

# COUNCIL REPORT – LAND USE PLANNING BYLAW

Edmonton

## CHARTER BYLAW 20795

### To amend Zoning Bylaw 20001 to reduce barriers to office tower conversions in the Downtown Special Area

#### Purpose

To amend Zoning Bylaw 20001 to reduce barriers to office tower conversions in the Downtown Special Area.

#### Previous Council/Committee Action

At the October 31, 2023 Urban Planning Committee meeting, the following motion was passed:

“That Administration, through a memo, provide permitting options to incentivize office tower conversions including providing application support, examining opportunities for no development permit required and prioritizing building permit review.”

Charter Bylaw 20795 has been prepared as indicated in the above-noted memo.

#### Readings

Charter Bylaw 20795 is ready for three readings after the public hearing has been held. If Council wishes to give three readings during a single meeting, Council must unanimously agree that Charter Bylaw 20795 be considered for third reading.

#### Advertising and Signing

This Charter Bylaw was advertised in the Edmonton Journal on May 24, 2024, and June 1, 2024. The Charter Bylaw can be passed following third reading.

#### Position of Administration

Administration supports this proposed Charter Bylaw.

#### Report

##### Overview

In response to the October 31, 2023 motion and the April 16, 2024 memo to Council, Administration is proposing to exempt particular regulations for an office to residential conversion. This is intended to reduce the need for variance approvals for components of a development that are generally beyond the applicant’s control when development occurs. This will help reduce the regulatory barriers associated with these conversions by providing greater certainty for applicants.

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### Recent Conversions in the Downtown Special Area

To inform the proposed exceptions to regulations for office tower conversions, Administration analyzed the following four recent building conversions within Downtown Special Area Zones that added residential dwellings:

<b>Building</b>	<b>Address</b>	<b>Zone</b>
Phipps-McKinnon Building	10020 - 101A Avenue NW	CCA Zone
Capital West Building	10035 - 108 Street NW	CMU Zone
RMS Financial Building	10621 - 100 Avenue NW	CMU Zone
Enbridge Tower	10058 - 102 Street NW	CCA Zone

Combined, the following nine variances were granted for these developments:

<b>Regulation that was varied</b>	<b>Development outcome</b>	<b>Is the regulation proposed to be exempted</b>
Separate residential and commercial entrances	The residential entrance was not separated from the commercial entrance to the building	✓
Pedestrian mid-block break and access	A mid-block break in the building was not provided	✓
Amenity area	Less than the required total amenity area was provided	✓
At-grade open space	Less than the required amount of at-grade open space was provided	✓
Trees	Less than the required number of trees were provided	✓
Setbacks	Smaller or larger setbacks than the required minimum or maximum setbacks were provided	✓
Street wall height	The provided street wall height was greater or less than the required street wall height	✓
Bike parking	Less than the required number of bike parking spaces were provided	✗
Loading spaces	Fewer than the required number of loading spaces were provided	✓

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The previously granted variances were analyzed, and regulations that were determined to be difficult or impossible for an existing building to achieve were implemented into the proposed amendments. The proposed amendments would reduce the need for eight of the nine variances listed above.

### Summary of Proposed Amendments

The proposed exceptions apply to existing buildings, for full and partial conversions of a building from a non-residential use to a residential use. The proposed exceptions can be broken down into two categories:

- Exceptions to the existing building, such as setbacks, height, floor area ratio (FAR), tower floor plate area requirements; and
- Exceptions to the site, such as site area, landscaping, outdoor amenity area, and loading space requirements.

These regulations do not apply to any development that results in additional floor area. This is intended to provide flexibility for development that does not add floor area, such as balconies or facade treatments, while ensuring that development that adds floor area, such as a new tower or addition to an existing building, complies with the regulations. This will allow for the adaptive re-use of existing buildings and minor enhancements to improve the useability and design of an existing building, without compromising the underlying zone's intended built outcomes for portions of the development that are generally within the developer's control.

The selected exceptions are intended to balance reducing barriers to office conversions, while still ensuring buildings that are converted positively contribute to the urban realm and the quality of life of residents.

### Circulation

Administration circulated the draft amendments and a summary of the proposed changes from March 14, 2024 to April 14, 2024 to the following key stakeholders groups for information and any potential feedback:

- Edmonton Downtown Business Association
- Riverdale Community League
- The Rossdale Community League
- Downtown Edmonton Community League
- Edmonton Federation of Community Leagues (EFCL)
- EPCOR
- Industry Groups (CHBA, UDI, NAIOP, BOMA, ECA)

No concerns were raised during the circulation period.

### **Attachments**

1. Charter Bylaw 20795
2. Markup and Rationale