

Charter Bylaw 19767

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 3264

WHEREAS Lot 10, Block 188, Plan 1922223; located at 10742 - 86 Avenue NW, Garneau, Edmonton, Alberta, is specified on the Zoning Map as (RA7) Low Rise Apartment Zone; and

WHEREAS an application was made to rezone the above described property 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 Lot 10, Block 188, Plan 1922223; located at 10742 - 86 Avenue NW, Garneau, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (RA7) Low Rise Apartment 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.

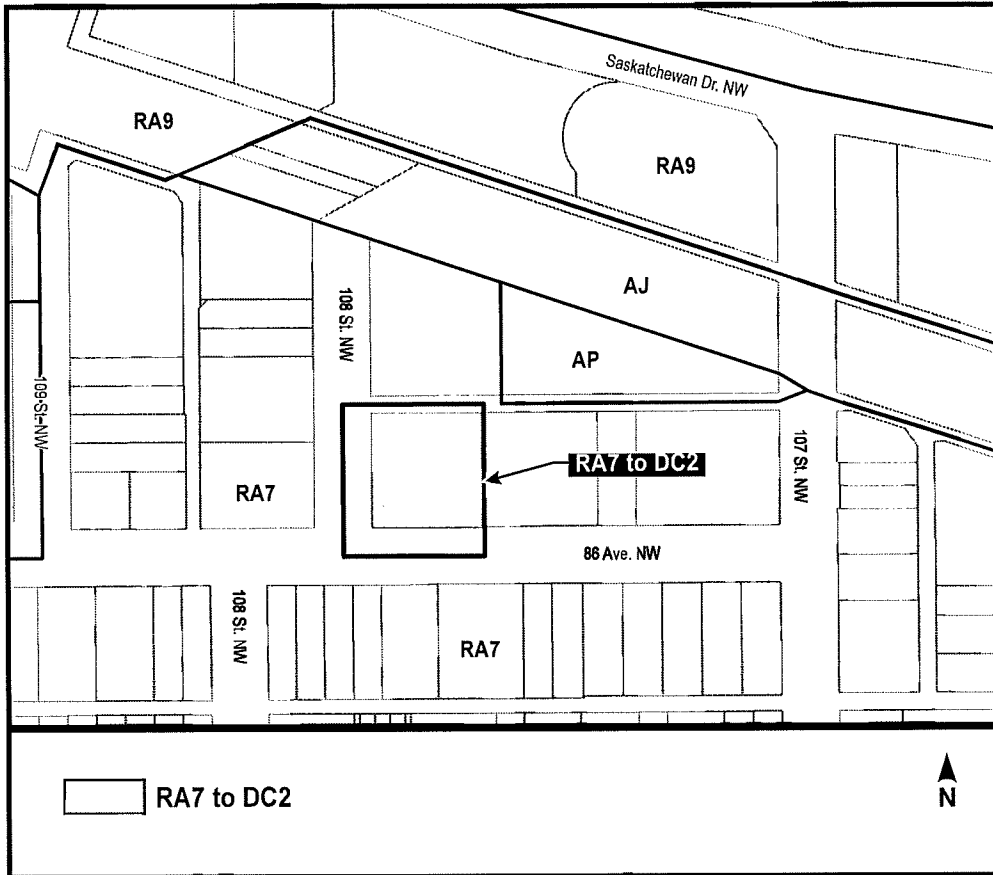
READ a first time this	31st day of August	, A. D. 2021;
READ a second time this	31st day of August	, A. D. 2021;
READ a third time this	31st day of August	, A. D. 2021;
SIGNED and PASSED this	31st day of August	, A. D. 2021.

THE CITY OF EDMONTON

  
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MAYOR

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

CHARTER BYLAW 19767



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

**1. General Purpose**

To accommodate a medium-rise, high density residential development, with ground-oriented units fronting onto 86 Avenue NW and 108 Street NW that is compatible with adjacent land uses and supports a pedestrian friendly streetscape.

**2. Area of Application**

This Provision shall apply to Lot 10, Block 188, Plan 192 2223 as shown in the Schedule "A" of the Charter Bylaw adopting this Provision, Garneau.

**3. Uses**

- a. Multi-unit Housing
- b. Live Work Unit
- c. Major Home Based Business
- d. Minor Home Based Business
- e. Fascia On-premises Signs
- f. Supportive Housing
- g. Residential Sales Centre

**4. Development Regulations for Uses**

- a. Live Work Units shall be limited to ground-oriented Dwellings.
- b. Residential Sales Centre shall be limited to the sale or leasing of on-site condominium or rental Dwellings.
- c. Signs shall comply with Schedule 59B of the Zoning Bylaw.

**5. Development Regulations for Site Layout and Built Form**

- a. The development shall be in general conformance with the attached Appendices.
- b. The maximum Height shall be 23.0 m.

