



## ADMINISTRATION REPORT REZONING & PLAN AMENDMENT OLIVER

### 10015 & 10017 - 113 Street NW

To allow for high rise residential development.



**Recommendation:** That Charter Bylaw 19898 to amend the Zoning Bylaw from (DC2.1134) Site Specific Development Control Provision to (RA9) High Rise Apartment Zone and Bylaw 19897 to amend the Oliver Area Redevelopment Plan be APPROVED.

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

- is compatible with the surrounding zoning that supports and/or allows for high rise residential development;
- provides adequate transitions in scale through appropriate setbacks and stepbacks to its sensitive edges; and
- generally conforms to the Oliver Area Redevelopment Plan.

## Report Summary

This land use amendment application was submitted by Green Space Alliance on May 31, 2021 on behalf of Westrich Pacific Corp. This application proposes to change the zoning of two lots from (DC2.1134) Site Specific Development Control Provision to (RA9) High Rise Apartment Zone to allow for high rise residential development with the following characteristics:

- Maximum height: 60 meters (approx. 18 storeys)
- Maximum Floor Area Ratio (FAR): 5.2
- Maximum Density: 650 dwellings/hectare

The proposed rezoning is compatible with surrounding zoning, existing buildings, and generally conforms to the Oliver Area Redevelopment Plan (sub area 4) which designates much of the land between Jasper Avenue and 100 Avenue as being appropriate for high density residential uses contained in medium to high rise built forms.

This application is also supported by the City Plan which designates this area as the Centre City which is Edmonton's distinct cultural, economic, institutional and mobility hub with the highest density and mix of land uses. The application which proposes a high density development supports this direction.

## The Application

1. BYLAW 19897 to amend the current zoning map (Map 10) of the Oliver Area Redevelopment Plan (ARP) to reflect the associated rezoning.
2. CHARTER BYLAW 19898 to amend the Zoning Bylaw from (DC2.1134) Site Specific Development Control Provision to (RA9) High Rise Apartment Zone.

The proposed RA9 Zone allows for high rise residential development. Key characteristics of the Zone include:

- Maximum height: 60 meters (approx. 18 storeys)
- Maximum Floor Area Ratio (FAR): 5.2
- Maximum Density: 650 dwellings/hectare

Though the RA9 Zone would allow for development as outlined above, the applicant has stated that their intent is to develop a 6 storey residential building, similar to the building that the current DC2 Provision allows.

## Site and Surrounding Area

The subject site comprises two lots and is located at the northeast corner of 100 Avenue NW and 113 Street NW within the Oliver neighborhood.

The smaller northern lot is currently occupied by a small scale residential structure consisting of 4 separate dwelling units. The larger southern lot is mostly vacant, with the exception of two single detached houses which occupy the southwest and southwest corners of the site. These houses are in poor condition and demolition permits have been issued for each.

The surrounding area consists of single detached houses, medium rise apartments, and high rise apartment buildings with development rights for a 35 storey mixed use tower across the lane to the east of the site. High frequency transit is accessible from both Jasper Avenue approximately 100 metres to the north, and the Government Centre LRT Station less than 400 metres to the south east on 110 Street NW.



AERIAL VIEW OF APPLICATION AREA

	EXISTING ZONING	CURRENT USE
SUBJECT SITE	<ul style="list-style-type: none"><li>(DC2.1134) Site Specific Development Control Provision</li></ul>	<p><i>Northern Lot</i></p> <ul style="list-style-type: none"><li>Multi-unit Housing (4-unit house)</li></ul> <p><i>Southern Lot</i></p> <ul style="list-style-type: none"><li>Partially vacant</li><li>Partially occupied by 2 character homes</li></ul>

CONTEXT		
North	<ul style="list-style-type: none"> <li>• (RA9) High Rise Apartment Zone</li> </ul>	<ul style="list-style-type: none"> <li>• 17-storey residential tower</li> </ul>
East	<ul style="list-style-type: none"> <li>• (DC2.1094) Site Specific Development Control Provision</li> </ul>	<ul style="list-style-type: none"> <li>• Vacant lot - Development Permit application submitted for a 35 storey residential tower with commercial at grade (under review)</li> <li>• Development Permit application also submitted for a 1-year temporary surface parking lot (under review)</li> </ul>
South	<ul style="list-style-type: none"> <li>• (RA9) High Rise Apartment Zone</li> <li>• (DC1) Direct Development Control Provision Area 3 of the Oliver ARP</li> <li>• (DC2.242) Site Specific Development Control Provision</li> </ul>	<ul style="list-style-type: none"> <li>• 9 storey residential tower</li> <li>• Character two storey single detached residential buildings (converted to commercial uses)</li> </ul>
West	<ul style="list-style-type: none"> <li>• (RA9) High Rise Apartment Zone</li> </ul>	<ul style="list-style-type: none"> <li>• Surface parking lots and the Connelly-McKinley Funeral Home</li> </ul>



