



ADMINISTRATION REPORT REZONING, TEXT AMENDMENT & PLAN AMENDMENT GARNEAU

11024 - 82 Avenue NW

To allow for a range of medium intensity Commercial Uses and Residential Mixed-Use opportunities within a mid to high rise built form



Recommendation: That Bylaw 20039 to Amend the Garneau Area Redevelopment Plan and Charter Bylaw 20040 to amend the Zoning Bylaw from the (US) Urban Services Zone to the (CB3) Commercial Mixed Business Zone with the Main Streets Overlay and amend the Main Streets Overlay, be **APPROVED**.

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

- the site is ideal for the proposed intensity of development relative to the targeted infill objectives The City Plan
- the site is suitable for the locational intent of the proposed zone
- the proposed built form is compatible within the context of this key corridor and the broader area

Report Summary

This application was submitted by Situate Inc. on September 28, 2021 on behalf of Campus Assets Inc. The application proposes a high-rise, mixed-use tower at an ideal location relative to The City Plan objectives around focusing more intense forms of development at key nodes and along corridors, particularly those with good transit service.

The proposed amendments to the Garneau Area Redevelopment Plan to facilitate this rezoning align the development potential for this site with more modern goals for redevelopment as directed by The City Plan.

The proposed CB3 Zone with the Main Streets Overlay, when including the proposed amendments to the Overlay, result in a compatible building design and land uses within the context of the corridor and broader area.

The proposed amendments to the Main Streets Overlay would also impact other sites within the City to improve the compatibility of potential future taller buildings at other similar main street locations by ensuring a slim tower design in exchange for additional height.

The Application

BYLAW 20039 to amend the Garneau Area Redevelopment Plan (ARP). The proposed amendments to facilitate the associated rezoning are:

- amending Schedules C, I and Q maps as well as the one associated with Policy G.3
- amending Policies 1.5 and 1.8 to exempt the rezoning site from the application of these policies which currently prohibit rezonings for commercial development and limit height to 6 storeys
- adding the CB3 Zone to the list of land use districts in Section 5

Charter Bylaw 20040 to amend the Zoning Bylaw from the (US) Urban Services Zone to the (CB3) Commercial Mixed Business Zone with the Main Streets Overlay and amend the Main Streets Overlay. This would allow for a high-rise, mixed-use tower with the following key characteristics:

- a maximum podium height of 13 metres (approximately 3 storeys) and an overall maximum building height of 75 metres (approximately 22 storeys)
- pedestrian-oriented commercial space at ground level facing 82 (Whyte) Avenue NW with a residential tower above. Commercial uses allowed could include, but are not not limited to, general retail stores, health services, personal service shops (eg. hairdressers, etc) and specialty food services
- a maximum tower floor plate area of 850 square metres
- requiring any vehicle parking provided to be accessed from the rear lane and any surface or above-ground parking to be screened from view

The proposed amendments to the MSO would mainly be applied to the above project, other sites in the city currently zoned CB3, and any future CB3 sites within the MSO. The currently zoned CB3 sites are:

- 1 - Westmount Shopping Centre NW (northwest corner)
- 10104 & 10107 - 111 Avenue NW
- 10111 - 122 Street NW
- 10116 - 150 Street NW
- 12106, 12120, 12210 & 12220 - Jasper Avenue NW
- 12322 - 102 Avenue NW

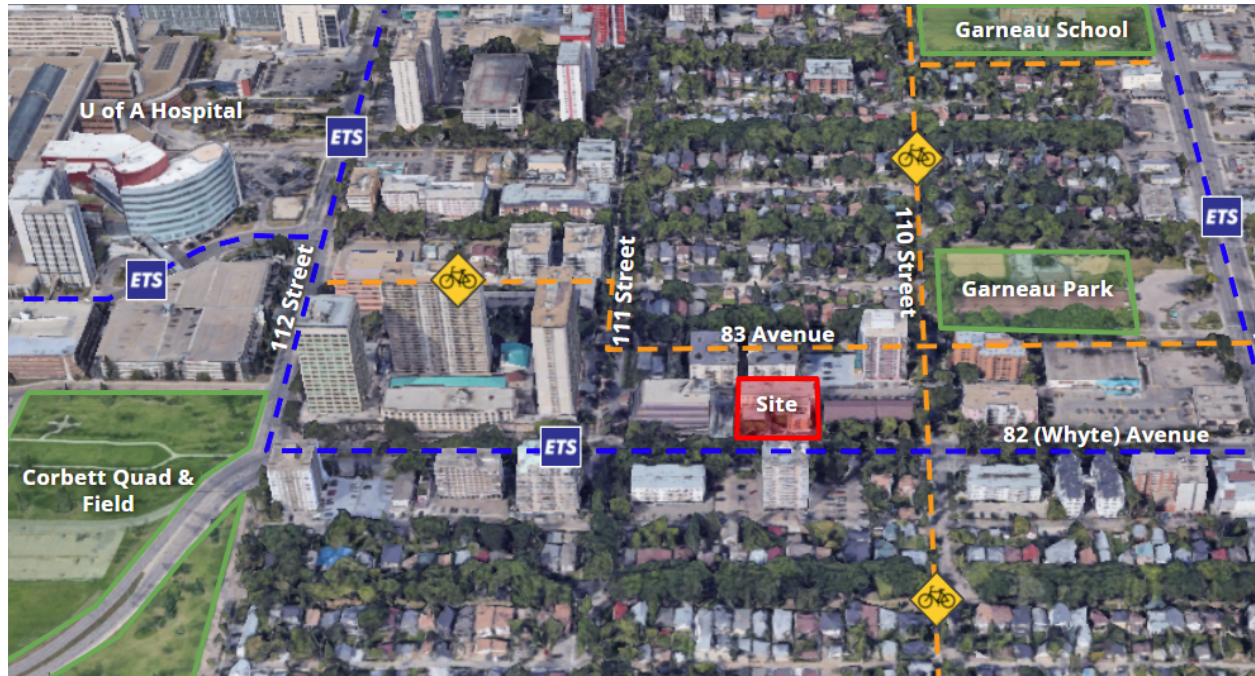
The full list of MSO amendments that would apply elsewhere are:

- increasing the allowable overall height from 45 metres to 75 metres for sites containing residential or residential-related uses, provided that the site is not abutting or directly across a lane from a site zoned to allow for residential development that has a maximum height of 10 metre or less;
- introducing the requirement for a 3 metre building setback when the site is located directly across a lane from a site zoned to allow for residential development that has a maximum height of 10 metres or less;
- introducing a maximum tower floor plate of 850 square metres; and
- expanding the exemption from a maximum Floor Area Ratio to apply to all residential or residential-related uses, not just multi-unit Housing (this change would apply to all commercial land subject to this overlay, not just the CB3 zoned sites listed above).

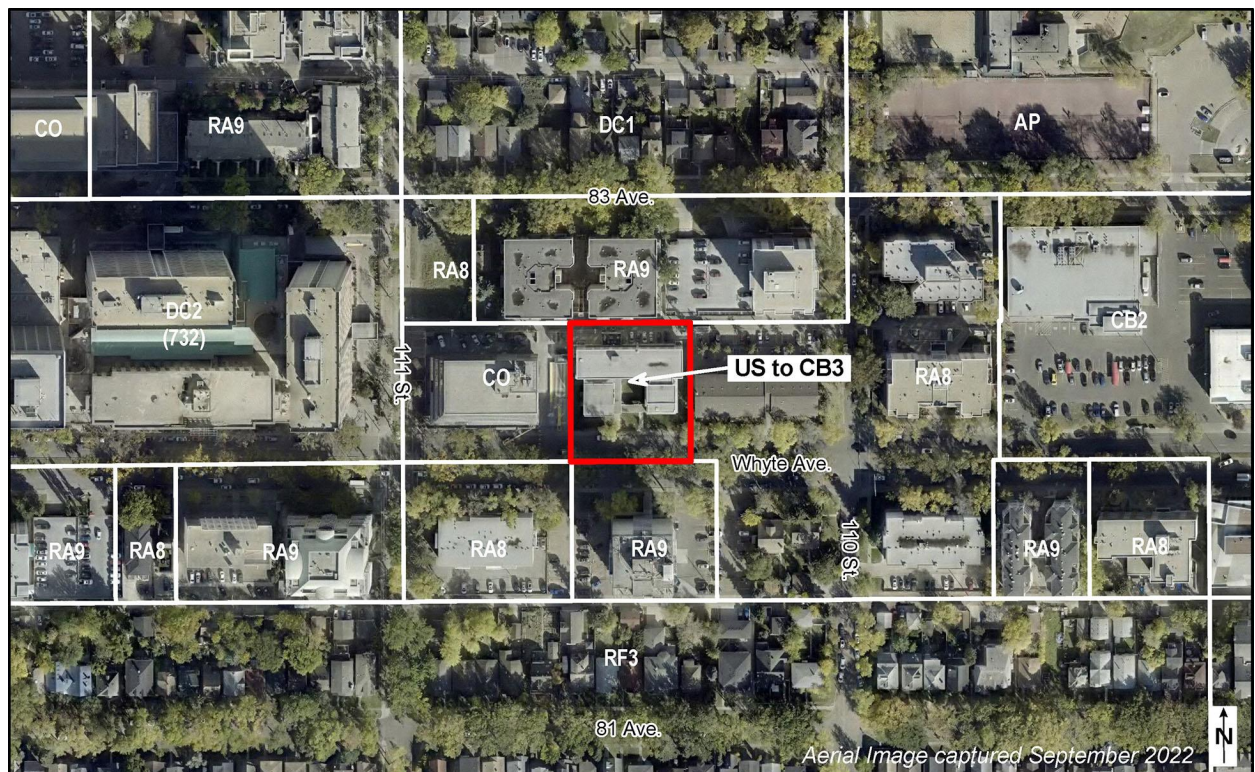
Site and Surrounding Area

This site is located on the north side of 82 (Whyte) Avenue NW, between 110 Street NW and 111 Street NW. Whyte Avenue is an arterial road and is also considered a Transit Avenue in the Zoning Bylaw as a key east-west link between the University of Alberta area and east Edmonton. Frequent bus service operates on 82 Whyte Avenue and is also available on other nearby corridors, including 109 Street NW and 112 Street NW. It is approximately 600 metres from the Health Sciences/Jubilee LRT Station. The site is well connected in all directions to bicycle infrastructure with an east-west separated bike lane on 83 Avenue NW to the north, and a north-south separated bike lane on 110 Street NW to the east, both less than a block from the site.

Between 99 Street NW and 112 Street NW, Whyte Avenue is mainly a commercial corridor with either stand alone commercial buildings or mixed-use buildings with commercial uses at ground level and residential above. Between 109 Street NW and 112 Street NW in Garneau, there is a shift to a higher proportion of solely residential buildings along the south side of the avenue, but still having a strong commercial presence on the north side, including the Garneau Safeway site and the Windsor Park/College Plaza 3-tower mixed use complex.



