

Charter Bylaw 18487

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 2605

WHEREAS Lots A, B and C, Block 1, Plan 3116ET and Lot 4, Block 1, Plan RN43 and the lane closed by Bylaw 18396; located at 11111 - 101 Street NW, 9720, 9728 and 9730 - 111 Avenue NW, Spruce Avenue, Edmonton, Alberta, are specified on the Zoning Map as (RF3) Small Scale Infill Development Zone and (CB2) General Business 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 Lots A, B and C, Block 1, Plan 3116ET and Lot 4, Block 1, Plan RN43 and the lane closed by Bylaw 18396; located at 11111 - 101 Street NW, 9720, 9728 and 9730 - 111 Avenue NW, Spruce Avenue, Edmonton, Alberta, which lands are shown on the sketch plan attached as Schedule "A", from (RF3) Small Scale Infill Development Zone and (CB2) General Business 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	day of	, A. D. 2018;
READ a second time this	day of	, A. D. 2018;
READ a third time this	day of	, A. D. 2018;
SIGNED and PASSED this	day of	, A. D. 2018.

THE CITY OF EDMONTON

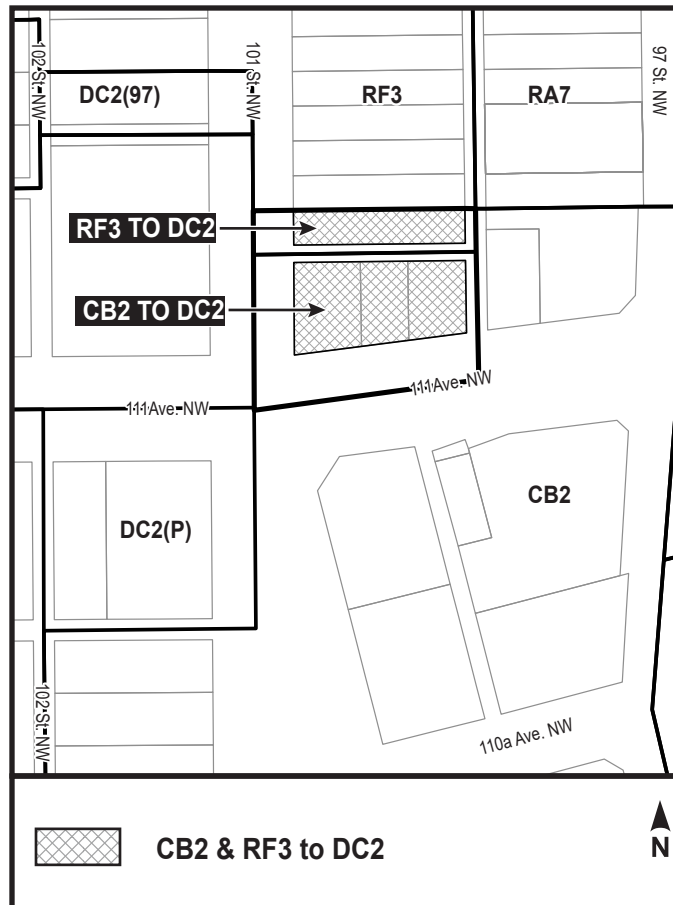
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MAYOR

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CITY CLERK

## CHARTER BYLAW 18487



**(DC2) Site Specific Development Control Provision****1. General Purpose**

To allow for a mixed-use, mid-rise development, Spruce Avenue.

**2. Area of Application**

This Provision shall apply to Lots A, B & C, Block 1, Plan 3116ET, located at 9720, 9728 and 9730-111 Avenue NW and Lot 4, Block 1, Plan RN43, located at 11111-101 Street NW as shown on Schedule "A" of the Bylaw adopting this DC2 Provision.

**3. Uses**

This provision shall establish two areas identified in Appendix I as follows:

Area A – Residential and commercial mixed use development.

Area B – Live Work Unit with shared service facilities.

