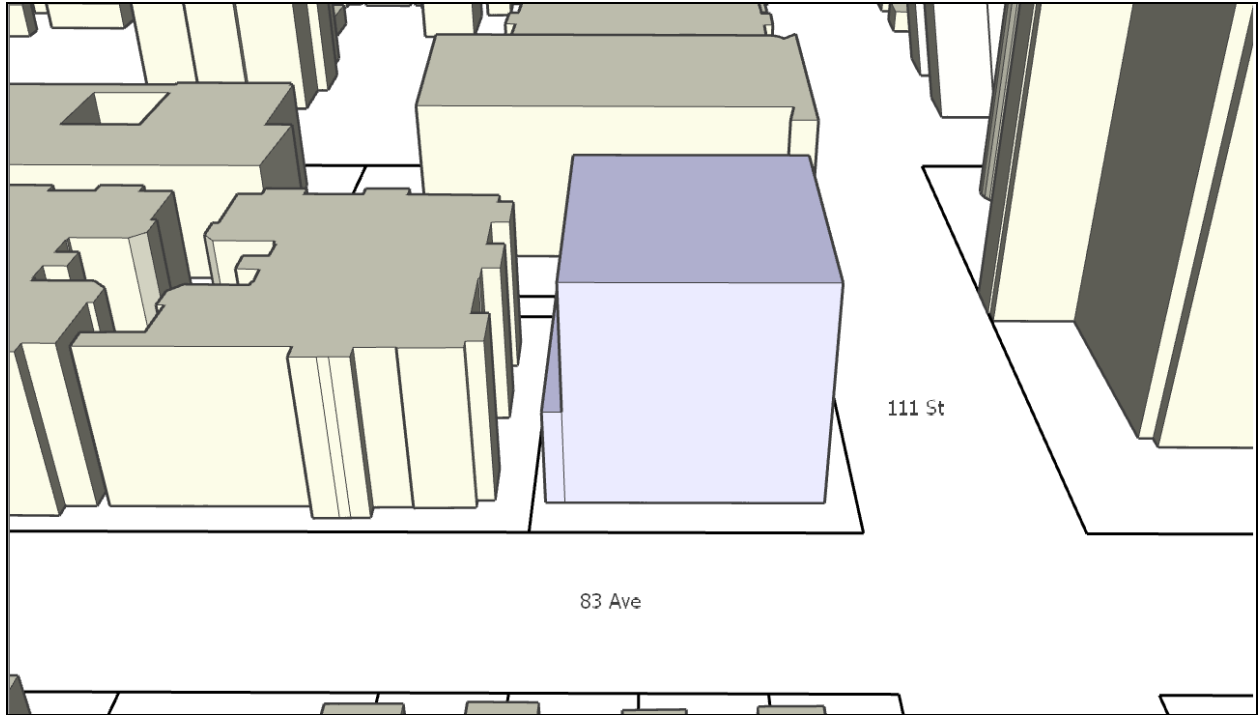
The current High Rise Residential Overlay contains an isolation clause that would restrict redevelopment of the site under the current RA9 zoning:

*3. Isolating sites:*

- i. A proposed development for Residential Uses or residential-related Uses shall not isolate an adjacent Site with a Site Area less than 1800 m<sup>2</sup>.*
- ii. The Development Officer may vary section 813.3.2(a) having regarding [sic] to the location, age and nature of the Use or Uses on the Site that would be isolated.*

There is currently one lot with a site area of 404.88 m<sup>2</sup> to the east of the rezoning site containing a Single Detached House that would be isolated between new development on this site and an existing 5 storey residential building to the east of it, all within the same zoning. A variance would need to be sought as per the second clause of the regulation to allow redevelopment under the current zoning.

The High Rise Residential Overlay doesn't apply to the proposed RA8 Zone, so this clause would not apply if this rezoning is approved and this single lot could effectively be isolated without the need for a variance to be considered. While this would technically be allowed, it is not an ideal outcome for these 3 lots relative to efficient use of land in an infill context at a location where increased development intensity is directed by policy (see sections on the Garneau ARP and The City Plan below). It would be preferred that all 3 lots be redeveloped together and not have a single lot isolated, as shown below using the proposed RA8 Zone.



