

Charter Bylaw 19811

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 3292

WHEREAS Block A, Plan 2120081; Lot 3W, Block 7, Plan 3385TR; and Lots 1, 2 and 4, Block 7, Plan 3385TR; located at 7008 - 28 Avenue NW and 7319 - 29 Avenue NW, Kameyosek, Edmonton, Alberta, are specified on the Zoning Map as (US) Urban Services Zone; 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 Block A, Plan 2120081; Lot 3W, Block 7, Plan 3385TR; and Lots 1, 2 and 4 Block 7, Plan 3385TR; located at 7008 - 28 Avenue NW and 7319 - 29 Avenue NW, Kameyosek, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (US) Urban Services Zone 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.

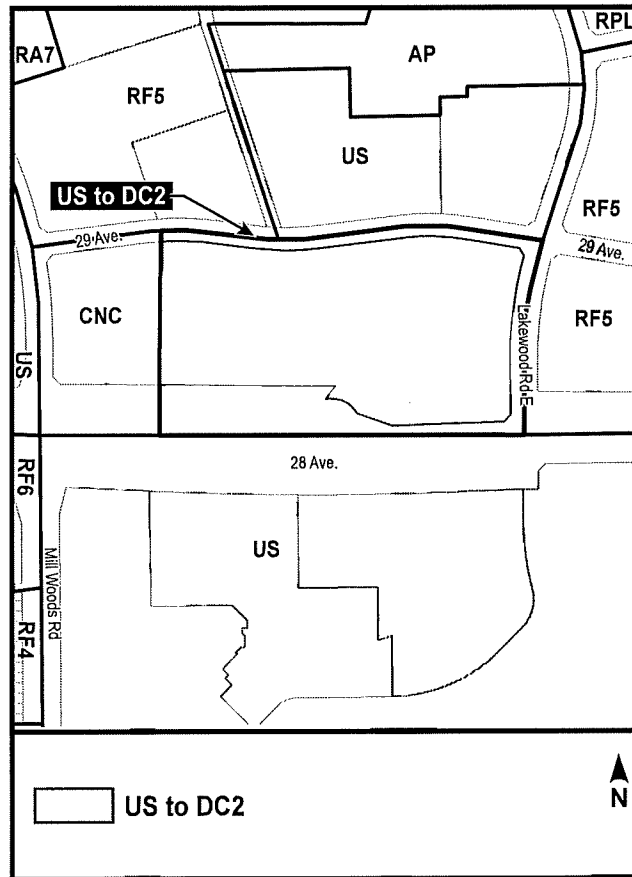
READ a first time this	17th day of August	, A. D. 2021;
READ a second time this	17th day of August	, A. D. 2021;
READ a third time this	17th day of August	, A. D. 2021;
SIGNED and PASSED this	17th day of August	, A. D. 2021.

THE CITY OF EDMONTON

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
A/ CITY CLERK

## CHARTER BYLAW 19811



## **SCHEDULE “B”**

### **(DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION**

#### **1. General Purpose**

To accommodate a mixed-use node with medical, commercial and residential uses in a range of built forms, integrated with ground floor commercial Uses in appropriate areas to create a walkable, human-scaled development.

#### **2. Area of Application**

This Provision shall apply to Block A, Plan 2120081; Lot 3W, Block 7, Plan 3385TR; and Lots 1, 2 and 4, Block 7, Plan 3385TR located north of 28<sup>th</sup> Avenue NW and west of Lakewood Road East, as shown in Schedule “A” of the Charter Bylaw adopting this Provision, Kameyosek.

#### **3. Uses**

- a. Apartment Hotels
- b. Child Care Services
- c. Commercial Schools
- d. Convenience Retail Stores
- e. Extended Medical Treatment Services
- f. Government Services
- g. General Retail Stores
- h. Health Services
- i. Minor Home Based Business
- j. Multi-unit Housing
- k. Personal Service Shops
- l. Professional, Financial and Office Support Services
- m. Publicly Accessible Private Park
- n. Residential Sales Centre
- o. Restaurants
- p. Specialty Food Services
- q. Fascia On-premises Signs
- r. Fascia Off-premises Signs

- s. Freestanding Off-premises Signs
- t. Freestanding On-premises Signs
- u. Projecting On-premises Signs
- v. Temporary On-premises Signs

