

Charter Bylaw 20008

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 3405

WHEREAS Lots 7- 10, Block 1, Plan 4044AC; located at 10126, 10130, 10132, 10136, 10140, 10142 - 122 Street NW, Oliver, 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 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 Lots 7- 10, Block 1, Plan 4044AC; located at 10126, 10130, 10132, 10136, 10140, 10142 - 122 Street NW, Oliver, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (DC1) Direct Development Control Provision 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. 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

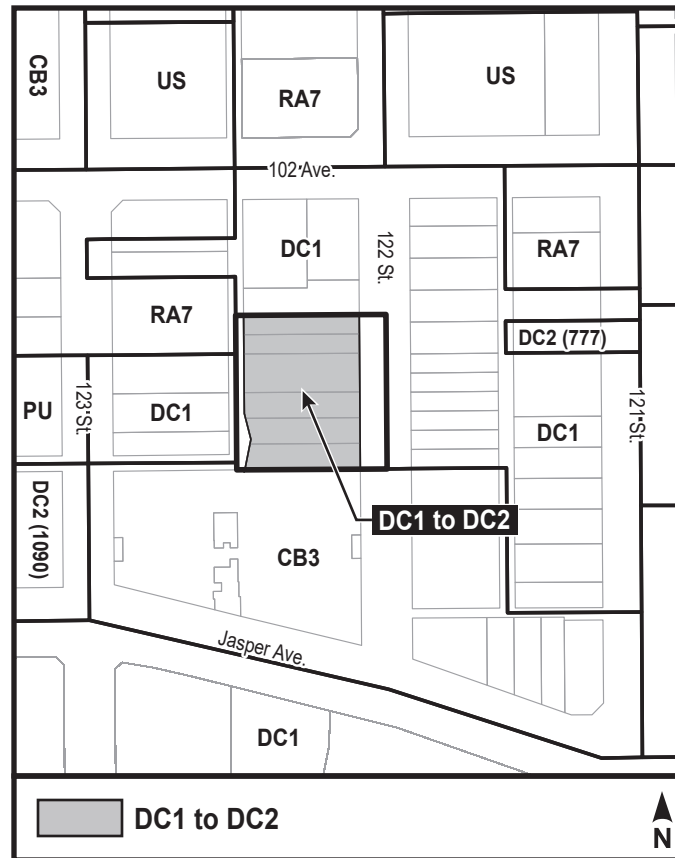
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MAYOR

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CITY CLERK

## CHARTER BYLAW 20008



**SCHEDULE “B”****(DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION****1. General Purpose**

To accommodate a mid-rise residential development facing 122 Street NW with ground level townhomes that promote a walkable and vibrant public realm.

**2. Area of Application**

This provision shall apply to the lands legally described as Lots 7 -10, Block 1, Plan 4044AC located at 10126 – 10142 122 Street NW as shown on Schedule “A” of the Charter Bylaw adopting this Provision, Oliver.

**3. Uses**

- a. Live Work Units
- b. Lodging Houses
- c. Minor Home Based Business
- d. Multi-Unit Housing
- e. Residential Sales Centre
- f. Supportive Housing
- g. Vehicle Parking
- h. Fascia On-premises Signs
- i. Projecting On-premises Signs
- j. Temporary On-premises Signs

**4. Development Regulations for Uses**

- a. Residential Sales Centres shall be limited to the marketing of the on-Site condominium or rental Dwellings.
- b. Signs shall comply with the General Provisions of Section 59B of the Zoning Bylaw.
- c. Temporary On-premises Signs shall be limited to project advertising associated with a Residential Sales Centre and shall not include trailer mounted or signs with changeable canopy.

