

Charter Bylaw 18490

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 2607

WHEREAS lands shown on Schedule “A” and legally described on Schedule “B”, located and generally bounded by 121 Street NW on the east, the lane west of 123 Street NW on the west, 106 Avenue on the north and Stony Plain Road on the south, Westmount, Edmonton, Alberta, are specified on the Zoning Map as (DC1) Direct Development Control Provision; and

WHEREAS an application was made to rezone the above described property to (DC1) Direct 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 on Schedule “B”, located and generally bounded by 121 Street NW on the east, the lane west of 123 Street NW on the west, 106 Avenue on the north and Stony Plain Road on the south, Westmount, Edmonton, Alberta, which lands are shown on the sketch plan attached as Schedule “A”, from (DC1) Direct Development Control Provision to (DC1) Direct Development Control Provision.
2. The uses and regulations of the aforementioned DC1 Provision are attached as Schedule "C".

3. The sketch plan attached as Schedule "A" and the uses and regulations of the DC1 Provision shown on Schedule "C" attached 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;

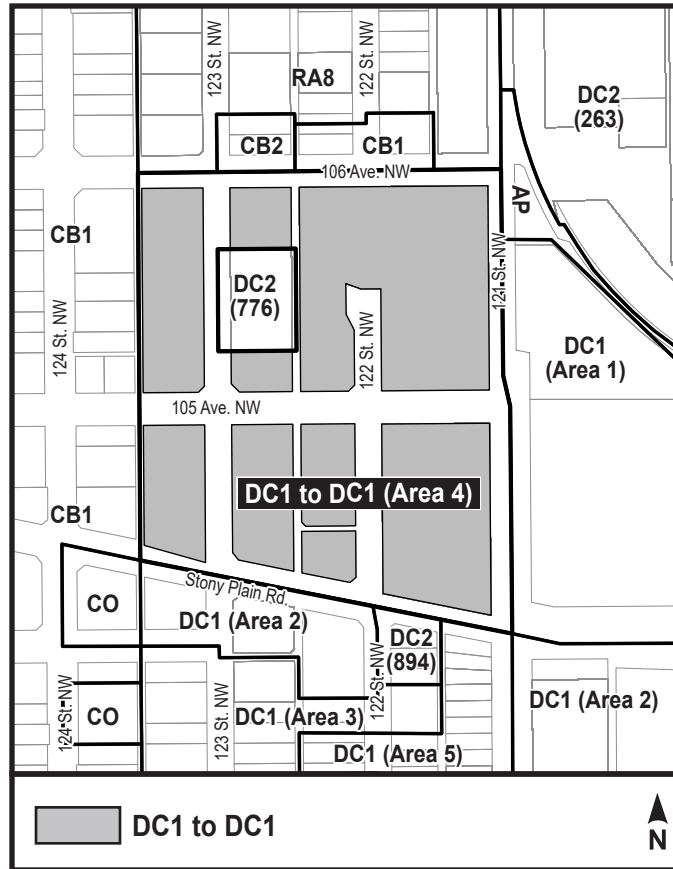
SIGNED and PASSED this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 2018.

THE CITY OF EDMONTON

MAYOR

CITY CLERK

## CHARTER BYLAW 18490



## SCHEDULE "B"

ADDRESS	LEGAL DESCRIPTION	FROM	TO
10403 - 122 Street NW	Units 1-200, Plan 0325697	DC1	DC1
10420 - 122 Street NW	Plan RN22 Block 9 Lots 9-10	DC1	DC1
10422 - 123 Street NW	Plan RN22 Block 22 Lot 12	DC1	DC1
10432 - 123 Street NW	Plan 8021184 Block 22 Lot 13A	DC1	DC1
10434 - 122 Street NW	Plan RN22 Block 9 Lot 11	DC1	DC1
10436 - 123 Street NW	Plan RN22 Block 22 Lots 14-16	DC1	DC1
10437 - 123 Street NW	Plan RN22 Block 9 Lot 3	DC1	DC1
10441 - 123 Street NW	Plan RN22 Block 9 Lot 2	DC1	DC1
10446 - 122 Street NW	Plan RN22 Block 9 Lots 12-13	DC1	DC1
10504 - 122 Street NW	Plan 0926268 Block 8 Lot 15	DC1	DC1
10505 - 122 Street NW	Plan 1320377 Block 1 Lot 26	DC1	DC1
10535 - 122 Street NW	Units 1 - 164, plan 0520183	DC1	DC1
10540 - 122 Street NW	Plan RN22 Block 8 Lot 17	DC1	DC1
10505 - 123 Street NW	Plan 6654MC Block 8 Lot 6	DC1	DC1
10528 - 123 Street NW	Plan 7621109 Block 23 Lot 12	DC1	DC1
10540 - 123 Street NW	Plan 408KS Block 23 Lot 10	DC1	DC1
10543 - 123 Street NW	Plan RN22 Block 8 Lots 2-3	DC1	DC1
10544 - 123 Street NW	Plan 408KS Block 23 Lot 10	DC1	DC1
10549 - 123 Street NW	Plan RN22 Block 8 Lot 1	DC1	DC1
12206 - Stony Plain Road NW	Plan 5747CL Blocks A,B	DC1	DC1
12220 - Stony Plain Road NW	Plan 7721247 Block 9 Lot 14	DC1	DC1
12225 - 105 Avenue NW	Plan RN22 Block 9 Lot 1	DC1	DC1
12302 - Stony Plain Road NW	Plan RN22 Block 22 Lot 11	DC1	DC1
12310 - 105 Avenue NW	Plan 7621109 Block 23 Lot 13	DC1	DC1

