



ADMINISTRATION REPORT **REZONING** OLIVER

10308, 10316 - 116 Street NW and 11606 - 103 Avenue NW

To allow for a mid-rise residential building.



Recommendation: That Charter Bylaw 19855 to amend the Zoning Bylaw (DC1) Direct Development Control Provision (Area 3 of the 104 Avenue Corridor Area Redevelopment Plan,) to (DC1) Direct Development Control Provision and a (DC2) Site Specific Development Control Provision be APPROVED.

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

- it increases residential density at a location with nearby high frequency transit services, commercial opportunities and institutional developments along 104 Avenue;
- maintains the the distinct character and environment of Oliver by integrating with existing development; and
- locates a mid rise building in an appropriate location as directed by the 104 Avenue Corridor Area Redevelopment Plan (ARP).

Report Summary

This rezoning application was submitted by Arc Studio on October 21, 2020 on behalf of Leston Holdings (1980) Ltd.

This application proposes to change the designation of three parcels from (DC1) Direct Development Control Provision (Area 3 of the 104 Avenue Corridor ARP) to (DC1) Direct Development Control Provision and a (DC2) Site Specific Development Control Provision. The proposed (DC2) Site Specific Development Control Provision would allow for a building with the following characteristics:

- A maximum height of 23 metres (approximately 6 storeys);
- A maximum Floor Area ratio of 3.65;
- Up to 98 residential dwellings;
- Limited commercial opportunities at grade fronting 116 Street NW and 103 Avenue NW; and
- Underground parking accessed from the lane.

The proposed DC2 is located within the DC1 (Area 3 of the ARP). To change a portion of the DC1 to accommodate the DC2, a DC1 to DC1 zoning change is also necessary. The development rights of the remaining properties with the DC1 remain unchanged.

The application meets the policies and goals of the 104 Avenue Corridor ARP so no plan amendment is required.