MOBILITY CONTEXT OF APPLICATION AREA



ZONING CONTEXT OF APPLICATION AREA

	EXISTING ZONING	CURRENT USE
SUBJECT SITE	(US) Urban Services Zone	5-storey residential building
CONTEXT		
North	(RA9) High Rise Apartment Zone	5-storey residential building Parking structure for 13-storey residential building
East	(RA8) Medium Rise Apartment Zone	3.5-storey residential building
South	(RA9) High Rise Apartment Zone	14-storey residential building
West	(CO) Commercial Office Zone	5-storey commercial building



VIEW OF SITE FROM WHYTE AVENUE



VIEW OF SITE FROM REAR LANE

Planning Analysis

THE CITY PLAN

The City Plan is a high level policy document describing 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.

The University-Garneau area is identified as one of six Major Nodes strategically located across the city. These Major Nodes are generally considered to be up to 2 km across. This site is within 1 kilometre of both the University of Alberta Hospital and the core of the University of Alberta North Campus. As such, it is reasonable to consider this site as being in this Major Node. Moreover, Whyte Avenue is considered a Primary Corridor connecting the University-Garneau Major Node with the District Node at Bonnie Doon Mall to the east.

The City Plan defines a Major Node as a large-scale urban centre that serves multiple districts, typically anchored by public institutions and significant employment centres. Major nodes capitalize on excellent transit access and support higher density development and a wide

mixture of land uses. They provide a unique identity relative to the rest of the city and include significant destinations like hospitals and post-secondary institutions.

As an overall guide, it states that the desired overall minimum density in a Major Node is 250 people and/or jobs per hectare and the typical massing/form is high-rise and mid-rise. With this site along an arterial road/Primary Corridor/Transit Avenue, it is ideal for the upper end of this spectrum; a high-rise mixed-use development.

GARNEAU AREA REDEVELOPMENT PLAN

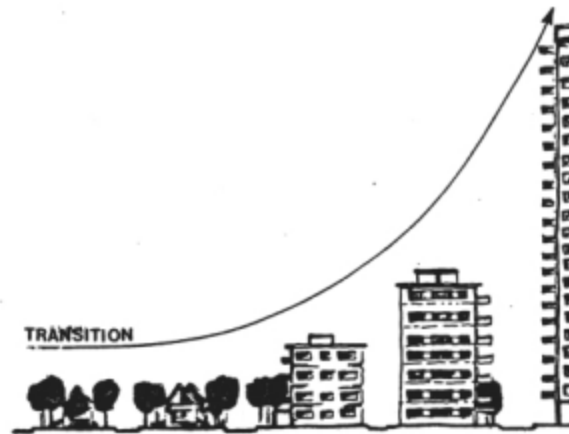
Approved on May 25, 1982, the Garneau Area Redevelopment Plan (ARP) is the neighbourhood level statutory plan that applies to this site. This site is within Sub Area 1 of the ARP where the land use objectives are:

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

Additional policy that directs the development of this site include:

- Policy G.3 which identifies appropriate locations for high rise residential developments through a map (this site is not currently identified for high development) and using the following criteria:
 - on sites which are located at the northeast and northwest periphery of Garneau
 - on sites which have good access to public transit
 - on sites which act as a transition from major arterials and commercial areas into lower residential areas
 - on sites which are adjacent to physically compatible forms of development which includes transitional housing, land uses or open space;
- Policy 1.5 of the plan seeks to specifically limit further high rise developments along arterial roadways by limiting the height of this site to 6 storeys; and
- Policy 1.8 of the plan also currently prohibits any further rezonings to commercial zones (such as CB3) in this sub area.

When comparing this application to the Garneau ARP, it must be recognized that the ARP is nearly 40 years old. It was written at a different time in Edmonton's history and is reflective of a different set of challenges, priorities and strategies with regards to city growth and development. Still, there are a few relatively timeless planning principles within it, such as focusing more high intensity development near transit and transitioning from higher intensity along edges to lower intensity in the interior of the neighbourhood.



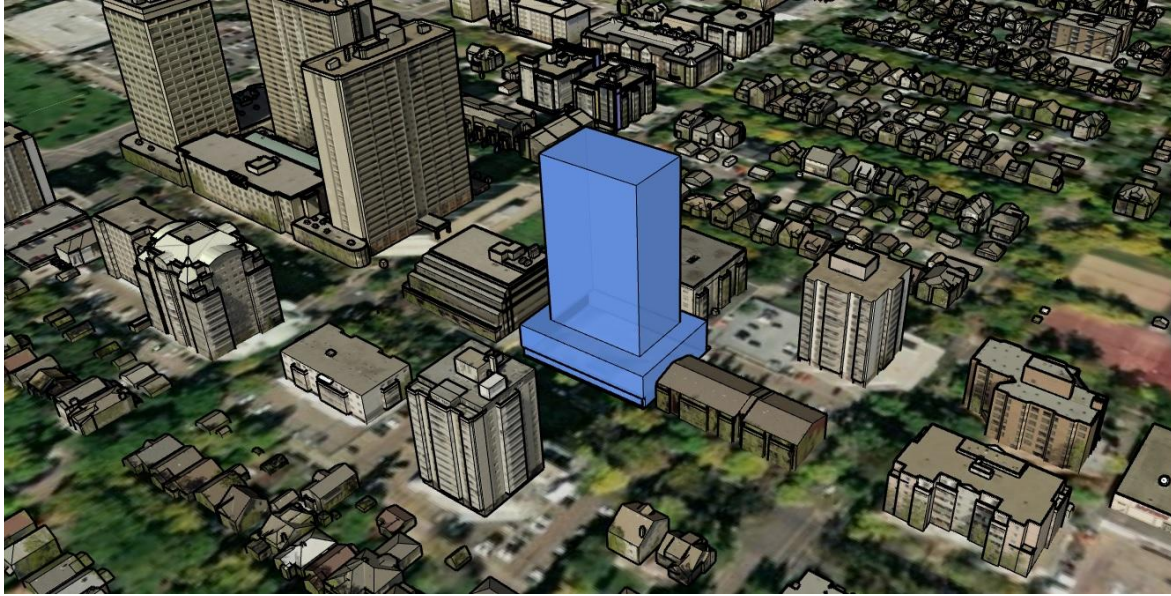
GARNEAU ARP POLICY G.4 DIAGRAM SHOWING DESIRED TRANSITION GRADIENT

A higher intensity development on this rezoning site would generally align with this transition gradient moving from Whyte Avenue north. The current restriction to 6 storeys for this site is no longer sufficient to meet today's set of challenges, priorities and strategies, particularly with regards to infill development. Most notably, the policy designed to specifically limit further high rise development along arterial roads is at odds with more contemporary objectives and goals about development along major corridors as directed by The City Plan.

This is not a situation where following high-level direction from The City Plan, instead of the more fine-grained direction from an older ARP, would result in a drastic change on this corridor. The corridor already contains numerous high rise buildings in the immediate area as well as a mixture of commercial and residential uses. As such, the amendments to the Garneau Area Redevelopment Plan are justified to align the development potential for this site with more modern goals for redevelopment along key nodes and corridors. These amendments also help achieve the current ARP objectives for Sub Area 1 by accommodating additional housing demand without impacting the quantity of the existing single detached housing stock.

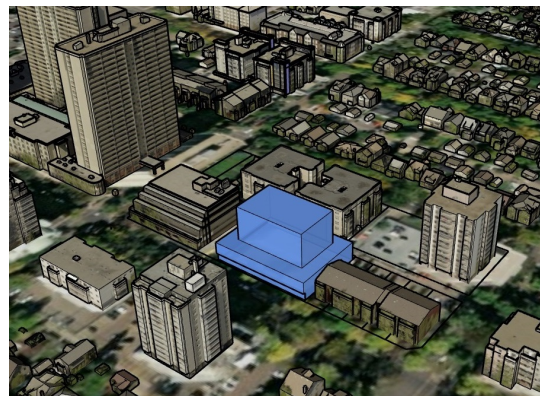
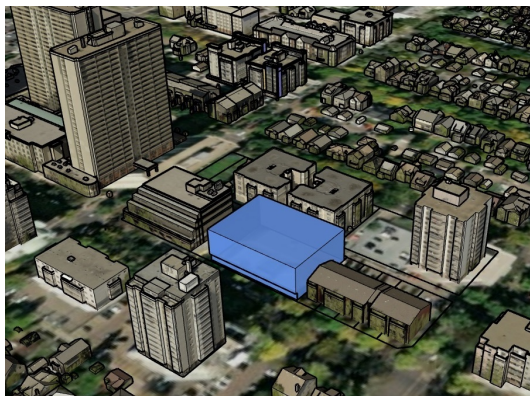
LAND USE COMPATIBILITY

The proposed (CB3) Commercial Mixed Business Zone is a standard zone that is designed for use in locations along mostly commercial corridors near high capacity transportation nodes, including Transit Avenues, like this. With the application of the Main Streets Overlay (especially with the proposed amendments) the proposed zoning will encourage and strengthen the pedestrian-oriented character of Whyte Avenue by providing visual interest, transparent storefront displays, and amenities for pedestrians. The general intensity and overall potential uses of the CB3 Zone is appropriate for this location considering the surrounding residential context and proximity to transit.



MASSING MODEL OF PROPOSED MIXED-USE TOWER

With regards to the built form, the zone is intended to provide a certain amount of flexibility to be exercised at the Development Permit stage. A mixed use building could result in a high rise tower form, while a solely commercial building would be restricted to a mid-rise form. Administration's analysis shows that any of these options would be compatible at this site. The massing models below show two potential scenarios for a solely commercial building under this zone, which while possible, are unlikely.