**Within Area A:**

- a. Apartment Housing
- b. Breweries, Wineries and Distilleries
- c. Business Support Services
- d. Cannabis Retail Sales
- e. Convenience Retail Stores
- f. Creation and Production Establishments
- g. General Retail Stores
- h. Group Homes
- i. Health Services
- j. Limited Group Homes
- k. Live Work Unit
- l. Lodging Houses
- m. Minor Home Based Business
- n. Major Home Based Business
- o. Personal Service Shops
- p. Professional, Financial and Office Support Services
- q. Residential Sales Centre
- r. Specialty Food Services

- s. Urban Indoor Farms
- t. Urban Outdoor Farms
- u. Urban Gardens
- v. Fascia On-premises Signs
- w. Freestanding On-premises Signs
- x. Projecting On-premises Signs
- y. Temporary On-premises Signs

**Within Area B:**

- a. Apartment Housing
- b. Creation and Production Establishments
- c. Group Homes
- d. Health Services
- e. Limited Group Homes
- f. Live Work Unit
- g. Lodging Houses
- h. Minor Home Based Business
- i. Personal Service Shops
- j. Professional, Financial and Office Support Services
- k. Urban Indoor Farms
- l. Urban Outdoor Farms
- m. Urban Gardens
- n. Facia On-premises signs
- o. Projecting On-premises signs
- p. Temporary On-premise Signs.

**4. Development Regulations**

- a. The development shall be in accordance with the following regulations and in general accordance with the attached Appendices, to the satisfaction of the Development Officer.
- b. Notwithstanding the other development regulations, the Appendices of this Provision and Section 720.3(2) of the Zoning Bylaw 12800:
  - a. in the event that the owner/developer does not obtain a Building Permit and commence construction of the principal building within six (6) years of the passage of the Bylaw adopting this Provision the maximum building Height for both Area A and Area B shall be 7.0 m, and the maximum Floor Area Ratio for the Site shall be 1.5.

- c. The maximum Floor Area Ratio for non-Residential Use Classes shall be 3.0, and the maximum Floor Area Ratio for Residential and Residential-Related Use Classes shall be 2.0. In mixed-use buildings, the total Floor Area Ratio for all Uses shall not exceed 4.0.
- d. The maximum building Height for Area A shall not exceed 21.0 m.
- e. The maximum building Height for Area B shall not exceed 10.0 m.
- f. Notwithstanding regulation 4.e., the rear 25% of the building in Area B as measured from the north edge of the building shall not exceed a Height of 6.0 m in general accordance with Appendix II.
- g. A minimum Amenity Area of 7.5 m<sup>2</sup> per Dwelling shall be provided.
- h. Building Setbacks:
  - i. A minimum Setback of 0.0 m shall be required from lot lines Abutting a Lane.
  - ii. A minimum Setback of 1.2 m shall be required from the northern lot line in Area B.
  - iii. A Setback of 1.0 m shall be required where the site Abuts the south lot line along 111 Avenue NW.
  - iv. A Setback of 1.5 m shall be required along the west lot line for Area A.
  - v. A Setback of 2.5 m shall be required along the west lot line for Area B.
  - vi. The Setbacks along 101 Street NW and along 111 Avenue NW shall be paved and visually incorporated into the public Walkway to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination. The Development Officer may allow this Setback to be increased to a maximum of 2.5 m to accommodate street related activities that contribute to the pedestrian-oriented shopping character of the area.
- i. The maximum number of Dwellings in Area A shall be 7.
- j. The maximum and minimum number of Dwellings in Area B shall be 1 as part of a Live Work Unit.
- k. In Area A, the portion of the building above the third Storey shall have a minimum Stepback of 2.5 m on the West Façade fronting 101 Street NW.
- l. Signs shall comply with the regulations for permitted Signs of Schedule 59F.