**SCHEDULE “C”****(DC1) Direct Development Control Provision  
Area 4****1. General Purpose**

The purpose of this Provision is to provide for an area of commercial office employment and residential development in support of the 120 Street station hub and 124 Street shopping area.

**2. Area of Application**

This Provision shall apply to land within the boundaries of the 104 Avenue Corridor Area Redevelopment Plan west of 121 Street NW and north of Stony Plain Road NW as shown on Schedule A attached to the Bylaw adopting this Provision and as identified on Appendix “1” attached.

**3. Uses**

- a. Apartment Hotels
- b. Apartment Housing
- c. Bars and Neighborhood Pubs
- d. Breweries, Wineries, and Distilleries
- e. Business Support Services
- f. Cannabis Retail Sales
- g. Child Care Services
- h. Commercial Schools
- i. Community Recreation Services
- j. Convenience Retail Stores
- k. Creation and Production Establishments
- l. Government Services
- m. Group Homes
- n. Health Services
- o. Hotels
- p. Indoor Participant Recreation Services
- q. Limited Group Homes

- r. Live Work Units
- s. Lodging Houses
- t. Major Alcohol Sales and Minor Alcohol Sales
- u. Major Homes Based Businesses and Minor Home Based Businesses
- v. Media Studios
- w. Minor Amusement Establishments
- x. Personal Service Shops
- y. Private Clubs
- z. Private Education Services and Public Education Services
- aa. Professional, Financial, and Office Support Services
- bb. Religious Assembly
- cc. Residential Sales Centre
- dd. Restaurants
- ee. Specialty Food Services
- ff. Fascia Off-premises Signs
- gg. Roof Off-premises Signs
- hh. Roof On-premises Signs
- ii. Temporary On-premises Signs

#### **4. Development Regulations**

- a. The maximum Floor Area Ratio shall be 5.0
- b. The maximum Height shall not exceed 40.0 m.
- c. Building Setbacks shall be as follows:
  - i. minimum 3.0 m to a maximum 4.5 m when Abutting Stony Plain Road NW.
  - ii. minimum 0.0 m to a maximum of 3.0 m when Abutting all other public roadways other than a Lane; and
  - iii. The Development Officer may increase the Setback for the purposes of public realm improvements, to accommodate a particular architecture style or street related activities such as sidewalk cafes and patios, and for separation of public and private spaces for Residential Uses.
- d. Notwithstanding Section 4(c)(i) of this Bylaw, the Development Officer, in consultation with Integrated Infrastructure Services, shall have regard to the approved concept plan or the preliminary Engineering Drawings for the West LRT line in determining building setbacks along Stony Plain Road, and may calculate a building setback from the LRT easement line to accommodate future LRT operations where necessary. These setbacks shall range from 3.0 m to 4.5 m, but

may be increased by the Development Officer for the purposes of public realm improvements.