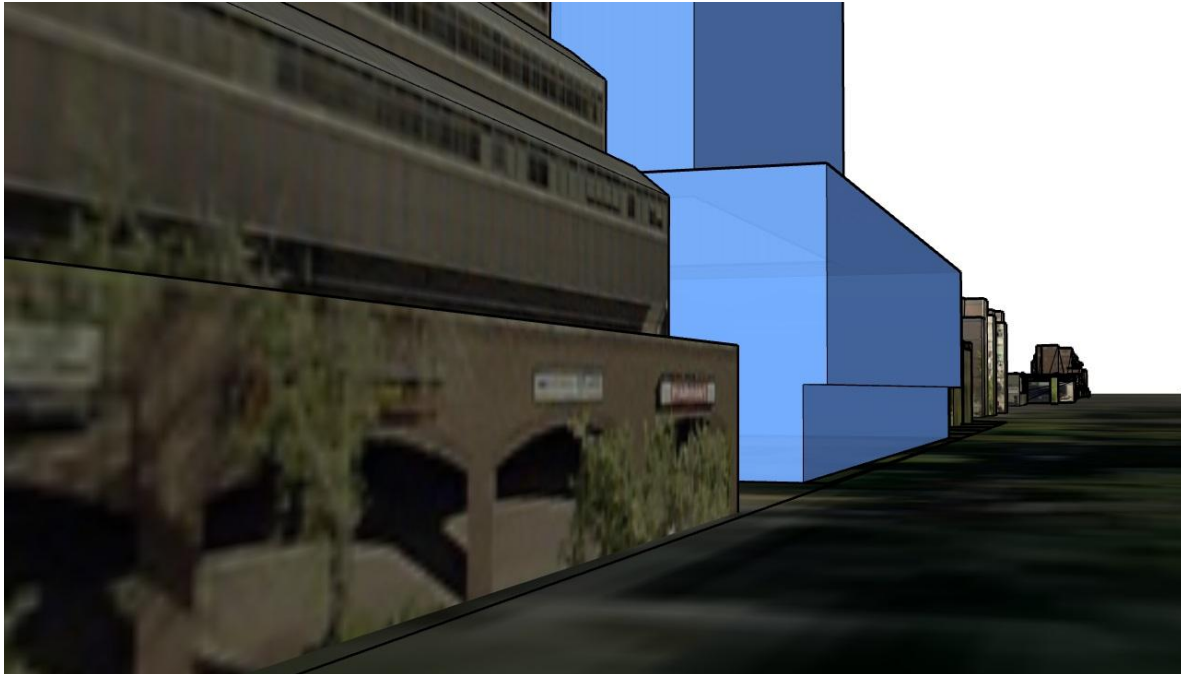
MASSING MODELS OF COMMERCIAL ONLY BUILDINGS ALLOWED BY THE PROPOSED ZONE

The below analysis mostly focuses on the mixed-use, high rise option as this would have the highest impact on surrounding properties. The solely commercial option would have a scale similar to the existing buildings that already exist along the Whyte Avenue corridor and across the lane to the north.

Built Form Analysis

When considering the compatibility of a tall building with surrounding land uses, there are a number of factors to consider about its design including the scale of the podium, its transition to

the tower, and the tower floor plate. While the overall height is also a consideration, it is less important than the features closer to ground level or the overall scale of the building. If the building is a mixed-use high rise, the scale of the podium would be relatively consistent with the adjacent buildings to the east and west, as shown below.



VIEW LOOKING EAST DOWN WHYTE AVENUE SHOWING PROPOSED PODIUM SCALE

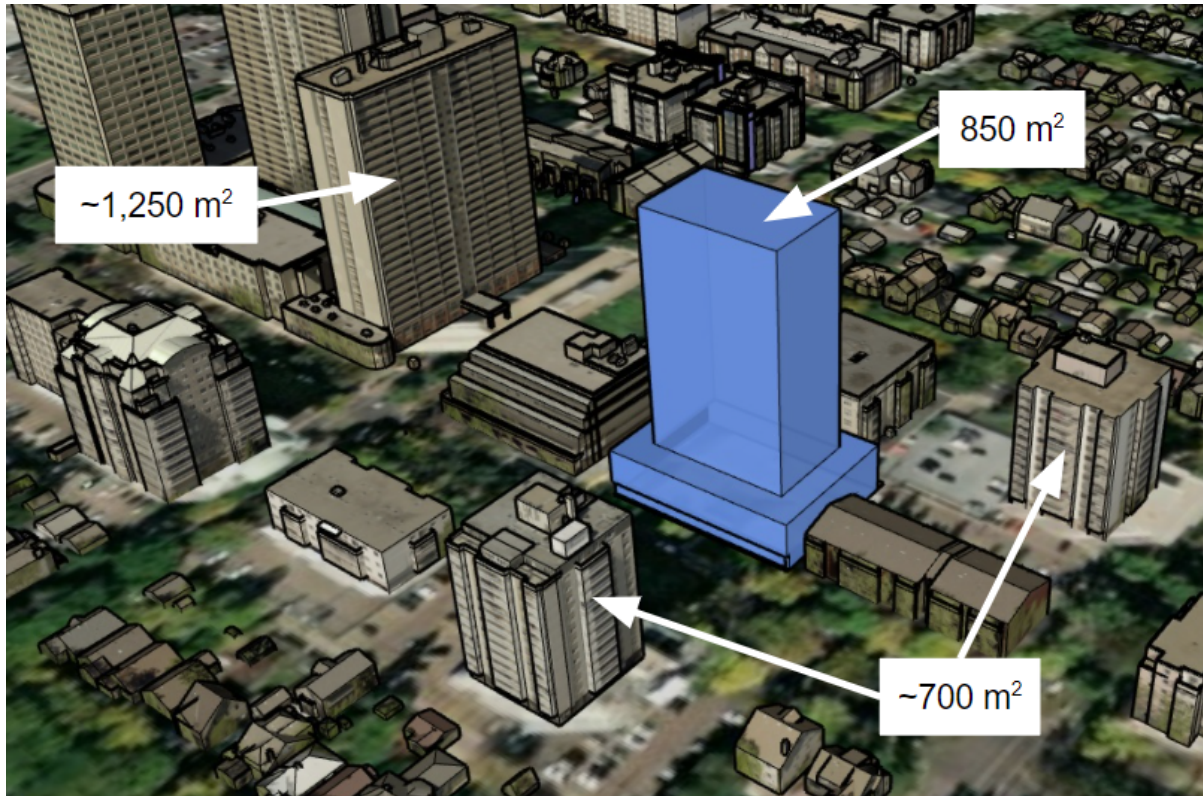
The transitions from the podium to the tower are typically regulated through stepbacks, but in the CB3 Zone, the only required stepback is the one to the south along 82 (Whyte) Avenue NW, where a stepback above the podium will be a minimum of 3.0 m. This stepback will provide an appropriately sized street wall and remove any mass of the tower above away from the street.

Tower transition to properties north, east and west are addressed through the combination of other regulations including tower floor plate size as discussed below.

Tower Floor Plate

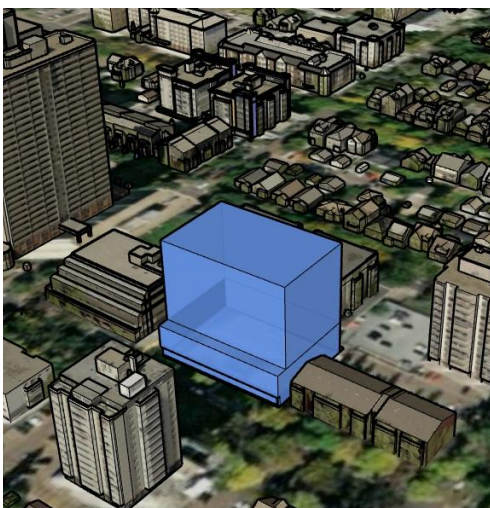
With this application, adjustments to the MSO are made to introduce a restriction on tower floor plate size which helps with compatibility and fit with pedestrian oriented main streets and surrounding lower scale residential context.

Currently, on this site, the CB3 Zone and MSO would allow for a 45 metre tall mixed-use building and a tower floor plate of approximately 1650 square metres. The proposed amendment to the MSO would reduce this floor plate by almost half, to 850 square metres. This aligns with the recently revised RA9 Zone which also allows for 850 square metres. This is considered a relatively slim tower and will help transition the tower mass down and away from the property lines through the narrowing of the building envelope likely resulting in additional stepbacks from the edges of the podium.

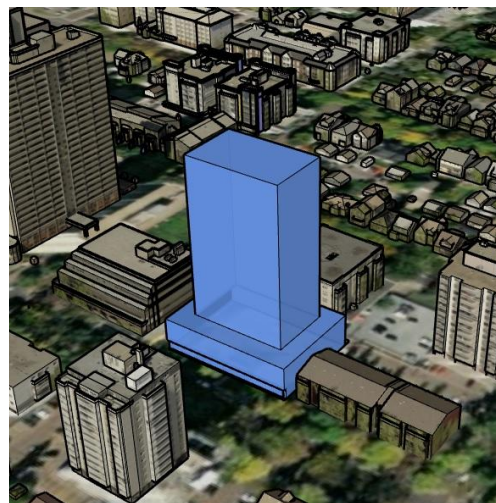


COMPARISON OF NEARBY TOWER FLOOR PLATES

In conjunction with the new floor plate restriction, the maximum allowable height is proposed to increase from 45 to 75 metres. This helps to ensure the zone continues to allow for higher intensity development, encourages mixed-use opportunities and generally achieves the same amount of total floor area as is currently allowed, but in a more sensitive built form. Below is a comparison between the CB3 + MSO regulations before and after the proposed amendments to the MSO.



CB3+MSO (CURRENT)



CB3+MSO (PROPOSED)

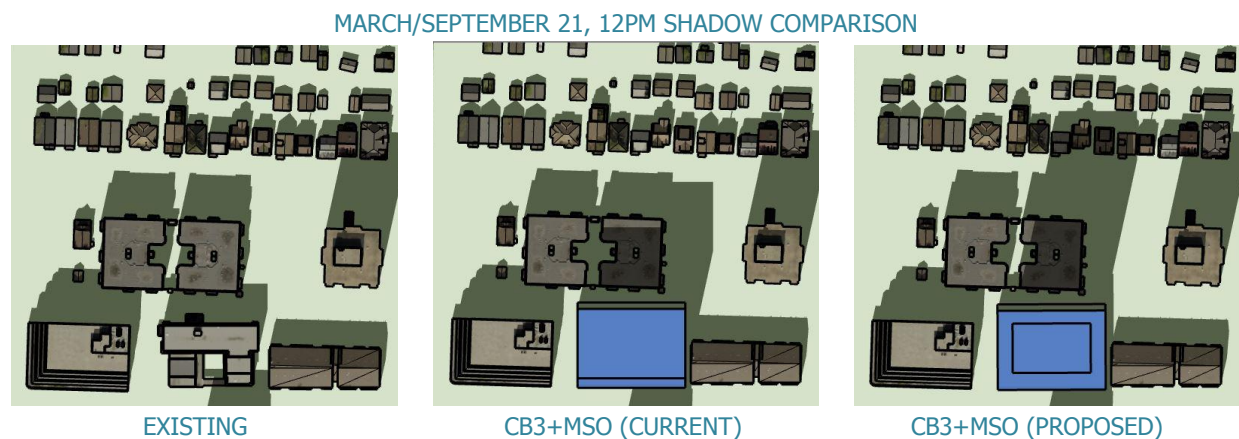
A full set of views of a massing model showing the anticipated built form is found in Appendix 1.

Sunlight and Shadows

Property owners and residents of the Garneau Gates Condominium building directly to the north of the rezoning site expressed concerns about this application with regards to their loss of sunlight. A Sun Shadow Study was analyzed with this application to determine what changes in shadows could be expected for properties near the rezoning site. The March and September equinoxes were used as an average between high summer sun levels and low winter sun levels.