- c. The maximum number of Dwellings shall be 96 as follows:
  - i. A minimum of 9 Dwellings shall have a Floor Area greater than 100 m<sup>2</sup> and three bedrooms; and
  - ii. A minimum of 25% of the Dwellings shall have two or more bedrooms.
- d. The maximum Floor Area Ratio shall be 3.7.
  - i. A maximum of 850 m<sup>2</sup> of Basement area used for residential development shall not be included in the total Floor Area for the calculation of Floor Area Ratio.
- e. The minimum Setbacks for the building at grade shall be:
  - ii. 5.5 m from the north Lot line except that;
    - A. the north Setback may be reduced to a minimum of 4.0 m between 7.0 m and 15.0 m in Height;
    - B. above 15.0 m in Height a minimum 5.5 m Setback shall be required:
      - 1. for a minimum distance of 10.0 m from the east Lot line; and
      - 2. from 13.0 m from the west Lot line for minimum of 12 m in length.
  - iii. 4.5 m from the south Lot line except that a minimum 6.0 m Setback shall be required for a minimum distance of 12.0 m from the west Lot line.
  - iv. 2.5 m from the east Lot line except that:
    - A. the east Setback shall be increased to a minimum of 4.5 m for the portion of the building between 18 m and 23 m (5.0 m in length) from the south property line; and
    - B. a minimum 4.5 m Setback shall be required above a 13.0 m in Height.
  - v. 3.0 m from the west Lot line except that:
    - A. the west Setback may be reduced to a minimum of 1.0 m for the portion of the building 27 m north of the south lot line extending to the north lot line to a maximum height of 7.0 m;
    - B. a minimum 5.0 m shall be required for a minimum distance of 13.0 m from the south Lot line;
    - C. a minimum 4.0 m shall be required above 19.0 m in Height for the portion of the building between 13 m and 27 m (15 m in length) from the south property line.
- f. An artistically designed column located on the southwest corner of the Site shall be allowed to encroach onto the required west and south Setbacks to structurally support the balconies on the second storey as generally shown in the Appendices of this Provision to the satisfaction of the Development Officer.

**6. Development Regulations for Building Design and Features**

- a. All building Façades shall have consistent and harmonious exterior finishing materials.
- b. The building Façades shall be designed to break their appearance using a combination of projections, changes in building materials, colours and/or physical breaks in building mass as generally shown in the Appendices of this Provision.
- c. The building shall be finished with high quality, durable materials that may include, but are not limited to, masonry and/or cementitious cladding, glazing, and pre-finished metal cladding and screening. The contextual fit, design, proportion, quality, texture and application of various finishing materials shall be to the satisfaction of the Development Officer.
- d. The interface along the east Lot Line shall be developed to maximize privacy and minimize overlook to the adjacent residential property through the following:
  - i. Provision of a landscape screen adjacent to the east portion of the site comprised of planting materials in general conformance with Appendix 3;
  - ii. The windows of Dwellings contained within a Height of 13.0 m from Grade shall be offset or oriented away from the windows of the existing building; and
  - iii. Privacy Screening shall be used for additional screening of windows within a Height of 13.0 m from Grade for the portion of the building between 18 m and 23 m (5.0 m in length) from the south property line. Landscaping may be used to satisfy this requirement.
- e. The development shall incorporate a prominent front entrance at the corner of 86 Avenue NW and 108 Street NW through distinct architectural treatment and/or wayfinding techniques to differentiate the entrance to the building.
- f. The principal public building entrance shall be designed for universal accessibility. Level changes from sidewalks or road rights-of-way to entrances of the building shall be minimized. Streetscape furniture and other elements shall be located out of the travel path to ensure they are not obstacles to building access.
- g. A weather protection element in the form of a canopy, overhang, or other architectural element above the main building entrance facing 86 Avenue NW and 108 Street NW shall be provided to create a comfortable environment for pedestrians and shall be allowed to project a maximum of 1.5 m into the south and west Setbacks.
- h. Platform Structures in the form of balconies shall be allowed to project a maximum of 1.5 m into the north, south, east, and west Setbacks. Notwithstanding this, projections shall not be permitted within the west setback for any portion of the building which has a setback reduced to less than 3.0 m.
- i. A minimum of three Dwellings shall be developed as ground-oriented fronting onto 86 Avenue NW and two fronting onto 108 Street NW in accordance with the following:
  - i. Dwellings shall take the appearance of row housing and shall be articulated as individual units with individual direct entrances and windows fronting onto adjacent rights-of-way. In addition, features such as staircases, stoops, semi-private outdoor

areas, or landscaped yards shall be provided. Sliding patio doors shall not serve as these entrances.

- ii. There shall be a semi-private outdoor area that is provided in a manner that establishes a transition area between the Dwelling and publicly accessible land using landscaping features such as change in grade, shrub beds, planters, rock gardens and/or other built elements, to the satisfaction of the Development Officer.
- j. All mechanical equipment, including roof mechanical units, and surface level venting systems shall be concealed by screening in a manner compatible with the architectural character of the building, or concealed by incorporating it within the building.