VIEW OF SITE LOOKING SOUTHEAST FROM 113 STREET NW  
(SMALLER NORTHERN LOT WITH MULTI-UNIT HOUSE IN THE FOREGROUND)





EXISTING HOUSE AT THE SOUTHWEST CORNER OF THE SITE



EXISTING HOUSE AT THE SOUTHEAST CORNER OF THE SITE

## SITE HISTORY & LAND ASSEMBLY

On October 20, 2020, Bylaw 19274 & 19439 and Charter Bylaw 19440 were passed by City Council at Public Hearing. These Bylaws and Charter Bylaw allowed for a closure of a lane, an amendment to the Oliver ARP and a rezoning that, collectively, allow for the development of a mid-rise residential building.



RENDERING OF THE MID-RISE RESIDENTIAL BUILDING ALLOWED BY THE EXISTING DC2.1134 PROVISION

To meet the requirements of the existing DC2 zoning, the full site area, comprising two lots, is necessary. To date lot assembly has not occurred and the applicant is proposing a rezoning to a standard zone to allow development to occur on either lot independent of one other. Figure 1 below shows the two distinct lots within the rezoning area in green and purple. Figure 2 shows

the DC2 zoning overlaid with the lot boundaries making it clear the full site is required to develop in accordance with the DC2.

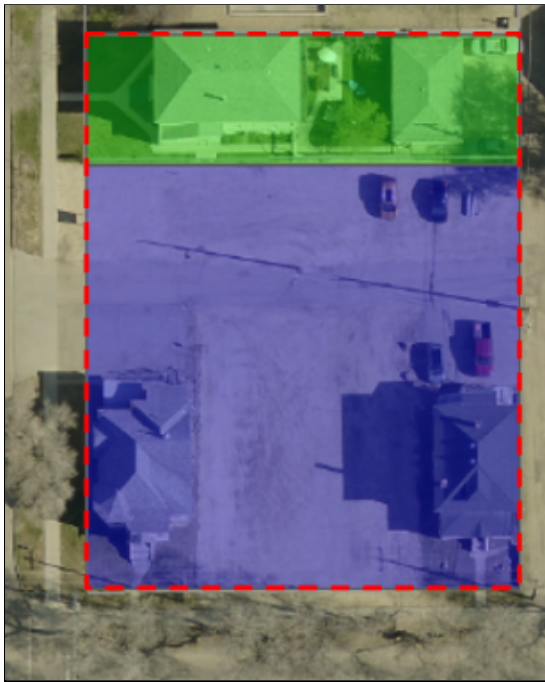


Figure 1 - DISTINCT LOTS WITHIN THE REZONING AREA FROM AN AERIAL PERSPECTIVE

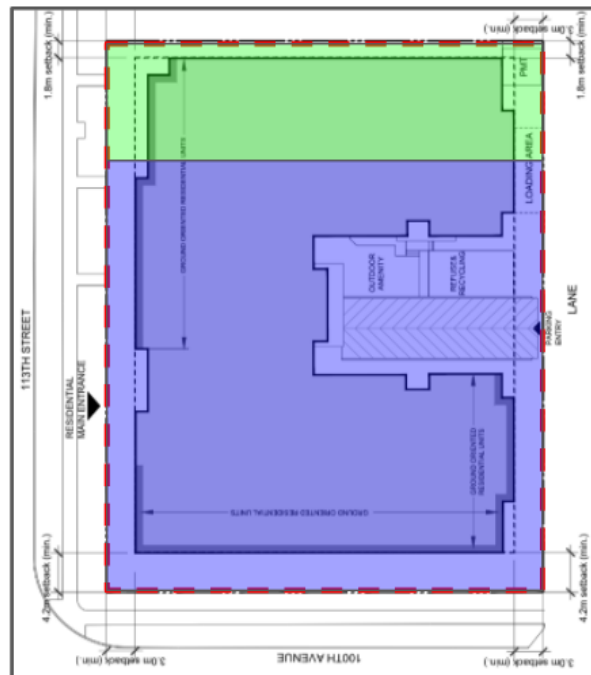


Figure 2 - EXISTING DC2.1134 SITE PLAN WITH LOT BOUNDARIES

## Planning Analysis

This application proposes to increase development intensity from a mid rise building to a high rise building at an appropriate location where surrounding zoning is already supporting and/or allows for high rise residential development. The proposed RA9 Zone, through the use of setbacks and stepbacks, addresses the sensitive integration between new development on the subject site and the existing development context through transitions in scale and form.

