

Charter Bylaw 19906

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 3351

WHEREAS Lots 2-3, Block 13, Plan 1420502; Lots 3-5, Block 14, Plan 1420502; and Lots 6-8, Block 14, Plan 1923047; located at 707, 721, 730, 781, 789, 801, 841 - Tamarack Way NW, and 2341 - Maple Road NW, Tamarack, 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 as Lots 2-3, Block 13, Plan 1420502; Lots 3-5, Block 14, Plan 1420502; and Lots 6-8, Block 14, Plan 1923047; located at 707, 721, 730, 781, 789, 801, 841 - Tamarack Way NW, and 2341 - Maple Road NW, Tamarack, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto 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 "B".

3. The sketch plan attached as Schedule "A" and the uses and regulations of the DC1 Provision shown on Schedule "B" 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. 2022;
READ a second time this	day of	, A. D. 2022;
READ a third time this	day of	, A. D. 2022;
SIGNED and PASSED this	day of	, A. D. 2022.

THE CITY OF EDMONTON

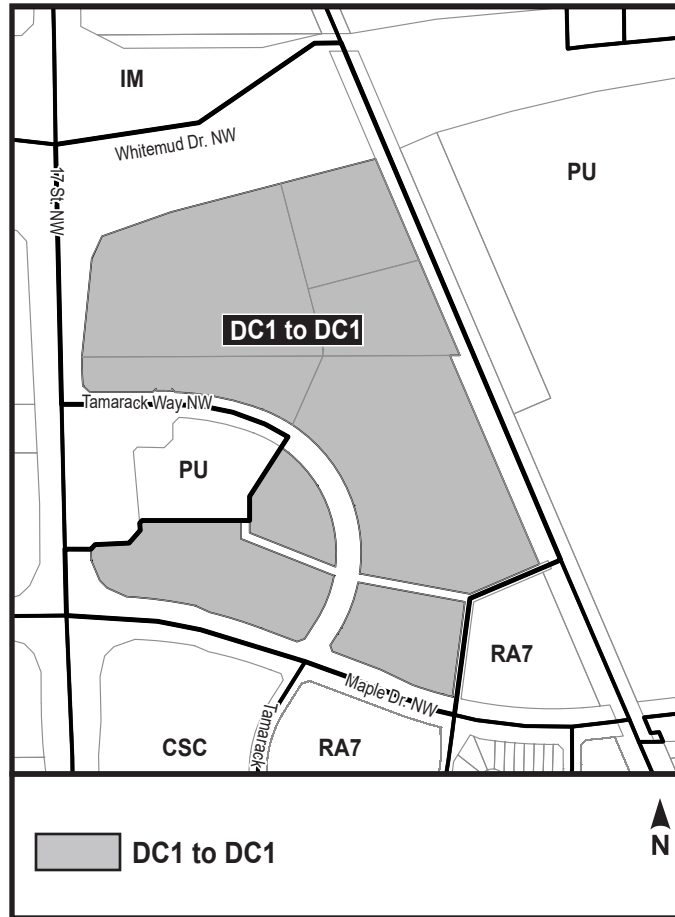
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MAYOR

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CITY CLERK

CHARTER BYLAW 19906



**SCHEDULE “B”****(DC1) DIRECT DEVELOPMENT CONTROL PROVISION****1. General Purpose**

The purpose of this (DC1) Direct Development Control Provision is to facilitate the development of a pedestrian oriented and transit-supportive mixed use area that may accommodate a range of commercial, residential, and office uses.

**2. Area of Application**

This Provision shall apply to Lots 2-3, Block 13, Plan 1420502, Lots 3-5, Block 14, Plan 1420502, and Lots 6-8, Block 14, Plan 1923047, as shown on Schedule “A” attached to the Bylaw adopting this Provision and as identified on Appendix “1” attached.