#### **7. Development Regulations for Parking, Loading, Storage and Access**

- a. Vehicular access and egress shall be from the abutting Lane.
- b. Vehicular parking shall be provided as per the Zoning Bylaw, except that a maximum of seven on-site parking spaces shall be provided. Of the spaces provided, a minimum of 2 vehicular parking spaces shall be used to accommodate vehicles from a car share program. The car share program may be operated by the owner or a third-party vendor. Should this program be proven not to be implementable, the spaces may be used for visitor parking.
- c. Bicycle Parking facilities shall be provided at a minimum rate of one space per Dwelling in a safe and secure location within the building that is easily accessible to cyclists via access ramps, or a route through the building which facilitates easy and efficient transportation of bicycles, to the satisfaction of the Development Officer.
- d. A minimum of ten short term bicycle parking spaces shall be provided in publicly accessible location adjacent to 86 Avenue NW and/or 108 Street NW.
- e. A bicycle repair and maintenance station shall be required within the building that is easily accessible to cyclists or adjacent to the bike storage area.
- g. Waste collection and storage areas shall be located within the Site, accessed from the rear Lane abutting the development, enclosed with consistent building materials to provide screening from view from existing developments immediately to the north and east, and shall be designed to the satisfaction of the Development Officer in consultation with Waste Management Services, Subdivision and Development Coordination (Transportation) and City Operations.

#### **8. Development Regulations for Landscaping, Lighting and Amenity Areas**

- a. Landscaping shall be in general conformance with Appendix 3.
- b. A detailed Landscape Plan for the Site, prepared by a Landscape Architect registered with the Alberta Association of Landscape Architects (AALA), including all existing and proposed utilities and off-site streetscape improvements shall be submitted as part of a Development Permit application for review and approval by the Development Officer.
- c. The following shall apply and be shown on the required Landscape Plan:

- i. landscaping shall use plant materials that provide colour throughout the year to enhance appearance during winter months and shall incorporate native and/or drought tolerant species;
  - ii. Pavement materials, exterior lighting, sizes and species of new and existing tree plantings, and other landscaping elements as applicable; and
  - iii. all pedestrian pathways shall be hard surfaced.
- d. In addition to the requirements in the Zoning Bylaw, the Landscaping Plan shall demonstrate at ground level setbacks are provided in front of Dwellings Uses fronting onto 86 Avenue NW and 108 Street NW a transition area shall be provided from public to private property using landscape features such as change in grade, shrub beds, planters, rock gardens and/or other built elements, to the satisfaction of the Development Officer.
- e. An arborist report and tree preservation plan to the satisfaction of the Development Officer in consultation with Urban Forestry, shall be submitted with the Development Permit application to determine the impact of the proposed development, including excavation and construction, on the existing boulevard trees along 86 Avenue NW and 108 Street NW. If required by the Development Officer, an air spading tool shall be used to determine the amount and size of roots that may need to be cut for the foundation wall, if the arborist report indicates that the development will not unduly compromise the ongoing viability and health of a tree or trees, each tree shall be retained and protected as per the City's Corporate Tree Management Policy C456B.
- f. A minimum Amenity Area of 9 m<sup>2</sup> per Dwelling shall be provided through the following:
  - i. a minimum of 200 m<sup>2</sup> shall be provided as common indoor Amenity Area and may include, but is not limited to, social rooms, media rooms, and fitness facilities (such as a gym and/or yoga studio);
  - ii. a minimum of 400 m<sup>2</sup> on the Rooftop shall be provided as common Amenity Area;
  - iii. a minimum of 50 m<sup>2</sup> of common Amenity Area that is specifically designed for children within the building or on the Rooftop; and
  - iv. Platform Structures in the form of balconies with a minimum depth of 1.5 m.
- g. The Rooftop Amenity Area shall be screened from existing developments immediately to the east and north of the development to maintain their privacy.
- h. Decorative and security lighting shall be designed and finished in a manner consistent with the architectural theme of the development and shall be provided to ensure a well-lit and safe environment for pedestrians, to accentuate architectural elements, and to provide additional lighting for 86 Avenue NW, 108 Street NW and the existing rear lane abutting the development.
- i. Exterior lighting associated with the development shall be designed such that it has minimal negative impact on an adjacent property.
- j. Night-time light pollution shall be reduced by avoiding over-illumination of the development and by using exterior lighting fixtures that are full cut-off in design which direct light downward, to ensure illumination does not extend beyond the boundaries of the development Site.



