



## ADMINISTRATION REPORT **REZONING & PLAN AMENDMENT** OLIVER

### **10110 - 123 Street NW & 12312 - Jasper Avenue NW**

To allow for a high rise residential building on a mixed use podium.



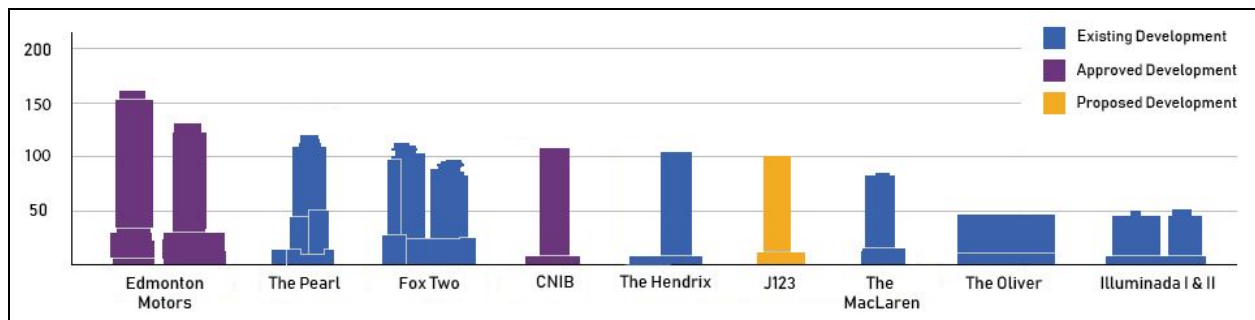
### **RECOMMENDATION AND JUSTIFICATION**

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

- conforms with the Oliver ARP with respect to high rise residential development located along Jasper Avenue;
- supports the further development of Jasper Avenue as a pedestrian-oriented commercial street; and
- is compatible with surrounding development.

## THE APPLICATION

1. BYLAW 19092 to amend the Oliver Area Redevelopment Plan to update a land use map associated with Sub Area 1 to reflect the proposed DC2 Provision.
2. CHARTER BYLAW 19093 to rezone the subject property site from the (CB1) Low Intensity Business Zone and the (CB3) Commercial Mixed Business Zone to a (DC2) Site specific Development Control Provision to allow for a residential tower supported by a mixed use podium. Key characteristics are:
  - **Building configuration:** tower/podium
  - **Max. Height:** 99 metres (approximately 32 storeys);
  - **Max. Floor Area Ratio:** 11.0;
  - **Max. Density:** 305 units;
  - **Max. Floor Plate:** 800 m<sup>2</sup>;
  - **Street-Level Activity:** potential commercial uses fronting onto Jasper Avenue NW and townhouse-style dwellings fronting on 123 Street NW;
  - **Access:** Vehicular parking provided underground with access from the lane.



COMPARISON OF PROPOSED DEVELOPMENT WITH EXISTING HIGH RISE BUILDINGS IN EDMONTON

## SITE AND SURROUNDING AREA

The subject site is located on the corner of Jasper Avenue and 123 Street and is currently occupied by a series of commercial buildings, ranging from one to two storeys in height, as well as areas for surface parking.

The area's built form consists of a mix of high rise residential towers, low scale commercial buildings, low-rise apartments and single detached housing. The residential towers within the area are a mix of newer and older development. The older residential towers are located south of Jasper Avenue, while newer tower development has occurred on the north side of Jasper Avenue, including The Oliver and The MacLaren towers.