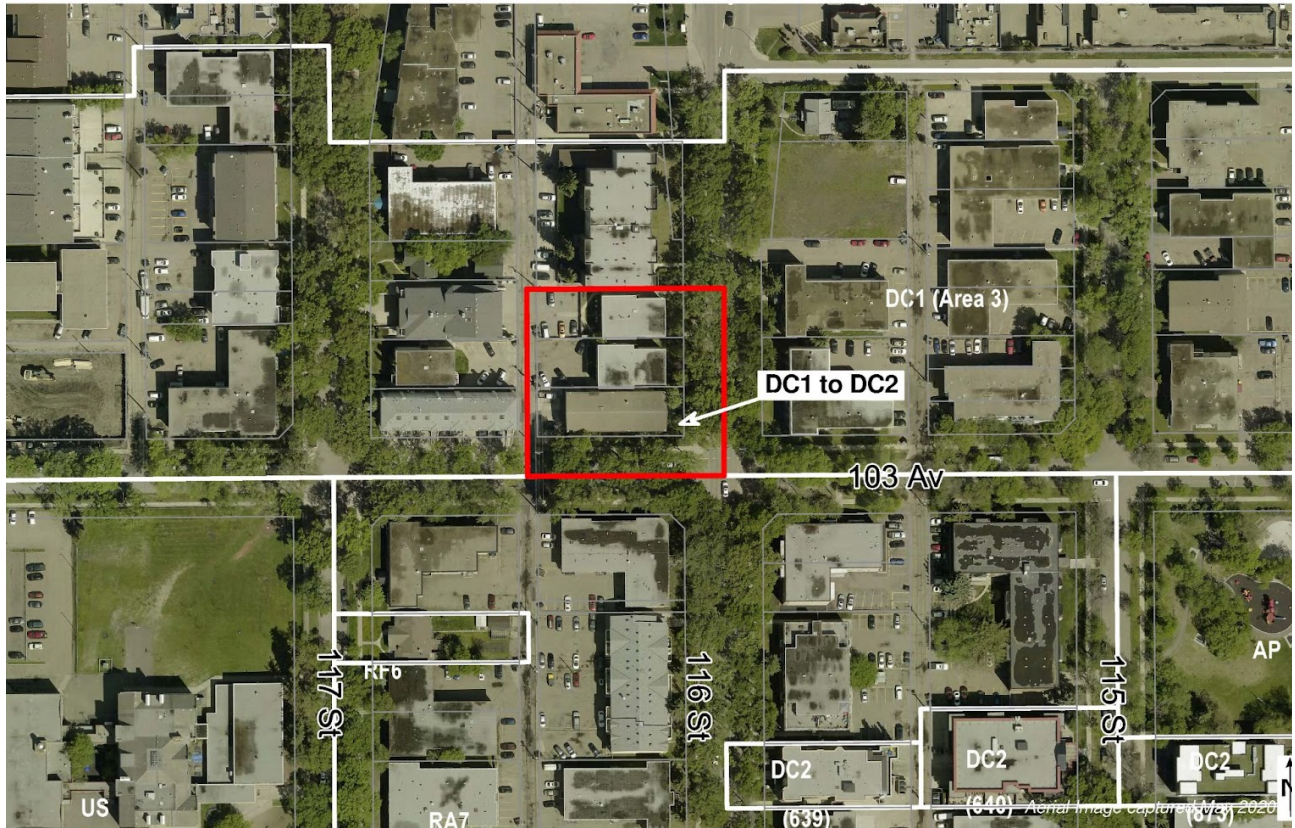
The Application

CHARTER BYLAW 19855 to amend the Zoning Bylaw (DC1) Direct Development Control Provision (Area 3 of the 104 Avenue Corridor ARP) to (DC1) Direct Development Control Provision and a (DC2) Site Specific Development Control Provision. The rezoning increases the allowable amount of residential units, adds additional uses, changes setback distances and provides a Community Amenity Contribution.

Site and Surrounding Area

The site consists of three lots totalling 2089.30 m² on the northwest corner of 103 Avenue NW and 116 Street NW within the Oliver neighborhood. The surrounding area is mostly low rise apartments with development rights for mid rise and row housing developments to the west.

The site is accessible and well served by a multitude of alternative transportation options. The site is within 100 m of bus stops on 116 Street and within 200 m of bus stops on 104 Avenue. It is also approximately 150 m from the future The Yards/116 Street stop on the Valley Line West LRT (located at 116 Street and 104 Avenue). 103 Avenue is a shared road and 102 Avenue to the south contains a protected bike lane.



AERIAL VIEW OF APPLICATION AREA

	EXISTING ZONING	CURRENT USE
SUBJECT SITE	<ul style="list-style-type: none"> (DC1) Direct Development Control Provision Area 3 of the 104 Corridor ARP 	<ul style="list-style-type: none"> 3 Low Rise Apartment Buildings
CONTEXT		
North	<ul style="list-style-type: none"> (DC1) Direct Development Control Provision Area 3 of the 104 Corridor ARP 	<ul style="list-style-type: none"> 4-storey Apartment Building
East	<ul style="list-style-type: none"> (DC1) Direct Development Control Provision Area 3 of the 104 Corridor ARP 	<ul style="list-style-type: none"> 2 3-storey Apartment Buildings
South	<ul style="list-style-type: none"> (RA7) Low Rise Apartment Zone 	<ul style="list-style-type: none"> 3-storey Apartment Building
West	<ul style="list-style-type: none"> (DC1) Direct Development Control Provision Area 3 of the 104 Corridor ARP 	<ul style="list-style-type: none"> 2 3-storey Multi Unit Housing buildings in the form of Row Housing 3-storey Apartment Building



VIEW OF SITE LOOKING SOUTHWEST FROM 116 STREET NW



LOOKING NORTHWEST FROM 103 AVENUE NW



LOOKING SOUTHEAST FROM REAR LANE

Planning Analysis

LAND USE COMPATIBILITY

This application proposes an increase in the development intensity on a site which is surrounded on the north, west and east by DC1 zoning that allows mid-rise and low-rise residential to the south. The increase in development intensity is a result of maximum Floor Area Ratio (FAR) increase of 0.65 (from 3.0 to 3.65) and Dwelling unit increase of 36 units (from 62 to 98).

Built Form and Massing

The proposed DC2 Provision would allow for a 23.0 m (6 storey) tall mid-rise building which is the same height allowance as the current zoning. The DC2 is comparable to the current DC1 and the (RA8) Medium Rise Apartment Zone both which permit a building of the same height but with reduced FAR and differing setbacks.

