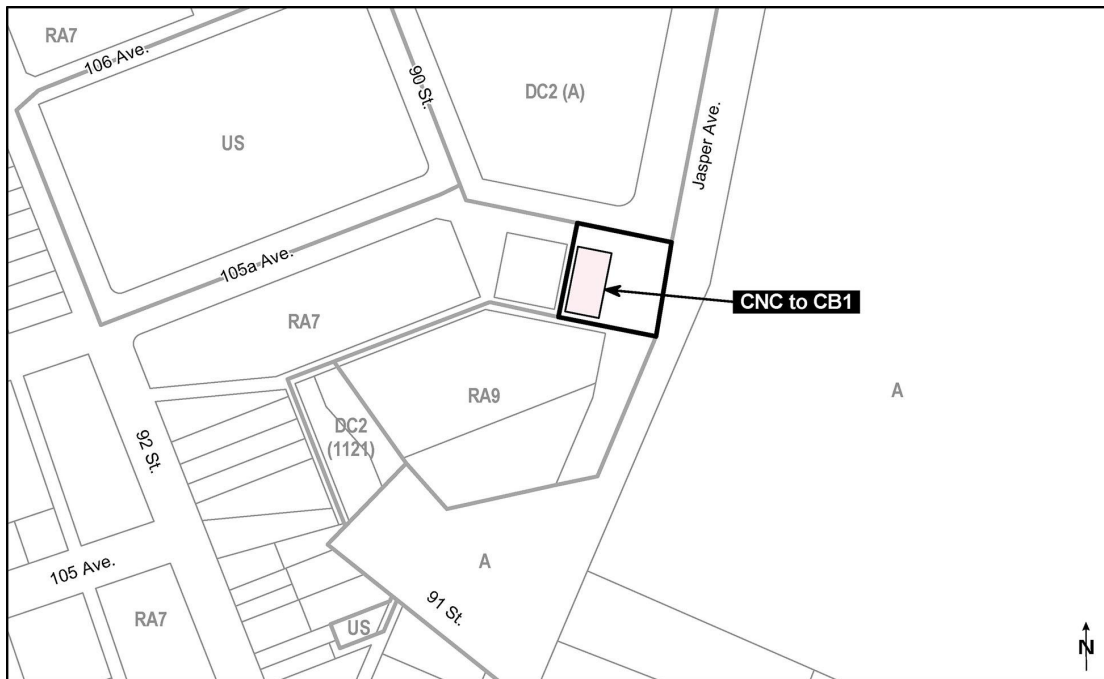




ADMINISTRATION REPORT REZONING, PLAN AMENDMENT BOYLE STREET

9002 - Jasper Avenue NW

To allow for low intensity commercial, office and service uses and limited residential-related uses.



Recommendation: That Bylaw 19949 to amend the Boyle Street/McCauley Area Redevelopment Plan and Charter Bylaw 19950 to amend the Zoning Bylaw from the (CNC) Neighbourhood Convenience Commercial Zone to the (CB1) Low Intensity Business Zone be **APPROVED**.

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

- the site is located along an Arterial Road and Frequent Transit Route, mostly surrounded by high rise residential buildings, and is therefore well suited for a sensitive increase in commercial opportunities to support a growing higher density residential population; and
- it generally meets the intent and objectives of the Boyle Street/McCauley Area Redevelopment Plan and The City Plan.

Report Summary

This rezoning and plan amendment application was submitted by E1NS Consulting on November 1, 2021. This application proposes to change the designation of the site from the (CNC) Neighbourhood Convenience Commercial Zone to the (CB1) Low Intensity Business Zone.

The main difference between the CNC and CB1 Zones for this site is the expanded list of potential uses that could occur within the CB1 Zone that are either less likely or not allowed within the current CNC Zone. It is the applicant's current intent to continue to use the existing building on the site but to take advantage of the additional business opportunities offered by the CB1 Zone to ensure the building remains viable and fully occupied. Administration supports the expanded opportunities offered by the CB1 Zone at this location as the surrounding area is a growing high density residential area that could benefit from access to more commercial amenities.

This proposal generally meets the intent and objectives of the Boyle Street/McCauley Area Redevelopment Plan and The City Plan by expanding commercial opportunities in a sensitive way to support a growing higher density residential population.

The Application

1. BYLAW 19949 to amend two sections, two policies, one objective and two maps in the Boyle Street/McCauley Area Redevelopment Plan.
2. CHARTER BYLAW 19950 to amend the Zoning Bylaw from the (CNC) Neighbourhood Convenience Commercial Zone to the (CB1) Low Intensity Business Zone. The purpose of the proposed (CB1) Low Intensity Business Zone is to provide for low intensity commercial, office and service uses, and limited residential-related uses located along arterial roadways that border residential areas.

Site and Surrounding Area

The site is located at the edge of the Boyle Street neighbourhood across from the North Saskatchewan River Valley/Dawson Park. Jasper Avenue NW is an Arterial Road and Frequent Transit Route with bus stops going both directions in very close proximity to the site.