**3.1 Additional Uses for Area 1**

- a. Bars and Neighbourhood Pubs
- b. Breweries, Wineries and Distilleries
- c. Community Recreation Services
- d. Hotels
- e. Liquor Stores
- f. Lodging Houses
- g. Market
- h. Special Event
- i. Supportive Housing
- j. Urban Gardens
- k. Minor Digital On-premises Signs

**3.2 Additional Uses for Area 2**

- a. Bars and Neighbourhood Pubs
- b. Community Recreation Services
- c. Lodging Houses
- d. Market
- e. Protective and Emergency Services
- f. Minor Digital On-premises Signs

**3.3 Additional Uses for Area 3**

- a. Community Recreation Services
- b. Lodging Houses
- c. Supportive Housing
- d. Urban Gardens

**3.4 Additional Uses for Area 4**

- a. Bars and Neighbourhood Pubs

- b. Lodging Houses
- c. Special Event
- d. Supportive Housing
- e. Urban Gardens

**3.5 Additional Uses for Area 5**

- a. Bars and Neighbourhood Pubs
- b. Breweries, Wineries and Distilleries
- c. Business Support Services
- d. Community Recreation Services
- e. Government Services
- f. Liquor Stores
- g. Minor Service Stations
- h. Special Event
- i. Supportive Housing
- j. Minor Digital On-premises Signs

**4. Variance and Interpretation**

- a. The Development Officer shall have regard for the phasing of development that may have varying Floor Area Ratio (FAR) calculations across each phase of development and Sub-Area provided that at full build-out the maximum FAR for the lands within this Provision is not exceeded.
- b. The location of Active Frontages as shown on the site plan may vary, if additional Active Frontages are warranted or if areas are required for the purpose of providing loading, servicing, or utilities, provided that these items are sufficiently screened and the overall purpose of the Façade remains Active, to the satisfaction of the Development Officer.

**5. Definitions**

- a. “Development Setback(s)” means the distance that a development or a specified portion of it must be from the nearest edge of:
  - i. A property line; or in the case of an Internal Roadway:
    - A. back of Walkway, or back of curb where there is no Walkway.

**6. Development Phasing**

- a. Each phase of development shall include the portion of public realm that serves the development, such as abutting Internal Roadways, Walkways, and Landscaping.

## **7. Regulations for Uses**

- a. Temporary On-premises Signs shall be limited to project advertising associated with an on-Site Residential Sales Centre and shall not include trailer mounted or signs with changeable copy.
- b. Residential Sales Centres shall be limited to the marketing of the on-Site condominium or rental Dwellings.
- c. Bars and Neighbourhood Pubs shall:
  - i. be limited to less than 100 occupants and 120 m<sup>2</sup> of Public Space; and
  - ii. use design techniques such as structural soundproofing and downward direction of applicable exterior lighting on the proposed development, to mitigate the effects of noise, when located within the same building as Residential and Residential-Related Uses, to the satisfaction of the Development Officer.
- d. Breweries, Wineries and Distilleries shall be ancillary to a Restaurant or, where developed on its own, shall not exceed 300 m<sup>2</sup> in floor area.
- e. Signs shall comply with the General Provisions of Section 59 and Schedule 59E of the Zoning Bylaw, as amended.

## **8. Development Regulations For Site Layout and Built Form**

- a. Development shall be in general conformance with the attached Appendix 1 - Site Plan to the satisfaction of the Development Officer.
- b. The maximum number of Dwellings shall be 600.
- c. The maximum Floor Area for Non-Residential and Non-Residential-Related Uses shall be 35,000 m<sup>2</sup>.
- d. The maximum Floor Area Ratio shall be 1.7.
- e. The maximum building Heights for each Sub-Area shall be as follows:

<b>Sub-Area</b>	<b>Maximum Building Height</b>
1	40.0 m
2	26.0 m
3	40.0 m

4	26.0 m
5	26.0 m

- f. Development Setbacks shall be provided as follows and in general conformance with the Appendix 1- Site Plan :

<b>Lot Line</b>	<b>Minimum</b>	<b>Maximum</b>
North (29 Avenue NW)	3.0 m	No Maximum
East (Lakewood Road NW)	3.0 m	No Maximum
South (28 Avenue NW)	0.0 m	No Maximum
West (Adjacent Property) –	3.0 m	No Maximum
Internal Roadways – with Commercial Frontage	0.0 m	2.5 m
Internal Roadways – with no Commercial Frontage	2.5 m	4.5 m

- g. Overhangs, canopies, balconies, and other similar architectural projections shall be permitted to project a maximum of 2.5 m into Development Setbacks and above Walkways.
- h. The portions of a Parking Garage below Grade shall not be subject to required Development Setbacks and can extend to all Lot lines provided there is sufficient soil depth maintained to support any required Landscaping above.