Regulation	Current: DC1 Provision	RA8 Zone (MSO) (Comparable Zone)	Proposed DC2 Provision
Height	23.0 m	23.0 m	23.0 m
Density (Dwellings)	Minimum: None Maximum: ~62	Minimum: ~75 Maximum: None	Minimum: None Maximum: 98
Floor Area Ratio	3.0	3.3	3.65
Setbacks North - Side West - Lane East - 116 Street South - 103 Ave	1.5 m 0.0 m 7.0 - 8.0 m (est) 4.5 m	1.2 m 7.5 m 1.0 - 3 m 3.0 m	3.0 m 0.0 m 5.0 m 3.0 m
Stepback			

North - Side	0.0m	1.80 m	0.0 m
West - Lane	0.0 m		0.0 m
East - 116 Street	3.0 m		2.33 - 2.81 m
South - 103 Ave	3.0m		2.0 m

The northern boundary shares a property line with an existing 4-storey apartment building. Under current zoning the side setback would be 1.5m from the property line, this has been doubled to 3.0 m under the proposed DC2. The existing building is located very close to the shared property line so the increased setback will help to ensure adequate separation space and reduced shadowing effects of the proposed building.

The eastern face is the main entrance to the proposed building and most important interface with the public realm. Large front setbacks are a defining characteristic along this stretch of 116th Street and create an attractive pedestrian experience. The current zoning and policies in the 104 Avenue Corridor ARP direct that the front setback be within 1.0 m of the setback of development on abutting sites in order to continue the unique and idyllic character found in Oliver. Under the current zoning the setback would be approximately 7.0 to 8.0 m which has been reduced to 5.0 m under the proposed DC2, however; the distinct character and environment of Oliver is still maintained through the proposed regulations. The proposed regulations include mandating that 4 residential ground oriented units (facing 116 Street NW or 103 Ave NW) have individual entrances that include an outdoor amenity and stepbacks, which are slightly reduced, on floors 5 and 6.

The south side of the proposed building faces 103 Avenue NW and also is an important interface with the pedestrian realm. Like the east face, the front setback is reduced when compared to the existing zoning, but the proposed building maintains the unique character of Oliver through the aforementioned regulations which promote a dynamic street interface.

The west side of the proposed building abuts the lane and faces existing row housing buildings and a low rise apartment building. The current zoning rear setback is 0.0 m and the proposed DC1 is the same. The row housing building facing 103 Avenue is also situated close to the lane which makes it sensitive to developments in close proximity. Taking this into account, the west face will provide an attractive interface by requiring that public art be located in the upper corner of the west wall (see rendering of west facade below); the public art requirement is in addition to the Community Amenity Contribution described later in the report. This section of the wall will be visible for many blocks to the west and public art in this location will have the greatest impact. The west facade also features a loading area, underground parking access and a courtyard.



RENDERING OF THE WEST FACADE SHOWING LOCATION OF PUBLIC ART

On the whole, this application represents a modest increase in development rights while considering surrounding properties.

PLANS IN EFFECT

104 Avenue Corridor ARP

The 104 Avenue Corridor ARP direction for this part of the neighbourhood allows for up to mid-rise developments that are primarily residential; the general proposal for a mid-rise building at this location conforms with the general development plan for this area of Oliver. The ARP was adopted under Bylaw 17251 on July 6, 2015. With the passage of the ARP, Administration was directed to lead its implementation by adopting land use regulations that guide development in a manner that respects and aligns with the policies of the ARP. As such, Administration, in consultation with the public and stakeholders, developed the current DC1 zone under Bylaw 17595. Appendix 1 of the DC1 zone will be amended to remove the properties in this application from "Area 3."

The proposed DC2 meets the general intent of the current zoning but differs slightly with some reduced setbacks, increased unit count and FAR and the addition of Health Services and Live Work Unit uses. Despite being removed from the current zoning, the proposed DC2 is still subject to the goals and policies embedded within the ARP. The ARP classifies this site as Residential and within the "South of 104" precinct. Some of the policies of this precinct are to, "permit a variety of uses including office, retail, service commercial and residential uses containing one or more dwelling units" and "maximize flexibility of uses to make adaptive reuse or reconditioning of these structures economically viable." This proposal meets these policies by allowing a number of uses and allowing for flexibility of commercial and retail space to be converted into residential space.