AERIAL VIEW OF APPLICATION AREA

	EXISTING ZONING	CURRENT USE
SUBJECT SITE	(CNC) Neighbourhood Convenience Commercial Zone	One storey commercial building
CONTEXT		
North	DC2 (A) Highland Court Development Agreement	High Rise Residential Building
East	(A) Metropolitan Recreation Zone	North Saskatchewan River Valley/Dawson Park
South	(RA9) High Rise Apartment Zone	High Rise Residential Building
West	(RA7) Low Rise Apartment Zone	2.5 Storey Residential Building



VIEW LOOKING NORTH FROM SIDE LANE



VIEW LOOKING WEST FROM JASPER AVENUE NW

Planning Analysis

LAND USE COMPATIBILITY

The main difference between the CNC and CB1 Zones is the expanded list of potential uses that could occur within the CB1 Zone that are either less likely or not allowed within the current CNC Zone. For example, it would become easier in the CB1 Zone to develop uses such as Bars and Neighbourhood Pubs, Commercial Schools, General Retail Stores and Restaurants and the maximum size for Bars and Neighbourhood Pubs and Restaurants would increase from 120 m² to 240 m². As well, the CB1 Zone would introduce Business Support Services, Equipment Rentals, Household Repair Services and Supportive Housing which are currently not allowed at all in the CNC Zone.

Cannabis Retail Sales and Liquor Stores would also be introduced; however, both are subject to Special Land Use Provisions, Sections 70 & 85 of the Zoning Bylaw, respectively. These Special Land Use Provisions contain separation distance requirements from parkland and schools so neither could be developed here due to the close proximity of the North Saskatchewan River Valley/Dawson Park to the east, and the St. Teresa of Calcutta Elementary School to the west.

Appendix 1 to this report has a full comparison of Uses between these two zones.

The General Purpose of the proposed CB1 Zone is to provide for low intensity commercial, office and service uses, and limited Residential-related Uses located along arterial roadways that border residential areas. This site is along an arterial roadway at the edge of a residential neighbourhood so fits well with this description and is therefore an ideal location for this zone. As such, Administration supports the expanded opportunities offered by the CB1 Zone at this location as the surrounding area is a growing high density residential area that could benefit from access to more commercial amenities.

CNC & CB1 BUILT FORM COMPARISON SUMMARY

The proposed CB1 Zone allows for a slightly larger building, should the site be redeveloped. As compared in the table below, the difference is essentially one more storey of height and slightly smaller setbacks from Jasper Avenue NW and 90 Street NW. Administration does not have any concerns with this slightly higher (but still low) scale of development, especially considering the surrounding development is mostly in high rise built forms.

	CNC <i>Current</i>	CB1 <i>Proposed</i>
Maximum Height	10.0 m	12.0 m
Maximum Floor Area Ratio	1.0	2.0
Minimum North Setback (90 Street NW)	4.5 m	3.0 m
Minimum East Setback (Jasper Avenue NW)	4.5 m	3.0 m
Minimum South Setback (Lane)	0.0 m	0.0 m
Minimum West Setback (Lane)	0.0 m	0.0 m

BOYLE STREET/MCCAULEY AREA REDEVELOPMENT PLAN

The site is subject to the Boyle Street/McCauley Area Redevelopment Plan. Within this plan, it is part of the "Neighbourhood Commercial" Sub Area. The policies of this Sub Area distinguish between where "Neighbourhood Convenience Commercial" (CNC) should be located and where "Low Intensity Business Uses" (CB1) should be located. This site is currently directed for "Neighbourhood Convenience Commercial" (CNC). As such, the plan needs to be amended to change the direction for this site to "Low Intensity Business Uses" to be able to support the proposed rezoning to CB1.

This application will continue to provide the "commercial component" in this area, though at a slightly higher intensity than what was contemplated with the CNC Zone in 1994. In addition to the proposed amendment to the plan to support this rezoning, the proposed amendment bylaw also updates the plan to reflect the completion of the residential tower redevelopment.



VIEW SHOWING THE NEW RESIDENTIAL TOWER BEHIND THE REZONING SITE

Administration believes that the CB1 Zone at this site generally meets the intent and objectives of this sub area and the plan. There are no adjacent low density residential buildings and there has been an increase in higher density residential development in the immediate and broader vicinity since the plan was written. It is therefore considered appropriate for the intensity of supporting commercial development to also increase in response.

THE CITY PLAN

Boyle Street is part of the identified Centre City in The City Plan. The Centre City is to be the most intensely developed part of Edmonton with a desired overall minimum density of 450 people and/or jobs per hectare, with typical massing being in the form of high-rise and mid-rise buildings. Relative to this direction, both the existing CNC Zone and the proposed CB1 Zone could be considered an underdevelopment of the site. But, being a small site, it can't really accommodate much more scale than is already allowed and it makes sense for the commercial uses to be as plentiful as possible to support the surrounding neighbourhood transitioning to even higher intensity developments.

