

**ATTACHMENT 2
BYLAW 17593
BYLAW 17594
BYLAW 17595
BYLAW 17603
FILE: LDA15-0635
OLIVER
WESTMOUNT**

DESCRIPTION: ZONING BYLAW AMENDMENT from (CB2) General Business Zone, (CB1) Low Intensity Business Zone, (RA9) High Rise Apartment Zone, (RA8) Medium Rise Apartment Zone, (RA7) Low Rise Apartment Zone, (RF6) Medium Density Multiple Family Zone, (DC2) Site Specific Development Control Provision and (DC1) Direct Development Control Provision to (DC1) Direct Development Control Provision

AMENDMENT TO THE 104 AVENUE CORRIDOR AREA REDEVELOPMENT PLAN

AMENDMENT TO THE OLIVER AREA REDEVELOPMENT PLAN

ZONING BYLAW AMENDMENT from (DC1) Direct Development Control Provision to (DC1) Direct Development Control Provision

LOCATION: Generally bounded by 111 Street NW on the east, the lane west of 123 Street NW on the west, one block north of 104 Avenue NW, and Jasper Avenue NW.

LEGAL DESCRIPTION: Multiple Properties

APPLICANT: Sustainable Development

OWNERS: Multiple Property Owners

ACCEPTANCE OF APPLICATION: December 3, 2015

EXISTING DEVELOPMENT: A variety including: commercial; institutional; light industrial/ manufacturing; and low, medium and high density residential.

BYLAW 17593
BYLAW 17594
BYLAW 17595
BYLAW 17603
FILE: LDA15-0635
OLIVER
WESTMOUNT

**SUSTAINABLE
DEVELOPMENT'S
RECOMMENDATION:**

That Bylaw 17595 to amend the Zoning Bylaw from (CB2) General Business Zone, (CB1) Low Intensity Business Zone, (RA9) High Rise Apartment Zone, (RA8) Medium Rise Apartment Zone, (RA7) Low Rise Apartment Zone, (RF6) Medium Density Multiple Family Zone, (DC2) Site Specific Development Control Provision and (DC1) Direct Development Control Provision to (DC1) Direct Development Control Provision be APPROVED.

That Bylaw 17593 to amend the 104 Avenue Corridor Area Redevelopment Plan be APPROVED.

That Bylaw 17594 to amend the Oliver Area Redevelopment Plan be APPROVED.

That Bylaw 17603 to amend the Zoning Bylaw from (DC1) Direct Development Control Provision to (DC1) Direct Development Control Provision be APPROVED

BACKGROUND

On July 6, 2015, City Council adopted the 104 Avenue Corridor Area Redevelopment Plan (ARP) by unanimously approving bylaw 17251.

The 104 Avenue Corridor ARP planning process examined city policy, land use, built form, community facilities, transportation, heritage and urban design in order to develop a vision and policy for the evolution of the corridor in the framework of transit-oriented development (TOD). Preparation and development of the ARP involved the community, property owners, key stakeholders, and advice from planning experts. The 104 Avenue corridor is located between 111 Street and 123 Street, along the future alignment of the west leg of the Valley LRT line.

With the passage of the ARP, Administration was directed to lead its implementation by adopting land use regulation that guides development in a manner that respects and aligns with the policies of the ARP. As such, Administration, in consultation with the public and stakeholders, has developed new proposed zones contained within this application.

DISCUSSION

1. The Application

This application contains four bylaws:

Bylaw 17595 proposes to amend the Zoning Bylaw for the majority of properties within the 104 Avenue Corridor ARP boundary from the current zoning to five contextual (DC1) Direct Development Control Provisions that align with the ARP policy. Areas of application are shown in *Figure 1- Location of Proposed Zones*.

DC1- Area 1

Purpose: to facilitate the development of a pedestrian friendly and transit-supportive area that is characterized by its strong mix of retail, office, entertainment, and residential uses and its accessibility, open spaces, and sensitive interface between developments.

DC1- Area 2

Purpose: to facilitate the development of a pedestrian friendly and transit-supportive area that is characterized by its mix of commercial and residential uses, directing the most intensive development around station areas while creating a sensitive transition to the south.