In terms of the impacts on the Garneau Gates Condominium building, the shadow from the existing 5 storey building on the rezoning site already causes some shadow on the lower storeys of the building at certain times of day. The proposed new tower would extend this shadow to all storeys of the building and beyond to the north side of 83 Avenue NW, however, the shadow would move more quickly at that distance from the rezoning site so the impacts on these houses are considered relatively minimal.

The proposed changes to the MSO would result in additional height but with a smaller floor plate. Whether the height of the new building is 45 or 75 metres doesn't change the impact on the Garneau Gates Condominium building. For example, the length of the shadow would still extend to all storeys of the 5 storey building at the spring and fall equinoxes. However, having the reduced floor plate narrows the width of the shadow allowing more sunlight penetration to all storeys at more times of the day, as shown below.



While impact on sunlight penetration is a common concern with infill development, there are no standards or guidelines specifically for this item. Considerate tower separation combined with slimmer tower floor plates can help ensure these impacts are minimized.

The proposed CB3 Zone requires separation between residential towers of at least 25 metres. This distance has been a typical standard and is currently found in other zones, including most of the Downtown Special Area Zones. The recently revised (RA9) High Rise Apartment Zone only requires 20 metres. The two nearby residential towers to this site to the east and south would be over 30 metres from a new tower on this site.

In order for the City of Edmonton to achieve recent infill and density goals focused on nodes and corridors, there will need to be a level of acceptance of more characteristics of urban living such as additional shadow impacts. However, the proposed amendments to the MSO that ensures a slim tower, combined with existing tower separation regulation ensures such impacts of the proposed CB3 Zone at this location are mitigated to a reasonable level, while still allowing for the intensification of the corridor.

The full Sun Shadow Study is found in Appendix 2.

Heritage

The property is listed on the Inventory of Historic Resources in Edmonton as the St. John's Institute. The building is valued for its Early Modern Style design and its associations with prominent Edmonton Architecture firm Blakey, Blakey and Ascher and the St. John's Institute, an Alberta based organization established in 1918 which was dedicated to supporting students of Ukrainian descent while they pursued higher education.

Because it is listed on the inventory, the building qualifies for financial incentives from the City of up to 50 percent of eligible costs to a maximum of \$500,000 to support its restoration, should the owner agree to have the property legally protected through designation as a Municipal Historic Resource.

Through the application process, Administration informed the applicant of the eligibility for designation and details about the process. The applicant has declined to pursue designation, choosing to pursue the proposed rezoning which would likely lead to the demolition of the building. While Council has the authority to designate and protect historic resources under the provisions of the Historical Resources Act, against a property owner's wishes, the Act requires that the City compensate the affected property owner for any reduction in property value arising from the designation. The resulting compensation can be significant and it has typically not been considered economically sustainable for Council to pursue this approach.

Technical Review

Transportation

A Transportation Addendum was submitted by the applicant and the information was used to assess the potential impacts to the surrounding transportation network. These impacts have been determined to be acceptable at this location due to the current intent of the applicant with regards to the relatively low on-site parking supply planned, and the overall multimodal nature of the neighbourhood. However, it is recognized that development plans are not finalized and if the intensity of development goes beyond what is currently presented in the Addendum, a more fulsome Transportation Impact Assessment will be required at the development permit stage.

Through public engagement, many concerns were heard about the potential impact of a high rise development on the functioning of the lane. Administration looked closely at this lane, which is relatively constrained and varies in width, with a right-of-way of only 5 metres wide adjacent to this site. If the rezoning is approved, improvements to the lane will be required at

the developer's expense upon the site's redevelopment. This includes repaving/upgrading the lane to a commercial standard and potentially having the site provide a half-metre, hard-surfaced setback free of obstructions (to effectively expand the lane) depending on the anticipated vehicular activity. Site access and lane upgrade requirements will be further reviewed at the development permit stage.



EXISTING LANE LOOKING EAST
(GARNEAU GATES ON THE LEFT, REZONING SITE ON THE RIGHT)

Waste Management

Through public engagement, a common concern raised with redevelopment of this site was with an anticipated increase in disruption and mess in the lane due to the location of waste storage and the method of collection. The current setup for waste collection is not ideal and does not meet today's standards, with bins on wheels between the building and the lane and sometimes being in places that partially obstruct the lane. They are also very easily accessible to anyone, which may be contributing to the reported mess of waste in the lane described through engagement.



CURRENT WASTE COLLECTION LOCATION

With redevelopment, while the amount of waste storage space required for a larger building will increase, today's standards require the waste collection area to be entirely on site and screened from view from any adjacent sites. It is common for new towers to choose to locate the waste storage area entirely within the building and only accessed from the outside for collection. At the Development Permit stage, detailed site and building drawings will be reviewed by Waste Management Services to ensure the screening requirements are met, that the waste collection is of sufficient size, and that collection vehicles will be able to access them easily and efficiently.

Drainage

A Drainage Servicing Report was reviewed with this application. Permanent sanitary and storm servicing to the rezoning site is available from either the existing 750 millimeter or 450 millimeter combined sewer mains within 82 (Whyte) Avenue NW. Onsite stormwater management will need to be incorporated into the redevelopment to accommodate the excess runoff from a 1 in 100 year design rainfall event with an outflow rate of 35 litres per second per hectare.

EPCOR Water

There is a deficiency in on-street fire protection adjacent to the site, relative to City of Edmonton Standards which require on-street fire flows of 300 litres per second and hydrant spacing of 90 metres for the proposed zoning.

With redevelopment, the owner/developer will be required to construct approximately 96 metres of new water main from the existing water main on 110 Street NW to the site, as well as construct one new fire hydrant, at their expense.

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.

Broader City Wide MSO Amendments

There are eight existing sites in the city that are currently subject to the CB3 Zone with the MSO and would have some of their development rights changed as a result of the proposed amendments. None of these landowners expressed concerns with regards to the proposed changes and Administration believes they should not be problematic given the current state and development status of the sites. The sites are either vacant with no known redevelopment plans or built or under construction. For the sites yet to be redeveloped under the CB3 Zone, the proposed amendments will improve the compatibility of those sites with their surrounding areas in similar ways that are described above for the proposed rezoning site in Garneau. These proposed changes to the MSO will also apply to any future sites rezoned to the CB3 Zone in the future.

The table below lists these sites with their current status and potential impact of these changes. Appendix 3 shows a map of these sites.

Site Address	Site Status	Potential Impact of Changes
1 - Westmount Shopping Centre NW (northwest corner)	Vacant/Surface Parking, no known redevelopment plans	Future redevelopment would need to comply with proposed MSO changes
10104 - 111 Avenue NW	Existing older building, no known redevelopment plans	Future redevelopment would need to comply with proposed MSO changes
10107 - 111 Avenue NW	Vacant/Surface Parking, no known redevelopment plans	Future redevelopment would need to comply with proposed MSO changes
10111 - 122 Street NW	Permits issued, building under construction	None - Development Permit for new building issued under current regulations
10116 - 150 Street NW	Existing older building, no known redevelopment plans	Future redevelopment would need to comply with proposed MSO changes
12106 & 12120 - Jasper	Existing older building, no	Future redevelopment would

Avenue NW	known redevelopment plans	need to comply with proposed MSO changes
12210 & 12220 - Jasper Avenue NW	Recent CB3 Building Built	None - New building was built under current regulations
12322 - 102 Avenue NW	Permits issued, building under construction	None - Development Permit for new building issued under current regulations

There is one proposed amendment to the Main Streets Overlay that would apply to all zones subject to the overlay, not just those zoned CB3. Currently, the overlay exempts developments from a maximum Floor Area Ratio if it includes Multi-unit Housing. The intent of this is to encourage mixed-use developments along main streets by allowing more scale if housing is included and the building is not solely commercial. The proposed amendment would expand this exemption to all residential or residential-related uses (eg. Lodging Houses, Supportive Housing, etc.) not just multi-unit Housing. With a focus on equity in housing, this amendment is necessary as it ensures that the intent of the exemption, focusing on providing space for residents to live without regulating the type of resident who should live there, is consistently applied.

Community Insights

Based on the characteristics of this application, the file was brought forward to the public using a broadened approach. This approach was selected because:

- the application is in an area where previous applications have prompted extensive public response
- it proposed significant amendments to the neighbourhood statutory plan

The broadened approach included the following techniques:

- an Advance Notice sent to a broader catchment area (120 metres)
- basic information on the application added to the "Garneau Planning Applications" City of Edmonton Webpage
- a detailed online Application Webpage including massing models, and supporting technical documents for the application
- an Engaged Edmonton webpage online for 2 weeks to collect feedback and answer questions

ADVANCE NOTICE #1 (Rezoning Site) November 19, 2021	<ul style="list-style-type: none"> Recipients: 366 Responses received: 3 <ul style="list-style-type: none"> Support: 0 Opposed: 3
GARNEAU PLANNING APPLICATIONS WEBPAGE (Basic Information) Live November 19, 2021	<ul style="list-style-type: none"> http://edmonton.ca/garneauplanningapplications Number of site visitors: 48 (as of report writing)
DETAILED APPLICATION WEBPAGE Live January 6, 2022	<ul style="list-style-type: none"> https://edmonton.ca/garneau82avenue rezoning Number of site visitors: 27 (as of report writing)
ENGAGED EDMONTON WEBPAGE January 10 - 24, 2022	<ul style="list-style-type: none"> https://engaged.edmonton.ca/Garneau82Ave Total Visits: 183 <ul style="list-style-type: none"> Aware: 124 Informed: 45 Engaged: 28 <ul style="list-style-type: none"> Support: 4 Neutral/Mixed/Unclear/Questions Only: 1 Opposed: 23 See Appendix 4 for a full What We Heard Report from this online engagement
ADVANCE NOTICE #2 (Current CB3+MSO Sites) January 18, 2022	<ul style="list-style-type: none"> Recipients: 742 Responses received: 4 <ul style="list-style-type: none"> Support: 2 Opposed: 2

The majority of the responses received through engagement were from property owners or residents of the Garneau Gates Condominium building, directly to the north of the rezoning site across the lane. They shared the perspective that the development of a tower on the rezoning site would have negative impacts on them. The most common concerns were:

- the loss of sunlight on balconies and in units facing south
- increased conflicts/disruptions from waste collection
- increased traffic/congestion in the lane
- reduced property values

With regards to the feedback received for the broader MSO amendments impacting other sites in the City, both responses with concerns were from nearby residents to the CB3 site at Westmount Shopping Centre. The concerns were primarily related to impacts of high intensity development more generally (increased traffic, construction disruption, etc.), and not with the specific amendments being proposed. Only one landowner of an affected CB3+MSO Zoned site responded to the proposal, but only asked questions and did not express any concerns.