## **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 21 m.
- c. The maximum Floor Area Ratio (FAR) shall be 3.5.
- d. The maximum number of Dwellings shall be 100.
- e. The minimum Setbacks shall be as follows:
  - i. East Setback
    - 1. 6.0 m from the east Lot line, with the exception of entry features which can project up to 4.5 m from the east Lot line; and
    - 2. 7.5 m from the east Lot line above 8.0 m.
  - ii. West Setback
    - 1. 7.5 m from the west Lot line, with the exception of the irregular shaped portion of the west Lot line where the minimum setback shall be 5.0 m.
  - iii. North and South Setbacks
    - 1. 3.0 m from the north and south Lot lines.
- f. Notwithstanding regulation 5.e. of this Provision, balconies, bay windows and other architectural features may project up 1.2 m into each Setback area.
- g. Any Underground Parkade shall not be subject to required Setbacks and can extend to all Lot lines provided there is sufficient soil depth maintained above to support any required landscaping.

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

- a. Exterior building materials shall be sustainable, durable, high quality and appropriate for the development within the context of the immediately surrounding neighbourhood, including, but not limited to: masonry, stone, brick, stucco, metal cladding, cementitious panelling and/or glazing. The use of vinyl siding as a finishing material is prohibited.
- b. Public realm interface:
  - i. The building shall be designed and oriented to face 122 Street NW with a principal entrance that is clearly visible and distinguishable from the ground-oriented townhome units.
  - ii. Ground oriented townhome units facing 122 Street shall adhere to the following:
    - 1. provide an individual external entrance oriented and clearly visible to be readable from and lend a sense of occupancy to the public roadway using features such as, but not limited to porches, staircases, verandas and canopies.
    - 2. provide a semi-private outdoor Amenity area in a manner that establishes a transition area between the public roadway, using landscape features such as decorative fencing, change in Grade, shrub beds or rock gardens and/or built elements such as private entrance features and verandas or porches.
    - 3. appear to be row housing structures that replicate the rhythm of the older houses prevalent in the area.
    - 4. Architectural finishes shall be selected to provide a differentiation between the townhomes and the main body of the apartment building above and include masonry features and colours compatible with the neighbourhood.
  - iii. The portion of the building facing 122 Street (above the 2nd Storey) shall distinguish itself from the ground-oriented townhouse units through the use of:

1. Distinct building materials;
2. Orientation of building materials; and
3. Distinct architectural features.

c. Building Form

- i. The Building shall provide articulation and visual interest through the variation of material and/or colour.
- ii. All mechanical equipment, including ground level Underground Parkade vents, shall be concealed by screening in a manner compatible with the architectural character of the building or concealed by incorporating it within the building. Ground level vents shall be oriented away from adjacent sites or on-Site amenity or pedestrian circulation areas.

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

- a. Vehicular access to the Site shall be from the abutting Lanes.
- b. Surface vehicular parking is not permitted to be located between any building and a public roadway, other than a Lane.
- c. Parking is permitted in the rear setback provided a minimum 1m landscape buffer is provided.
- d. Bicycle parking shall be provided in accordance with Section 54 of the Zoning Bylaw, to the satisfaction of the Development Officer and the following:
  - i. Bicycle parking facilities shall be provided in the underground Parking Garage or in another 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.
- e. All waste collection, storage, or loading areas shall be located adjacent to the Lane and designed to the satisfaction of the Development Officer in consultation with

Waste Management Services and Subdivision and Development Coordination (Transportation). Gates and/or doors of the waste enclosure shall not open or encroach into road right-of-way.

## **8. 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. Landscaping, both on-Site and off-Site, shall consider the use of plant materials that provide colour throughout the year to enhance the appearance of the development during the cold weather months.
- c. Landscaping that extends onto or over City-owned lands shall be developed in accordance with Traffic Bylaw 5590 and the City Design and Construction Standards.
- d. Outdoor Common Amenity Area at Grade and on Rooftop Terraces shall be landscaped with soft landscaping, garden boxes/planters, seating area or other complementary amenities.
- e. Balconies and glazing on North facing portions of the building below 15.0 m in height facing adjacent properties shall provide adequate screening and be located to maximize privacy and minimize outlook to the satisfaction of the Development officer. This may include, but is not limited to privacy screens, louvers, frosted glass, glass block or landscaping buffer.
- f. 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 122 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 parkade/foundation wall. If:
  - i. the arborist report indicates that the development will unduly compromise the ongoing viability and health of a tree or trees, each tree shall be removed as part of the redevelopment of the site. The owner/developer



shall be responsible for the cost of removal as well as for compensating the City for the value of the tree being removed. If required by the Development Officer, each tree removed shall be replaced by a new tree in an enhanced growing soil medium in the form of soil cells or continuous trenches, at the cost of the owner; or