BYLAW 17593
BYLAW 17594
BYLAW 17595
BYLAW 17603
FILE: LDA15-0635
OLIVER
WESTMOUNT

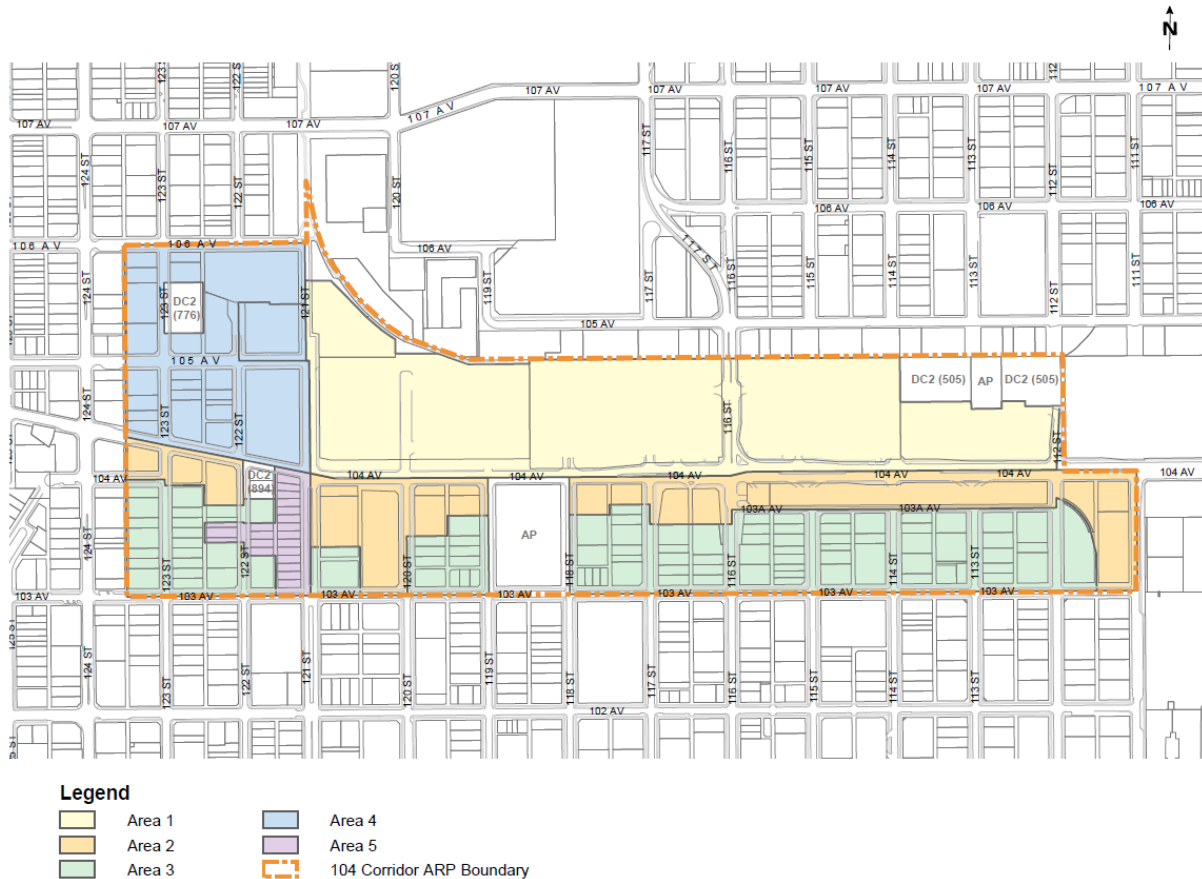


Figure 1 – Location of proposed DC1's.

DC1- Area 3

Purpose: to provide for dense, compact residential development with urban design regulation to sensitively incorporate new developments into the existing neighbourhood.

DC1- Area 4

Purpose: to provide for an area of commercial office employment and residential development in support of the 120 Street station hub and 124 Street shopping area.

DC1- Area 5

Purpose: to facilitate a mixed use area that encourages the retention of existing older residential structures and promotes a scale and design that is complementary to the existing low density residential dwellings in the area by providing opportunity for greater residential uses and small scale, low impact commercial uses.

BYLAW 17593
BYLAW 17594
BYLAW 17595
BYLAW 17603
FILE: LDA15-0635
OLIVER
WESTMOUNT

To facilitate the rezoning, an amendment to each of the 104 Avenue Corridor ARP and Oliver ARP is required as the existing (DC1) Direct Development Control Provisions are attached to the above plans. These amendments are:

Bylaw 17593 proposes to amend the 104 Avenue Corridor ARP to remove the existing interim DC1- Direct Development Control Provisions (Areas 1, 4, and 5) that were created with the adoption of the ARP.