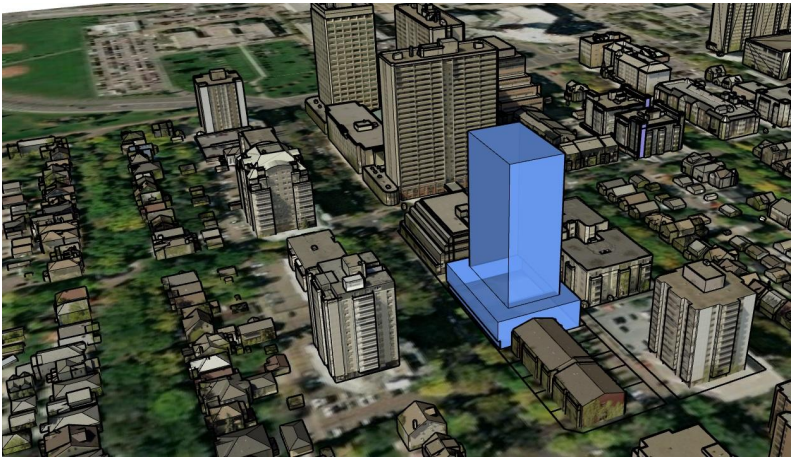
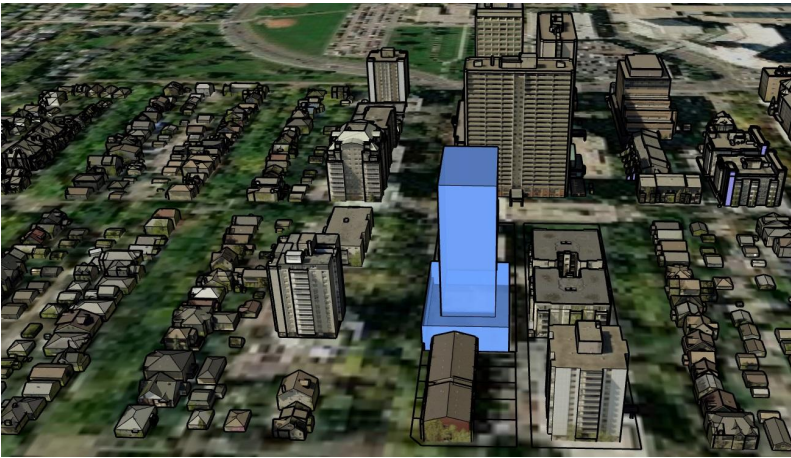
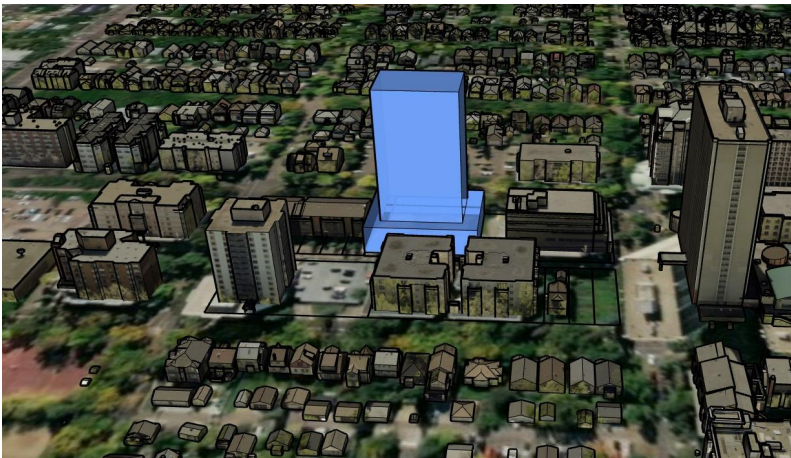
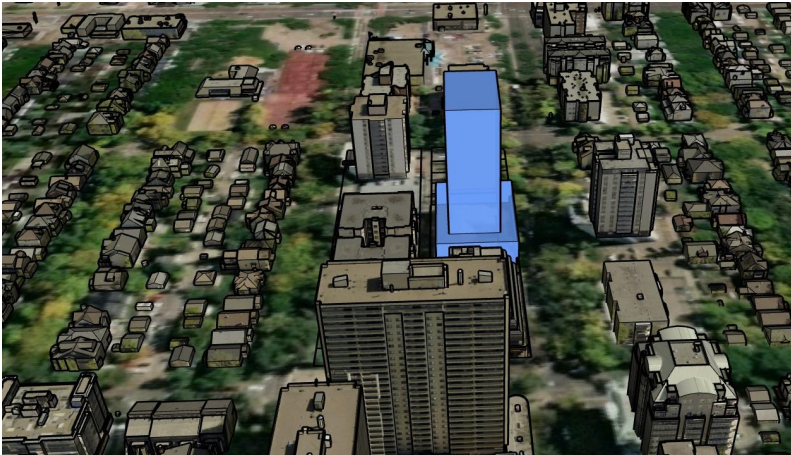
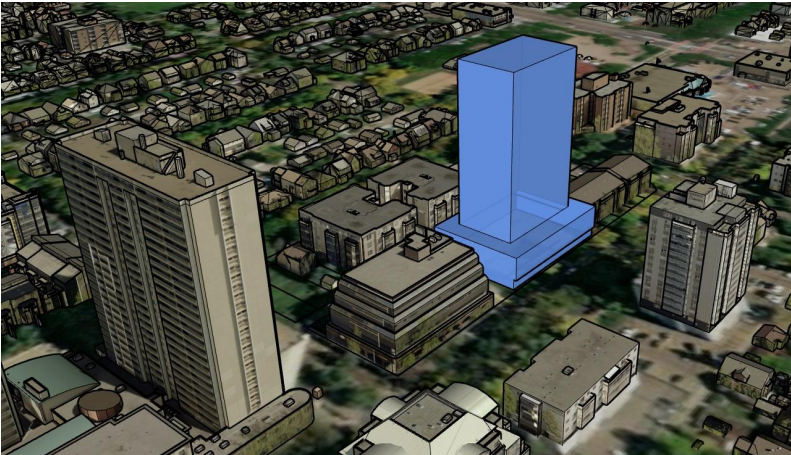
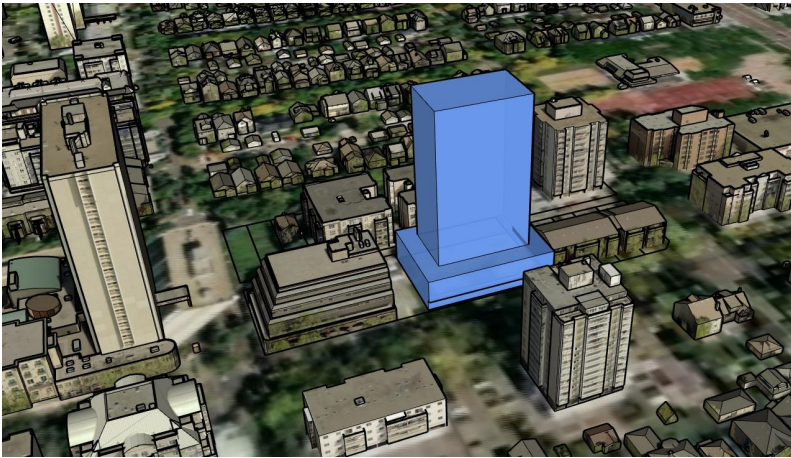
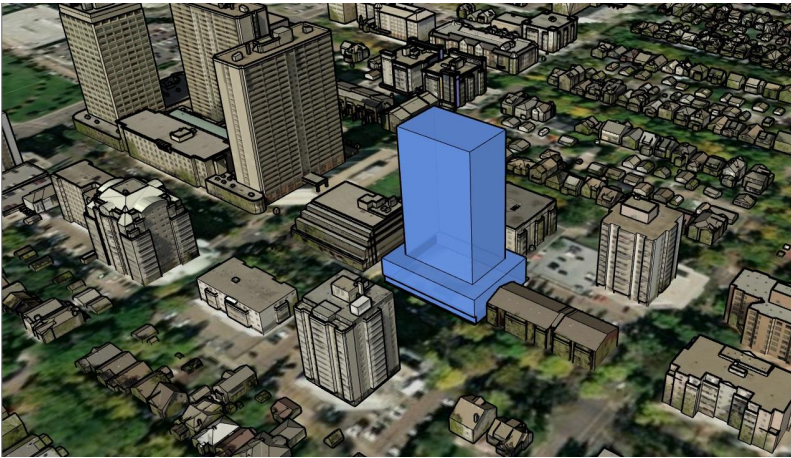
Conclusion

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


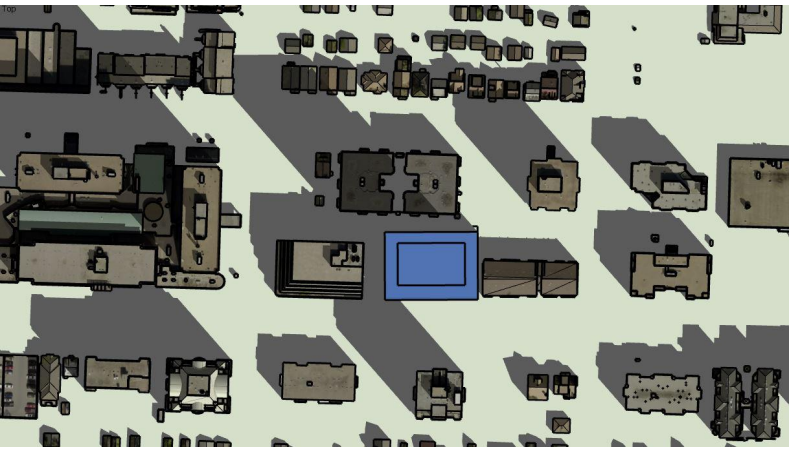
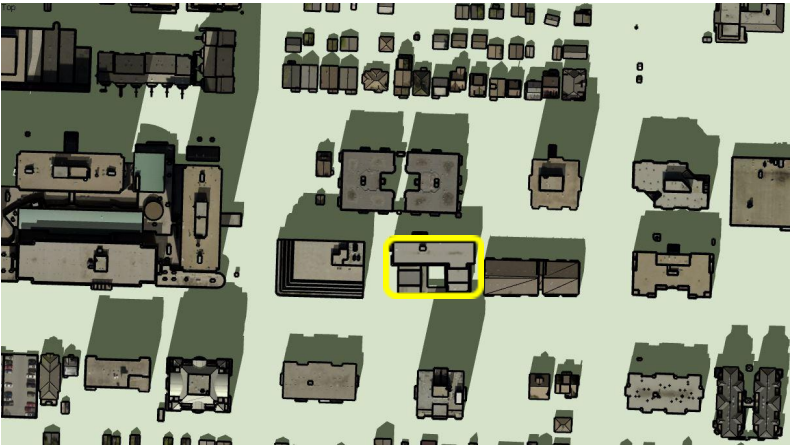