- ii. 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.
- g. 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 and safe environment for pedestrians in accordance with Section 58 of the Zoning Bylaw, to accentuate artwork and building elements, and to highlight the development at night time and in winter months. Exterior lighting associated with the development shall be designed such that it has no negative impact on an adjacent property in accordance with Section 51 of the Zoning Bylaw. A detailed exterior lighting plan shall be provided with the Development Permit application to the satisfaction of the Development Officer.

## **9. Other Regulations**

- a. Prior to the issuance of the Development Permit for construction of the principal building, a Wind Impact Study shall be submitted for review. The development shall incorporate design features to minimize adverse microclimatic effects such as wind tunneling, snow drifting, rain sheeting both on and off Site, consistent with the recommendations of the Wind Impact Study.
- b. 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 the Development Permit for a principal building.
- c. Site and building layouts shall include design elements that take the principles of Crime Prevention Through Environmental Design (CPTED) into consideration. These elements may include, but are not limited to, elements that allow for natural surveillance, increased sightlines and high quality interior and exterior lighting. The

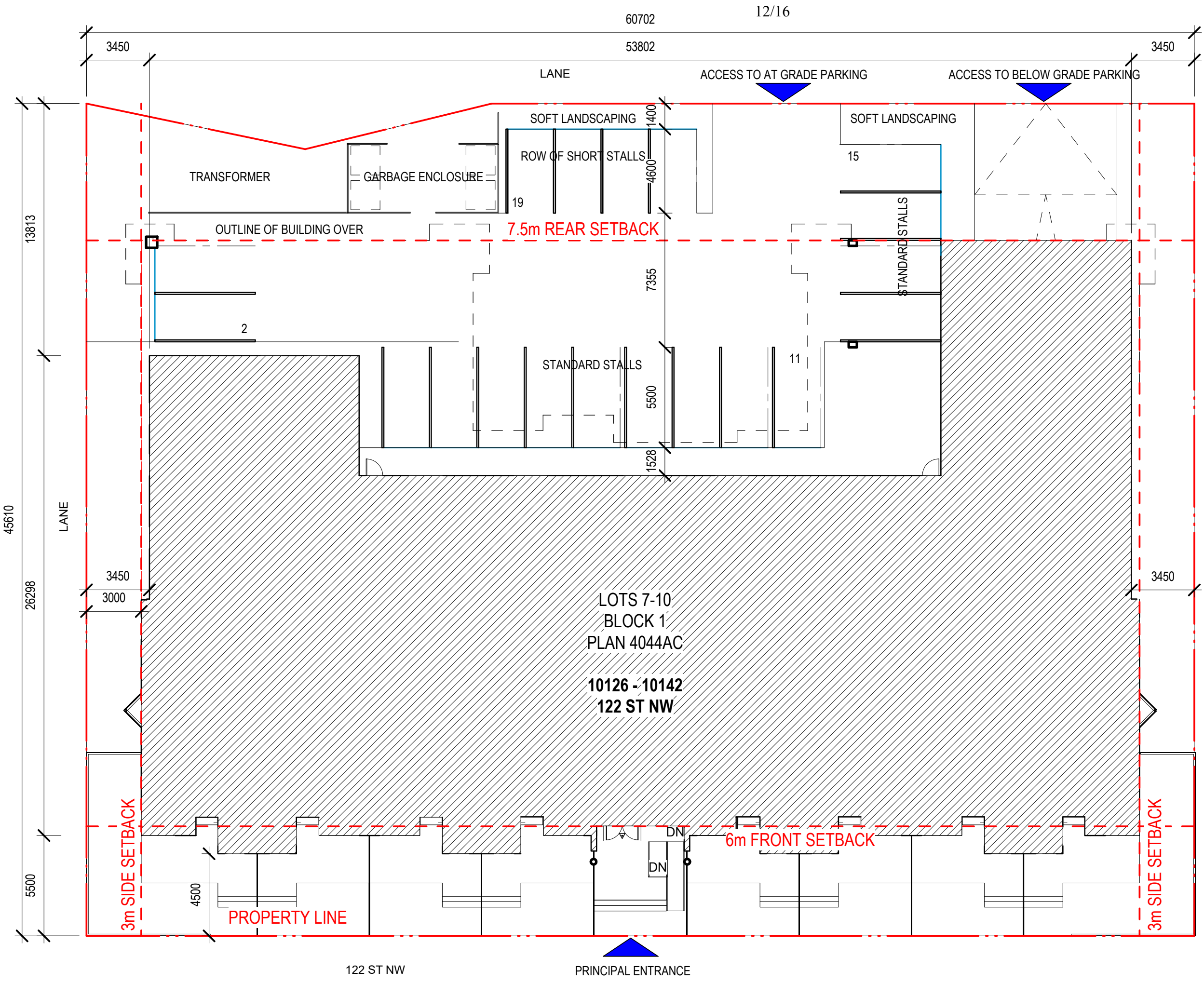
physical layout and landscaping shall reduce the vulnerability of pedestrians by avoiding areas of concealment or entrapment such as: long public corridor spaces, stairwells, or other movement predictors; avoiding landscaping hazards such as: unpruned trees, rocks that can be thrown, or blind corners; and by locating parking areas close to building access points and using wayfinding mechanisms. The Development Officer may require a Crime Prevention Through Environmental Design assessment prepared by a qualified security consultant and may apply conditions to the approval of the Development Permit based on the recommendations of the CPTED assessment to promote a safe physical environment.