The subject site has excellent access to alternative modes of transportation including a Transit Avenue (Jasper Avenue), bike lanes and a future LRT station, which are all within walking distance. Other amenities within walking distance include commercial and retail along Jasper







VIEW OF THE SITE LOOKING NORTHWEST FROM JASPER AVENUE NW



VIEW OF THE SITE LOOKING SOUTHWEST FROM 123 STREET NW

## PLANNING ANALYSIS

This application proposes to increase height and density along Jasper Avenue, one of Edmonton's commercial main streets and Transit Avenues. Key corridors such as Jasper Avenue can generally support denser and taller buildings as the additional density is able to take advantage of the corridor's services and amenities such as easy access to commercial services and high frequency transit. The additional height is offset by virtue of keeping these taller structures along the edge of the neighborhood and away from the lower scale development internal to the neighborhood. This notion is further supported by the Oliver Area Redevelopment Plan which allows for high rise tower development along this portion of Jasper Avenue.

### OLIVER AREA REDEVELOPMENT PLAN (ARP)

This site is located within Sub Area 1 of the Oliver Area Redevelopment Plan (ARP) which states that development along Jasper Avenue, including the subject site, can accommodate low and medium commercial development as well as high rise residential development, provided that it is supported by a commercial podium with the following characteristics:

- uses are street-oriented to foster pedestrian activity;
- building facades are set back to accommodate seating areas; and
- vehicular access is from the rear lane and is appropriately screened.

The current zoning is reflective of this direction, as the (CB1) Zone allows for low-intensity commercial development, while the (CB3) Zone allows for a residential tower with a commercial podium. The Main Streets Overlay (MSO) also applies to this site, which provides additional development regulations to enhance street-level activity and design.

The table below identifies key differences between the existing and proposed zoning.

Zoning Comparison Chart			
	Current: CB1 Zone & MSO	Current: CB3 Zone & MSO	Proposed: DC2 Provision
<b>Max. Height (m)</b>	16	45	99
<b>Max. Dwellings</b>	n/a	n/a	305
<b>Max. Floor Plate (m<sup>2</sup>)</b>	n/a	n/a	800
<b>Max. Floor Area Ratio (FAR)</b>	3.5	7.0	11.0

<b>Min. Tower Setbacks from Jasper Avenue and 123 Street (m)</b>	n/a	4.5	3.0 - 6.0
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As demonstrated, the DC2 Provision allows for a greater maximum height. The effects of the increased height are mitigated through appropriate transitions to surrounding properties and thoughtful consideration of how the building interacts with the public realm, in alignment with the ARP.

## **PUBLIC REALM & TOWER DESIGN**

The DC2 Provision provides a residential tower supported by a mixed-use podium. The podium/tower configuration ensures that the taller residential tower portion of the building is kept away from the surrounding pedestrian realm, while the podium portion which is of a more human-scale proportion, is brought closer to the public realm. This overall building design lends itself to a more comfortable and pedestrian friendly experience, which is especially important along Jasper Avenue. The development provides a number of design elements that serve to enhance the building's relationship to the adjacent public realm, as outlined below.

### Jasper Avenue

The podium's southern edge provides consideration to its interface with Jasper Avenue by having the majority of the facade activated with commercial and retail uses. These uses will support building permeability and additional pedestrian activity along Jasper Avenue. The commercial portion of the facade is set back one metre from the property line to allow for a wider and more comfortable pedestrian area. The entrance to the tower also features prominently along this edge and will provide additional pedestrian activity as residents come and go from the building. These considerations seek to further support Jasper Avenue development into a high quality pedestrian oriented commercial corridor.

### 123 Street & Corner Feature (Street/Avenue Intersection)

The DC2 Provision requires that the southeast corner of the podium at ground-level be prominently recessed to provide a publicly accessible amenity space. This will establish a unique space along Jasper Avenue that can act as a gathering place or neighborhood focal point. The space is further protected by a canopy feature above the second storey to help keep it usable by pedestrians during all seasons.

The prevailing interface along the podium's eastern edge are a series of townhouse style dwellings that front onto 123 Street. This interface compliments 123 Street as a residential street by lending a sense of occupancy through prominent residential entryways and

semi-private outdoor spaces that soften this edge. This podium edge also provides an appropriate transition to a residential character from Jasper Avenue's commercial character.