## **5. Urban Design Regulations**

- a. The roof line and building Façade shall include design elements such as building setback variations, building orientation, articulation around the entrance ways, and architectural treatments that reduce the perceived mass of the building and add architectural interest.
- b. The front Façade of the building shall be designed to break the appearance into a maximum of 11.0 m sections.
- c. Landscaping adjacent to exterior walls shall be used to minimize the perceived mass of the building and to create visual interest.

- d. All mechanical equipment, including roof mechanical units, shall be concealed by screening in a manner compatible with the architectural character of the building or concealed by incorporating it within the building.
- e. Windows and Amenity Areas shall provide adequate screening and be located to maximize privacy and minimize overlook on the adjacent residential property. This may include, but is not limited to Privacy Screens, frosted glass, or glass blocks, to the satisfaction of the Development Officer.
- f. Residential and Residential-Related Uses shall have a separate entrance at Grade from Non-residential Uses. Entrances shall be differentiated through distinct architectural treatment.
- g. In Area A, only Commercial Uses shall be developed on the ground floor. Residential Uses in Area A shall be developed above the ground floor only.
- h. Where Commercial Uses are developed on the ground floor of a building, weather protection in the form of a canopy or any other similar architectural element shall be provided above the entrances to create a comfortable environment for the pedestrians.
- i. Each Façade facing a public roadway other than a Lane shall have a minimum of 70% clear, non-reflective glazing on the exterior of the ground floor to promote pedestrian interaction and safety. Proportion of glazing is calculated as a percent of linear meters at 1.5 m above finished Grade.
- j. A maximum of 10% of the first Storey glazing may be covered by Signs. The remainder of the glazing shall remain free from obstruction.
- k. Principal building entrances shall be oriented toward a public roadway, other than a Lane.
- l. The principal building entrance on the corner of 111 Avenue and 101 Street, shall be oriented toward the intersection in general accordance with Appendix I.
- m. On the corner of 111 Avenue NW and 101 Street NW, the Façade treatment shall wrap around the side of the building to provide a consistent profile.
- n. Principal building entrances for any Use shall be designed for universal accessibility. Level changes from the sidewalk to entrances of buildings shall be minimized. Sidewalk furniture, poles, trees and other elements shall allow a minimum 1.8 m width of continuous accessible the travel path for the safe and convenient movement of all pedestrians.
- o. Decorative and security lighting shall be designed and finished in a manner consistent with the design and finishing of the development and shall be provided to ensure a well-lit environment for pedestrians, and to highlight commercial tenancies at night time, to the satisfaction of the Development Officer.
- p. Outdoor lighting shall use cut-off exterior lighting fixtures which direct light downward to ensure illumination does not extend beyond the boundaries of the Site.
- q. Crime Prevention Through Environmental Design (CPTED) principles shall be incorporated with the development of the Site to provide a safe environment in accordance with the guidelines and principles established in the Design Guide for the Safer City. The applicant shall submit a CPTED assessment to the satisfaction of the Development Officer prior to the issuance of a Development Permit.

**6. Parking, Loading and Access**

- a. All vehicular access shall be from the Abutting Lane in accordance with Appendix I.
- b. Vehicular parking and loading facilities shall be located at the rear or side of the building in general accordance with Appendix I, and underground. No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a Setback area.
- c. Loading, storage and trash collection areas shall be located to the rear or sides of the buildings and shall be screened from view, in general accordance with Appendix I.
- d. Service function areas, such as loading docks, truck parking, and utility meters, shall be incorporated into the overall design theme of the building and/or landscaping.
- e. Notwithstanding Section 54 of the Zoning Bylaw, the minimum number of vehicular parking spaces shall be 32 and shall be provided at Grade in general conformance with Appendix I, and underground.
- f. Notwithstanding Section 54 of the Zoning Bylaw, Accessory parking may be provided off-site for commercial uses. Any off-site Accessory parking is to be provided on a Site located no further than a 120 m distance from the Site.
- g. Secure indoor Bicycle Parking for residents and outdoor visitor Bicycle Parking shall be provided.
- h. Notwithstanding Section 54 of the Zoning Bylaw, the total number of Bicycle Parking spaces shall not be less than 13.
- i. The existing vehicular access to 101 Street NW shall be removed and replaced with a 3 m monowalk, as illustrated on Appendix I. Landscaping and/or bollards shall be installed along the property line at this location to indicate that no vehicular access is permitted.