Overall the proposal meets the Built Form and Land Use policies of the ARP.

City Plan

City Plan, the City's Municipal Development Plan, provides high level policy for the long term growth of Edmonton. One key piece of this plan is to accommodate all of this future growth within Edmonton's existing boundaries, with no further annexations or expansions. This plan identifies Oliver as part of the Centre City district which is the central node of the metropolitan region.

Centre City's desired overall density is a minimum 450 people/jobs per hectare with a typical built form of high and mid-rise buildings and increased expectations for excellent urban design. When reviewed in isolation, this site would need to accommodate a minimum of 94 people to achieve Centre City's minimum density target. At 98 residential units the proposed DC2 provision meets the minimum without taking into account adjacent residential developments, the neighbourhood context, or employment. From a high level policy perspective the proposed density and mid-rise built form achieve City Plan infill objectives.

EDMONTON DESIGN COMMITTEE

On January 6, 2021 this application was reviewed by the Edmonton Design Committee (EDC). The committee provided a recommendation of support with the following conditions:

- Further investigating the built form and building interfaces along the 116 Street and 103 Avenue frontages. In particular, both the southeast corner condition and the 103 Avenue elevation should be further explored to ensure the built form, building interface and landscape treatment appropriately responds to the specific streetscape conditions in these locations.
- Further exploring winter city design strategies for building and landscape design to improve the year-round experience.
- Including the elevations and site plans presented to the Committee in the Appendices of the Direct Control regulation. Elevations and site plans may vary based on the Applicant's response to the above considerations.

To address these comments the following modifications were made to this application:

- Improved protection for boulevard trees.
- Stepback on the southern face and the addition of more windows on the western facade, both on the southern and northern portions.
- Elevations and the site plan are appendices of the Direct Control Provision.

The formal response letter from the Edmonton Design Committee is found in Appendix 2 of this report. Any future development permit application for a new building on the subject site will also be subject to review by the EDC.

PUBLIC CONTRIBUTIONS

C599 - Community Amenity Contributions

A contribution of \$52,891.00 is required to comply with City Policy C599 Community Amenity contributions in Direct Control Provisions. The proposed application complies with this policy through the provision of the following amenities:

- Public art and/or
- Money toward an off-site public amenity such as streetscape improvements or park improvements

The west wall public art described earlier in the report is an urban design requirement included in the DC1 regulations and is in addition to the public art that may be provided under the Community Amenity Contribution.

Technical Review

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

PARKING, LOADING AND VEHICULAR ACCESS

A Transportation Impact Assessment (TIA) was submitted in support of this application. Existing traffic volumes on the north-south lane abutting the site were observed to be relatively low. The study concluded that the additional vehicular traffic resulting from this development will have very minor impact on area roadways and the volumes can be accommodated within the existing infrastructure.

Vehicular access for future development will be from the adjacent lane. Site access would be reviewed in detail at the development permit stage.

On June 23, 2020, City Council approved Open Option Parking, which provides developers' flexibility to choose the amount of parking that they feel is appropriate for their projects. The parking supply for this project will accordingly be determined at the development permit stage. Currently unrestricted on-street parking is allowed along one side of both 117 Street NW and 103 Avenue NW, which allows people to park for as many hours as they would like. However, the occupancy of these parking spaces are near capacity with very low parking turnover. As such, the availability of on-street parking for the residents or visitors of this development will be limited and competitive under current conditions.