## 9. **Development Regulations for Building Design and Features**

### a. Built Form

- i. The massing of Buildings shall be minimized through a combination of building orientation, Stepbacks, roof treatment and/or the variation of exterior materials and colours.
- ii. a Stepback of 2.5 m shall be provided at the height of 26 m for all buildings that front onto an Internal Road or Public Roadway, other than a lane.
- iii. Notwithstanding 9.a.ii, a Stepback shall not be required if the total provided Building Setback or Development Setback is an average of 6 m or greater.

### b. Street Interface



- i. Buildings that accommodate Active Commercial Frontages shall strengthen the pedestrian-oriented shopping experience by:
  - A. providing articulation and variation suggestive of smaller scale retail spaces with more fine-grained ground level street frontage; and
  - B. ensuring that Residential and Residential–Related Uses above Non-Residential Uses at ground level shall have access at ground level that is separate and distinct from the Non-Residential Uses.
- ii. Commercial and Residential Active Frontages shall:
  - A. be generally located as shown in Appendix 1 – Site Plan;
  - B. When the ground level Storey is designated for Active Commercial Frontage, the ground level Storey shall:
    - 1. address the public streets and Internal Roadways through multiple entrances and distinctive architectural features consistent with the style of the building;
    - 2. provide weather protection in the form of a canopy or other architectural element above entrances to create a comfortable environment for pedestrians; and
    - 3. provide Facades with a minimum of 50% clear, non-reflective, untinted, and unobscured glazing on the exterior that allows viewing in and out of the Use, to the satisfaction of the Development Officer.
  - C. When the ground level Storey is designated for Active Residential Frontage, the ground level Storey shall:
    - 1. provide an individual external entrance to Grade, oriented and clearly visible to be readable from and lend a sense of occupancy to the public roadway and/or Internal Roadway using features such as, but not limited to, porches, staircases, and stoops. Sliding doors shall not serve as entrances;
    - 2. Notwithstanding 9.b.C.1. up to two dwellings may share one external entrance; and
    - 3. not have solid fences higher than 1.2 m in Height adjacent to Walkways. Landscaping, retaining walls, or other low height elements may be utilized to visually separate the

semi-private courtyards facing the public streets or Internal Roadways

iii. Building Facade, Materials and Exterior Finishing

- A. Building Façades along the Internal Roadway shall be designed with detail and articulation to create a pedestrian friendly streetscape and interface and include elements such as entrance features and variation in rooflines, recesses, windows, projections, exterior finishing materials, colours, textures, cladding, and/or varied architectural design.
- B. Exterior finishing materials must be durable, high quality and appropriate for the development within the context of the surrounding area. Vinyl siding and masonry stucco as a finishing material shall not be permitted.
- C. Buildings shall be designed and oriented to face either Abutting public roadways, Internal Walkways, or Internal roadways with primary entrances that are clearly visible.
- D. All mechanical equipment, including roof mechanical units, surface level venting systems and transformers, shall be screened in a manner compatible with the architectural character of the building, or concealed by incorporating it within the building. Ground level vents for underground Parking Garages shall be oriented away from adjacent Sites or on-Site amenity or pedestrian circulation areas.

**10. Development Regulations for Parking, Loading, Storage and Access**

- a. All Internal Roadways and associated Walkways and bicycle infrastructure shall remain privately owned and maintained but be openly accessible to the Public at all times through the registration of a 24-hour Public Access Easement in favour of the City of Edmonton.
- b. An east-west and north-south pedestrian connection shall be provided through the development in general conformance with the Appendix 1 - Site Plan.
- c. A pedestrian connection shall be provided through Area 2, south to the Transit Station, in general conformance with the Appendix 1 - Site Plan.
- d. Pedestrian Walkways shall be a minimum of 1.8 m wide.
- e. Access to parking, loading, storage, and waste collection areas shall be designed to ensure safe movement and crossing of pedestrians on adjacent Walkways.

- f. No parking, loading, storage, waste collection, outdoor service or display area shall be permitted within required Development Setbacks, with exception for bicycle infrastructure.
- g. Loading, storage, and waste collection areas shall:
  - i. be located within buildings and/or be screened from adjacent views in accordance with Landscaping regulations of the Zoning Bylaw; and
- h. Vehicular and servicing access shall be established to reduce disruption to pedestrian Walkway connections and designed to minimize the visual impact through screening, orientation, and other applicable techniques to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation).