- e. A minimum average Amenity Area of 7.5 m<sup>2</sup> per Dwelling shall be provided. Amenity areas may include meeting rooms, fitness facilities, outdoor space, and shall be exempt from Floor Area Ratio calculations.
- f. Balconies with a minimum depth of 1.5 m may be used to satisfy required Amenity Area.
- g. Non-residential or mixed-use buildings over 2000 m<sup>2</sup> shall provide Amenity Area equivalent to a minimum of 3% of the Floor Area of non-residential Uses, to a maximum of 6%. Amenity Area may include interior landscaped open spaces, arcades, atriums, plazas and gardens and shall be exempt from Floor Area Ratio calculations.
- h. A Wind Impact Statement shall be submitted with each Development Permit application for a development having a Height greater than 20.0 m. At the discretion of the Development Officer, a detailed Wind Impact Study may be required to be submitted and be based on a computer model simulation analysis. A Wind Impact Statement and Wind Impact Study shall be prepared by a qualified, registered Professional Engineer, to professional standards.
- i. With each Development Permit application for a building over 20 m in Height, a Sun Shadow Study shall be submitted.
- j. 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 recommendations of appropriate studies to the satisfaction of the Development Officer.
- k. Prior to the issuance of any Development Permit, a Crime Prevention through Environmental Design 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 Guide for a Safer City (City of Edmonton, 1995).

## 5. Parking Loading and Storage

- a. Vehicular and Bicycle Parking shall be provided in accordance with Section 54 of the Zoning Bylaw.
- b. Residential-Related Uses shall provide Off-street Vehicular Accessory Parking spaces as follows:

	Minimum Number of Required Parking Spaces	Maximum Number of Required Parking Spaces

Bachelor Suite or Bed Sitting Room	0.2	.5
1 Bedroom Dwelling or Residential-Related Unit	0.4	0.75
2 or more Bedroom Dwelling or Residential-Related Unit	0.8	1.25
Visitor Parking	1 per 10 Dwellings	1 per 7 Dwellings

- c. Non-residential Uses shall provide Off-street Vehicular Accessory Parking spaces as follows:

	Minimum Number of Required Parking Spaces	Maximum Number of Required Parking Spaces
Any development within a Non-Residential Use Class not listed separately in this table	1.0 space per 400 m <sup>2</sup> of gross Floor Area	1.0 space per 200 m <sup>2</sup> of gross Floor Area
Convenience Retail Stores	No spaces required	
Restaurants, Bars and Neighbourhood Pubs, and Specialty Food Services with less than 200 occupants and 240 m <sup>2</sup> of Public Space	No spaces required	

- d. The Development Officer may consider, in consultation with Transportation Services, a vehicular parking reduction if a Parking Demand Study is submitted in conjunction with an application for a Development Permit justifying any reduction in vehicular parking requirements.



- e. Notwithstanding Section 5(a) of this Provision, Bicycle Parking spaces for Residential Uses shall be provided in a safe, secure, indoor location at a minimum rate of 40% of the number of Off-street Vehicular Parking Spaces required under Section 5(b) of this Provision, with 5 Bicycle Parking spaces being the minimum to be provided.
- f. For non-Residential Uses with a gross Floor Area over 5,000 m<sup>2</sup> change rooms, showers, and covered, secured bicycle parking areas shall be provided to the satisfaction of the Development Officer. LEED™ standards shall be utilized to calculate the required areas.
- g. All residential vehicular parking shall be provided in below or above Grade Parking Garages, with the exception of visitor parking which may be located at the rear of buildings.
- h. Parking Garages developed below Grade shall be permitted to be built to the property line.
- i. Parking Garages developed below Grade adjacent to a Public Roadway, other than a Lane, are to be located sufficiently below Grade, or a suitable alternative, and shall provide a minimum of 1.2 m soil depth to contribute to healthy root development.
- j. Above Grade Parking Garages that are part of the building podium shall be screened in a way that does not disrupt the continuity of the Street Wall, and shall be limited to no more than 12 m in Height. Screens may include, but are not limited to, public art and street fronting retail uses.
- k. No portion of an above Grade Parking Garage shall be allowed for a minimum depth of 8.0 m from any front Façade facing Public Roadway, other than a lane.
- l. Vehicular access shall be provided from the Abutting Lane. Where there is no Lane parking access shall be designed to minimize disruption to the Yard, sidewalk, and existing trees.
- m. Off-street Vehicular Loading Facilities shall be concealed from view from adjacent Streets, and
- n. Waste collection and storage areas shall be located within the building and shall be designed to the satisfaction of the Development Officer in consultation with Waste Management and Transportation Services.

## **6. Landscaping**

- a. A Landscape Plan prepared by a registered Landscape Architect shall be submitted prior to the issuance of any development permit for the portion of the Site being developed, to the satisfaction of the Development.
- b. The Landscape Plan shall include pavement materials, exterior lighting, street furniture elements, pedestrian seating area, sizes and species of new tree plantings, and other detailed Landscaping elements. The Landscape Plan shall include design of the adjacent public realm where applicable.