**7. Landscaping**

- a. A screen fence, a minimum of 1.8 m high shall be provided along the north lot line of Area B, to the satisfaction of the Development Officer.
- b. Perimeter planting shall be provided along the northern Side Lot Line of Area B, to the satisfaction of the Development Officer. The location, length, thickness, and height of such perimeter planting at maturity shall, in conjunction with a change in Grade or other natural or man-made features, be sufficient to provide substantial interruption of the view of the Parking Garage from any adjoining Residential or Commercial Zone.
- c. Prior to the issuance of any Development Permit, a detailed Landscape Plan for the Site shall be prepared by a registered Landscape Architect for review and to the satisfaction of the Development Officer.

**8. Sustainability**

- a. The buildings shall be designed to Passive House Standard and certified to meet the requirements of LEED Canada-NC 1.0,2009 or LEED v.4 to achieve a minimum LEED Gold sustainability target. Any Development Permit that includes construction of a building shall be conditioned to require, at the time of issuance of an occupancy permit, the owner to

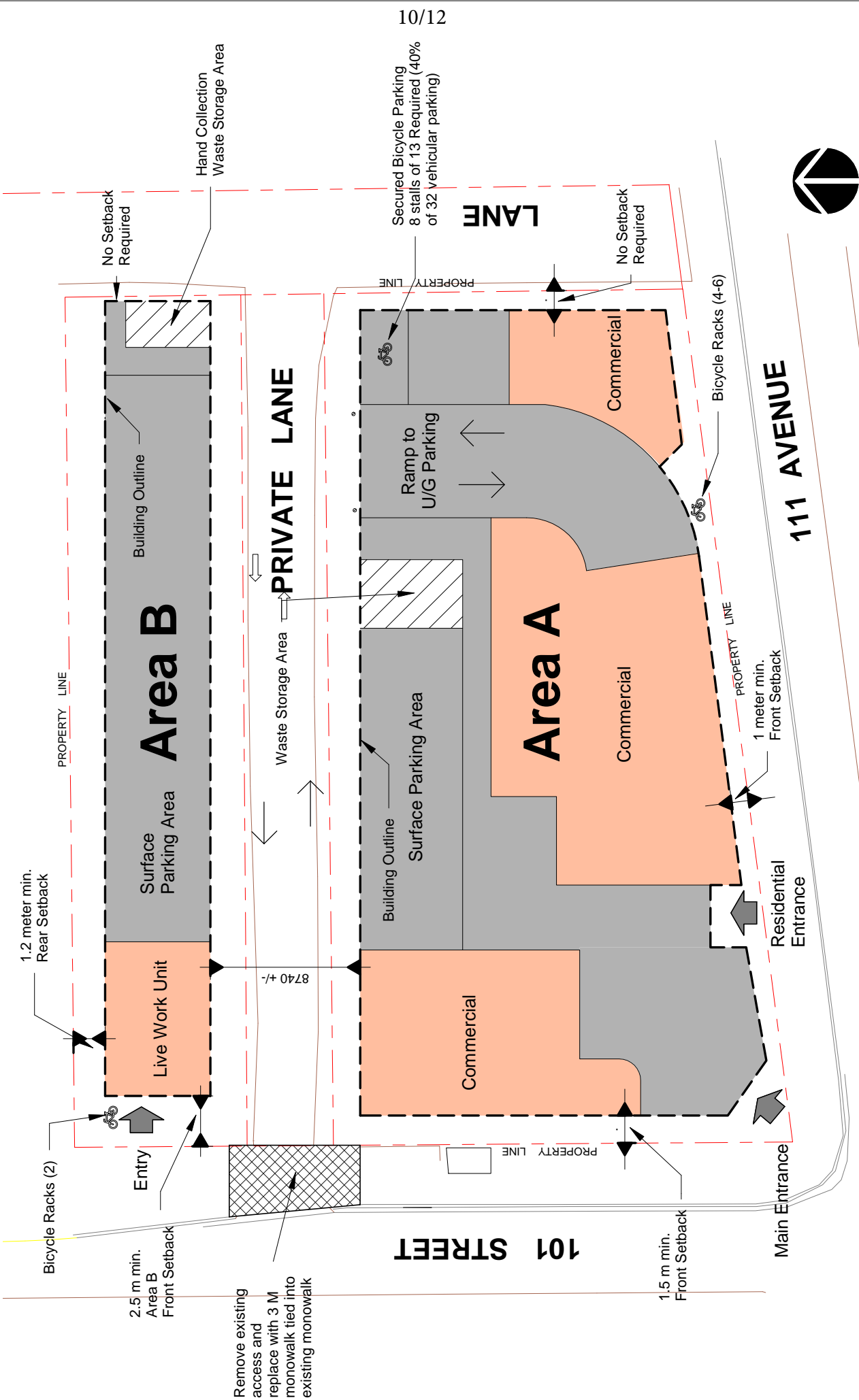


provide a report from a professional Architect or Engineer, that demonstrates, to the satisfaction of the Development Officer, that the design and construction of the Building meets the target LEED points described above.