### Tower Design

The tower portion of the development achieves a high standard of appearance that will have an impact within the city's skyline and be highly visible from areas along Jasper Avenue and within the Oliver neighborhood. The materiality of the tower, including the podium portion, is to be clad with high quality and durable materials such as metal panels and glazing. The use of vinyl siding and stucco are prohibited.

The tower, located within southeast portion of the site, sits comfortably away from the surrounding lower scale development to the east and north, requiring a minimum setback of 13 and 12 meters along those property lines respectively. Beyond the podium edge along Jasper Avenue, the tower is set back at varying depths, ranging from 3 meters to 4.7 meters, keeping the taller massing away from this key corridor. Though the Main Street Overlay which applies to the existing zoning would require an overall minimum tower setback at least 4.5 meters, the varying depths provide an articulated facade that lends itself to the overall visual interest of the tower. Beyond the podium edge along 123 Street NW, the tower is set back at an appropriate distance of six metres.

Being that this tower is flanked by existing towers to the east and the south, it's important that it maintains an appropriate distance from these existing towers. Along its eastern boundary, it maintains a separation distance of approximately 24 meters from The Oliver tower. Along its southern boundary, it maintains a separation distance of approximately 45 meters from The Athabasca tower. These separation distances are in alignment with minimum tower separation direction within the Residential Infill Guidelines and the (RA9) High Rise Apartment Zone which suggest minimum separation between 20 and 30 meters.

### Sun Shadow and Wind Impacts

A Sun Shadow Study (attached as Appendix I to this report) was provided as part of this application to demonstrate the potential impacts on adjacent properties and the public realm. With a maximum floor plate of 800 m<sup>2</sup>, the tower will produce a narrower shadow that will move more quickly across impacted lands. Moreover, the nearest public open space, Paul Kane Park, will not be impacted by the tower's shadow between the spring and fall equinoxes.

A Wind impact Statement was also provided as part of this application which provides a qualitative assessment of the proposed building on pedestrian wind conditions. The surrounding public realm is expected to maintain safe and comfortable wind conditions through positive design features such as the podium and the canopy feature.

## **LAND USE COMPATIBILITY**

The DC2 Provision does not propose any new uses that are neither permitted or discretionary in the existing (CB1) or (CB3) Zones. Other notable changes to land use regulations within the DC2 Provision include:

- an increase in maximum public space for specialty food services from 200 m<sup>2</sup> to 460m<sup>2</sup>;
- the removal of off-premises signage as uses; and
- the elimination of nightclubs as a use.

The removal of off-premises signage and nightclubs is an appropriate trade-off for the additional public space for the specialty food services use, though the additional impacts of this are anticipated to be negligible, especially along a commercial main street.

## **EDMONTON DESIGN COMMITTEE (EDC)**

On July 4, 2019 this application was reviewed by the Edmonton Design Committee (EDC). The committee provided a recommendation of support with conditions for this application. Conditions were related to the tower's west facade and the building street-level interface with Jasper Avenue NW and 123 Street NW. The formal response from the EDC is attached as Appendix 2 to this report.

The DC2 Provision and its appendices have been revised in response to the EDC's comments to provide clarity around the podium interface with the public realm and a change in design to the tower's west facade.

## **PUBLIC CONTRIBUTIONS**

### C582 - Developer Sponsored Affordable Housing

The proposed DC2 Provision provides the option for the City to purchase 5% of any proposed residential dwellings at 85% of the market price or receive an equivalent cash in lieu contribution.

### C599 - Community Amenity Contributions

A required contribution for this proposal of \$433,000.00 is required to comply with City Policy C599 Community Amenity contributions in Direct Control Provisions. The proposed application complies with this policy through the provision of the following amenities:

- publicly accessible open space;
- improvements to the public realm along Jasper Avenue which conform to the Imagine Jasper Avenue concept plan;
- contributions towards an amenity(s) within the Oliver neighborhood; and
- the installation of publicly viewable art.

These proposed public amenity contributions comply with City Policy C599, Community Amenity Contributions in Direct Control Provisions.