THREE LOT RA8 BUILT FORM

Isolation clauses, along with minimum site areas, used to be found within certain residential zones, prior to 2018 and 2019. Their purpose was to encourage the consolidation of lots by granting more development rights for larger sites, but this had been shown to be ineffective at encouraging lot consolidation and, combined with the ability to appeal, was seen to be a substantial barrier to development. As such, they were taken out of the RA9 Zone in 2018 and the RA7 and RA8 Zones in 2019.

When the RA9 Zone and High Rise Residential Overlay were significantly revised in 2018, the isolation clause was intentionally moved from the RA9 Zone to the Overlay and the referenced site size was increased from 800 m<sup>2</sup> to 1800m<sup>2</sup> to reflect the deletion of low density residential uses from the RA9 Zone, as well as the general size requirement to build an efficient high rise development. The variance allowance was also moved from the RA9 zone to the overlay at the time.

Even if isolated, the single lot would still have redevelopment potential to a greater intensity than a Single Detached House, though this would likely either require a rezoning and/or variances being granted. The revisions to the RA9 Zone in 2018 specifically made it more difficult to build lower scale buildings within the zone as a means of encouraging the more intense form of development for which the zone is intended. There are at least five examples of single lot 3-5 dwelling Multi-unit Housing developments built in this area of Garneau in recent years, though most required variances and involvement of the Subdivision and Development Appeal Board.



Address	Site Size (m <sup>2</sup> )	Number of Dwellings	Zone	Year Built
11041 - 84 Avenue NW	404.119	3	DC1 (Special Character Residential Area)	2015
11039 - 84 Avenue NW	404.148	3	DC1 (Special Character Residential Area)	2017
10823 - 83 Avenue NW	404.432	5	RA7	2017
11131 - 85 Avenue NW	404.429	3	RA9 + HRO	2019
10825 - 83 Avenue NW	404.439	5	RA7	Under Construction



11131 - 85 AVENUE NW  
RA9 + HRO  
3 DWELLINGS



11039 - 84 AVENUE NW  
DC1  
3 DWELLINGS



10823 - 83 AVENUE NW  
RA7  
5 DWELLINGS

Independent of the outcome of this rezoning application, the adjacent landowner would still face the same difficulties for redeveloping their single lot under the current RA9 zoning, so this is not a hardship introduced by this rezoning.

## **THE CITY PLAN**

In The City Plan, the University-Garneau area is identified as one of six Major Nodes strategically located across the city. While there are no specific boundaries identified for these Major Nodes, they are considered to be up to 2 kilometres across. This site, being just 1-2 blocks from the University of Alberta Hospital and under 600 metres from the Health Science/Jubilee LRT Station, is considered within this Major Node. In addition, Whyte Avenue, one block to the south, is considered a Primary Corridor, which can be 3-5 blocks wide.

Both the location within the Major Node and the proximity to a Primary Corridor suggest this site is appropriate for mid-rise or high-rise development. Due to the site size of 809.82 m<sup>2</sup>, it is very unlikely that a high-rise tower could be fit here, and due to the proximity to the low density "Special Character Residential Area", a mid-rise is the best option for this land. The low-rise (4 storey) scale allowed by the current RA9 Zone is lower than what should be built here relative to this direction.

If the adjacent isolated lot to the east were added to the redevelopment site, the site size would be 1214.70 m<sup>2</sup>. This could potentially be considered just big enough to accommodate a high-rise tower but, even then, this would come with significant challenges, especially in ensuring a proper transition to the residential street. A very unique, slim, tower design would be required and it would have to be undertaken through a (DC2) Site Specific Development Control Provision as the current RA9 Zone only allows for towers when the site size is over 1800 m<sup>2</sup>.

## **GARNEAU AREA REDEVELOPMENT PLAN**

The Garneau Area Redevelopment Plan (ARP) is the statutory plan that applies to this site. This site is within Sub Area 1 of the ARP where the land use objectives are:

- To preserve existing single detached housing that is in good condition;
- To accommodate the demand for housing; and
- To encourage a mix of unit types including family oriented housing.

As a vacant site, this rezoning would not lead to the demolition of any single detached housing and both the current and proposed zones would accommodate additional housing, including for families which are known to utilize all forms of housing, including Multi-unit Housing.