## 9. Other Regulations

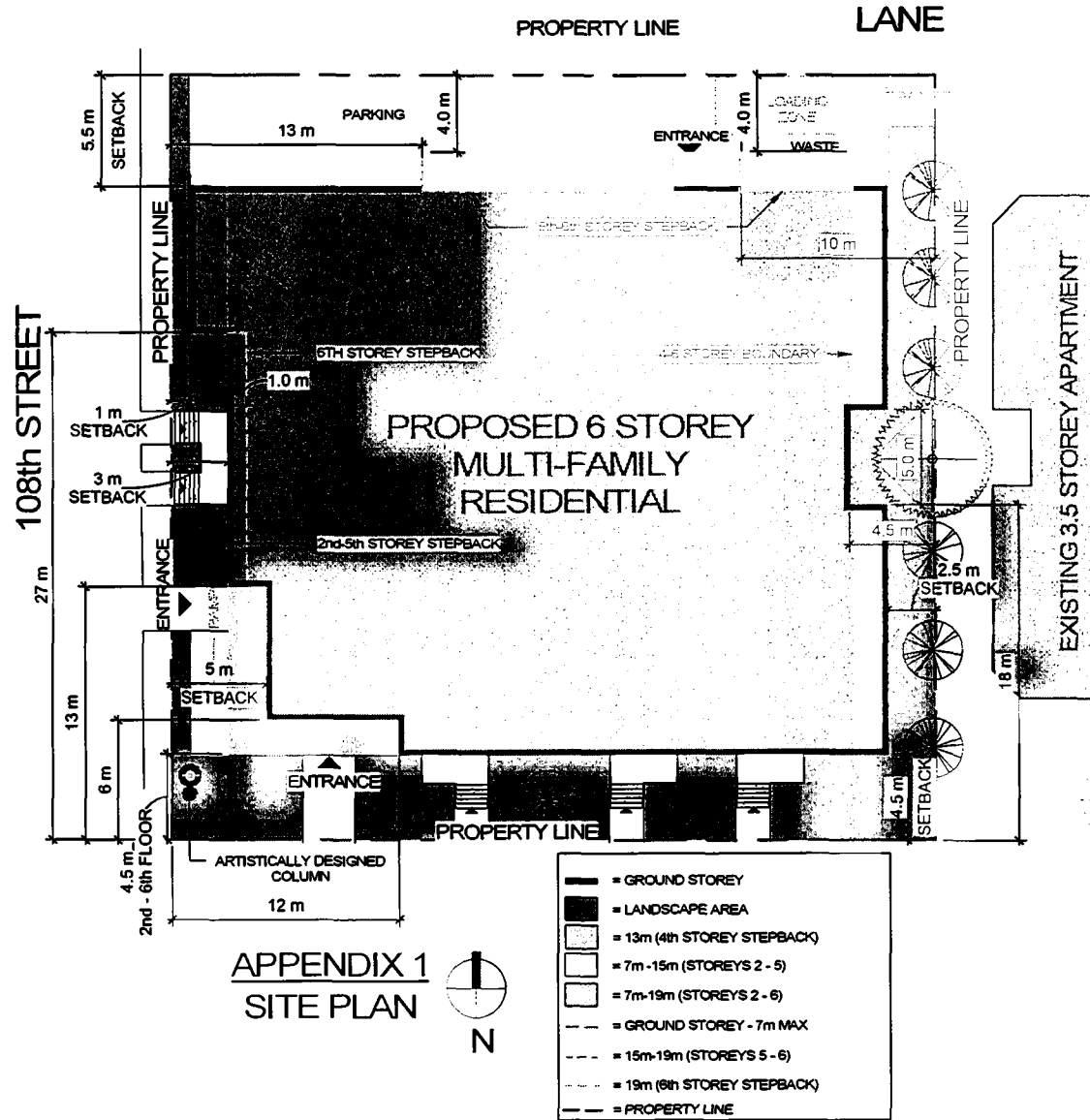
- a. Prior to the issuance of a Development Permit for the principal building, a Crime Prevention Through Environmental Design (CPTED) Assessment shall be provided to the satisfaction of the Development Officer to ensure that the development provides a safe urban environment in accordance with the guidelines and principles established in the Design Guidelines for a Safer City (City of Edmonton 1995).
- b. A Wind Impact Study shall be prepared by a qualified, registered Professional Engineer and submitted with the Development Permit application for construction of the principal building. Prior to the issuance of the Development Permit, any mitigation measures to minimize adverse microclimatic effects, such as wind tunneling, snow drifting and rain sheeting, recommended by the study shall be incorporated into the design of the building, to the satisfaction of the Development Officer, to ensure on and off Site pedestrian circulation areas, Amenity Areas and open spaces are fit for the intended activities in the space.
- c. Notwithstanding the other Development Regulations and Appendices of this Provision and Section 720.3(2) of the Zoning Bylaw, in the event that the owner/developer does not obtain a Development Permit and commence construction of the building within 10 years of the passage of the Bylaw adopting this Provision, development shall be in accordance with this Provision, except that:
  - i. the maximum Height shall be 16.0 m; and
  - ii. the maximum Floor Area Ratio shall be 2.3.