Bylaw 17594 proposes to amend the Oliver ARP to modify the area of application of two (DC1) Direct Development Control Provisions (Area 1 and 5) and delete another (Area 4) completely to reflect and be in conformance with the new Oliver ARP boundary in-light of the adoption of the 104 Avenue Corridor ARP.

No plan policy is changing with respect to either ARP amendments.

Bylaw 17603 proposes to amend the Zoning Bylaw from (DC1) Direct Development Control Provision to (DC1) Direct Development Control Provision to facilitate Bylaw 17594, the change in area of application for (DC1) Direct Development Control Provisions (Area 1 and 5).

2. Site and Surrounding Area

The area incorporates several city blocks directly north and south of 104 Avenue, between 111 Street and the lane west of 123 Street in the Oliver Neighbourhood.

It also includes the eastern portion of the Westmount neighbourhood south of 106 Avenue and west of 121 Street. The Corridor is approximately 58 hectares and is of sufficient size to accommodate transit-oriented development associated with the three future Valley Line LRT stations located at 112, 116, and 120 Street NW.

Carved out of portions of adjacent neighbourhoods, the 104 Avenue Corridor is influenced by the surrounding neighbourhoods' population and its growing demand for services within the area. Over 45,000 people live in the neighbourhoods immediately surrounding the Corridor, with tens of thousands using 104 Avenue and its connecting road network to commute to and from other communities within the City and Capital Region.

On the Corridor's eastern boundary, MacEwan University, a growing urban campus brings thousands of students and staff to the area each day. Adjacent to the northern boundary is the North Edge, a former light industrial area within Queen Mary Park currently transitioning into an area of high density residential and employment uses. To the west is 124 Street, a popular tourist attraction and shopping street featuring an assortment of retail including restaurants, cafes, boutiques, and art galleries. Oliver to the south, is the city's densest residential neighbourhood and is home to a diverse demographic. All of these adjacent communities make use of the commercial areas and services within the 104 Avenue Corridor.

**BYLAW 17593
BYLAW 17594
BYLAW 17595
BYLAW 17603
FILE: LDA15-0635
OLIVER
WESTMOUNT**

ANALYSIS

1. Compliance with Approved Plans and Policies

a) City of Edmonton Municipal Development Plan – The Way We Grow

This application is in accordance with The Way We Grow policies, including:

- encouraging a greater portion of housing unit growth to locate in mature neighbourhoods and LRT stations where infrastructure capacity and services support redevelopment;
- promoting medium and higher density residential and employment growth around LRT stations to support the viability of transit service;
- accompanying residential density increases with enhancements to public spaces and the provision of additional open spaces and amenities;
- designing density, land uses and buildings to benefit from local transit service by minimizing walking distances and by providing safe and comfortable pedestrian streetscapes and high quality transit amenities.
- ensuring active transportation opportunities are included in plans and development proposals;
- designing streets, sidewalks and boulevards to provide safe, accessible, attractive, interesting and comfortable spaces for pedestrians, cyclists, and transit; and
- involving residents and stakeholder in the planning processes.

b) 104 Avenue Corridor Area Redevelopment Plan

The application is in conformance with the vision, goals, objectives and all applicable mobility, open space, land use, and built form policies of the ARP.

Together, the proposed Provisions direct the greatest intensity and height of development in the corridor adjacent to the future LRT station areas creating the opportunity for hubs of activity supported by required commercial activity at-grade. An enhanced pedestrian environment, a grid of streets, active transportation alternatives, and open space that will provide a place to play and relax are provided as redevelopment and site intensity increases. Respecting the existing built environment of the southern portions of the corridor, development is transitioned down to an approximate 6-storey development allowing for opportunities to redevelop properties in a sensitive manner.