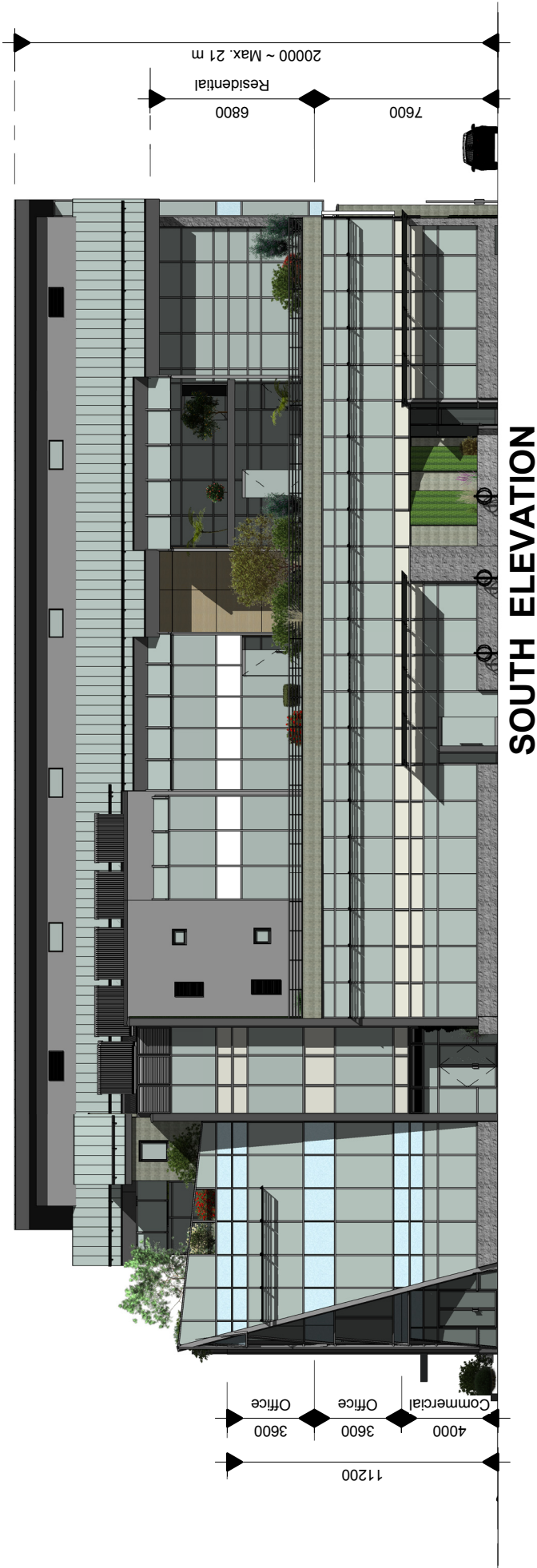
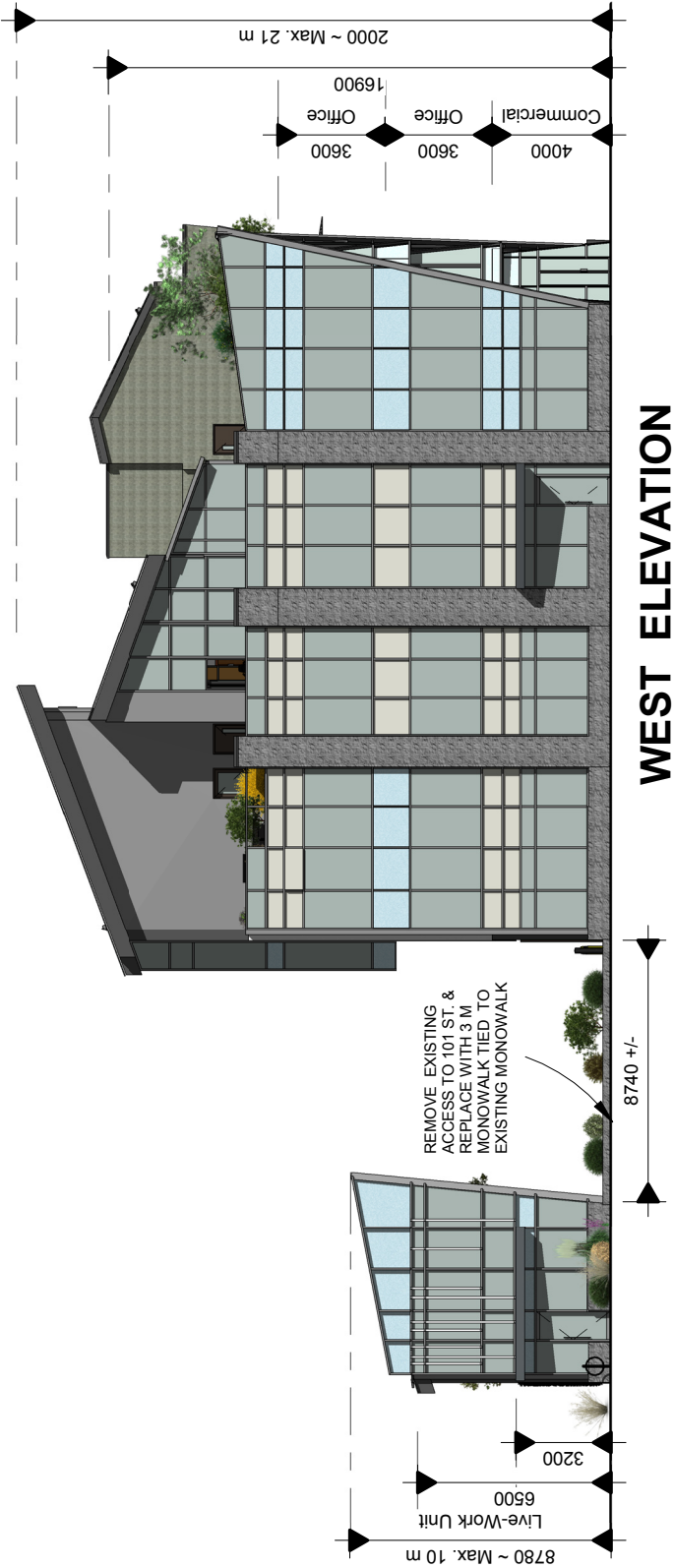
#### **9. Additional Development Regulations**