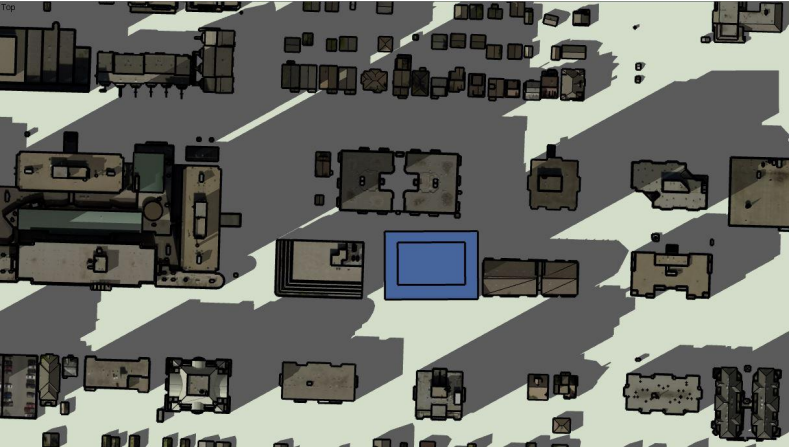
APPENDICES

- 1 Massing Model Views
- 2 Sun Shadow Study
- 3 Map of Current CB3+MSO Sites
- 4 “What We Heard” Public Engagement Report
- 5 Application Summary

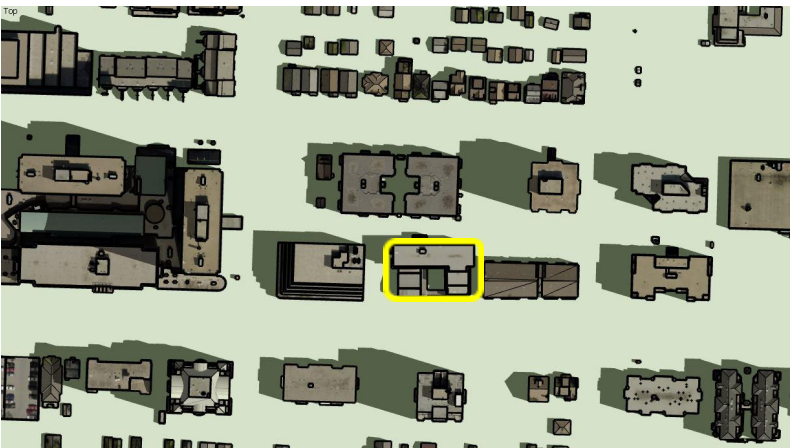
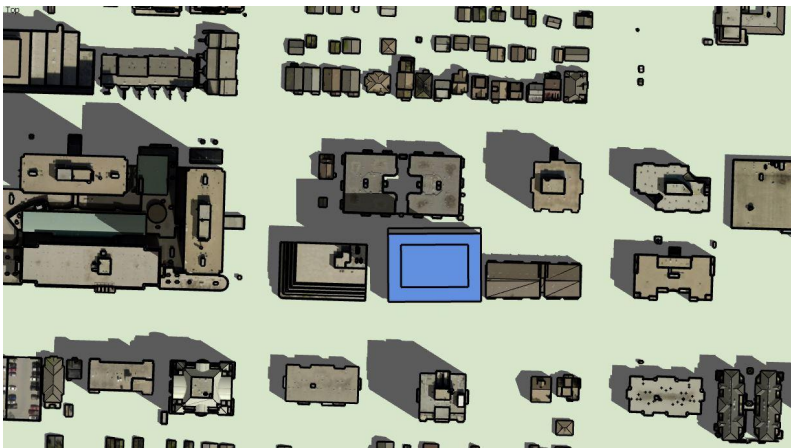
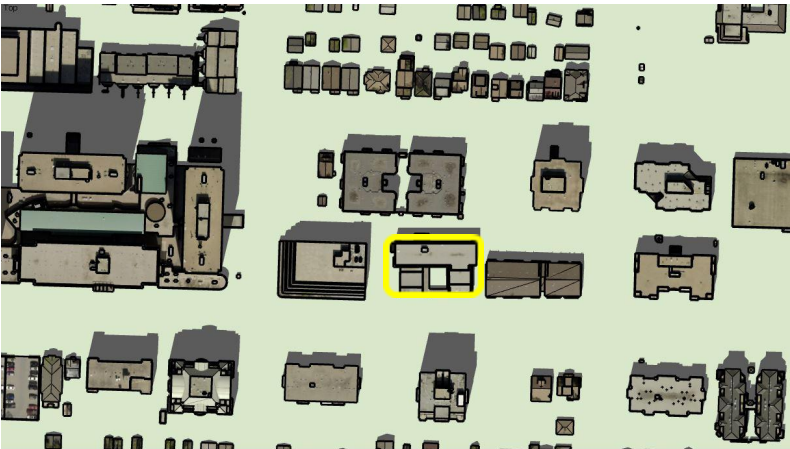
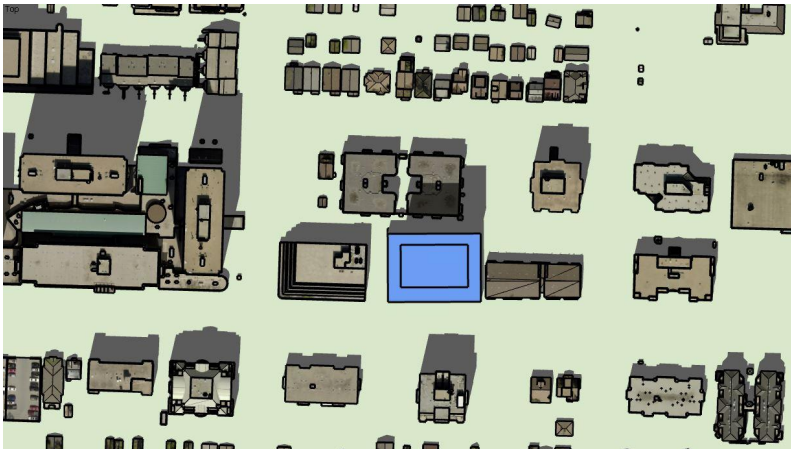

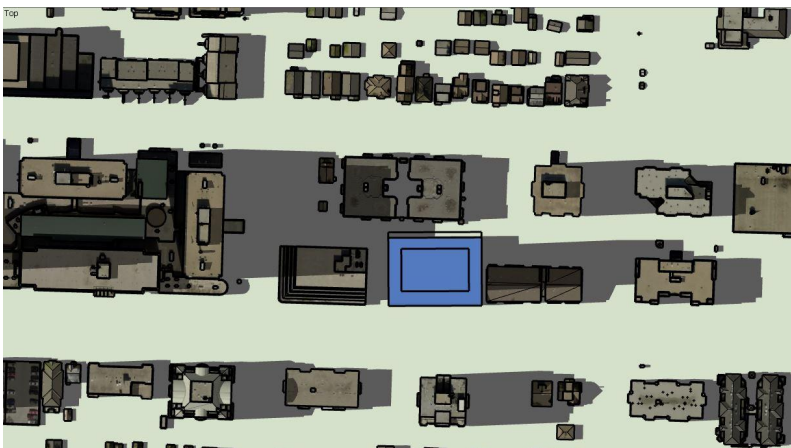
MASSING MODEL VIEWS




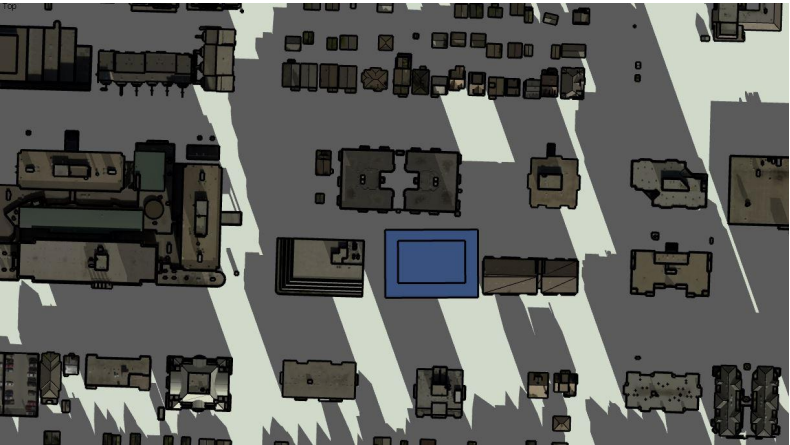
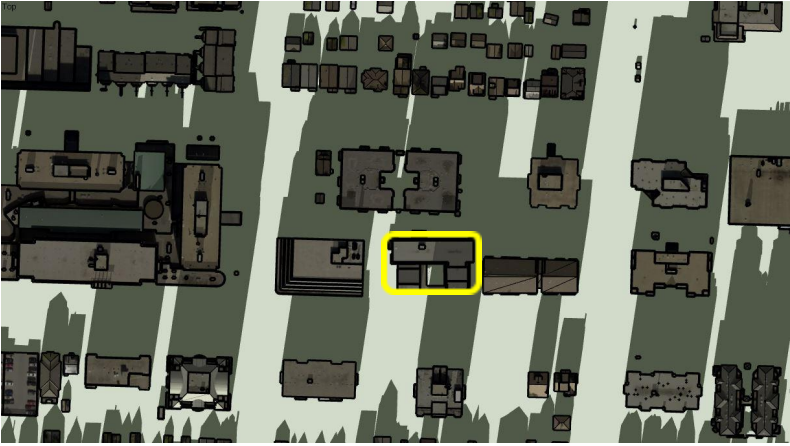
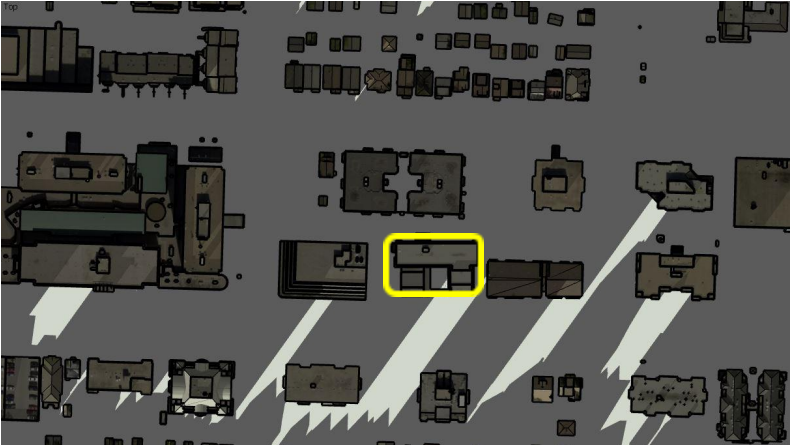
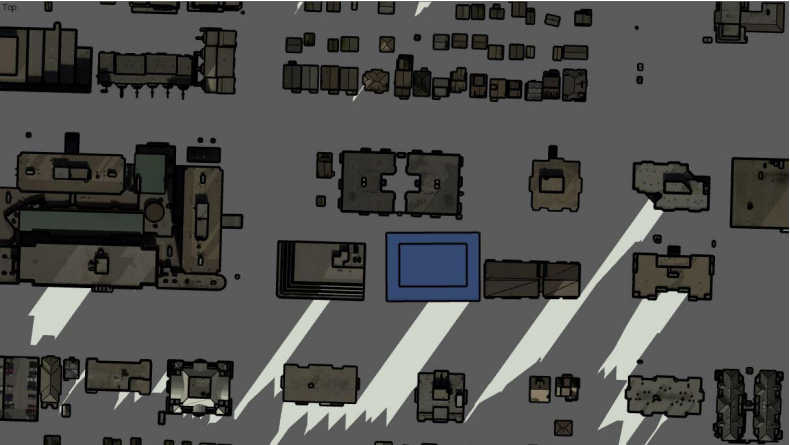
SUN SHADOW STUDY