**3. Uses****3.1 Area A - Commercial / Retail / Office Node**

- a. Automotive and Equipment Repair Shops
- b. Bars and Neighbourhood Pubs
- c. Breweries, Wineries, and Distilleries
- d. Business Support Services
- e. Cannabis Retail Sales
- f. Child Care Services
- g. Commercial Schools
- h. Convenience Retail Stores
- i. Creation and Production Establishments
- j. Drive-in Food Services
- k. Gas Bars
- l. General Retail Stores
- m. Government Services
- n. Health Services
- o. Hotels
- p. Indoor Participant Recreation Services
- q. Liquor Stores
- r. Major Amusement Establishments

- s. Market
- t. Media Studios
- u. Minor Amusement Establishments
- v. Minor Service Stations
- w. Personal Service Shops
- x. Private Clubs
- y. Private Education Services
- z. Professional, Financial and Office Support Services
- aa. Public Libraries and Cultural Exhibits
- bb. Rapid Drive-through Vehicle Services
- cc. Recycling Depots
- dd. Residential Sales Centre
- ee. Restaurants
- ff. Special Event
- gg. Specialty Food Services
- hh. Spectator Entertainment Establishments
- ii. Urban Gardens
- jj. Veterinary Services
- kk. Fascia On-premises Signs
- ll. Freestanding On-premises Signs
- mm. Major Digital Signs
- nn. Minor Digital Off-premises Signs
- oo. Minor Digital On-premises Signs
- pp. Minor Digital On-premises Off-premises Signs
- qq. Projecting On-premises Signs
- rr. Roof On-premises Signs
- ss. Temporary On-premises Signs

### **3.2 Area B – Pedestrian Friendly Commercial Node**

- a. Bars and Neighbourhood Pubs
- b. Breweries, Wineries, and Distilleries
- c. Business Support Services

- d. Cannabis Retail Sales
- e. Child Care Services
- f. Commercial Schools
- g. Convenience Retail Stores
- h. Drive-in Food Services
- i. General Retail Stores
- j. Government Services
- k. Health Services
- l. Hotels
- m. Indoor Participant Recreation Services
- n. Liquor Stores
- o. Market
- p. Minor Amusement Establishments
- q. Personal Service Shops
- r. Professional, Financial and Office Support Services
- s. Public Libraries and Cultural Exhibits
- t. Residential Sales Centre
- u. Restaurants
- v. Special Event
- w. Specialty Food Services
- x. Urban Gardens
- y. Veterinary Services
- z. Fascia On-premises Signs
- aa. Freestanding On-premises Signs
- bb. Major Digital Signs
- cc. Minor Digital Off-premises Signs
- dd. Minor Digital On-premises Signs
- ee. Minor Digital On-premises Off-premises Signs
- ff. Projecting On-premises Signs
- gg. Temporary On-premises Signs

### **3.3 Area C – Residential Mixed Use Node**

**Commercial and Commercial-related Uses**

- a. Child Care Services
- b. Convenience Retail Stores
- c. General Retail Stores
- d. Health Services
- e. Personal Service Shops
- f. Professional, Financial and Office Support Services
- g. Residential Sales Centre
- h. Restaurants
- i. Specialty Food Services
- j. Urban Gardens
- k. Fascia On-premises Signs
- l. Freestanding On-premises Signs
- m. Projection On-premises Signs
- n. Temporary On-premises Signs

**Residential and Residential-related Uses**

- a. Live Work Unit
- b. Minor Home Based Business
- c. Multi-Unit Housing

**3.4 Area D – Medium Density Residential Node**

- a. Live Work Unit
- b. Minor Home Based Business
- c. Multi-Unit Housing
- d. Urban Gardens
- e. Fascia On-premises Signs

**3.5 Area E – Mid-Rise Medium Density Node**

- a. Multi-Unit Housing

## **4. Development Objectives and Regulations**

### **4.1 Site Planning and Building Design Objectives**

- a. On-site development shall:
  - i. function as a walkable commercial centre with a pedestrian-friendly commercial node, accessible to users;
  - ii. relate to adjacent built forms, roadways, uses, functions and activities, with particular attention to adjacent public transit facilities;
  - iii. include outdoor nodes of character such as wayfinding signage, art work, bike racks, play areas seating, landscaped, and hard surfaced areas; and
  - iv. be phased to accommodate opportunities for future intensification as market conditions change.