- a. The owner shall enter into an Agreement with the City of Edmonton for off-site improvements necessary to serve the development, with such improvements to be constructed at the owner's cost. The Agreement process includes an engineering drawing review and approval process. Improvements to be addressed in the Agreement include upgrading Bus stop # 1233 with a 9.0 m x 4.0 m, or 3.0 m x 12.0 m, amenity bus stop pad, and repair of any damage to the Abutting roadways, sidewalks and/or boulevards resulting from construction of the development, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination.
- b. The Development Officer shall require the applicant to submit a Remedial Action Plan and, if the Development Officer determines it is necessary, a Environmental Risk Management Plan, prior to the issuance of a Development Permit, except for Development Permits for Area B or Development Permits for demolition, excavation, shoring or signage in any Area. The Development Officer shall also impose any conditions necessary, to be completed prior to the release of drawings for Building Permit Review, to ensure that the Site is suitable for the full range of uses contemplated in the Development Permit Application.

APPENDIX I SITE- Level 1



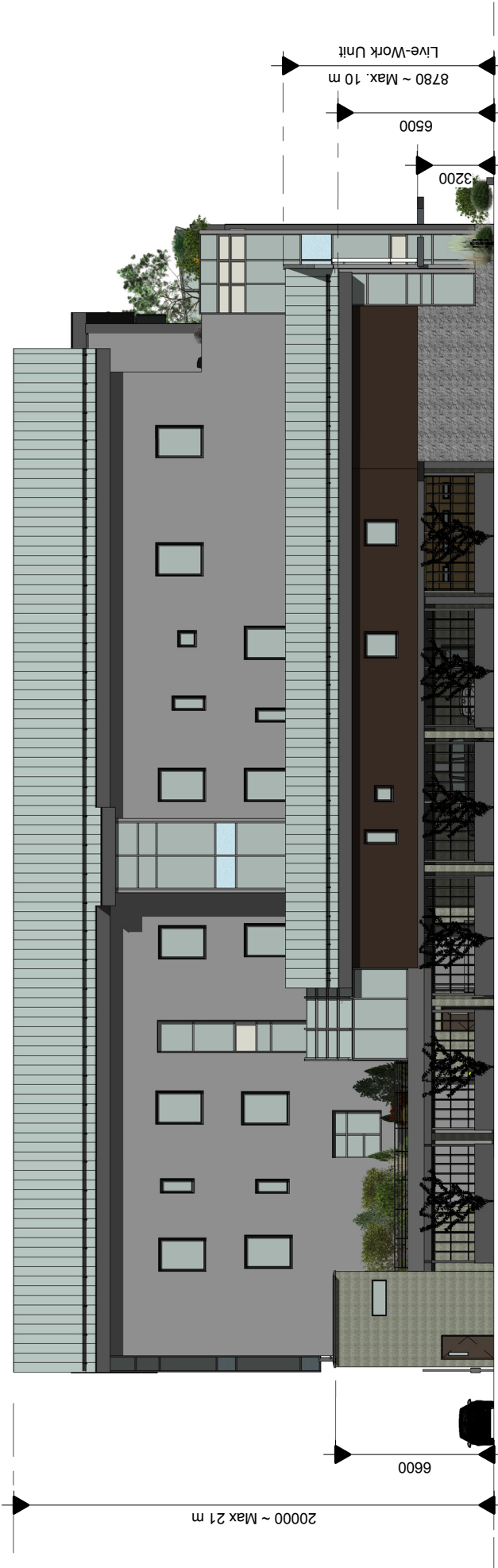
APPENDIX II A West & South Elevation



APPENDIX II B East & North Elevation



EAST ELEVATION



NORTH ELEVATION