MAR/SEP 21	EXISTING CONDITIONS	CB3 + MSO (AMENDED)
9AM		
12PM		
3PM		

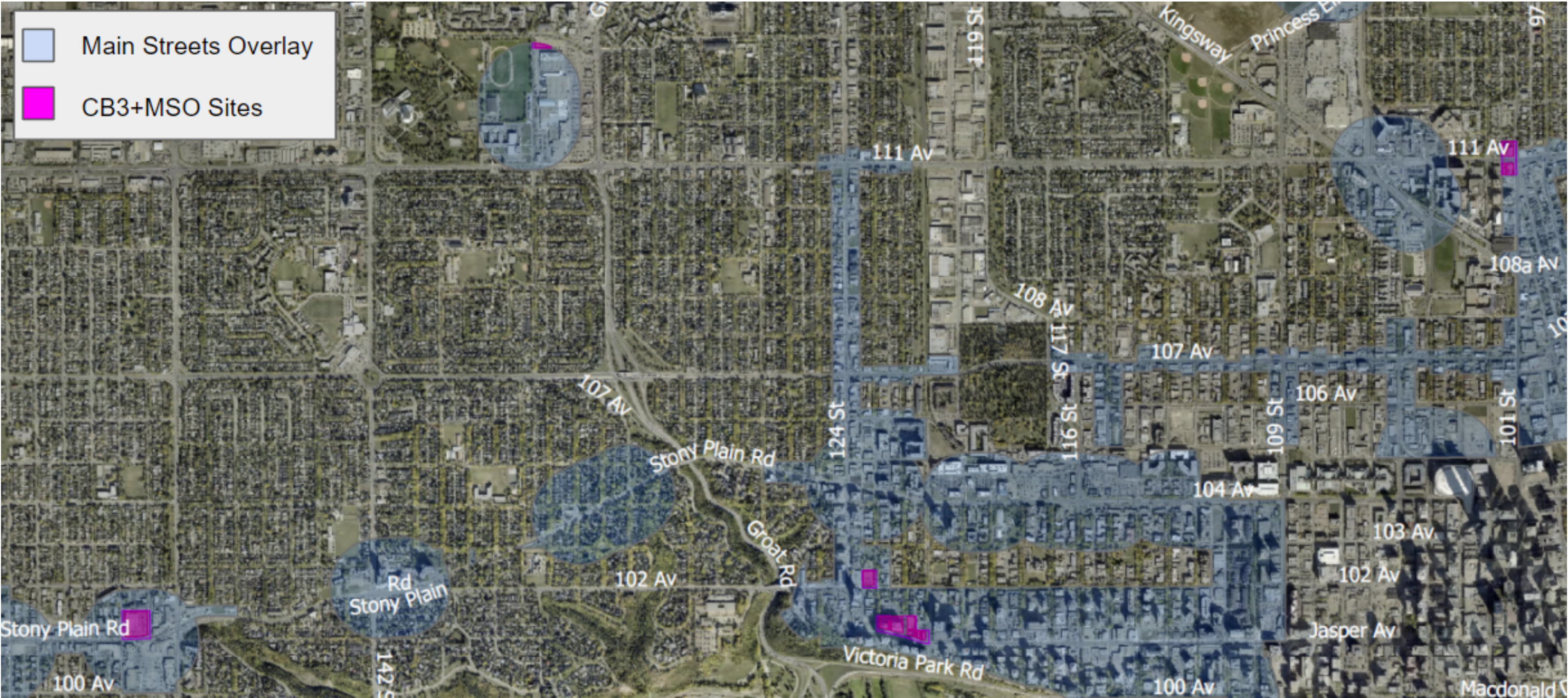
SUN SHADOW STUDY

JUNE 21	EXISTING CONDITIONS	CB3 + MSO (AMENDED)
8AM		
12PM		
4PM		

SUN SHADOW STUDY

DEC 21	EXISTING CONDITIONS	CB3 + MSO (AMENDED)
10AM		
12PM		
2PM		

CURRENT CB3+MSO SITES





WHAT WE HEARD REPORT

Online Public Engagement Feedback Summary LDA21-0442 - Garneau 82 Avenue CB3

PROJECT ADDRESS: 11024 - 82 Avenue NW

PROJECT DESCRIPTION: A [proposed rezoning](#) coupled with an [associated amendment](#) to the [Main Streets Overlay](#) would allow for the development of a high-rise, mixed-use tower with the following characteristics:

- A maximum podium height of 13.0 metres (approximately 3 storeys) and an overall maximum building height of 75 metres (approximately 22 storeys).
- Pedestrian-oriented commercial space at ground level facing 82 (Whyte) Avenue NW with a residential tower above. Commercial uses allowed could include, but are not not limited to, general retail stores, health services, personal service shops (eg. hairdressers, etc) and specialty food services.
- A maximum tower floor plate area of 850 square metres.
- Requiring any on-site vehicle parking to be accessed from the rear lane and any surface or above-ground parking to be screened from view.

There is also an associated [application to amend](#) the [Garneau Area Redevelopment plan](#), which currently does not allow a building of this scale and type at this location.

ENGAGEMENT Online engagement webpage - Engaged Edmonton:
FORMAT: <https://engaged.edmonton.ca/Garneau82Ave>

ENGAGEMENT DATES: January 10 - 24, 2022

NUMBER OF VISITORS:

- Engaged: 28
- Informed: 45
- Aware: 124

See “Web Page Visitor Definitions” at the end of this report for explanations of the above categories.

ABOUT THIS REPORT

The information in this report includes feedback gathered through the online engagement web page on the Engaged Edmonton platform from January 10 - 24, 2022. It also includes feedback sent via email directly to the file planner during the same period..

Input from Edmontonians will be used to ensure the review of the application takes local context into consideration and is as complete as possible. It will also be used to inform conversations with the applicant about potential revisions to the proposal to address concerns or opportunities raised. Feedback will also be summarized in the report to City Council when the proposed rezoning goes to a future City Council Public Hearing for a decision.

This report is shared with all web page visitors who provided their email address. This summary will also be shared with the applicant and the Ward Councillor.

ENGAGEMENT FORMAT

The Engaged Edmonton webpage included an overview of the proposed rezoning and plan amendment, information on the development and rezoning process and contact information for the file planner. Two tools were available for participants: one to ask questions and one to leave feedback.

The comments are summarized by the main themes below with the number of times a similar comment was made by participants recorded in brackets following that comment. The questions asked and their answers are also included in this report.

WHAT WE HEARD

Support: 4

Neutral/Mixed/Unclear/Questions Only: 1

Opposed: 23

Comments

General/Other

- Totally/flat out/strongly opposed/absurd (x13)
- Will bring more crime and/or noise (x7)
- Safety/crime concerns (x5)
- Potential water/utility issues (x3)
- Should not demolish a historically significant building (x3)
- Disruptive construction impacts/noise (x2)
- Bad idea
- Such a large building doesn't fit the vibe of the community
- Beneficial for Garneau/would like to see more of this
- Support on balance
- Some pros and cons, but not a net benefit
- Will attract more homeless people to the large waste bins

Impacts on Garneau Gates Condo complex (5 storey residential building north of rezoning site)

- Lost sunlight (x13)
- Reduced property values (x11)
- Increased waste collection disruption/issues in lane (x11)
- Loss of privacy (x2)

Transportation

- Increase in traffic/congestion in back lane (x13)
- Will bring more vehicle traffic to the area which is already congested (x10)
- Already isn't sufficient parking in the area, this will make it worse (x5)
- Want less vehicle traffic and a more pedestrian friendly neighbourhood
- Lane will become especially problematic in winter when the City doesn't clear it
- Good location for this type of development near transit

Proposed Building - Massing, Building & Site Design

- Increased shadows in area (x5)
- Like the mixed-use, pedestrian-friendly design
- Height completely reasonable
- This size of building belongs in downtown
- Building of this size does not fit the property
- High rise too much, should be low rise
- Want to see a slim tower
- 5 to 8 storeys would be more reasonable

Uses/Type of Housing

- Ground level retail would be very beneficial here (x2)
- Already lots of commercial in the area, don't need more
- Do not want this designed only for students. Already enough student housing in the area
- We need more units for families in this area, not this
- Hope the commercial units are small and varied in type
- Worried the current housing won't be replaced by replacement housing but just commercial which would be a net loss for the area
- An only commercial building option is not necessary given other zoning options and would not be typical for this area.
- Commercial uses listed on the engagement page is selective and doesn't account for all options in CB3
- Worried that high price of units will push out families and students and people who care less about the community will live here

Engagement

- The developer did not engage with the community and showed no interest in collaboration that took into account the needs and interests of the community
- The city's engagement process excludes the community at early stages of the process even though they are a key stakeholder
- This kind of rezoning should wait for the District Plan and the new Zoning Bylaw instead of being considered on an ad hoc basis
- Opinions of those directly beside proposal should count more than others farther away or who might just walk by

Area Redevelopment Plan/The City Plan/Policy Context

- We need more of this to meet our housing, climate, transportation and economic goals in the new City Plan
- Rezoning to CB3 doesn't just impact this site, it fundamentally alters the intended uses for the site as part of the wider Garneau community
- Other zoning options are available like RA8 and RA9 for a mixed use building of similar scale
- An overarching city plan should not be used as vague justification for a particular development.
- Does not conform with Garneau Area Redevelopment Plan
- Does not conform with the current Main Streets Overlay
- To achieve The City Plan for 15 minute neighbourhoods, we need more family housing in this area, not student housing

Economic

- Should not be done just so the developer can profit (x2)
- Glad to see development that gives my kids an affordable hope of living in the area as young professionals.
- It may be developers intent to upzone to increase property value and sell so zoning should be proven to be necessary and appropriate, not just what is being asked for
- Worried condos will just be purchased by non-locals to rent or hold as an asset without people contributing to local businesses
- Already enough residential and commercial vacancy due to COVID-19, don't need more built

Zoning

- Maybe a DC2 with a codified design could be ok but not a CB3 (x2)
- A DC2 would be a better option allowing for mixed use while ensuring specific building design
- Very cool to see a standard zone instead if DC2

Density

- Want less density
 - Completely reasonable density for this location
 - Already too busy an area
-

Questions & Answers

1. Does the City offer some kind of compensation if I lose property value because of this addition?

The City does not provide compensation for lost property value due to a rezoning or redevelopment. Under the Municipal Government Act and the Zoning Bylaw, property owners and developers have the right to submit rezoning applications and the City is obligated to process such applications and advance them to City Council for consideration. With that said, we understand that these kinds of changes to zoning can have impacts on surrounding properties, which is why the rezoning process is public, transparent, and ultimately decided by elected representatives on City Council.

