

Charter Bylaw 19792

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 3279

WHEREAS Lots 24-30, Block 41, Plan I17; located at 10054 - 79 Avenue NW, Ritchie, Edmonton, Alberta, are specified on the Zoning Map as (DC2) Site Specific Development Control Provision; and

WHEREAS an application was made to rezone the above described properties to (DC2) Site Specific Development Control Provision;

NOW THEREFORE after due compliance with the relevant provisions of the Municipal Government Act RSA 2000, ch. M-26, as amended, the Municipal Council of the City of Edmonton duly assembled enacts as follows:

1. The Zoning Map, being Part III to Bylaw 12800 The Edmonton Zoning Bylaw is hereby amended by rezoning the lands legally described as Lots 24-30, Block 41, Plan I17; located at 10054 - 79 Avenue NW, Ritchie, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (DC2) Site Specific Development Control Provision to (DC2) Site Specific Development Control Provision.
2. The uses and regulations of the aforementioned DC2 Provision are annexed hereto as Schedule "B".

3. The sketch plan annexed hereto as Schedule "A" and the uses and regulations of the DC2 Provision shown on Schedule "B" annexed hereto are hereby incorporated into the Zoning Bylaw, being Part IV to Bylaw 12800, The Edmonton Zoning Bylaw.

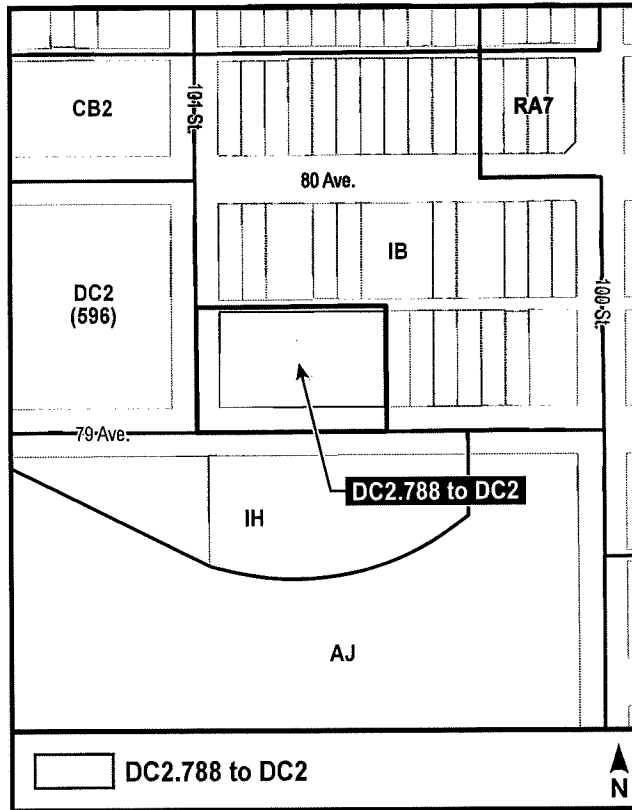
READ a first time this	17th day of August	, A. D. 2021;
READ a second time this	17th day of August	, A. D. 2021;
READ a third time this	17th day of August	, A. D. 2021;
SIGNED and PASSED this	17th day of August	, A. D. 2021.

THE CITY OF EDMONTON


MAYOR


CITY CLERK

CHARTER BYLAW 19792



SCHEDULE "B"

(DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION

1. General Purpose

To accommodate the development of a six (6) storey mixed use building with 112 residential units and an option for development of either residential or commercial units at grade level.

2. Area of Application

This Provision shall apply to Lots 24-30, Block 41, Plan 117, located on the northeast corner of 101 Street NW and 79 Avenue NW, as shown on Schedule "A" of the Charter Bylaw adopting this Provision, Ritchie.

3. Uses

1. Business Support Services
2. General Retail Stores
3. Health Services
4. Major Home Based Business
5. Minor Home Based Business
6. Multi-unit Housing
7. Personal Service Shops
8. Professional, Financial and Office Support Services
9. Residential Sales Centre
10. Restaurants
11. Specialty Food Services
12. Fascia On-premises Signs

4. Development Regulations for Uses

1. Non-Residential and non-Residential-Related Uses shall be limited to the ground level Storey of the development facing a public roadway other than a Lane.