## TECHNICAL REVIEW

### PARKING, LOADING AND VEHICULAR ACCESS

The DC2 Provision proposes approximately a 20 percent reduction in on-site vehicle parking, and secure bicycle parking in excess of Zoning Bylaw requirements. For vehicular parking, the development proposes a reduced residential visitor parking supply in a shared arrangement with commercial uses. The development's location on Jasper Avenue NW near 124 Street NW, both highly walkable transit avenues and future Frequent Transit Networks, and in a connected and multimodal area of the city, is anticipated to reduce reliance on vehicles and reduce the traffic impact on surrounding roadways

With the exception of five surface parking stalls, parking is provided underground with access from the rear lane. The surface spaces are generally screened from view from 123 Street NW, in alignment with the Oliver ARP.

## PUBLIC ENGAGEMENT

<p><b>PRE-APPLICATION NOTIFICATION &amp; OPEN HOUSE MEETING (APPLICANT-LED)</b> November 11, 2018 &amp; November 28, 2018</p>	<ul style="list-style-type: none"> <li>• Number of landowners notified: 567</li> </ul> <p>Pre-application notification, as reported by the applicant:</p> <ul style="list-style-type: none"> <li>• Total number of responses respondents: 2</li> <li>• One email stating support for the project and another email stating opposition for the project</li> </ul> <p>Information meeting, as reported by the applicant:</p> <ul style="list-style-type: none"> <li>• Total number of participants: 21</li> <li>• Comments heard were: <ul style="list-style-type: none"> <li>○ Concern for the building's height</li> <li>○ Desire for family-oriented units</li> <li>○ Concern for rental units instead of condos</li> <li>○ Geotechnical concerns</li> <li>○ Support for townhouse-style units along 123 Street</li> <li>○ Concern for capacity of existing utilities</li> <li>○ Support for the public realm interface along the podium facades</li> <li>○ Support for commercial space along Jasper Avenue</li> </ul> </li> </ul>
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<p><b>ADVANCED NOTIFICATION (CITY-LED)</b> July 25, 2019</p>	<ul style="list-style-type: none"> <li>• Number of landowners notified: 567</li> <li>• Total number of responses: 16</li> <li>• 3 emails and 13 written letters stating the following concerns: <ul style="list-style-type: none"> <li>o too many tall towers are being proposed within this area</li> <li>o increased traffic and parking congestion</li> <li>o The proposal does not comply with the Oliver ARP</li> <li>o 305 units is too dense</li> <li>o Increased pressure on utilities and services in the area</li> <li>o Increased noise along Jasper Avenue</li> <li>o Views from surrounding residences will be blocked by the tower</li> <li>o Geotechnical concerns over slope stability</li> <li>o Reduced air-quality as a result of additional traffic</li> </ul> </li> </ul>
<p><b>PUBLIC ENGAGEMENT DROP-IN SESSION (CITY-LED)</b> September 18, 2019</p>	<ul style="list-style-type: none"> <li>• Number of attendees: 41</li> <li>• a summary can be found with the attached <i>What We Heard Report</i> (Appendix 3)</li> </ul>
<p><b>WEBPAGE</b></p>	<ul style="list-style-type: none"> <li>• <a href="http://edmonton.ca/oliver">edmonton.ca/oliver</a></li> </ul>

## CONCLUSION

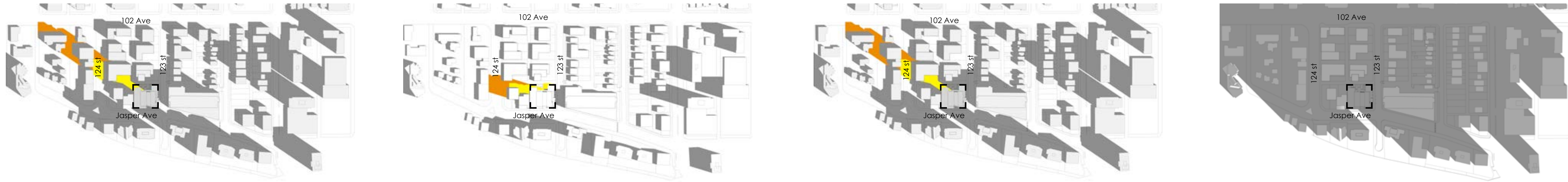
Administration recommends that City Council **APPROVE** this application.