### LAND USE COMPATIBILITY

The proposed RA9 Zone would allow for a larger building in a podium/tower configuration and includes additional setbacks and stepbacks to appropriately transition the building's mass down to the surrounding pedestrian areas and existing buildings. Further, it introduces limited commercial opportunities which are compatible within the residential context such as Convenience Retail Stores, Professional Financial and Office Support Services (eg. real estate or law services) and Specialty Food Services (eg. coffee shop). The table below illustrates the key zoning changes between the current and proposed zones.

	<b>DC2.1134 Provision</b> <i>Current</i>	<b>RA9 Zone</b> <i>Proposed</i>
<b>Principal Building</b>	Mid-rise residential	High-rise residential with limited commercial opportunities
<b>Height</b>	23.0 m	60.0 m <sup>1</sup>
<b>Tower Floor Plate</b>	--	850 m <sup>2</sup>
<b>Floor Area Ratio</b>	3.8	4.3 <sup>2</sup>
<b>Density</b>	135	550 units/ha <sup>3</sup>
<b>Setbacks</b> North West - 113 Street East - Lane South - 100 Ave	1.8 m 3.0 m 3.0 m 4.2 m	7.5 m 3.0 m 4.5 m 3.0 m
<b>Tower Setbacks (above 15 m)</b> North West - 113 Street East - Lane South - 100 Ave	-- -- -- --	7.5 m 6.0 m 7.5 m 6.0 m
<b>Notes:</b> <sup>1</sup> can increase to 69.0 m if the storey height in at least 75 percent of dwellings is greater than 3.4 m <sup>2</sup> can increase to 5.2 if seven percent of the dwellings are at least 115 m <sup>2</sup> in size and these larger dwellings have at least 3 bedrooms and are located below the 10th storey of a building. <sup>3</sup> can increase up to 585 units/ha if a common amenity area totalling a size of at least 2.5 m <sup>2</sup> per dwelling is provided above normal amenity area requirements.		

### Urban Design

The podium/tower configuration ensures that the taller residential tower portion of the building is kept away from the surrounding pedestrian realm, while the podium, which is of a more human-scale proportion, is brought closer to the public realm. This overall building design lends itself to a more comfortable and pedestrian friendly experience.

Other key urban design regulations that development within the RA9 Zone will be required to adhere to are as follows:

- ground level units with individual entrances along 113 Street and 100 Avenue to promote additional activity and interactions with the public realm;
- overhead weather protection above an entrance in the form of a canopy, awning or other architectural element for pedestrian comfort and visual interest;

- a cohesive architectural language through the use of multiple colours, textures and articulation of exterior cladding materials; and
- upper floors of the buildings are to add to a distinct skyline through the use of sculpting, a Stepback, reduced floor plate size.

### Built Form and Transition

As indicated in the table above, the RA9 Zone allows for development in the form of a podium/tower configuration at a height of 60 metres (approximately 18 storeys) and a maximum Floor Area Ratio of 4.3.

The setbacks, stepbacks and the podium tower configuration required by the RA9 zone facilitate the transition of the building and its mass down to the street level and surrounding properties. The largest potential impact is to the northern lot included in the rezoning area. Any potential large scale development on the remaining southern lots has to be setback a minimum of 7.5 m from that lot line which provides ample space between the existing small scale development and any future development.

### Tower Separation

The RA9 Zone requires that a tower on this site be separated from any other tower by a distance of 20 metres and restricts the tower floor plate to a maximum of 850 m<sup>2</sup>. Combined, these two regulations create breathing space between tall buildings and a slimmer tower design that will produce a narrower shadow that will move faster across properties, reducing the impact. A full shadow analysis is attached to this report as appendix 1.

### Site Isolation

With the existing residential tower to the north and with the intent to proceed with development without consolidating the parcels, the single northern lot of the rezoning area could be considered isolated. This lot could still redevelop under the RA9 Zone, but with its small site area, it would be restricted to a small scale building.

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. 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.

