

## 8822 - 92 Street NW

### Position of Administration: Support



### Summary

Bylaw 20853 proposes a rezoning from the Small Scale Residential Zone (RS) to a Direct Control Zone (DC) to allow for a small-scale, community-oriented neighbourhood commercial building.

Public engagement for this application included a pre-application notice (from the applicant), a mailed notice, site signage and information on the City's webpage. Approximately 11 people were heard from, with 6 in support and 5 in opposition. Most concerns were related to nuisance type impacts on adjacent residential properties and various mobility related concerns including parking and traffic congestion, speeding and crosswalk safety.

Administration supports this application because it:

- Supports the success of an existing local node to help establish 15-minute districts in accordance with The City Plan.

- Includes customized regulations to improve compatibility with adjacent residential properties.

## Application Details

This application was submitted by Clarity Development Advisory on behalf of the landowner. The proposed Direct Control Zone (DC) would allow development with the following key characteristics:

- A small-scale, community-oriented neighbourhood commercial building.
- A maximum height of 9.5 metres (approximately 2 storeys).
- A landscaped patio in the front and vehicle parking in the rear.

## Site and Surrounding Area



Aerial view of application area

	Existing Zoning	Current Development
<b>Subject Site</b>	Small Scale Residential Zone (RS)	Vacant site
<b>North</b>	Small Scale Residential Zone (RS)	Small scale housing
<b>East</b>	Small Scale Residential Zone (RS) Neighbourhood Mixed Use Zone (MUN)	Small scale housing 2 storey office
<b>South</b>	Small Scale Residential Zone (RS)	Small scale housing





*View of site looking west from 92 Street NW*



*View of site looking east from rear alley*

## Community Insights

This application was brought forward to the public using a basic approach. This approach was selected because the proposed DC Zone is small scale and very similar to nearby residential and mixed use zones. The basic approach included:

### Pre-Application Notice (from applicant), February 22, 2024

- Notification radius: 60 metres
- Number of recipients: 74
- Number of responses (as reported by the applicant): 0

### Mailed Notice, April 5, 2024

- Notification radius: 60 metres
- Recipients: 75
- Responses: 11
  - In support: 6
  - In opposition: 5

### Site Signage, April 18, 2024

- One rezoning information sign was placed on the property so as to be visible from 92 Street NW.

### Webpage

- [edmonton.ca/rezoningapplications](https://edmonton.ca/rezoningapplications)

### Notified Community Organizations

- Bonnie Doon Community League
- French Quarter Business Association

### Common comments heard (number of similar comments in brackets beside comments below):

- Very excited for this proposed rezoning and for another business in this area (x3).
- Existing disregard for road rules (double parking, speeding, jaywalking, etc.) will be made worse and are a safety risk (x3).
- Existing issues with street parking congestion will be made worse (x3).
- Existing traffic congestion in the road and the alley will be made worse (x2).

- This area is a nice mix of small businesses and residential buildings and this would add to the neighbourhood (x2).
- Existing nuisance impacts from nearby commercial sites will increase with another commercial site, especially when leaving one residential lot in between. Things like loud dogs, dog waste, early morning noise from the coffee shop and a lack of respect for privacy of residential buildings beside commercial buildings (loitering in front yard, looking through front windows, etc.).
- Worried about fire hydrant flow rates and fire hazard of small side setbacks between residential and commercial.
- Supportable but only with improvements to crosswalks, speed limit signage (maybe a speed limit reduction) and speed bumps to improve pedestrian safety if there is going to be more commercial.
- Need more garbage bins along the street so there is less waste on the ground from the commercial businesses.

In response to the concerns raised about various nuisance impacts, the proposed DC Zone includes regulations that are designed to mitigate these types of impacts and improve compatibility between the proposed commercial site and the surrounding residential neighbourhood. Information about the City's efforts to address mobility related concerns in this area are found in the mobility analysis section of this report.



## Application Analysis



Site analysis context

### The City Plan

In The City Plan, this area around the intersections of 91/92 Street NW and 88 Avenue NW meets the description of a Local Node. A local node serves a residential neighbourhood or business area and includes existing or new small scale activity centres. It is a community focal point for business, services, gathering and housing. Local nodes are people places and support activity and animation. They are integrated within their neighbourhood and feature strong pedestrian and cycling linkages and transit. Local nodes are anticipated to have a minimum of 75 people and/or jobs per hectare with the typical massing/form being low-rise with some mid-rise.

The success of local nodes are key to the Big City Move of having a Community of Communities with 15-minute districts that allow people to easily complete their daily needs by walking, rolling, biking or transit. The proposed DC Zone enables small scale commercial, residential or mixed use development that will contribute to the success of this existing local node.

## Draft District Plans

At the time of writing this report the District Policy and District Plans are in a final form and are scheduled to be considered by Council on May 28-30, 2024, June 3, 2024 and June 25, 2024. If the District Plans are given two readings during this time the following analysis is provided for Council's consideration.

The exact locations of local nodes are not shown in the District Plans but the District Policy further describes them as places in urban mix areas, separate from other nodes and corridors, that act as focal points for the neighbourhoods where they are located. They must include commercial uses and should also include another community use, such as a park, community hall, religious assembly or school. They are integrated within their neighbourhood and feature strong active transportation connections and transit service. With existing commercial, both an elementary and post-secondary school, a community hub and transit, this area aligns well with this description, and should be considered a local node.