## APPENDICES

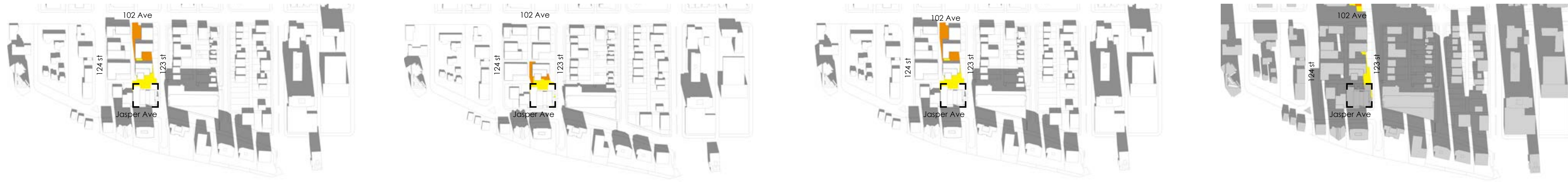
- 1 Sun Shadow Study & Comparison to existing Zoning
- 2 Edmonton Design Committee Letter
- 3 "What We Heard" Public Engagement Report
- 4 Application Summary



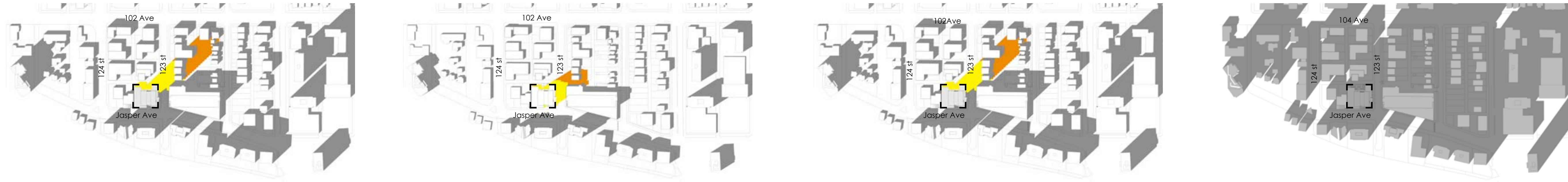
9:00 am



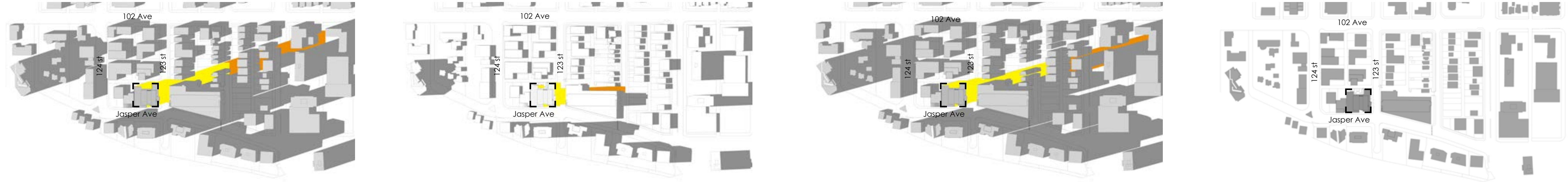
12:00 pm



3:00 pm



5:00 pm



March 21

June 21

September 21

December 21





**EDMONTON ♦ DESIGN ♦ COMMITTEE**

July 4, 2019

Mr. Peter Ohm, Chief Planner  
City Planning, Sustainable Development  
7th Floor, 10111 - 104 Avenue NW  
Edmonton, AB T5J 0J4

Dear Mr. Ohm:

Re: **J123 (Rezoning)**  
Belinda Morale Smith - DIALOG

As determined by the Edmonton Design Committee at the meeting on July 2, 2019, I am pleased to pass on the Committee's recommendation **of support with conditions** for the J123 (rezoning) project submitted by DIALOG.