- c. Landscaping within the Setback adjacent to Stony Plain Road shall be developed to provide an enhanced pedestrian experience and a public realm that seamlessly transitions from public to private property by:
  - i. continuing the public sidewalk paving materials, finish, and pattern to compliment the adjacent streetscape. Soft Landscaping may be required at the discretion of the Development Officer, and
  - ii. provide design measures to reduce the environmental impacts of higher level of vehicular traffic on the pedestrian experience.
- d. Landscaping on the Site shall consider the use of plant materials that provide color throughout the year to enhance the appearance of the development during cold weather months.

## **7. Signage**

- a. Signs shall comply with the regulations found in Schedule 59B.
- b. A Comprehensive Sign Design Plan in accordance with the Provisions of Section 59.3 shall be required to the satisfaction of the Development Officer.

## **8. Additional Development Regulations**

- a. Bars and Neighborhood Pubs shall be limited to a maximum of 240 m<sup>2</sup> of Public Space.

## **9. Urban Design**

### Street Interface

- a. Buildings shall promote a positive street environment that is welcoming to pedestrians and encourage increased activity.
- b. Buildings designed to accommodate Commercial Uses shall strengthen the pedestrian shopping experience by:
  - i. the ground Storey shall have a minimum Height of 3.5 m;
  - ii. the geodetic elevation of the top of the floor on the level that is directly above Grade shall not exceed the geodetic elevation of the Abutting public sidewalk by more than 0.3 m;
  - iii. a minimum of 70% of the linear building frontage of the ground Storey Facades shall be comprised of transparent, non-reflective, non-tinted, unobscured glazing, where fronting onto a Street. Linear frontage shall be measured at 1.5 above the finished Grade of the adjacent boulevard.

### Massing and Building Articulation

- c. Buildings shall not be greater than 100 m in length for each block face.
- d. Any development with a building Height greater than 23.0 m or six Storeys shall provide a minimum 3.0 m Stepback from the Street Wall, where fronting onto a Public Roadway other than a Lane. The Stepback may begin at no less than 6.0 m

in Height of the Street Wall, but shall be implemented after 23.0m in building Height.

#### Entrances and Corners

- e. On corners, Façade treatment shall wrap around the side of the building to provide a consistent profile facing all Public Roadways, other than a lane;
- f. In mixed-use buildings, residential entrances shall be designed separately from commercial or institutional entrances and address the street in a prominent manner;
- g. Commercial or institutional entrances shall address the street in prominent manners;
- h. Buildings at corners shall provide courtyards, major entry ways or distinctive architectural features consistent with the style of the building or influences on the other corners of the intersection to enhance pedestrian circulation and, where applicable, enhance axial views;
- i. Buildings shall be designed and oriented to face all the front property lines with entrances that are clearly visible, except on Double Fronting Sites where the building shall be designed to front both street and avenue;
- j. At Grade residential developments shall provide separate, individual access at Grade and feature identifiable doorways, landscaped terraces, pedestrian lighting, and patios where appropriate. To ensure adequate privacy, the applicant shall provide screening to indicate separate individual access to each unit;
- k. For residential developments, the geodetic elevation of the top of the floor on the level that is directly above Grade shall be greater than the geodetic elevation of the Abutting sidewalk by at least 0.75 m.

#### Building Façade, Materials, and Exterior Finishing

- l. Building materials on the lower Storeys along Public Roadways, other than a Lane; shall be used to improve visual quality and permeability of the building to promote a positive pedestrian environment.
- m. The lower portion of the Façades of buildings, including bases and podiums must be strongly articulated at regular increments to add variety, rhythm and a human scaled dimension along the streets. This may include:
  - i. the provision of awnings, canopies, window openings, reveals, offsets, multiple entrances arcades, columns, pilasters, materials and colour or other architectural features; and
  - ii. the provision of quality materials, interesting design, fenestrations, inviting entrances and superior Landscaping.
- n. All exposed building Facades shall have consistent and harmonious exterior finishing materials.
- o. Building materials must be sustainable, timeless, durable, high quality and appropriate for the development within the context of the corridor.