2. Residential Sales Centres shall be limited to the sale or leasing of on-Site condominium or rental Dwellings.
3. Restaurants and Specialty Food Services shall be limited to 240 m² of Public Space.
4. Signs shall be integrated into the general architectural design of the building to the satisfaction of the Development Officer. A Comprehensive Sign Design Plan shall be prepared in accordance with Section 59.3 of the Edmonton Zoning Bylaw, and developed in with the following:
 - a. Signs shall be limited to the first storey of the development.
 - b. The sign area shall not exceed 1.37m² and shall be developed to a maximum height of 0.37 m.
 - c. A minimum of one sign per commercial bay shall be permitted.
 - d. Entrance canopy or window canopy signs are permitted

5. Development Regulations for Site Layout and Built Form

- a. Development shall be in accordance with these regulations and in general accordance with the attached appendices.
- b. The maximum number of Dwelling units shall not exceed 112.
- c. The maximum Floor Area Ratio shall be 3.0.
- d. The maximum Height shall not exceed 24.0m.
- e. The minimum Setbacks shall be:
 - a. 0.8 m from the south Lot line;
 - b. 6.0 m from the east Lot line;
 - c. 0.0 m from the north Lot line; and
 - d. 2.3 m from the west Lot line.
- f. Notwithstanding Section 5.e(i) and 5.e(iv), at grade Setbacks up to 3.81 m in Height shall be:
 - a. 2.7 m from the south Lot line; and
 - b. 3.2 m from the west Lot lineto accommodate street related activities, such as patios, private amenity spaces, sidewalk cafes, architectural features, artwork and landscaping that contribute to the pedestrian-oriented character of the area.

6. Development Regulations for Building Design and Features

- a. Architectural treatment of all Façades of the building shall create a unified building exterior and generally wrapped around the development as shown in Appendix 2 Building Elevations, to provide a consistent profile facing public roadways.
- b. The building shall incorporate design elements to reduce the perceived mass and add architectural interest, these design elements shall include but not limited to:
 - a. clear articulation of the Façade, using colours to add variety;
 - b. the use of a variety of exterior building cladding materials;
 - c. variation of placement and physical breaks of material and architectural features; and
 - d. a prominent front entrance.
- c. All ground storey Dwellings shall have the following features:
 - a. Dwellings shall be articulated as individual units;
 - b. each Dwelling shall have individual and private entrance access to ground level. Entrances shall provide distinctive architectural features consistent with the style of the building. Sliding patio doors shall not serve as this entrance; and
 - c. a private outdoor Amenity Area of at least 15 m² shall be provided in front of each Dwelling. Landscape features, such as decorative fencing, shrub beds, rock gardens and/or built elements such as private entrance features, verandas or porches, shall be included.
- d. All mechanical equipment on the roof of the development shall be incorporated within the roof structure.
- e. The north façade of the development, located adjacent to the alley, shall lend visual interest to the development.
- f. Where ground floor non residential and non-residential related uses are proposed, the following shall apply:
 - a. the facade of the building shall be designed to break the appearance into 10.0 m sections or less to the satisfaction of the Development Officer; and
 - b. floor to ceiling double glazed store front window systems on the west and south facade of the first storey to allow viewing into the development and to promote a positive pedestrian-oriented shopping street at grade.

- g. The design shall include elements that mitigate negative impacts arising from possible accidents at adjacent industrial facilities, to the satisfaction of the Development Officer in consultation with Fire Rescue Services.
- h. The design shall incorporate noise abatement materials and acoustical sealing sufficient to ensure that noise levels do not exceed the maximum levels as defined by the City of Edmonton Community Standards Bylaw, The City of Edmonton Urban Traffic Noise Policy and the Canadian Mortgage and Housing Corporation, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation).