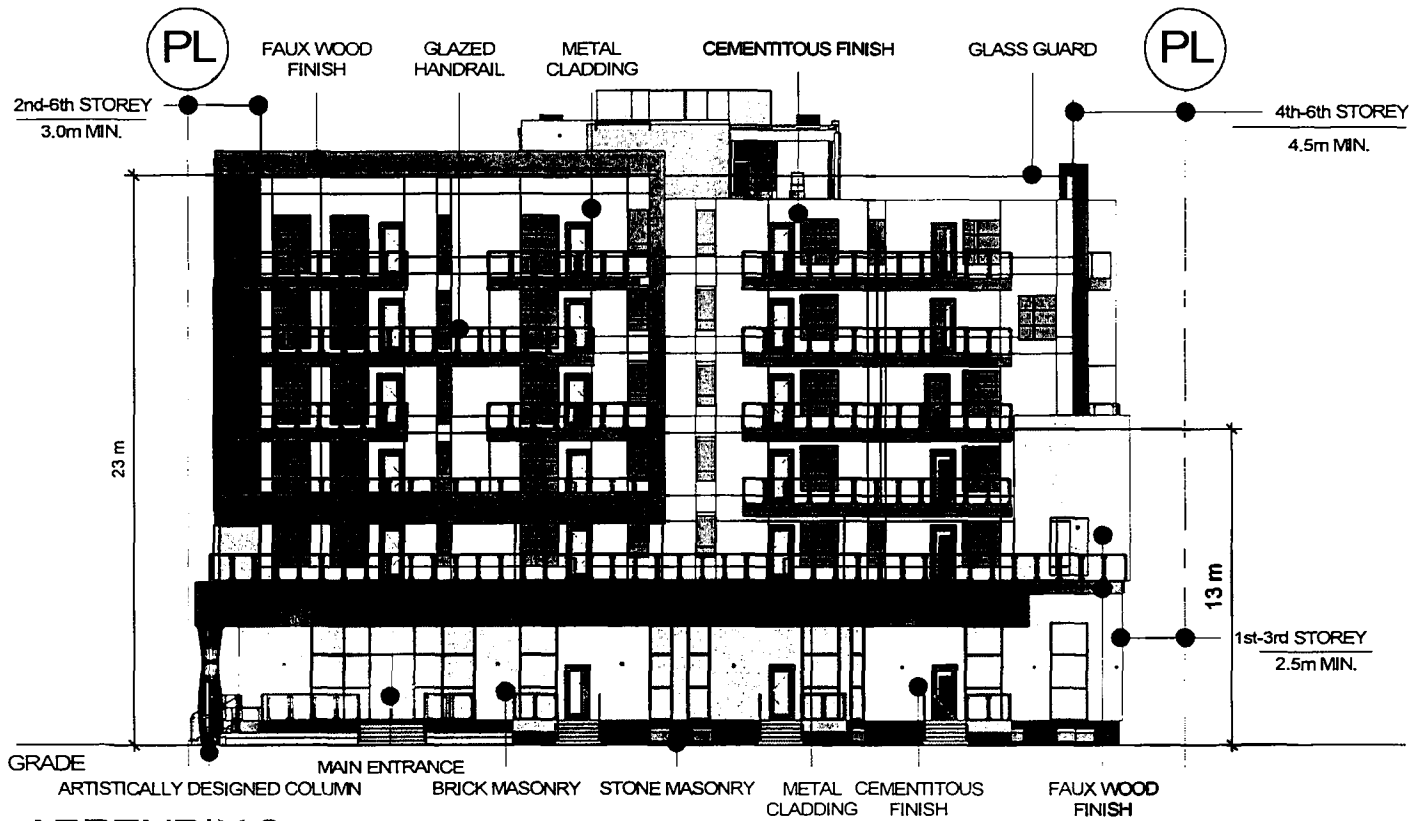
## 10. Public Improvements and Contributions

- a. As a condition of the Development Permit for construction of the principal building, 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. Improvements shall be constructed at the owner's cost and shall be designed to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation). Improvements to address in the Agreement shall include, but are not limited to:
  - i. the repair of any damage to the abutting roadways, sidewalks and/or boulevard resulting from construction of the development;
  - ii. Relocation and/or trenching of the above-ground utilities on the east-west Lane abutting the Site as required to serve the development;
  - iii. Removal of the existing access to 108 Street NW, construction of the curb & gutter, and restoration of the boulevard.
- b. Prior to the issuance of the Development Permit for construction of the principal building, the developer shall enter into an agreement with the City of Edmonton to contribute a minimum of \$90,000 as follows:
  - i. As community contribution towards the construction of public structures and/or public enhancements on the 'Wedge' Park located at 8624 - 107 Street NW, legally