2. Zone Summary

	Area 1	Area 2	Area 3	Area 4	Area 5
Max. Height	<ul style="list-style-type: none"> • Three subareas with: 24, 40, and 50m. • Highest at station areas • Incentive up to 80m 	<ul style="list-style-type: none"> • Three subareas with: 24, 40, and 50m. • Highest at station areas • Incentive up to 80m 	<ul style="list-style-type: none"> • 23m 	<ul style="list-style-type: none"> • 40m 	<ul style="list-style-type: none"> • 10m
FAR	<ul style="list-style-type: none"> • 5.0 	<ul style="list-style-type: none"> • 5.0 • Incentive up to 7.0 	<ul style="list-style-type: none"> • 3.0 	<ul style="list-style-type: none"> • 5.0 	<ul style="list-style-type: none"> • 1.0
Density	<ul style="list-style-type: none"> • n/a 	<ul style="list-style-type: none"> • n/a 	<ul style="list-style-type: none"> • 300 du/ha 	<ul style="list-style-type: none"> • n/a 	<ul style="list-style-type: none"> • n/a
Front Setbacks	<ul style="list-style-type: none"> • 3-4.5m along 104 Ave and 116 St. • 0-3.0m on all other streets 	<ul style="list-style-type: none"> • 3-4.5m along 104 Ave and 116 St. • 0-3.0m on all other streets 	<ul style="list-style-type: none"> • Within 1.0m of adjacent development • Minimum 5.0m 	<ul style="list-style-type: none"> • 3-4.5m along Stony Plain Rd. • 0-3.0m on all other streets 	<ul style="list-style-type: none"> • 6.0m
Urban Design	<ul style="list-style-type: none"> • transition buildings to the existing neighbourhood • promote positive pedestrian environment • activate street frontage and transparency • limits size of buildings • limits tower floor plates • provides for tower separation and podium/tower configuration where applicable • varied built form and sustainable durable materials 				<ul style="list-style-type: none"> • Respects heritage character of area
Vehicular Parking	<ul style="list-style-type: none"> • 0.2 per bachelor suite, 0.4 per 1 bedroom, 0.8 per 2 bedrooms • No parking required for restaurants, bars/pubs, specialty food service under 240m² • 1.0 space per 400m² for all other commercial uses where applicable 				<ul style="list-style-type: none"> • Maximum of 3 spaces required
Bicycle Parking	<ul style="list-style-type: none"> • Bicycle parking required in a safe, secure location at a rate of 40% of the required vehicle parking spaces 				
Circulation Network	<ul style="list-style-type: none"> • Formalizes street grid, pedestrian connections, and active transportation pathways as development proceeds 				
Public Open Space	<ul style="list-style-type: none"> • Provides publicly accessible open space as site intensity increases 				
Height Incentives	<ul style="list-style-type: none"> • Allows for additional Height up to 80m adjacent to LRT station areas in exchange for affordable housing, public art, and sustainable building design 				

BYLAW 17593
BYLAW 17594
BYLAW 17595
BYLAW 17603
FILE: LDA15-0635
OLIVER
WESTMOUNT

3. Heritage

The site currently contains two former Molson brewery buildings; an industrial building with a 4-storey brick tower and a 1-storey brick office building. These buildings were originally built in 1913 (4-storey tower) and 1924 (1-storey building) for the operation of the Edmonton Brewing and Malting Company Ltd. These buildings have been designated as Municipal Historic Resources by Bylaws 17507 and 17508, and both are designated Provincial Historic Resources. The proposed zone, DC1- Area 1, provides regulations that restrict the development of these heritage resources and ensures the historic character remains intact.

4. Civic Departments and Utility Agencies

A Drainage Servicing Concept was prepared in support of the rezoning which proposes stormwater and sanitary service upgrades to the system. Drainage services has reviewed and accepted this report.

The 104 Avenue Corridor and surrounding neighbourhoods are primarily serviced by combined sewers, which often present overflow issues during major rainfall events. To address this issue and the general aging of the infrastructure, sewer separation is proposed, with the majority of work proposed on 104 Avenue at-time of LRT construction. New development is required to provide separate wastewater and stormwater facilities to the property line. This will allow an ease of connection when the neighbourhood combined sewer system is rehabilitated. This new system will be supported by site-specific and district-wide low impact development approaches that require all developments to reduce run-off.

All comments from other affected Civic Departments and utility agencies have been addressed and there are no outstanding concerns regarding this proposal.

5. Stakeholder Consultation

The rezoning of the corridor was a continuation of the planning process and engagement undertaken in preparation of 104 Avenue Corridor ARP.

Public engagement included:

- On January 11, 2016 Sustainable Development sent notice of the proposed application to rezone the entire 104 Avenue Corridor and the upcoming public open house to surrounding property owners; the Oliver, Queen Mary Park, Westmount, and Downtown Community Leagues; and the 124 Street and Area, North Edge, and Downtown Business Revitalization Zones.
- On January 27, 2016 a public open house was held to explain the new zones and how they achieve the ARPs goals and objectives and align with its policy. Approximately 40 people attended and eight (8) workbooks filled out.
- Ongoing meetings with major land owners.
- Over 4000 notifications and flyers disseminated notifying surrounding neighbourhood of the public meeting.
- Project website and social media notices.
- e-newsletter updates with over 100 subscribers.