The District Policy has two main applicable policies relative to the proposed rezoning:

- Policy 2.4.5.1 - Support neighbourhood commercial and neighbourhood mixed use development at local nodes.
- Policy 2.5.2.2 - Mitigate the impacts of nuisances caused by non-residential development on adjacent residential properties and the public realm through planning and design.

The proposed DC Zone facilitates the desired type of development at a local node and also allows potential nuisance impacts to be mitigated through customized regulations.

## Land Use Compatibility

Most of the uses proposed in the DC Zone are allowed in the existing RS Zone, including food and drink service, health service, indoor sales and service and office. However, in the RS Zone they are only allowed when meeting certain criteria, one of which is that the site abuts a site in a non-residential zone that permits commercial uses. For the proposed rezoning site, there is one residential lot remaining between it and the commercial zoning that comprises the core of the local node. The applicant explored pursuing the Neighbourhood Mixed Use Zone (MUN) and the Neighbourhood Commercial Zone (CN), both of which are intended for use in local nodes. The regulations of these zones, particularly side setbacks, are not conducive to use on a small site such as this, without the need for variances.

The proposed DC Zone allows for uses similar to the existing RS Zone and the nearby MUN Zone but on a small site that is separated by one lot from the rest of the commercial node. It uses additional/customized regulations to ensure compatibility and reduce impacts on the neighbouring properties, particularly the abutting residential properties. These regulations include:

- A shorter maximum height than the RS or MUN Zones.
- Specific landscaping and fencing requirements for the north and south side setbacks next to the residential properties to provide additional screening/buffering.

- Specific regulations for any outdoor space associated with commercial uses to ensure compatibility, having regard for the siting of the exterior space, the location, size and height of associated temporary structures, including signs, the location and use of outdoor speakers and amplification systems and screening and buffering.

Below is a comparison of the proposed DC Zone with the existing zone (RS) and one of the nearest equivalent standard zones (MUN).

	<b>RS Current</b>	<b>DC Proposed</b>	<b>MUN Nearest Equivalent Standard Zone</b>
<b>Typical Uses</b>	Small scale residential, limited commercial at certain locations	Select small scale commercial, small scale residential	Variety of neighbourhood scale residential and commercial
<b>Maximum Height</b>	10.5 m	9.5 m	16.0 m
<b>Maximum Floor Area Ratio</b>	N/A	1.0	3.5 - 4.2
<b>Maximum Site Coverage</b>	45% - 47%	55% (based on minimum setbacks)	N/A
<b>Minimum Front Setback (92 Street NW)</b>	4.5 m	4.5 m	0.0 m (commercial ground floor) 3.0 m (residential ground floor)
<b>Minimum Interior Side Setback</b>	1.2 m	1.2 m	3.0 m
<b>Minimum Rear Setback (Alley)</b>	10.0 m	5.5 m	0.0 m



## Mobility

Vehicular access to the site will be from the abutting alley only. This alley will be renewed as a part of the French Quarter Business Improvement Area (BIA) Alley Renewal project, which is tentatively scheduled to begin in 2030.

The proposed small scale commercial development is not expected to significantly impact traffic and parking in the area. However, local residents have shared traffic and parking congestion concerns related to existing development in the area. City Administration has undertaken measures to calm traffic in this area in recent years through the Vision Zero Street Labs program. In 2022 and 2023, the City installed several curb extensions along 92 Street NW to help calm traffic. In addition, the City is currently collecting vehicle travel speed data along 92 Street NW to better understand the current operating speeds, and will install a 40 km/h speed sign south of Connors Road NW in the coming months.

Administration is currently working with the French Quarter BIA to review the parking restrictions in the commercial areas. Time restricted parking near 92 Street NW and 88 Avenue NW is currently being assessed to see if modifications are needed to support parking demand and turnover for area businesses. The residential streets in the area, including 92 Street NW in front of the subject site, are anticipated to continue to have open, unrestricted parking for both residents and visitors.

Edmonton Transit Service (ETS) operates several bus routes in the vicinity of the subject site. The nearest bus routes operate along 92 Street NW / 91 Street NW. The site is within 250 metres walking distance to two bus stops along 92 Street NW and three bus stops near La Cité Francophone along 91 Street NW.

As part of the future mass transit network associated with the 1.25 million population scenario of The City Plan, a Bus Rapid Transit (BRT) and other mass transit bus routes are anticipated to operate nearby on 82 (Whyte) Avenue NW.

## Public Contributions

Although this application is for a Direct Control Zone, City Policy C599 - Community Amenity Contributions in Direct Control Provisions is not applicable because the proposed DC Zone does not increase the total floor area allowed on the site by five percent or more.

## Utilities

A sanitary service connection is available to the site. No storm service currently exists to the site. Either Low Impact Development (LID) must be utilized, or a storm service combined with onsite stormwater management, for a 1:5 year design rainfall event with an outflow rate of 35 liters per second per hectare, will be required.

There is a deficiency in on-street fire protection adjacent to the property in terms of hydrant spacing. Edmonton Fire Rescue Services has performed a risk-based Infill Fire Protection Assessment and determined that the nearest hydrants have sufficient residual pressure to supply sufficient firefighting water for this site as long as certain building criteria are met. This will be confirmed at the Development Permit stage to ensure the required fire flow, based on

the exact nature of the proposed building, is met. The applicant/owner will be responsible for all costs associated with providing required water supply including any changes to the existing water infrastructure required by the proposed zoning.

Written By: Andrew McLellan

Approved By: Tim Ford

Branch: Development Services

Section: Planning Coordination