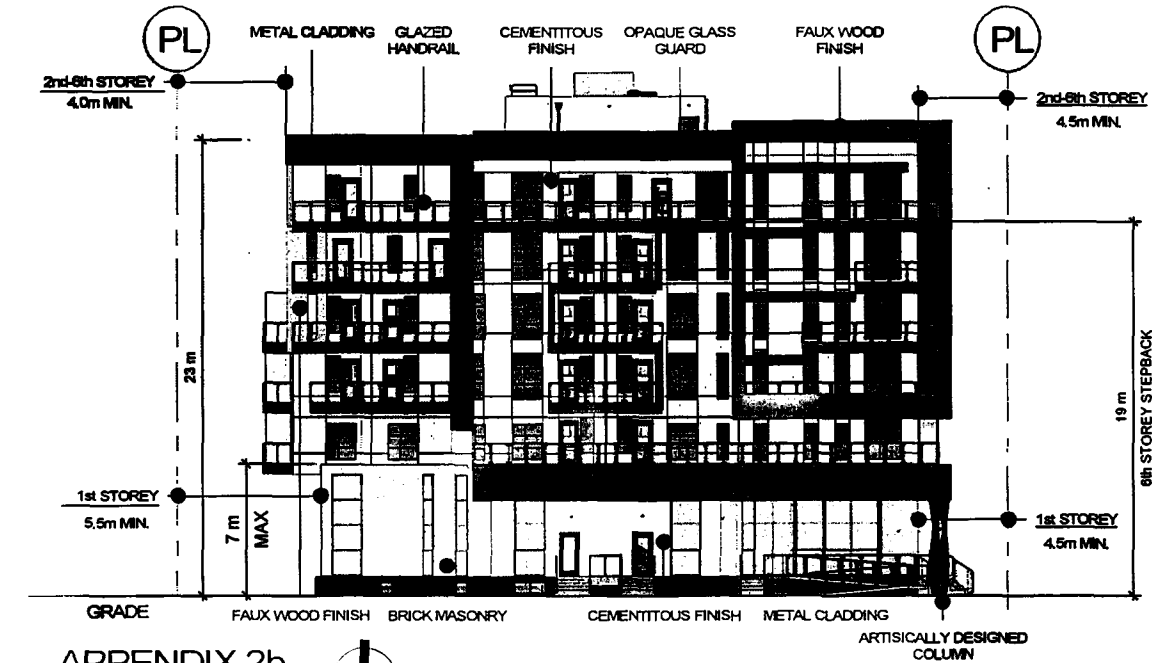
described as Lot 9, Block 188, Plan 0121127, which is part of the City's Building Great Neighbourhoods project. Such structures and/or public enhancements may include, but are not limited to, lighting, community table, benches, and plantings, which will support the implementation of a plaza and seating area aligned with the location of an existing streetcar stop in the rail corridor, or

- ii. If there are no Building Great Neighbourhoods structures and/or public enhancements, to the City towards streetscape improvements within proximity to the development located within the Garneau neighbourhood, at the discretion of the Development Officer in consultation with Subdivision and Development Coordination (Transportation) and the Garneau Community League.
- c. A minimum of five Dwellings shall be designed with the following characteristics:
- i. have a minimum of three bedrooms;
  - ii. be distributed throughout the building on storeys 1 through 4;
  - iii. have a dedicated and enhanced bulk storage located within the Dwelling or on the same Storey as the Dwelling;
  - iv. have access to a Common Amenity Area specifically designed for children of at least 50.0 m<sup>2</sup>; and
  - v. have access to a dedicated and secured family bicycle parking room or cage which shall have racks or railings for a minimum of two (2) bicycle parking spaces. These spaces shall not infringe on the ability for all remaining Dwellings in the development to have access to one (1) bicycle parking spaces per Dwelling.
- d. As a condition of a Development Permit for construction of a principal building, the owner shall enter into an Agreement with the City of Edmonton to provide subsidized transit passes to building occupants to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation) and Planning Coordination (Transit):
- i. Transit passes shall be provided to each Dwelling at a subsidized rate of 50% of the purchase price; and
  - ii. The subsidized transit pass program shall operate for a minimum of ten (10) years, beginning on the date that the Occupancy Certificate for the principal building is issued by the City of Edmonton.