### **4.2 General Development Regulations**

- a. Development shall be in general accordance with the objectives and the attached appendices.
- b. At the Development Permit stage a generalized concept plan shall be submitted for all new building development or substantial redevelopment to illustrate how the proposed development will integrate with existing and future surrounding and on-site development. The concept plans shall show the location of existing and future buildings, parking areas, vehicular and pedestrian routes and amenity areas.
- c. A CPTED Assessment shall be completed to guide the design of public and private spaces and facilities, focusing on natural surveillance and access control.
- d. At the Development Permit stage a Universal Design Assessment shall be completed to ensure all public and private spaces and facilities are accessible to people of all ages and abilities.

### **4.3 Specific Development Regulations for Area A - Commercial / Retail / Office Node**

- a. The maximum Floor Area Ratio shall be 0.3.
- b. Notwithstanding section 4.3(a), the maximum Floor Area Ratio may be increased to 1.0 with the submission of a Transportation Impact Assessment (TIA) to the satisfaction of the Development Officer, in consultation with Subdivision Planning and Coordination.
- c. The maximum Height shall be 20.0 m.
- d. The following regulations shall apply to Automotive and Equipment Repair Shops developments:



- i. Service Bays for Automotive and Equipment Repair Shops shall not front onto Tamarack Way as identified in Appendix I.
  - ii. All activities and mechanical equipment associated with Automotive and Equipment Repair Shops shall be located within an enclosed building designed to service vehicles with a maximum weight of 3,500 kg (7,716 lbs.).
  - iii. Automotive and Equipment Repair Shops shall be designed as integral components of buildings accommodating other uses, rather than as standalone structures.
- e. The following regulations shall apply to Gas Bar developments:
- i. Where Gas Bars are located adjacent to Tamarack Way, decorative landscaping shall be utilized to screen the development from the pedestrian environment.
- f. Signs shall comply with the regulations in Schedule 59 D, as amended.

#### **4.4 Specific Development Regulations for Area B Pedestrian-Oriented Commercial Node**

- a. Buildings shall be clustered to create a defined edge along Maple Road as to minimize the open spaces between buildings.
- b. The maximum Floor Area Ratio shall be 0.3.
- c. Notwithstanding section 4.4(b), the maximum Floor Area Ratio may be increased to 1.0 with the submission of a Transportation Impact Assessment (TIA) to the satisfaction of the Development Officer, in consultation with Subdivision Planning and Coordination.
- d. The maximum Floor Area of any individual business premises adjacent to Tamarack Way shall not exceed 500m<sup>2</sup>.
- e. The maximum Floor Area for Liquor Stores shall not exceed 275m<sup>2</sup>.
- f. The maximum Height shall not exceed 14.0 m.
- g. Notwithstanding section 4.4(e), the maximum Height for Hotels shall not exceed 18.0m.
- h. Bars and Neighborhood Pubs shall be limited to a maximum of 100 occupants and 120 m<sup>2</sup> of Public Space.
- i. Restaurants shall be limited to a maximum of 200 occupants and 275 m<sup>2</sup> of Public Space.
- j. Specialty Food Services shall be limited to a maximum of 200 occupants and 275 m<sup>2</sup> of Public Space.

- k. Notwithstanding Section 70(1), Cannabis Retail Sales in Area B shall be permitted within 200 m of another Cannabis Retail Sales, provided that:
  - i. The Cannabis Retail Sales are located on separate Sites, and
  - ii. At least one Cannabis Retail Sales is located on a Site greater than 3.0 ha in size.
- l. Buildings shall be designed and oriented to incorporate active frontage along Tamarack Way, in the following manner:
  - i. buildings shall be built to the front property lines. The Development Officer may allow building Setbacks up to 4.5 m to accommodate Landscaping that contributes to the pedestrian-oriented shopping character of the area.
  - ii. a minimum of 50% of the ground floor fronting Tamarack Way, shown in Appendix I, shall have exterior glazing between 0.6 m and 2.5 m in height;
  - iii. horizontal breaks of uninterrupted Façade shall not exceed 12.0 m in length;
  - iv. on Corner Lots the Façade treatment shall wrap around the side of the building to provide a consistent profile facing both roadways. This includes private and public roadways.
  - v. vehicle parking shall be located at the side or rear of the building where possible.
  - vi. drive-through service windows shall be oriented away from Tamarack Way and wherever possible, at the rear of the building;
- m. Signs shall comply with the regulations in Schedule 59 E, as amended.