**11. Development Regulations for Landscaping, Lighting and Amenity Areas**

- a. The required Landscape Plan submitted with a Development Permit application for new building construction shall be prepared by a Landscape Architect registered with the Alberta Association of Landscape Architects (AALA).
- b. For the purposes of interpreting Landscaping Regulations of the Zoning Bylaw, the term “Setback” in the Zoning Bylaw shall be deemed to be “Development Setback” as defined in this Provision.
- c. Amenity Area shall be provided as follows:
  - i. The minimum Amenity Area provided on Site per Dwelling shall be 7.5 m<sup>2</sup>.
  - ii. The Amenity Area may be provided individually per Dwelling or combined to provide Common Amenity Areas. Should the Amenity Area be combined, the minimum size of any single Common Amenity Area shall be 50 m<sup>2</sup>.
  - iii. Amenity Areas may be provided indoors or outdoors and may include but are not limited to balconies, fitness areas, seating areas, and dining areas.
  - iv. Where Amenity Areas are provided outdoors, Amenity Areas shall be directly accessible from Buildings with a hard-surfaced Walkway.
- d. Landscaping, including tree planting, shall be provided within Development Setbacks adjacent to Internal Roadways to help minimize the impact of service vehicle access, enhance the pedestrian experience, and contribute to a sensitive transition with the surrounding properties, while maintaining necessary sightlines and operational demands for loading and waste collection access, to the satisfaction of the Development Officer.