## **OLIVER AREA REDEVELOPMENT PLAN (ARP)**

This site is located within Sub Area 4 of the Oliver Area Redevelopment Plan (ARP) which centres around Jasper Avenue and extends south to 100 Avenue NW. The current policies of this area work in conjunction with the existing zone to allow for the redevelopment of properties to mixed-use developments up to 12 storeys in height along Jasper Avenue that transitions to high rise residential development towards the interior of the neighbourhood to the south. As a



result, many properties within this area of Oliver are zoned (RA9) to accommodate and encourage redevelopment to high-rise buildings.

While this application conforms with specific policy statements in the Oliver ARP, an amendment is required to update Map 10 showing zoning in Sub Area 4 to reflect the proposed rezoning.

## **TRANSIT ORIENTED DEVELOPMENT GUIDELINES (TODG)**

The Government Centre LRT Station, located within 400 metres of this site, is identified in the TODG as a Downtown Station Area. These guidelines recognize that each Downtown Station has a specific and unique context with existing plans and regulations already in place. The general expectation is that development around existing and planned LRT stations is expected to be more intense. This application meets those guidelines.

## **THE CITY PLAN**

The City Plan describes the strategic goals, values and intentions that direct how Edmonton will grow from 1 million to 2 million people over the next several decades. 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. To do this, 50% of all new residential units are intended to be created at infill locations, focusing on key nodes and corridors. To this end, Oliver is identified as part of the Centre City district which is the central node of the metropolitan region.

Specifically, Centre City is Edmonton's distinct cultural, economic, institutional and mobility hub with the highest density and mix of land uses. As an overall guide, it states that the desired overall density in the Centre City is 450 people and/or jobs per hectare and the typical massing/form is high-rise and mid-rise buildings. This application is in alignment with this direction as it allows for high-rise residential development in an area already supporting a mix of development scales, including high rise towers.

## **Technical Review**

### **Transportation**

All vehicular access, loading, and waste collection shall be serviced from the rear lane. The north-south lane will require upgrades to a paved commercial standard.

100 Avenue between 110 Street and 116 Street is identified as a future bike route within the Bike Plan. Bike network upgrades are expected to be planned and implemented through the Neighbourhood Renewal Program for Oliver.

Council Report CR\_7989 100th Avenue Corridor Analysis was presented to the Urban Planning Committee on October 13, 2020. This report provides information on how the infrastructure needs of new Oliver neighbourhood residents will be met, including transportation, in response to a significant number of rezonings recently approved in the 100 Avenue area. Neighbourhood

Renewal is planned to begin in Oliver during the 2026-2028 budget cycle. Though an arterial road, 100 Avenue will be included in the scope of this work as it proceeds.

## Drainage

Storm sewer servicing is proposed to be provided through the installation of a new storm sewer main along the lane to the east, at the owner/developer's cost. The development will also be required to include on-site stormwater management techniques utilizing a controlled outflow rate to mitigate its impact on the existing drainage infrastructure. Sanitary sewer servicing is to be provided from the existing combined sewer main within 113 Street NW.

## EPCOR Water

Water services are available to this site from an existing 350mm water main within 113 Street and a 150mm water main within 100 Avenue. Upon redevelopment, the applicant will be required to construct one new hydrant for fire protection.

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

## Community Insights

<b>ADVANCE NOTICE</b> July 6, 2021	<ul style="list-style-type: none"> <li>• Number of recipients: 461</li> <li>• 5 responses received with concerns</li> <li>• Common comments included: <ul style="list-style-type: none"> <li>o The area does not need another high rise tower</li> <li>o Traffic and parking issues in the area will be exacerbated by this application</li> <li>o Concern for the safety of children</li> <li>o Concern that this site is being rezoned again, after being very recently rezoned within the last year</li> <li>o The 6 storey building allowed by the existing zone is preferable</li> </ul> </li> </ul>
<b>WEBPAGE</b>	<ul style="list-style-type: none"> <li>• <a href="https://edmonton.ca/oliverplanningapplications">edmonton.ca/oliverplanningapplications</a></li> </ul>

In addition to the responses with concerns outlined in the table above, Administration received a letter of non-support from the landowner of the northern lot within the proposed rezoning area. This landowner outlined the following comments/concerns:

- Supports the rezoning of his parcel (the northern lot) back to RA9;
- poor communication from the landowner of the southern lot, resulting in the current zoning being passed by City Council under the assumption that all lots within the rezoning area were under their ownership;
- a desire for the zoning of the southern portions of the site to be reverted back to the previous DC1 which was a low density special character zone or a new Direct Control

Provision that assures a more sensitive built form and transition in scale can be provided to the north lot;

- the current zoning proposal does not meet the intent of the Oliver ARP and other guidelines for infill development; and
- adverse impacts from a larger building including isolation, loss of sunlight, and lack of transition.