#### **4.5 Specific Development Regulations for Area C Residential Mixed Use Node**

- a. The maximum density shall be 224 Dwellings/ha.
- b. The maximum Floor Area Ratio shall be 3.0
- c. The maximum Height shall be 45.0 m.
- d. The minimum Front Setback shall be 3.0 m
- e. The minimum Rear Setback shall be 7.0 m
- f. The minimum Side Setback shall be 1.0 m for each Storey or partial Storey, up to 7.5 m, except that at least 2.0 m shall be provided in all cases.
- g. Restaurants shall be limited to a maximum of 200 occupants and 275 m<sup>2</sup> of Public Space.
- h. Specialty Food Services shall be limited to a maximum of 200 occupants and 275 m<sup>2</sup> of Public Space.
- i. Ground oriented units or enhanced landscaping shall be provided along Tamarack Way and the Pedestrian Link as shown in Appendix 1. Enhanced landscaping

shall require the number of trees and shrubs to exceed the minimum landscaping requirements by 15%.

- j. Multi-Unit Housing shall only be accommodated:
  - i. in free standing residential buildings with or without ground floor commercial Uses and which may have Multi-Unit Housing at the base; or
  - ii. as part of a comprehensively developed project where buildings are attached and can vary from predominantly residential to mixed-use.
- k. In mixed-use buildings, the residential entrances shall be designed separate from non-residential Uses and address the street in a prominent manner.
- l. Ground level residential developments shall provide separate, individual access at ground level and feature identifiable doorways, landscaped terraces, pedestrian lighting, and patios. They shall ensure adequate privacy through the provision of Privacy Screening and at least a 0.75m grade separation above the adjacent City sidewalk.
- m. The maximum Floor Area of any individual business premises shall not exceed 465 m<sup>2</sup>.
- n. Non-Residential Uses, excluding signs shall not be developed in a free standing structure.
- o. The top two Storeys of a building over 11 m Height shall be articulated differently than lower Storeys through the use of distinct materials, Setbacks, Stepbacks, trusses or other architectural features.
- p. The minimum separation distance between Towers shall be 30 m.
- q. The portion of the building that is greater than 20 m in Height is limited to a maximum Floor Plate of 1250 m<sup>2</sup>.
- r. Signs shall comply with the regulations in Schedule 59 B, as amended.

#### **4.6 Specific Development Regulations for Area D Medium Density Residential Node**

- a. This area shall be developed in accordance with the regulations of the RA7 Zone.
- b. Buildings shall be oriented towards Tamarack Way.
- c. Signs shall comply with the regulations in Schedule 59C, as amended

#### **4.7 Specific Development Regulations for Area E Mid-Rise Medium Density Node**

- a. The maximum density shall be 125 Dwellings/ha.
- b. The maximum Floor Area Ratio shall be 2.5.
- c. The maximum Height shall be 23.0 m, except that:

- i. Accessory buildings shall have a maximum height of 8.0 m.
- d. The minimum West Setback shall be 6.0 m.
- e. The minimum North and South Setback shall be 1.0 m for each Storey or partial Storey, to a maximum of 4.5 m, except that at least 2.0 m shall be provided in all cases.
- f. The minimum East Setback shall be 6.0 m.
- g. A minimum Amenity Area of 7.5 m<sup>2</sup> per Dwelling shall be provided.
- h. At-grade residential development shall provide more than one building entrance for residents and shall feature identifiable entrances for visitors.
- i. Building massing shall be minimized by building orientation, window placement, articulation, entryway features, and landscaping that provides colour throughout the year.
- j. The landscaped berm shall be counted toward the East Setback Landscaping requirement.
- k. Pedestrian Connections that are developed through surface parking areas shall be designed as enhanced parking islands with walkways and shall include landscaped islands with raised curbs and a 1.5 m hardsurfaced sidewalk, and shall be designed to be continuous in level, colour and materiality in order to promote pedestrian priority for people of all ages and abilities.
- l. Pedestrian Connections shall be provided between Amenity Areas, building entrances and parking areas, and to the commercial lands to the west. All shall be designed to be continuous in level, colour, and materiality in order to promote pedestrian priority for people of all ages and abilities.
- m. The minimum Setback for Accessory buildings shall be the same as the Setback for principal buildings.
- n. Accessory buildings shall be limited to shared community recreation facilities for residents only.
- o. Signs shall comply with regulations in Schedule 59B, as amended.