Throughout the engagement, common comments included:

- support for new north-south connectivity and east-west pedestrian connectivity;
- support for the retention of the Brewery buildings
- support for the manner density is accommodated in the interior of the neighbourhood
- supportive of the balanced approach taken to redevelopment of larger parcels
- concern regarding lack of parking
- concern for the ability of infrastructure to handle the increase in development
- concern over LRT noise
- concern over lack of bike routes on 104 Avenue
- how quick will redevelopment occur
- when will the LRT be built?

At the time of writing this report, a letter of support from the Oliver Community League, and three letters of support from land owners and have developers have been received.

BYLAW 17593
BYLAW 17594
BYLAW 17595
BYLAW 17603
FILE: LDA15-0635
OLIVER
WESTMOUNT

JUSTIFICATION

The Sustainable Development recommends that Bylaws 17593, 17594, 17595 and 17603 be APPROVED on the basis that the proposed application:

- Aligns with the policies of the 104 Avenue Corridor Area Redevelopment Plan;
- Respects the unique characteristics of the surrounding neighbourhoods while accommodating appropriate mixed use development over the long-term in support of greater housing choice, active transportation, transit ridership, urban design and community livability; and
- Meets the technical requirements of civic departments and utility agencies.

ATTACHMENTS

2a Maps

Written by: Travis Pawlyk
Approved by: Tim Ford
Sustainable Development
April 4, 2016

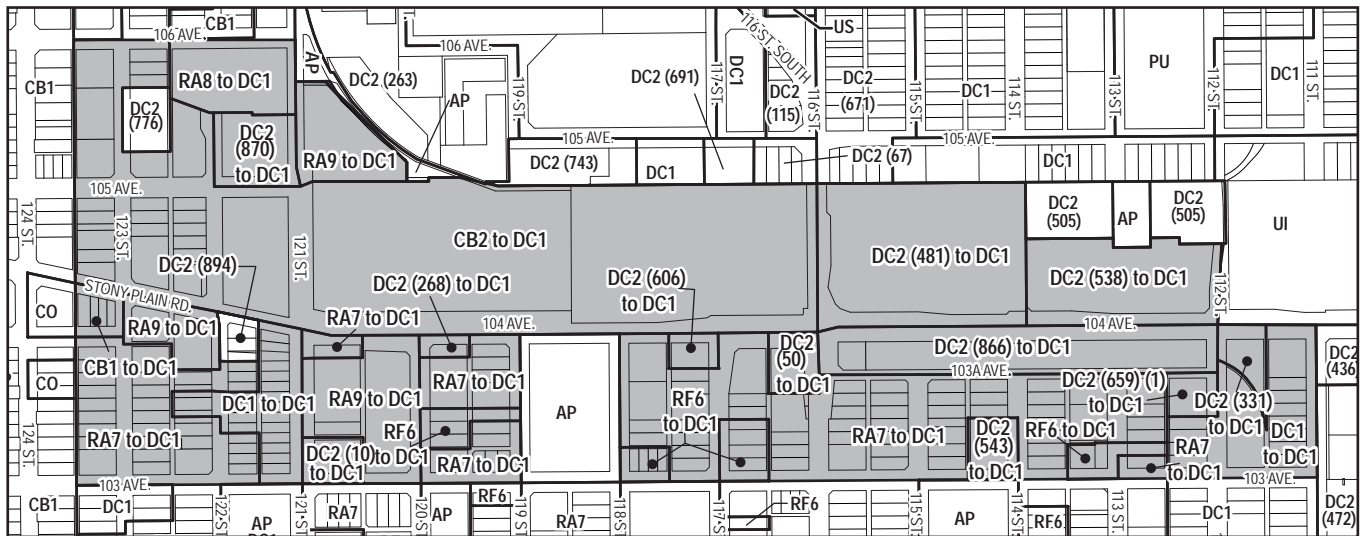
◀ Z

SUSTAINABLE DEVELOPMENT

◀ Z

SUSTAINABLE DEVELOPMENT

Location: Generally bounded by 111 Street NW on the east, the lane west of 123 Street NW on the west, and one block north and south of 104 Avenue NW