Public Engagement

PRE-APPLICATION NOTIFICATION	<ul style="list-style-type: none">• Number of recipients: 167 <p><u>As reported by applicant</u></p>
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<p>July 13, 2020 (notice to property owners)</p> <p>September 14, 2020 (applicant video chat with Oliver Community League)</p>	<ul style="list-style-type: none">● Number of responses in support: 0● Number of responses with concerns: 2● Common comments included:<ul style="list-style-type: none">○ ARP should not be amended● Comments included:<ul style="list-style-type: none">○ Colour palette choices should be more bold○ Setbacks are appropriate○ Bike parking good but massing should be used to encourage winter bike use○ Increased density is appropriate because intent of original zone still met○ Allowing main floor commercial is appropriate○ Supportive of the Community Amenity Contribution being used on public realm improvements or interactive bike rack
<p>ADVANCE NOTICE November 16, 2020</p>	<ul style="list-style-type: none">● Number of recipients: 272● Number of responses in support: 0● Number of responses with concerns: 3● Common comments included:<ul style="list-style-type: none">○ Parking and traffic concerns○ Damage to existing property due to construction○ Loss of privacy due to overlook○ Concerns about impacts on neighbourhood character○ Concerns about light pollution○ Sun shadow impacts○ Not family oriented○ Oversupply of apartment units in Oliver○ Should follow the ARP regulations like recent nearby buildings
<p>WEBPAGE</p>	<ul style="list-style-type: none">● https://www.edmonton.ca/residential_neighbourhoods/neighbourhoods/oliver-planning-applications

Conclusion

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

Appendices

- 1 Sun Shadow Study
- 2 Edmonton Design Committee Letter of Conditional Support
- 3 Application Summary

SUN SHADOW STUDY

SPRING EQUINOX - March



9:00 AM



12:00 PM



3:00 PM

SUMMER SOLSTICE - June



9:00 AM



12:00 PM



3:00 PM

AUTUMN EQUINOX - September



9:00 AM



12:00 PM



3:00 PM

WINTER SOLSTICE - December



9:00 AM



12:00 PM



3:00 PM



EDMONTON • DESIGN • COMMITTEE

January 6, 2021

Kim Petrin, Branch Manager
Development Services, Urban Form and Corporate Strategic Development
3rd Floor, 10111 - 104 Avenue NW
Edmonton, AB T5J 0J4

Dear Ms Petrin:

Re: **Leston Holdings (Rezoning)**
Abe Salloum - ARC Studio

As determined by the Edmonton Design Committee at the meeting on January 5, 2021, I am pleased to pass on the Committee's recommendation of support with conditions for the Leston Holdings project presented by ARC Studio.

The Applicant is encouraged to consider:

- Further investigating the built form and building interfaces along the 116 Street and 103 Avenue frontages. In particular, both the southeast corner condition and the 103 Avenue elevation should be further explored to ensure the built form, building interface and landscape treatment appropriately responds to the specific streetscape conditions in these locations.
- Further exploring winter city design strategies for building and landscape design to improve the year-round experience.
- Including the elevations and site plans presented to the Committee in the Appendices of the Direct Control regulation. Elevations and site plans may vary based on the Applicant's response to the above considerations.

You will notice that a copy of this letter is also being sent to the applicant. I hope this will inform your future discussions with the applicant as this project proceeds.

Yours truly,

Edmonton Design Committee

Janice Mills
PEng MEng LEED® AP
EDC Chair

JM/ps

- c. Abe Salloum - ARC Studio
Jeff Booth - City of Edmonton
Holly Mikkelsen - City of Edmonton
Edmonton Design Committee

APPLICATION SUMMARY

INFORMATION

Application Type:	Rezoning
Charter Bylaw:	19855
Location:	North of 103 Avenue NW and west of 116 Street NW
Addresses: (DC2 Zone)	10308 & 10316 - 116 Street NW, and 11606 - 103 Avenue NW
Addresses: (DC1 Zone)	Multiple - Refer to Schedule B of Bylaw 19855
Legal Descriptions (DC2 Zone):	Lots 70, 71 & 72, Block 16, Plan 7261AB
Legal Descriptions (DC1 Zone):	Multiple - Refer to Schedule B of Bylaw 19855
Site Area:	2089.30 m ²
Neighbourhood:	Oliver
Notified Community Organization:	Oliver Community League
Applicant:	Clarity Development Advisory and Arc Studio

PLANNING FRAMEWORK

Current Zone and Overlays:	(DC1) Direct Development Control Provision (Area 3 of the 104 Avenue Corridor ARP) Mature Neighbourhood Overlay Main Streets Overlay
Proposed Zones and Overlays:	(DC2) Site Specific Development Control Provision (DC1) Direct Development Control Provision Mature Neighbourhood Overlay Main Streets Overlay
Plan in Effect:	104 Avenue Corridor ARP
Historic Status:	None

Written By:	Marco Beraldo
Approved By:	Tim Ford
Branch:	Development Services
Section:	Planning Coordination