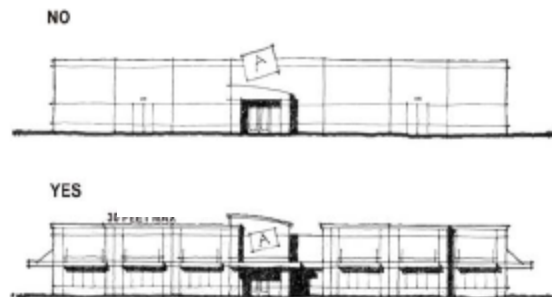
#### **4.8 Site Design Regulations**

- a. Buildings shall generally, to the satisfaction of the Development Officer, be oriented to:
  - i. frame (or be located at) the corners of intersections of private internal roadways;
  - ii. frame major vehicular and pedestrian entry/exit points to and from the Site without impeding vehicular and pedestrian movement sight lines; and

- iii. permit views into the Site along the axis of roadways and walkways intersecting Tamarack Way.
- b. Along the private internal roadways, the spaces between freestanding structures shall be improved to include:
  - i. landscaped pedestrian connections;
  - ii. small pockets of landscaped parking areas;
  - iii. public seating areas; and
  - iv. landscaped open spaces.

#### 4.9 Building Design Regulations

- a. Buildings shall use a variety of architectural elements and treatments, materials and colours to break up the massing, and no walls that face a public street, private internal roadways or connecting pedestrian walkway shall have a blank uninterrupted length exceeding 12.0 m. The massing of building walls may be reduced through the use of architectural elements such as columns, ribs, pilasters or piers, changes in plane, changes in building finishes, materials and textures, or other features that create an identifiable pattern and pedestrian scaled architecture, such as shown in Figure 1.



*Figure 1 – Example of Building Elevation*

- b. Building materials shall be sustainable, durable, high quality and appropriate for the development.
- c. All buildings shall be designed and finished to generally conform to a consistent architectural theme using similar architectural design elements, materials and colours. A consistent theme shall be developed and complemented through the design of lighting, sidewalk pattern, street furniture and Landscaping.
- d. Buildings shall provide active frontages wherever possible, and shall be designed to include a clearly identifiable primary entrance through the use of recesses, projections, canopies, porticos, overhangs, arcades, peaked roof forms, arches, outdoor patios, display windows, planters, walls, or other similar design elements (see example, Figure 2).



*Figure 2 – Example of Commercial Retail Unit Active Frontage*

- e. 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.

#### **4.10 Access, Circulation and Parking**

- a. Private internal roadways shall be established to accommodate the peak traffic volumes for the Site to the satisfaction of Subdivision Planning and Coordination.
- b. Pedestrian Connections in Areas A and B shall be established through the utilization of Landscaping, pedestrian-level lighting, signage systems, and a minimum 1.5 m hard-surfaced sidewalk to reduce pedestrian conflict and create a pedestrian-friendly design. Where vehicular access is also provided in these locations, the Pedestrian Connection shall be required on both sides of private internal roadways. Where developed through surface parking areas, Pedestrian Connections shall be designed as enhanced parking islands with walkways and shall include landscaped islands with raised curbs and a 1.5 m hard-surfaced sidewalk. Remedial treatment such as raised pedestrian crossings, landscaping, forecourts and landings, special paving, light and bollards shall be provided at significant points of pedestrian and vehicular interaction.
- c. Sidewalks in Areas A and B shall be provided in the front of large format buildings at a minimum of 3.0 m in width, the fronts of freestanding Commercial buildings at a minimum of 2.0 m in width.
- d. Interior access roads and walkways shall promote contiguous and logical patterns of safe pedestrian and vehicular movement through the Site and between the Site and surrounding development and Uses.
- e. Parking areas shall:
  - i. facilitate safe and convenient pedestrian movement;
  - ii. be appropriately landscaped to soften their appearance and add visual interest; and
  - iii. be dispersed and segmented.