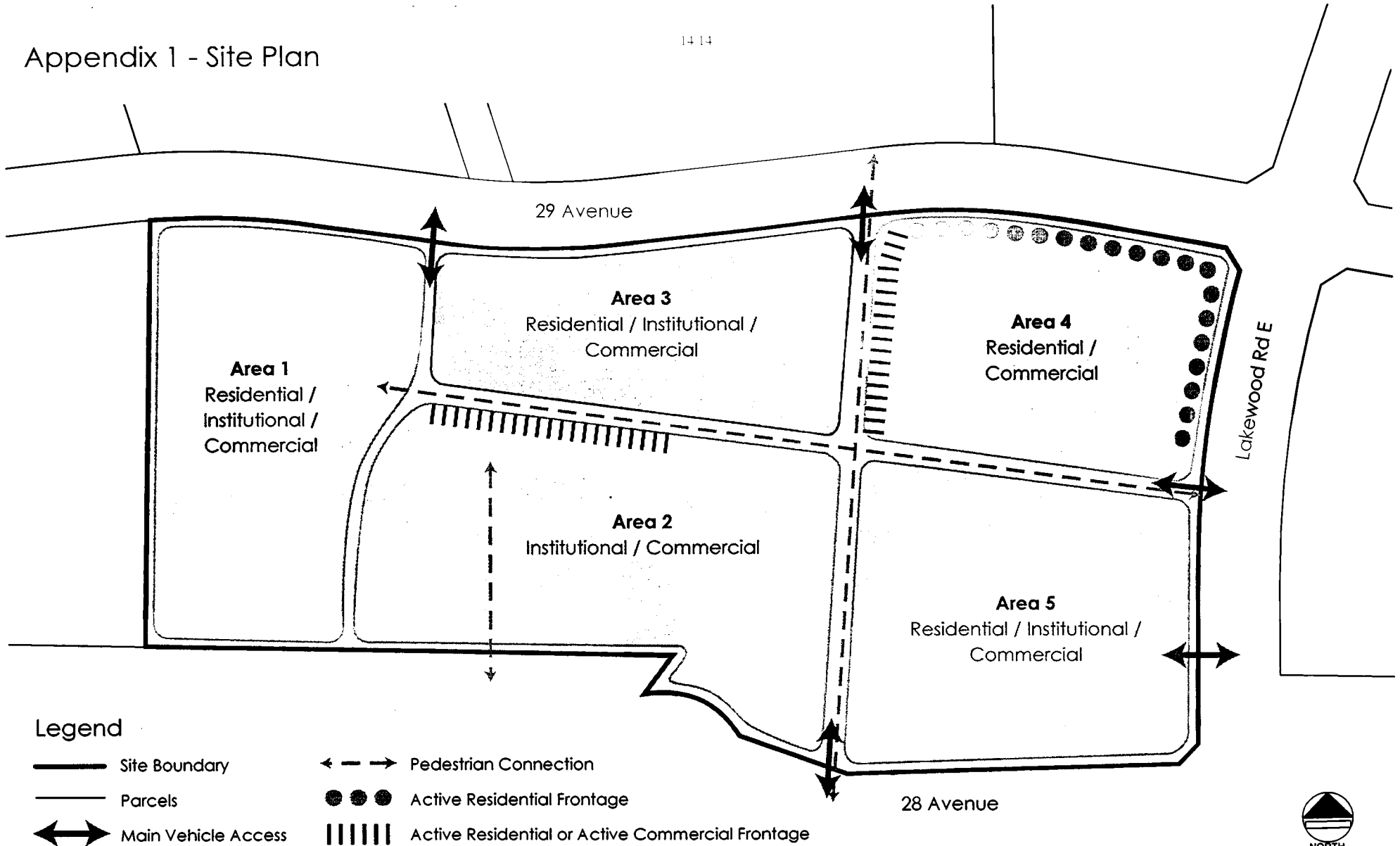
## 12. Other Regulations

- a. Prior to the issuance of a Development Permit, the owner shall register a public access easement to allow 24-hour access for Internal Roadways and Publicly Accessible Private Parks pertaining to that application.
- b. Prior to the issuance of any Development Permit for new building construction, except for the purpose of a demolition, excavation or signage, a Crime Prevention Through Environmental Design (CPTED) Assessment shall be provided to the satisfaction of the Development Officer to ensure that the development provides a safe urban environment in accordance with the guidelines and principles established in the Design Guidelines for a Safer City (City of Edmonton, 1995).
- c. Built form, public realm interfaces, streetscape elements and pedestrian connections shall consider the City of Edmonton's Winter Design Guidelines in their design and implementation, A report outlining how the development conforms to these guidelines shall be submitted with each Development Permit for a principal building to the satisfaction of the Development Officer.
- d. Sun Shadow and Wind Impact Studies shall be prepared and submitted with a Development Permit application for any building or portion of a building with a Height greater than 26.0 m. The development shall incorporate design features to minimize adverse microclimatic effects such as wind tunneling, snow drifting, rain sheeting, shadowing, and loss of sunlight, both on and off-Site, consistent with the recommendations of the Sun Shadow Impact Study and Wind Impact Study.
- e. As a condition of the development permit that constructs the new 28 Avenue all-directional site access, the owner shall enter into an agreement with the City to construct an eastbound left turn bay and a westbound right turn bay at the new 28 Avenue intersection. The existing crosswalk west of the access shall be relocated and integrated into the west approach as part of the access design, and a concept plan shall be prepared to confirm right-of-way requirements.
- f. As a condition of the first development permit, the owner shall implement a parking restriction along the north side of 29 Avenue between Mill Woods Road and the first site access to the east and install pavement markings and signage to permit the curb lane to operate as a westbound right turn bay.
- g. The following off-site improvements shall be required with the first development permit within Sub-Area 1 or Sub-Area 5:
  - i. Implement a parking restriction along the west side of Lakewood Road East between 28 Avenue and the first site access and install pavement markings and signage to permit the curb lane to operate as a southbound right turn bay.

- ii. Construct an eastbound left turn bay and a westbound right turn bay at Lakewood Road East and 28 Avenue.
  - iii. Install a rectangular Rapid Flashing Beacon on the west approach of the 28 Avenue/Lakewood Road East intersection.
- h. Notwithstanding regulation 12.g. should the owner(s) wish to re-evaluate and reduce the listed improvements based on updated traffic and/or safety information, an updated Transportation Impact Assessment (TIA) shall be completed at the owner(s) expense, and submitted to the City of Edmonton with the first Development Permit for development within Sub-Area 1 or Sub-Area 5 for review to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation).
- i. Opportunities to implement transportation demand management (TDM) strategies will be considered with each Development Permit application for new building construction. TDM measures may include, but are not limited to:
  - i. Improving pedestrian connections within the surrounding pedestrian network, such as the proposed north-south link between 28 Avenue and 29 Avenue;
  - ii. Providing end of trip facilities (e.g. change rooms and showers) for staff within the core clinical space;
  - iii. Bike maintenance facilities located near secure bicycle parking for both residents and staff;
  - iv. Allocation of car-share stalls within the at-grade parking supply; or
  - v. De-coupling residential parking from residential units.

# Appendix 1 - Site Plan

14 14



NOTE: This site plan is conceptual. The exact location of access points, pedestrian connections and active residential and active commercial frontages will be determined through detailed design. Where there are discrepancies, the regulations of this Bylaw shall apply.