

Summary of Feedback Received since January 30, 2018

On March 21, 2018, Administration sent the draft public hearing report package to stakeholders for a four week review period. The circulation closed on April 16, 2018. The overall themes Administration received back from the submitted comments includes:

Concern over prescriptiveness of regulations, and the number of regulations regarding the building form and site design

- Achieving the desired built form might be better under a Direct Control rezoning.
- Collectively, the number of regulations to meet will make it difficult to achieve Class A development, and will require multiple variances.
- This will not replace Site Specific Direct Control rezonings.
- Tower separation is too much.

Administration Response:

Comments received over the several circulations and numerous engagement opportunities were to have more prescriptive regulations to achieve a better baseline of design. The proposed changes to the high rise apartment zone increase some land use impacts, and the prescriptiveness of regulations will manage some of those impacts by establishing expectations for quality.

Many of the existing regulations are being reduced to facilitate podium development, with variable setbacks based on the context. A 'wedding cake' tower is not required; the tower setback is the same as the current RA9 zone. The draft zoning will enable a podium to have a smaller setback. In addition, this form of regulation is much less complicated than trying to regulate setbacks.

Comparison between existing and proposed setbacks				
Regulation	Existing (all development)	Proposed tower	Proposed Podium Residential	Proposed Podium Commercial
Front	6.0 m	6.0 m	3.0 m	1.0 m
Flanking	4.5 m	6.0 m	3.0 m	1.0 m
Rear	7.5 m	7.5 m or 3.0 m if abutting a lane	7.5 m or 3.0 m if abutting a lane	7.5 m or 1.0 m
Side	1.0 m for each storey up to 7.5 m	7.5 m	4.5 m or 0.0 m	3.0 m or 0.0 m

The 1.0 m front setback for the podium with a commercial ground floor is to promote pedestrian oriented streetscape. A smaller setback is inadequate in many areas where the

sidewalk space is constrained due to choices around the roadway. Zero lot line is allowed only where the abutting building is also zero lot line to enable development in a manner that responds to the context that already exists.

Administration heard that the required 20.0 m separation between towers is below that requested by communities, less than that required in the downtown special areas zones, and less than that identified in many tall building guidelines found in Canada. In response, changes to the proposed wording to be more specific in regard to the desired outcome were made. Forthcoming urban design guidelines for tall buildings are expected to better address this particular issue, and a subsequent amendment can be made when the guidelines are completed.

Notification, and isolating sites

- Site size and isolation requirements are barriers to development.
- The existing and proposed regulations will not achieve significant lot consolidation
- Notification will trigger lots of appeals and create uncertainty for all parties.

Administration Response:

In previous circulations Administration heard that the isolating sites regulation and ability to appeal was a substantial barrier to development. As a result of this feedback Administration removed isolating site requirements and removed the notification requirements from the underlying zone. The isolating site requirements are retained in the High Rise Residential Overlay.

Site sizes

- Why change the minimum size from 800 m² to 1800 m²?
- RA7 regulations for small sites is a reduction in development rights
- Do not support notification for isolating sites.
- As site size increases, the floor area ratio and density should also increase

Administration Response:

In order to ensure that the development is compatible on the small site, the development potential needs to be matched with the appropriate built form. The modeling shows that it will be nearly impossible to build a tower with the setbacks in RA9, and an efficient floorplate given a site smaller than 1800 m². For towers proposed on these smaller site sizes, a Site-specific Direct Control rezoning will need to be pursued, which can accommodate the specific needs for that development.

The reduced development potential for large sites intends to see a similar sized-building constructed on both urban sites and suburban sites. The urban sites are often constrained, and require a larger FAR in order to achieve a high rise development, and necessitate high lot coverage and usually underground parking. In suburban scenarios, setbacks will often be larger, surface parking will likely replace underground parking, and the lots are usually subdivided specifically for the development, as opposed to consolidated from existing

parcels. This means that the larger site area can support a high rise development with a smaller floor area ratio and maximum density.

Inability to construct a multi-storey non-residential podium

- The Floor Area Ratio is not high enough to achieve an 18 storey building with a three storey podium; at most a 12 storey tower plus a 1 storey podium.
- For a commercial podium, with retail at ground level and office above, the podium will need to be taller, and a podium with residential and non-residential uses is undesirable.

Administration Response:

This zone is primarily a residential zone, with supporting non-residential uses, and so a one storey non-residential podium is an acceptable design outcome for the zone. We heard that a “wedding cake” format for new towers should not be the default, and so the development regulations are designed to allow several types of high rise apartment formats.

The Floor Area Ratio will be the most constraining development regulation because it is intentionally less than what is mathematically possible given the allowable setbacks and tower floorplate. This is to encourage better building form, and tradeoffs in the design to achieve more interesting architecture than a rectangle. In any case, the development potential is substantially more than what is allowed under the existing zone.

Feedback regarding word choices and clarity of regulations

- Do the percentages apply to the potential or to what is built?
- building requirement for adequate sight lines around corners where the building has small setbacks and the building abuts an intersection.
- Shadow impacts
- Standardized wording for mechanical equipment and wind studies.
- Redundant clauses, and references to use classes
- Screening and landscaping parking lots
- Regulating density

Administration Response:

The suggestions to improve clarity and eliminate redundancy were appreciated, and by incorporating them into the proposed Bylaw the effectiveness of the text amendment is improved.

High Rise Residential Overlay

- The proposed bylaw contravenes the Garneau Area Redevelopment Plan by allowing commercial development on the interior of the neighbourhood, and above the first storey of the development.

- The proposed bylaw does not apply changes to all of the sub areas in the Plan zoned RA9; the overlay should be expanded to all sub areas indicated in the Garneau Area Redevelopment Plan.
- The ability to grant variances for larger buildings should be retained for all sub areas, not just the areas originally included in the High Rise Residential Overlay.
- Specialty food services has no maximum size. A two-storey food court of specialty foods could potentially be developed as a result.
- Inadequate regulation for the height and setbacks for residential-related uses.

Administration Response:

Administration met with representatives of the Garneau Community League to work out responses to a number of the concerns identified.

- To address the concerns about the commercialization of the interior of the neighborhood, the High Rise Residential Overlay was expanded to include two new areas of application bordering 111 Street and 83 Avenue in Garneau.
 - The expanded areas do not restrict the height to 23.0 m, and instead just apply restrictions to the commercial aspects of the uses.
 - The expanded areas were not applied to all sites zoned High Rise Apartment Zone (RA9) indicated in the Garneau Area Redevelopment Plan because the remaining areas are not in the interior of the neighbourhood.
- Restrictions on the size of Specialty Food Services were introduced within areas of the overlay.
- Regarding residential-related uses,
 - Clarifications to the height, density, floor area ratio, and setbacks were made to remove use-classes and focus solely on the building form when referring to these regulations.
 - Added wording to expressly exclude residential-related uses from 'non-residential uses' in the development regulation section.

Overall, the purpose of updating the High Rise Residential Overlay is to harmonize it with the changes to the underlying zone.