2. How does the City plan to maintain the alley, which is already crumbling, when traffic quadruples or more?

If the rezoning is approved, improvements to the lane will be required at the developer's expense upon the site's redevelopment. This includes repaving the lane and potentially having the site provide a half-metre, hard-surfaced setback free of obstructions (to effectively expand the lane) depending on the anticipated vehicular activity. Site access and lane upgrade requirements will be further reviewed at the development permit stage.

3. Are there going to be mandates for the building about garbage maintenance? Obviously they will require more garbage bins for the increased number of occupants; where does the City plan to mandate they be placed? The alley is narrow at the best of times and the ability to accommodate more garbage bins will be a challenge.

The Zoning Bylaw requires waste collection areas for new developments to be entirely on site and screened from view from any adjacent sites. The applicant will be required to use space on their site to ensure the bins do not obstruct or sit in the lane. At the Development Permit stage, detailed site and building drawings will be reviewed by Waste Management Services to ensure the screening requirements are met, that the waste collection area is large enough to accommodate the required number of bins on site, and that the

City's collection vehicles will be able to access them. If the building is constructed and the planned location and operations for waste collection are not being followed, concerns can be raised to the City by contacting [311](#).

4. How does the City plan to adapt the alley for the natural light which will be lost with such a massive building behind us?

The shadow impacts are something the City is reviewing and considering as part of its planning analysis of the proposed rezoning and will factor into the City's overall recommendation to City Council. However, if Council approves the zone, knowing what the shadow impacts are, there would not be any adaptation of the alley to address any loss of natural light.

5. What does the City plan to do to maintain safety and noise control issues, problems that already exist, when the number of vehicles and after hours people will rise exponentially? We live near Whyte Ave and the university, so it's relatively safe to assume that many occupants of this building will be university students who party regularly. Will the city plan to make this a regular beat for local police presence?

- Zoning regulates how we use land and helps ensure what is built is compatible with the surrounding area. This includes what types of buildings are allowed on a site (eg. residential or commercial) and the basic size and shape of those buildings. Zoning does not regulate who can live or work in the buildings, how the buildings are operated once constructed, or whether the property is rented or owned. As a result, these factors cannot be taken into consideration as part of the rezoning application review.
- There are a variety of bylaws and legislative tools outside the Zoning Bylaw to ensure developments are well operated if they are approved. Issues related to noise from people or vehicles are regulated by the [Community Standards Bylaw](#) and the City will investigate complaints received about this bylaw being infringed.
- At the Development Permit stage, when detailed site and building drawings are being reviewed, the City has the authority to require the applicant to provide a Crime Prevention Through Environmental Design (CPTED)

Assessment to ensure common and public areas are designed in a way to minimize opportunities for crime. The Edmonton Police Service has reviewed this proposed rezoning and did not express any concerns.

6. Given how close our building is to the one being proposed (which would also involve demolition of the current one), I'm wondering, specifically what safeguards are in place to ensure that vibrations stay within a safe range that cannot possibly cause any damage to our building in any way, shape, or form? More specifically, what requirements do the construction of the new building (and destruction of the existing building) have to adhere to as far as vibration levels (i.e. what is the specific value of the safe level that is permitted on these projects)? My understanding is that a maximum of 0.5 in/s is considered the only safe level, so can you provide assurance that they will not exceed that? Also, who from the city will be monitoring that and how will they do so, to ensure that vibration stays within that safe range?

- The City reviews Building or Demolition Permit applications which may include details about the construction or demolition plans and methods. For the application to be processed, it must align with the National Building Code-Alberta Edition (the Building Code).
- The Building Code doesn't provide any details specific to vibration levels, but does require the owner of a construction or demolition site to ensure that work undertaken does not damage or create a hazard to adjacent properties. The City's [Community Standards Bylaw](#) also contains a section about noise control related to construction activity, though it does not specifically mention vibrations.
- The City does not provide ongoing proactive monitoring of construction or demolition sites, as it is the responsibility of the owner, professionals and builders to ensure the Building Code and related bylaws are observed. However, the City will investigate complaints related to construction activities, whether that be a potential violation of the Community Standards Bylaw, the Building Permit or Building Code. If there is a violation, the City has the ability to issue a Stop Work Order and engage the site owner in addressing the issue(s).

- While the City does its best to try to reduce the risk of potential impacts to adjacent properties and ensure builders are following good construction practices through the above outlined permitting and enforcement practices, there are no assurances. Prior to the start of neighbouring construction, homeowners are encouraged to consider:
 - contacting their property insurer for advice;
 - documenting the current state of their property (e.g. photos of the yard, house exterior and fence); and
 - Looking into options to assess their foundation and to document its current condition, if they have concerns about the potential effects of excavation or vibration.
- The City's [residential infill webpage](#) also has additional resources and information available for neighbours of infill.

7. Can you confirm that, if this project were to go ahead, all underground parkade exhaust vents for the new building AND all building/furnace exhaust vents would NOT vent into the back alley where our units that have balconies in back of our building are located? Can you confirm that all venting and exhaust would instead be located on top of and/or in the front of the new building, and would vent out towards the road (Whyte Ave)?

- The exact location of parkade exhaust vents is something that will be determined at the Development Permit stage, should the rezoning be approved by Council. It's also important to note that under the [Open Option Parking rules](#) adopted by Council in 2020, developers can now choose how much on-site parking they provide with new developments. If the developer chooses to provide on-site parking, they can choose whether to provide it underground, at ground level or in an above ground parking structure.
- The Zoning Bylaw does not include specific regulations for the location or orientation of these vents, but the City makes every effort to ensure they are located as sensitively as possible when reviewing application drawings. That said, it is common for the location with the least undesirable impacts to be the lane. It is unlikely that the City will accept vents oriented towards the public sidewalk along Whyte Avenue.

- From a Building Code (and associated trade discipline) perspective, there are minimum clearance requirements from adjacent properties, building openings etc. for intake/exhaust air and appliance vent terminations. These will be reviewed through the permit application and construction stages should the rezoning be approved by Council.

8. I'm wondering, what criteria does the City use in a case like this, to determine if it's appropriate to allow a 22-storey building to be built directly behind a 5-storey residential building like ours? If this were to go ahead, the units on the back of our building will basically have their ability to see the sky and sunlight from their balcony virtually obliterated by this, as well as be subjected to increased traffic in the lane, and no doubt substantially reduced property values. So, this would be immensely problematic for a huge number of our owners and residents here if this were to go ahead, and I'm curious why the City is even entertaining such a proposal when it is so obvious the negative impact this would have on us, the building's closest neighbour. Should the value of our residents' existing homes not take priority over the interests of a company wanting to come in after the fact, have the location rezoned, and land a massive building behind us? If not, why not?

- Under the Municipal Government Act and the City's Zoning Bylaw, developers have the right to make rezoning applications and the City is obligated to process such applications and advance them to City Council for consideration.
- City Council considers City Administration's review and recommendation when making decisions on proposed rezonings. City Administration has not yet taken a position of support or non-support on this proposed rezoning.
- Administration's position will be determined by a thorough review of the proposal which involves a number of criteria, including:
 - Relationship to and compliance with approved Statutory Plans and City Council policy. In this case, mainly the [Garneau Area Redevelopment Plan](#) and [The City Plan](#);
 - Compatibility with surrounding development in terms of use, function and scale of development. This is where shadow impacts would be factored in;

- Technical considerations, such as traffic impacts and relationship to, or impacts on, services such as water and sewage systems, public transit and other utilities and public facilities such as recreational facilities and schools;
 - Effect on stability, retention and rehabilitation of desirable existing Uses, buildings, or both in the area;
 - Necessity and appropriateness of the proposed Zone in view of the stated intentions of the applicant; and
 - Relationship to the documented concerns and opinions of area residents regarding the application.
 - Zoning regulates how we use land and helps ensure what is built is compatible with the surrounding area. This includes what types of buildings are allowed on a site (eg. residential or commercial) and the basic size and shape of those buildings.
 - Zoning does not regulate who can live or work in the buildings, how the buildings are operated once constructed, whether the property is rented or owned or the potential impact, positive or negative, on surrounding property values. As a result, these factors cannot be taken into consideration as part of the rezoning application review.
-

Web Page Visitor Definitions

Aware

An aware visitor, or a visitor that we consider to be 'aware', has made one single visit to the page, but not clicked any further than the main page.

Informed

An informed visitor has taken the 'next step' from being aware and clicked on something. We now consider the visitor to be informed about the project. This is done because a click suggests interest in the project.

Engaged

Every visitor that contributes on the page, either by asking questions or leaving a comment, is considered to be 'engaged'.

Engaged and informed are subsets of aware. That means that every engaged visitor is also always informed AND aware. In other words, a visitor cannot be engaged without also being informed AND aware. At the same time, an informed visitor is also always aware.

If you have questions about this application please contact:

Andrew McLellan, Principal Planner
780-496-2939
andrew.mclellan@edmonton.ca

APPLICATION SUMMARY

INFORMATION

Application Type:	Plan Amendment, Text Amendment, Rezoning
Bylaw/Charter Bylaw:	20039, 20040
Location:	North side of 82 (Whyte) Avenue NW, between 110 Street NW and 111 Street NW
Address:	11024 - 82 Avenue NW
Legal Description:	Lots 6-10, Block 157, Plan I19
Site Area:	2024.6 m ²
Neighbourhood:	Garneau
Ward:	Papastew
Notified Community Organizations:	Garneau Community League
Applicant:	Situate Inc.

PLANNING FRAMEWORK

Current Zone:	(US) Urban Services Zone
Proposed Zone and Overlay:	(CB3) Commercial Mixed Business Zone Main Streets Overlay
Plan in Effect:	Garneau Area Redevelopment Plan
Historic Status:	The St. John's Institute is listed on the Inventory of Historic Resources in Edmonton but is not a designated Municipal Historic Resource.

Written By:
Approved By:
Branch:
Section:

Andrew McLellan
Tim Ford
Development Services
Planning Coordination