- f. Vehicular and bicycle parking shall be located to the satisfaction of the Development Officer and Subdivision Planning and Coordination.
- g. Parking areas shall be dispersed and segmented by means of on-site private roads, drive aisles, pedestrian corridors and/or landscaped islands.
- h. No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required Setback. Surface Parking, loading, storage and trash collection areas shall be located to the rear or sides of buildings, generally to the interior of blocks where possible, and shall be screened from view from any adjacent Sites, public or private roadways, and designed to ensure vehicles do not encroach or back onto public or private road right-of-way.
- i. Notwithstanding 4.10 (h.), in Areas C and D parking, loading and trash collection may project into a required Side or Rear Setback, except Setbacks adjacent to public roadways, a minimum Setback of 2.5 m shall be maintained.
- j. Notwithstanding 4.10 (h), in Area E, parking, loading and trash collection may project into a required Setback.
- k. Any on-street parking on the private roadways shall be located and designed such that it does not interfere with the operations of the private roadway intersections with Tamarack Way, 17 Street and Maple Road to the satisfaction of the Development Officer in consultation with Subdivision Planning and Coordination.

#### **4.11 Landscaping and Amenities**

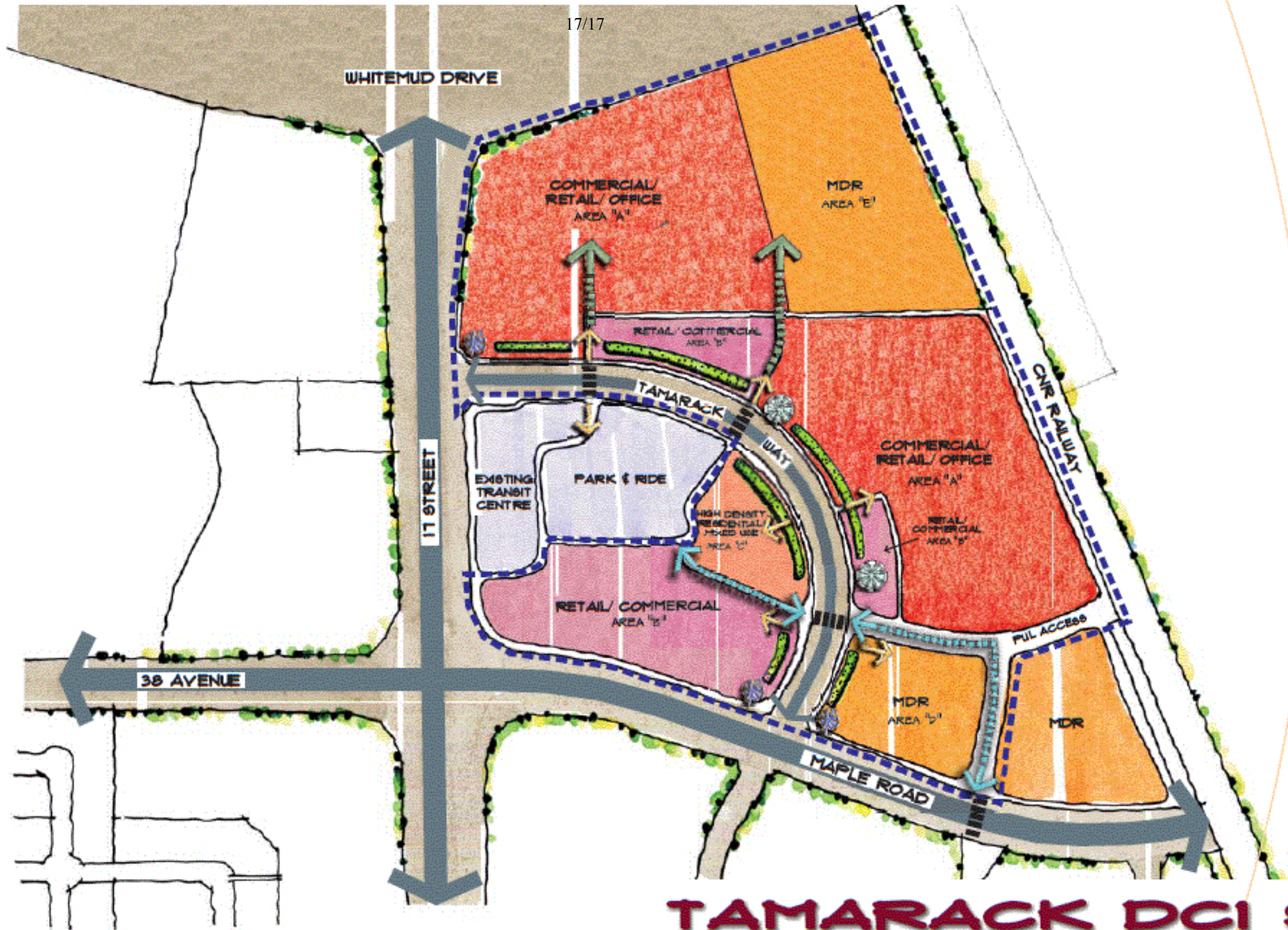
- a. A detailed landscape plan, prepared by a Landscape Architect registered with the Alberta Association of Landscape Architects, for each building development shall be submitted as part of a development permit application for the review and approval by the Development Officer. This plan shall clearly illustrate Landscaping internal to the Site, pedestrian connections, and the design of lighting, street furniture, and sidewalks.
- b. Landscaping at Site entrances shall include the use of ornamental plant material, shrubs and planting beds and surface treatments to further enhance the appearance of the entrance.