This proposed rezoning conforms with all applicable policies of the ARP. In particular, Policy 1.5 which encourages redevelopment up to 6 storeys at this location, citing that "redevelopment at high densities, but of a medium rise is encouraged as this will ensure a choice of housing type while minimizing potential cumulative negative impacts of concentrated high rise development."

The proposed amendment is to update three maps to reflect the proposed rezoning, if approved, and no policies of the plan are proposed to be amended.

## Technical Review

All comments from affected City Departments and utility agencies have been addressed.

### TRANSPORTATION

The proposed zone is not expected to generate additional traffic as compared to the current zone. The Garneau Neighbourhood renewal is scheduled to begin in 2021. The plan includes measures to significantly improve the pedestrian and bicycling experience in Garneau, manage traffic speed, and enhance connections to and through the open spaces. Garneau has among the highest mode splits in the City, with approximately 60 percent of trips to work made by an alternative mode (not driving a vehicle). The planned multimodal infrastructure, including improved bike facilities on 83 Avenue NW and 111 Street NW will further encourage and support the use of alternative transportation modes.

Vehicular access to the site is required to be from the abutting lane and a more detailed access plan will be reviewed at the Development Permit stage.

### DRAINAGE

On-site stormwater management will be required to mitigate the impacts of development that would be allowed under the proposed zone. As a result, redevelopment of this site would not have a significant impact on the existing drainage infrastructure in the area.

### EPCOR WATER

There is a significant deficiency in on-street fire flows adjacent to the property. City of Edmonton Standards require on-street fire flows of 300 l/s for the proposed zone and flows in the area are well below the required flow rate. The applicant is required to upgrade approximately 26.0 metres of existing 200 millimeter water mains to 250 millimeter water mains, tying to the bisecting 406 millimeter water main, on 83 Avenue NW at the 111 Street NW intersection, at their expense.

Edmonton Fire Rescue Services (EFRS) could perform an Infill Fire Protection Assessment (IFPA) at the Development Permit stage to potentially alter or lessen on-street fire protection infrastructure upgrades, assuming certain criteria are met.

## Community Engagement

<b>ADVANCE NOTICE</b> March 25, 2021	<ul style="list-style-type: none"><li>● Number of recipients: 130</li><li>● Number of responses in support: 0</li><li>● Number of responses with concerns: 2</li><li>● Common comments included:<ul style="list-style-type: none"><li>○ Not a good location for supportive housing. People that need this kind</li></ul></li></ul>
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	<p>of housing would be better suited to be in less dense urban environments.</p> <ul style="list-style-type: none"> <li>o All 3 lots should be developed together. Developing only 2 does not allow this corner to meet its full potential.</li> <li>o Single lot to the east would be isolated, decreasing property values and redevelopment potential.</li> <li>o There are more appropriate nearby sites for sale that the City could pursue that wouldn't create isolation issues.</li> <li>o The rezoning is an attempt to circumvent the isolation clause in the overlay that applies to RA9.</li> <li>o A high rise residential tower on all 3 lots is the highest and best use for this site.</li> </ul>
<b>WEBPAGE</b>	<ul style="list-style-type: none"> <li>• <a href="http://edmonton.ca/garneauplanningapplications">http://edmonton.ca/garneauplanningapplications</a></li> </ul>

The landowner of the adjacent property to the east being isolated by this application submitted a letter of non-support citing the majority of the concerns included in the table above.

## Conclusion

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

## APPENDICES

- 1 Application Summary

## APPLICATION SUMMARY

### INFORMATION

Application Type:	Plan Amendment, Rezoning
Bylaw/Charter Bylaw:	19750, 19751
Location:	Southeast corner of 111 Street NW and 83 Avenue NW
Addresses:	11049 - 83 Avenue NW & 11053 - 83 Avenue NW
Legal Descriptions:	Lots 17 & 18, Block 157, Plan I19
Site Area:	809.82 m <sup>2</sup>
Neighbourhood:	Garneau
Notified Community Organization:	Garneau Community League
Applicant:	City of Edmonton

### PLANNING FRAMEWORK

Current Zone and Overlay:	(RA9) High Rise Apartment Zone High Rise Residential Overlay
Proposed Zone:	(RA8) Medium Rise Apartment Zone
Plan in Effect:	Garneau Area Redevelopment Plan
Historic Status:	None

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