## Conclusion

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

## APPENDICES

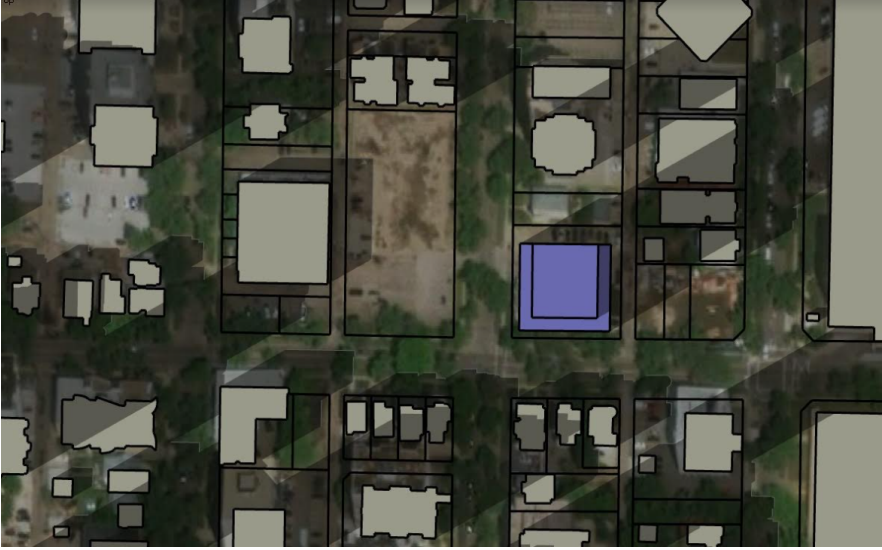
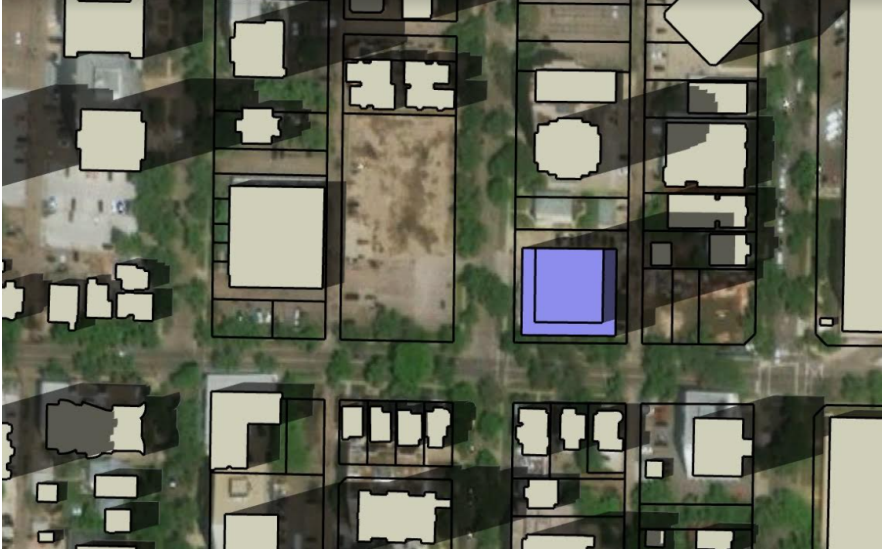




- 1 Sun/Shadow Analysis
- 2 Application Summary



SUN SHADOW STUDY (Proposed RA9 Zone)

	MARCH/SEPTEMBER 21	JUNE 21	DECEMBER 21
9AM			
12PM			



3PM			
6PM			

## APPLICATION SUMMARY

### INFORMATION

Application Type:	Rezoning & Plan Amendment
Bylaw & Charter Bylaw:	19897 & 19898
Location:	Northeast corner of 100 Avenue NW and 113 Street NW
Addresses:	10015 & 10017 - 113 Street NW
Legal Descriptions:	Lot 45B, Block 12, Plan 2120958; and Lot A, Plan 4519Q
Site Area:	2,684 m <sup>2</sup>
Neighbourhood:	Oliver
Notified Community Organization:	Oliver Community League
Applicant:	Green Space Alliance

### PLANNING FRAMEWORK

Current Zone:	(RA9) High Rise Apartment Zone
Proposed Zone:	(DC2) Site Specific Development Control Provision
Plan in Effect:	Oliver Area Redevelopment Plan
Historic Status:	None

Written By:  
Approved By:  
Branch:  
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