- c. Landscaping shall be required along internal roads to enhance the internal streetscape and pedestrian environment.
- d. Where Commercial and Residential Uses Abut pedestrian link (as shown in Appendix 1) fencing shall be limited to a maximum height of 1.2m and logical breaks shall be made to allow for pedestrian access.
- e. A landscaped berm shall be provided adjacent to the CN rail right-of-way.
- f. Notwithstanding Section 55 of the Zoning Bylaw, landscaping requirements shall exceed the minimum requirements for the number of trees and shrubs required by 15% in Areas A, B, and C.

- g. Amenity Area / Plaza areas are intended to provide a visual terminus and enhance the pedestrian realm along Tamarack Way. Design features within these amenity areas shall include hard and soft landscaping elements, seating areas and / or a visual landmark such as a hardscaped plaza, clock tower, water feature or other identifiable feature to facilitate social interaction amongst users and create a "sense of place".

#### **4.12 Environmental Site Assessment**

- a. The Development Officer shall require the submission of an Environmental Site Assessment (ESA) report prepared by a qualified environmental consultant, to the satisfaction of the Development Officer, in consultation with Planning Coordination which demonstrates that the Sites are suitable for the full range of allowable Uses.





# TAMARACK DCI SITE

- |  |   |  |   |  |
|--|---|--|---|--|
|  COMMERCIAL/<br>RETAIL/ OFFICE          |  MULTI-FAMILY (MDR)                      |  ACTIVE FRONTAGE OR<br>ENHANCED LANDSCAPING |  SITE BOUNDARY                         |  GATEWAY/ FOCAL POINT |
|  RETAIL/ COMMERCIAL                     |  EXISTING TRANSIT CENTRE/<br>PARK & RIDE |  PEDESTRIAN LINK                            |  IMPORTANT PEDESTRIAN<br>CROSSING      |  |
|  HIGH DENSITY RESIDENTIAL/<br>MIXED USE |  AMENITY AREA/ PLAZA                     |  POTENTIAL ACCESS                           |  POTENTIAL PRIVATE<br>INTERNAL ROADWAY |  |