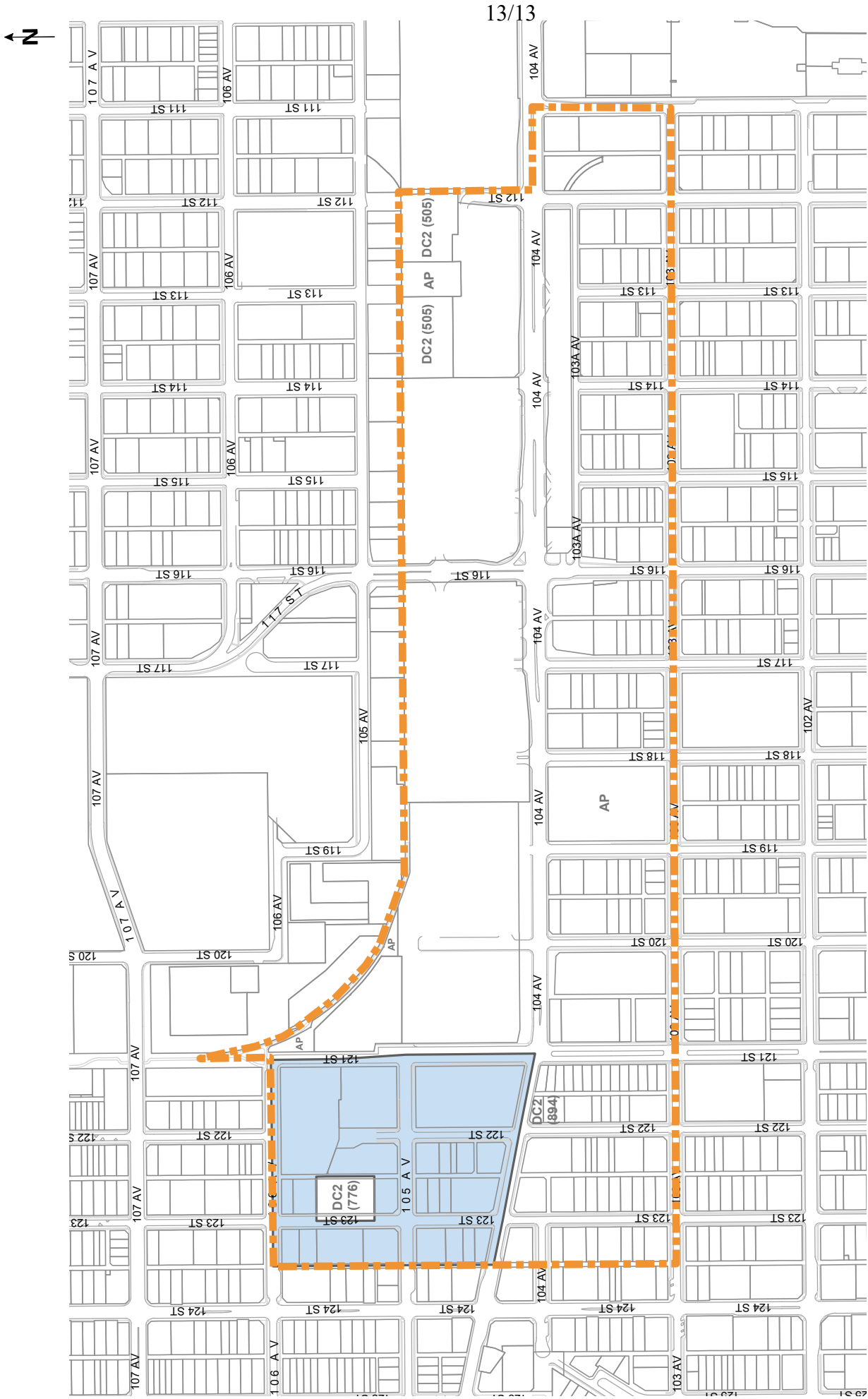
- p. Buildings shall emphasize the architectural treatment of the horizontal and vertical elements as well as finer grain elements such as windows, balconies, shadow lines and textures to distinguish residential buildings from office Towers.

#### Roof Tops

- q. All mechanical equipment shall be concealed by screening in a manner compatible with the architectural character of the building or concealed by incorporating it within the building.
- r. Wherever podium roofs are visible from existing adjacent developments, the development shall provide enhancements to improve rooftop aesthetics. Enhancements may include patios, gardens, green roofs or additional Amenity Area.

#### Lighting

- s. Decorative and security lighting shall be designed and finished in a manner consistent with the architectural theme of the development and will be provided to ensure a safe, well-lit environment for pedestrians, to ensure no negative impact on an adjacent property and to accentuate architectural elements, roof tops and public art.
- t. Detailed exterior lighting plans may be required for major developments at the discretion of the Development Officer.



## 104 Avenue Corridor ARP

# Appendix 1 - Area 4

### Legend

- Area 4
- 104 Corridor ARP Boundary