7. Development Regulations for Parking, Loading and Access

- a. A maximum of 126 on-site parking spaces may be provided, of which a maximum of 25 stalls may be surface parking, to the satisfaction of the Development Officer and Subdivision and Development Coordination (Transportation). Parking shall be in general accordance with Appendix 1.
- b. Access to the site shall consist of two separate 7.5m wide accesses from the alley on the north side of the property, one access shall be to the surface parking lot; and the other shall lead to the parkade ramp.
- c. Parkade ramps must not exceed a slope of 6% for a minimum distance of 4.5 m inside the property line and the ramps must be at grade at the property line. The proposed retaining walls bordering the driveway and parkade ramp must not exceed a height of 0.3 m for a distance of 3 m from the property line; and no portion of the wall may encroach onto the road right-of-way or obstruct driver sight lines.
- d. Access to the surface parking lot must only be from the alley access on the north side of the property.
- e. A barrier not to exceed a height of 0.3 m must be placed between the 10 surface parking stalls along the north boundary of the site and the alley to ensure that parking does not encroach into road right-of-way.
- f. Garbage enclosures must be located off the alley and entirely within private property as illustrated in the Site Plan. Gates and/or doors of the enclosure must not open or encroach into road right-of-way.

- g. Bicycle parking shall be provided in accordance with Section 54 of the Zoning Bylaw, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation), and the following:
 - a. a minimum of 60 total bicycle parking spaces shall be provided; and
 - b. a minimum of 10 bicycle parking spaces shall be short term spaces, and shall be conveniently located near entrance or within the public realm.

8. Development Regulations for Landscaping, Lighting and Amenity Areas

- a. A detailed Landscape Plan for the Site for on and off-site landscaping, including all existing and proposed utilities within the road right of way must be submitted by a registered landscape architect for review and approval by Development and Zoning Services in conformance with Section 55 of the Zoning Bylaw.
- b. Decorative and security lighting shall be designed and finished in a manner consistent with the design and finishing of the development and will be provided to ensure a well-lit environment for pedestrians and to accentuate artwork.
- c. Night-time light pollution shall be reduced by avoiding over-illumination of the development and use low cut-off exterior lighting fixtures which direct light downward, not upward and outward to ensure illumination does not extend beyond the boundaries of the development site.

9. Other Regulations

- a. Site and building layouts shall include design elements that take the principles of Crime Prevention Through Environmental Design (CPTED) into consideration. These elements may include, but are not limited to, elements that allow for natural surveillance, increased sightlines and use; and high quality interior and exterior lighting. The physical layout and landscaping shall reduce the vulnerability of pedestrians by avoiding areas of concealment or entrapment such as: long public corridor spaces, stairwells, or other movement predictors; avoiding landscaping hazards such as: unpruned trees, rocks that can be thrown, or blind corners; and by locating parking areas close to building access points and using wayfinding mechanisms. The Development Officer may require a Crime

Prevention Through Environmental Design assessment prepared by a qualified security consultant, and may apply conditions to the approval of the Development Permit based on the recommendations of the CPTED assessment to promote a safe physical environment.

10. Public Improvements and Contributions

- a. Prior to issuance of a Development Permit, the owner shall enter into an Agreement with the City of Edmonton for off-site improvements necessary to serve the development. The Agreement shall include an engineering drawing review and approval process, as well as an irrevocable Letter of Credit to cover 100% of construction costs. Improvements to be addressed in the Agreement shall include, but are not limited, to the following:
 - a. Reconstruction of the separate walk on the east side of 101 Street abutting the site;
 - b. Reconstruction of the mono-walk on the north side of 79 Avenue abutting the site;
 - c. Reconstruction of the ramp on the northeast corner of 101 Street and 79 Avenue;
 - d. Removal of the existing accesses to 101 Street and to 79 Avenue, construction of the curb and gutter, and restoration of the boulevards to the satisfaction of Subdivision and Development Coordination (Transportation).
 - e. Planting of trees in the city boulevard along the 79 Avenue and 101 Street frontage to the satisfaction of Subdivision and Development Coordination (Transportation).
 - f. Installation of new decorative medium height street lighting to the satisfaction of the Development Officer.
- b. Details of any structures and pavement treatment to be located on road right-of-way must be included on the engineering drawings.
- c. The owner is responsible for the location of all underground and above ground utilities and maintaining required clearances as specified by the utility companies. Any costs associated with relocations and/or removals shall be at the expense of the owner.
- d. All roadway modifications required to facilitate access
- e. Prior to the issuance of a Development Permit, the Owner shall enter into an agreement with the City whereby the Owner shall contribute \$100,000 to the City for the commission of public art. The public art shall be:

- a. Acquired through a juried art procurement process administered by the Edmonton Arts Council; and
- b. Owned and maintained by the Condominium Association.

APPENDIX 01