Technical Review

TRANSPORTATION

Existing access and parking to this site is provided entirely within the public road right-of-way along a short segment of the Jasper Avenue NW service road. Any future redevelopment of this site should contemplate improvements to the site access, including the Jasper Avenue NW service road and the adjacent lanes. Changes to the service road and surrounding roadways may be forthcoming with the Boyle Street/McCauley Neighbourhood Renewal project, which is currently in the concept design phase and construction is expected to begin in 2023.

DRAINAGE

A permanent sanitary sewer service currently exists to the rezoning site from the existing 300 mm combined sewer main within 90 Street NW and may remain to service the rezoning area. In the case of redevelopment, sanitary sewer requirements will need to be reassessed.

No storm sewer servicing exists to the rezoning site. The proposed zoning change, with intent of allowing the proposed uses within the existing structure, will not require a storm service connection. However, in the case of redevelopment, storm sewer requirements and onsite stormwater management will need to be reassessed and a storm service may be required.

EPCOR WATER

There is a deficiency in municipal fire protection adjacent to the property. The fire flows in the area are below the required fire flow rate and the site does not meet the municipal hydrant spacing requirement. To meet the requirements, the following would need to be constructed at the owner/developer's expense:

- Approximately 220 metres of new water main along Jasper Avenue NW;
- One (1) new municipal hydrant along Jasper Avenue NW; and
- Upgrading of approximately 70 metres of water main along 90 Street NW.

These upgrades would only be required if the site were redeveloped and not if the existing building continues to be used in the same way it has been, as a small scale commercial building.

Edmonton Fire Rescue Services (EFRS) may be able to 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.

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

Community Insights

<p>ADVANCE NOTICE November 22, 2021</p>	<ul style="list-style-type: none"> ● Number of recipients: 216 ● Responses received: 1 <ul style="list-style-type: none"> ○ Concerned about the traffic situation by this site with an awkward intersection of the service road and Jasper Avenue not functioning well. Suggested addressing this as part of this application.
<p>WEBPAGE</p>	<ul style="list-style-type: none"> ● http://edmonton.ca/boylestreetplanningapplications

Conclusion

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

APPENDICES

- 1 Uses Comparison
- 2 Application Summary

USES COMPARISON

Uses in the Zoning Bylaw are categorized as either Permitted or Discretionary Uses depending on the zone:

- Permitted Uses means those uses of land, buildings or structures for which Permits *must be issued* by the Development Officer, if the development meets all applicable regulations; and
- Discretionary Uses means those uses of land, buildings or structures for which Permits *may be issued* only at the discretion of the Development Officer and after notification to surrounding properties owners.

Below is a full list of the changes that would take place to the potential Uses for this site if a rezoning from CNC to CB1 were approved with this application.

CNC Discretionary/CB1 Permitted Uses:

- Bars and Neighbourhood Pubs (maximum size also increasing from 120 to 240 m² of Public Space)
- Commercial Schools
- General Retail Stores
- Minor Amusement Establishments
- Public Libraries and Cultural Exhibits
- Restaurants (maximum size also increasing from 120 to 240 m² of Public Space)
- Veterinary Services

CNC Prohibited/CB1 Permitted Uses:

- Business Support Services
- Cannabis Retail Sales (Subject to Section 70 Separation Distances. Not possible at this site due to being within 100 m of the river valley.)
- Equipment Rentals
- Household Repair Services
- Supportive Housing

CNC Prohibited/CB1 Discretionary Uses:

- Auctioneering Establishments
- Automotive and Minor Recreation Vehicle Sales/Rentals
- Convenience Vehicle Rentals
- Funeral, Cremation and Interment Services
- Greenhouses, Plant Nurseries and Garden Centres
- Hotels
- Limited Contractor Services
- Liquor Stores (Subject to Section 85 Separation Distances. Not possible at this site due to being within 100 m of the river valley.)

- Major Amusement Establishments
- Media Studios
- Mobile Catering Food Services
- Nightclubs
- Pawn Stores
- Private Clubs
- Recycled Materials Drop-off Centres
- Recycling Depots, within an enclosed building
- Spectator Entertainment Establishments
- Vehicle Parking

CNC Discretionary /CB1 Prohibited:

- Religious Assemblies

APPLICATION SUMMARY

INFORMATION

Application Type:	Plan Amendment, Rezoning
Bylaw/Charter Bylaw:	19949, 19950
Location:	Southwest corner of Jasper Avenue NW and 90 Street NW
Address:	9002 - Jasper Avenue NW
Legal Description:	Lot A, Block 1, Plan 1224HW
Site Area:	455.5 m ²
Neighbourhood:	Boyle Street
Ward:	O-day'min
Notified Community Organizations:	Boyle Street Community League Riverdale Community League
Applicant:	E1NS Consulting

PLANNING FRAMEWORK

Current Zone:	(CNC) Neighbourhood Convenience Commercial Zone
Proposed Zone:	(CB1) Low Intensity Business Zone
Plan in Effect:	Boyle Street/McCauley Area Redevelopment Plan
Historic Status:	None

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