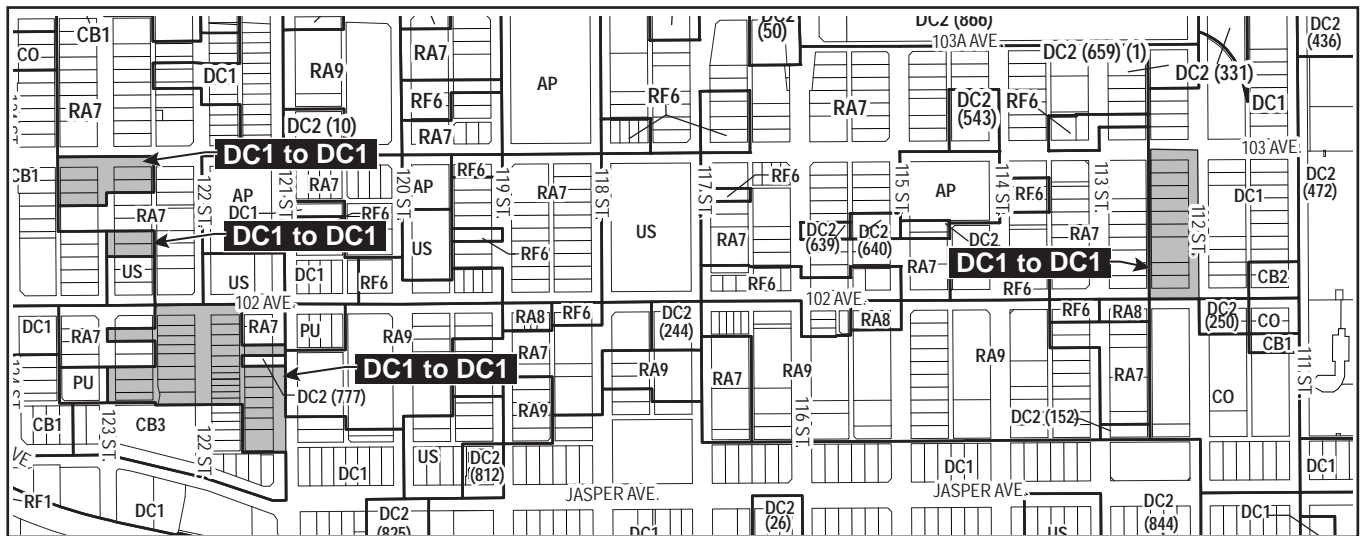
The purpose of proposed Bylaw 17595 is to change the Zoning Bylaw from (CB2) general business zone, (CB1) low intensity business zone, (RA9) high rise apartment zone, (RA8) medium rise apartment zone, (RA7) low rise apartment zone, (RF6) medium density multiple family zone, (DC2) site specific development control provision and (DC1) direct development control provision to (DC1) direct development control provision; see detailed legal descriptions and municipal addresses attached, as shown on the attached sketch. The five (DC1) direct development control provisions proposed, will align land use regulation and guide development in a manner that respects the policy in the 104 Avenue Corridor Area Redevelopment Plan. To facilitate this application, associated Bylaw 17593 to amend to the 104 Avenue Corridor Area Redevelopment Plan, Bylaw 17594 to amend the Oliver Area Redevelopment Plan, and Bylaw 17603 an additional amendment to the Zoning Bylaw for areas outside the corridor boundary, are required. Sustainable Development supports this proposed bylaw

PROPOSED REZONING

FILE: LDA15-0635
DATE: April 4, 2016

OLIVER, BYLAW 17603

Location: South of 103 Avenue NW, west of 111 Street NW, east of 123 Street NW, and north of Jasper Avenue NW



Proposed Rezoning from

**CB1, CB2, RA7, RA8, RA9, RF6,
DC1 and DC2 to DC1**



The purpose of proposed Bylaw 17603 is to change the Zoning Bylaw from (DC1) direct development control provision to (DC1) direct development control provision; see detailed legal descriptions and municipal addresses attached, as shown on the attached sketch. The original zone, regulation, and intent remain, however the area of application is proposed to change to facilitate the associated rezoning of the 104 Avenue Corridor (Bylaw 17595) for the purpose of aligning land use regulation with plan policy. Associated Bylaw 17593, to amend the 104 Avenue Corridor Area Redevelopment Plan, and Bylaw 17594, to amend the Oliver Area Redevelopment Plan are also required to facilitate the application. Sustainable Development supports this proposed bylaw.

PROPOSED REZONING

FILE: LDA15-0635
DATE: April 4, 2016