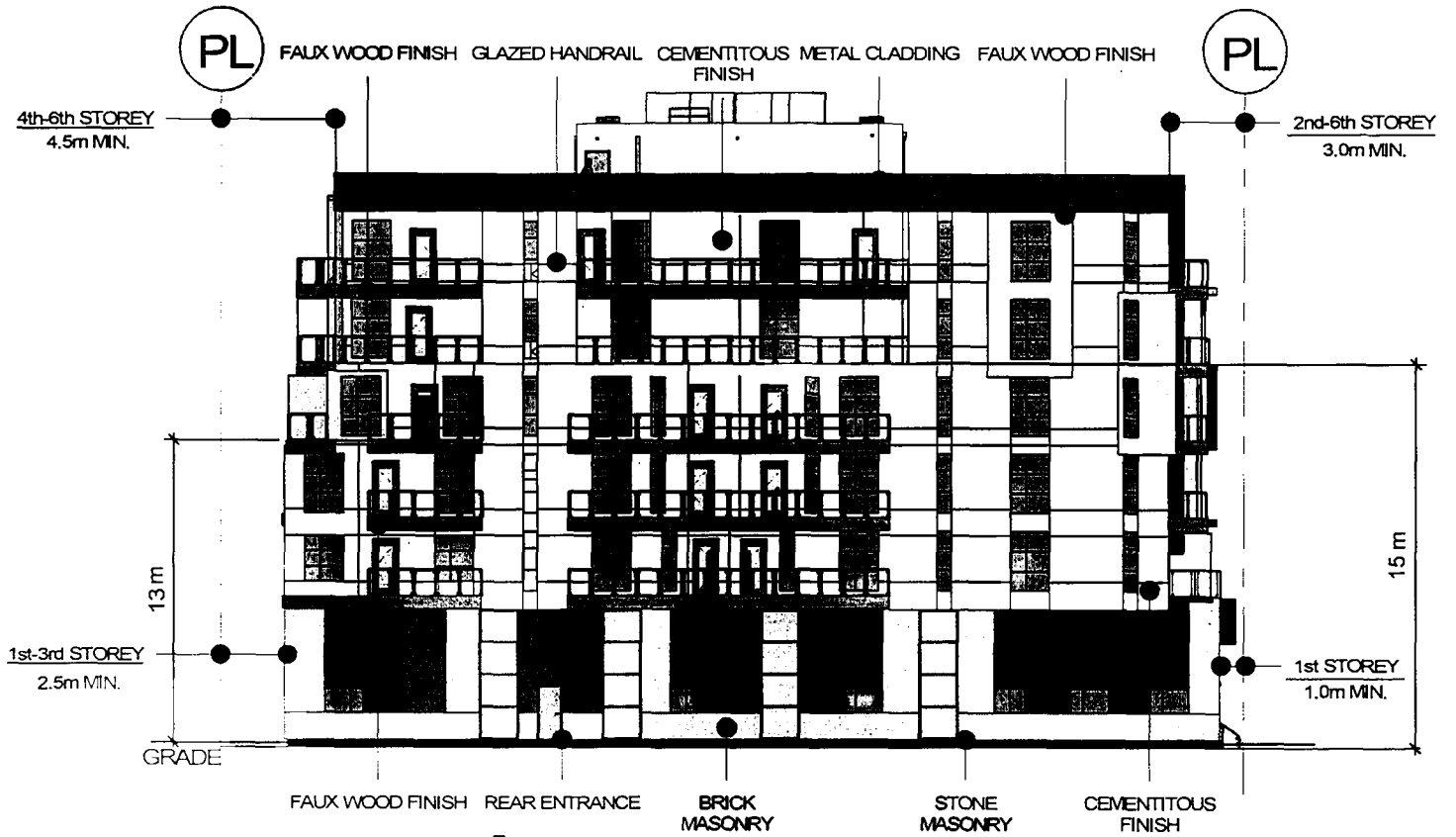


APPENDIX 2a  
SOUTH ELEVATION




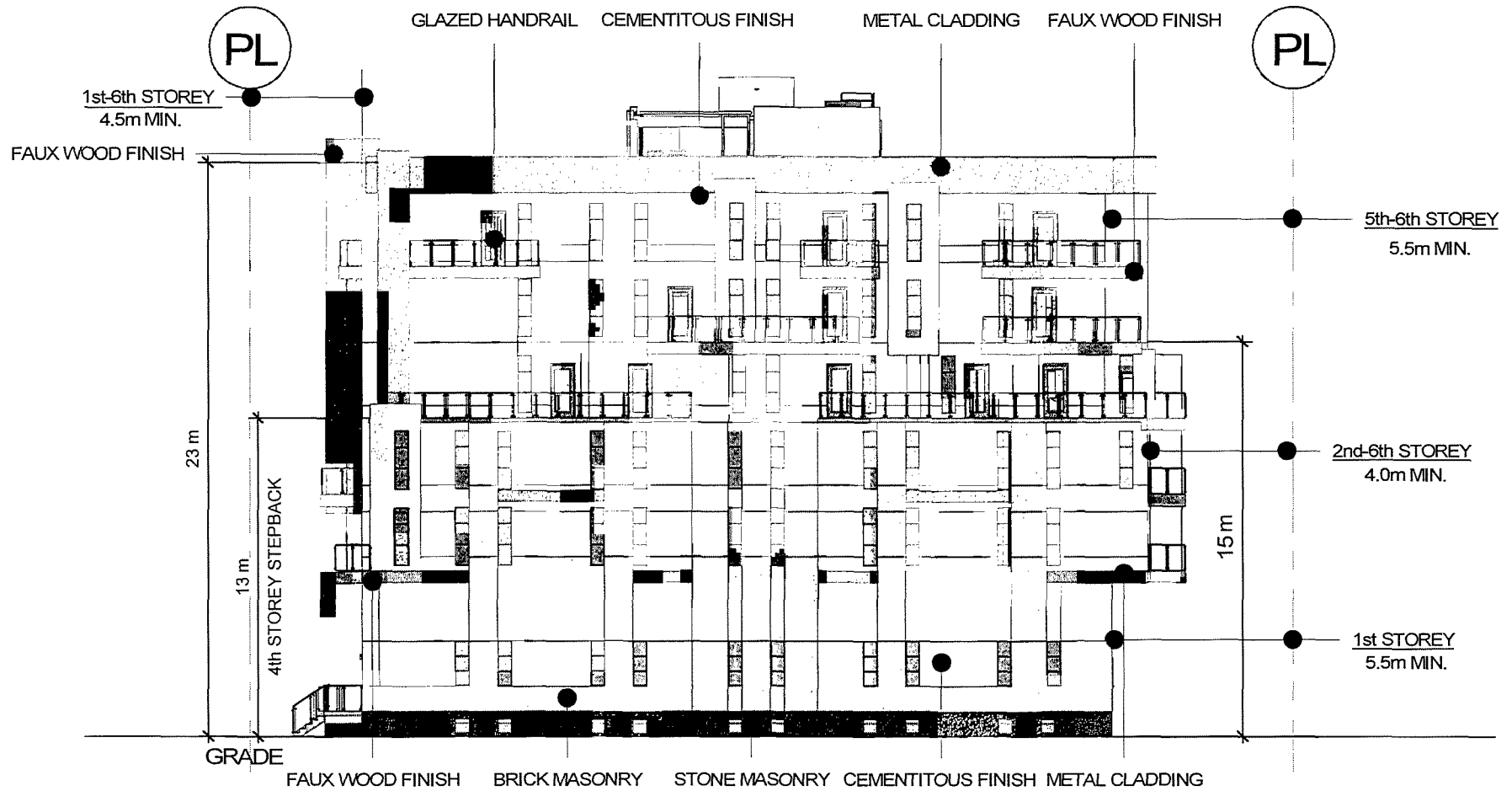
APPENDIX 2b  
WEST ELEVATION



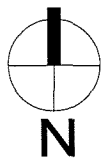