**The Committee recommends the Applicant continue to work with Administration on the following:**

- **The present design of the west facade does not reflect the intentions of Section 8.b of the proposed regulation. The Committee recommends the Applicant consider better treatment of this facade to reduce its repetitiveness and visual mass;**
- **Sections 8.h and 8.i should incorporate additional regulations to describe the interface (including setbacks, screening, etc) of the residential townhouses with 123 Street. The drawing appendices should also be updated to align with the regulations and illustrate in more detail the design intentions; and**
- **Section 8.j should be revised to better reflect the concept presented; ie. three distinct yet unified podium elements (retail, residential and corner / entry).**

You will notice that a copy of this letter is also being sent to the applicant. I hope this will inform your future discussions with the applicant as this project proceeds.

Yours truly,

Edmonton Design Committee

Wes Sims  
Architect AAA  
EDC Chair

WS/ps

- c. Belinda Morale Smith  
City of Edmonton - Stuart Carlyle  
Edmonton Design Committee



## WHAT WE HEARD REPORT

### Rezoning and Plan Amendment, Oliver (LDA19-0164)

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**PROJECT ADDRESS:** 10110 - 123 Street NW & 12312 - Jasper Avenue NW

- PROJECT DESCRIPTION:**
- Amendment to the Oliver Area Redevelopment Plan.
  - Rezoning from (CB1) Low Intensity Commercial Zone and (CB3) Commercial Mixed Business Zone to (DC2) Site Specific Development Control Provision to allow for the development of a high density mixed-use tower.

TYPE OF ENGAGEMENT	DATE	RESPONSES/ # OF ATTENDEES
Public Engagement Drop-in (City-led)	September 18, 2019	41 attendees 46 sticky notes with feedback 17 feedback forms

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#### ABOUT THIS REPORT

The information in this report includes responses to the application notification and feedback gathered during and after the September 18, 2019 Public Engagement Drop-in. This report is shared with everyone who has emailed the file planner directly, and all attendees who provided their email address or mailing address during the event on September 18, 2019. This summary will also be shared with the applicant and the Ward Councillor. If/when the proposed rezoning and plan amendment advances to Public Hearing, this report will be included in the information provided to City Council for their consideration.

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Planning Coordination  
CITY PLANNING



## MEETING FORMAT

The meeting format was a station-based open house where attendees were able to view display boards with project information and ask questions of City Staff and the applicant team. Participants were invited to share their feedback on a “Graffiti wall” by offering general feedback as well as by answering two questions:

- What you like about this application?
- What do you not like about this application?

In addition to the comments on the “Graffiti wall”, 17 forms with written comments were received. The comments that were received are summarized by main themes below.

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## WHAT WE HEARD

The concerns heard were:

- **Noise:** the area is already noisy, particularly the corner of Jasper Avenue and 124 Street, due to traffic and other tower projects under construction. This proposed tower will further exacerbate this issue.
- **Redevelopment context:** There is too much development occurring in this part of the neighborhood far too quickly. The neighborhood is already the densest in the City.
- **Construction:** There is too much construction going on in the immediate area. The construction of this project and others like it should coordinate construction schedules to reduce impacts on those living in the area.
- **Housing:** More social housing should be provided through this project. The townhouses are not enough.
- **Crime:** Crime in the area is likely to increase as the neighbourhood becomes denser.
- **Infrastructure Capacity:** the surrounding infrastructure (utilities, drainage, fire protection and road network) may not be able to handle the increased pressure that this proposed tower would demand of these services.
- **Zoning:** the current zoning of CB1 and CB3 is enough and should remain as is.