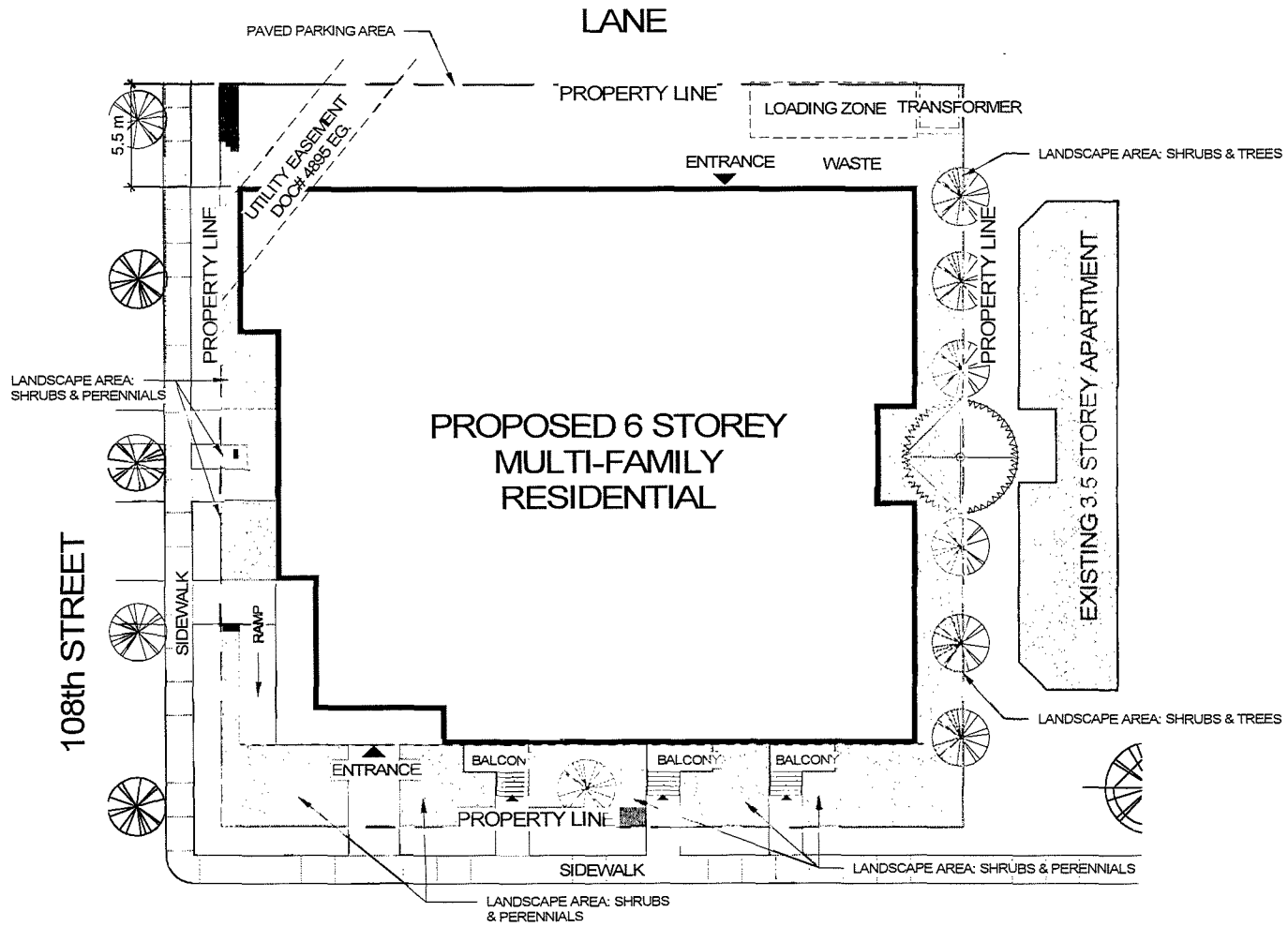
APPENDIX 2c  
NORTH ELEVATION





**APPENDIX 2d**  
**EAST ELEVATION**





APPENDIX 3  
CONCEPTUAL  
LANDSCAPE PLAN



86th AVE.