- **Parking & Traffic:** This development is not proposing enough parking for its residents. The surrounding streets are already congested. There are also pedestrian safety issues in the area that will only become worse if this is approved.
- **Neighborhood Population:** Developments such as this one will further exacerbate Oliver's rapidly growing population. Already, the neighborhood needs additional services such as grocery stores, a public library, more greenspace, more medicentres, more recycle depots, and more bus service.
- **Building Setbacks:** The tower is not set back far enough. There should be a better transition to the public realm and surrounding residential buildings.
- **Height:** The proposed height of the tower is way too tall and out of character for the area. The tower will have wind and shadow impacts on surrounding properties. The tower will also block the views from the surrounding residential towers. The proposed Floor Area Ratio (FAR) of 11 is too high. Other tower development in the area is between 7 and 9. This tower should be slimmer. 12-16 storeys would be more appropriate.
- **Oliver ARP:** The ARP should be followed; otherwise, there is no point in having a plan for the neighborhood.
- **Character:** This tower is not in character with the Oliver neighborhood. Development within the neighborhood, particularly along Jasper Avenue, should be similar to cities with historic main streets; resulting in fewer cars, less noise and increased pedestrian safety.
- **Proposed Uses:** The tower should accommodate middle range dwellings for families and spaces for smaller business operators.
- **Land Tenure:** Rental units, as opposed to condo units, will result in less community buy-in from future residents as they may only be living in the neighborhood temporarily.
- **Community Amenities:** Developments such as these should be made to provide the neighborhood with an amenity that is lacking, such as a library or swimming pool or children's play space.
- **Edmonton Transit Service:** Since these high density developments have been approved or built along Jasper Avenue, there has been no increase to transit service, resulting in standing-room only on buses.
- **Slope Stability:** The proposed development poses a risk to slope stability for the existing buildings located along top-of-bank.

The comments of support heard were:

- **Location:** The proposed tower is appropriately located along Jasper Avenue and within walking distance to bus service, bike lanes and future LRT.
  - **Public Realm Improvements:** the enhanced pedestrian realm matching the vision of Imagine Jasper will be a welcome improvement.
  - **Commercial Space:** The retainment of small CRU's could support local businesses.
  - **Housing:** Support for the proposed townhouses along 123 Street.
  - **Engagement:** The applicant's willingness to engage with the community before and after the rezoning application submission is appreciated.
  - **Building Design:** Support for the corner treatment along Jasper Avenue and 123 Street. The building's design is of high quality and illustrates an appropriate public and private realm interaction which should be encouraged and support along Jasper Avenue.
  - **Bicycle Facilities:** Support for the proposed number of on-site bicycle parking stalls.
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If you have questions about this application, please contact:

Stuart Carlyle, Planner  
780-496-6068  
[stuart.carlyle@edmonton.ca](mailto:stuart.carlyle@edmonton.ca)

Planning Coordination  
CITY PLANNING



## APPLICATION SUMMARY

### INFORMATION

Application Type:	Plan Amendment & Rezoning
Bylaw & Charter Bylaw:	19092 & 19093
Location:	The northwest corner of Jasper Avenue NW and 123 Street NW
Addresses:	10110 - 123 Street NW & 12312 - Jasper Avenue NW
Legal Descriptions:	Lots 18-20, Block 19, Plan RN22
Site Area:	2,240 m <sup>2</sup>
Neighbourhood:	Oliver
Notified Community Organizations:	Oliver Community League 124 Street and Area Business Improvement Zone
Applicant:	DIALOG

### PLANNING FRAMEWORK

Current Zones and Overlay:	(CB1) Low Intensity Business Zone with (MSO) Main Street Overlay (CB3) Commercial Mixed Business Zone
Proposed Zone:	(DC2) Site Specific Development Control Provision
Plan in Effect:	Oliver Area Redevelopment Plan
Historic Status:	None

Written By:  
Approved By:  
Branch:  
Section:

Stuart Carlyle  
Tim Ford  
Development Services  
Planning Coordination