- d. Notwithstanding the other Development Regulations of this Provision, the Appendices of this Provision and Section 720.3(2) of the Zoning Bylaw, in the event that the owner/developer does not obtain a Building Permit and commence construction of the principal building under a valid Development Permit within 5 years of the passage of the Bylaw adopting this Provision, development of the Site shall be in accordance with this Provision, except that:
  - i. the maximum Height shall be 10.0 m; and
  - ii. the maximum Floor Area Ratio shall be 1.0.

## **10. Public Improvements and Contributions**

- a. As a condition of any development permit, the owner shall enter into an agreement with the City of Edmonton for off-Site improvements necessary to serve or enhance the development, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation). Such improvements shall be constructed at the owner's cost. The Agreement process shall include an engineering drawing review and approval as required. Improvements to address in the Agreement include but are not limited to:
  - i. Repaving of the north-south Lane to the west of the Site from 102 Avenue NW south to the intersection with the east-west Lane and removing/relocating any existing utilities as required to facilitate access to parking and waste collection areas.

- ii. Repair of any damage resulting from construction of the development to the abutting roadways, sidewalks and/or boulevard, including lanes not directly adjacent to the site but which may be used for construction purposes.
  - iii. Improvements to the public realm along 122 Street NW directly abutting the site. These improvements shall be designed to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination, City Operations, and Integrated Infrastructure Services.
  - iv. The storm and sanitary drainage systems required to service the development, including off-site improvements and on-site stormwater management, shall be in general conformance with the Drainage Servicing Report or alternatives to the satisfaction of the Development Officer in consultation with Development Services (drainage). Such improvements are to be constructed at the owner's cost.
- b. A minimum of eight (8) Family Oriented Dwellings shall be developed within the building and subject to the following criteria:
  - i. Have a minimum of three bedrooms;
  - ii. Be located on the main floor of the building;
  - iii. Have individual and private access to ground level;
  - iv. Have dedicated, and enhanced bulk storage located within the dwelling or on the same storey as the dwelling;
  - v. Have access to a minimum of 2 bicycle parking spaces in addition to those required for the remainder of the dwellings in the development; and
  - vi. Have a private outdoor amenity area of at least 12.0 m<sup>2</sup>.



APPENDIX 1 - SITE PLAN

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122 OLIVER



122 OLIVER

APPENDIX 2 - EAST (FRONT) ELEVATION A401

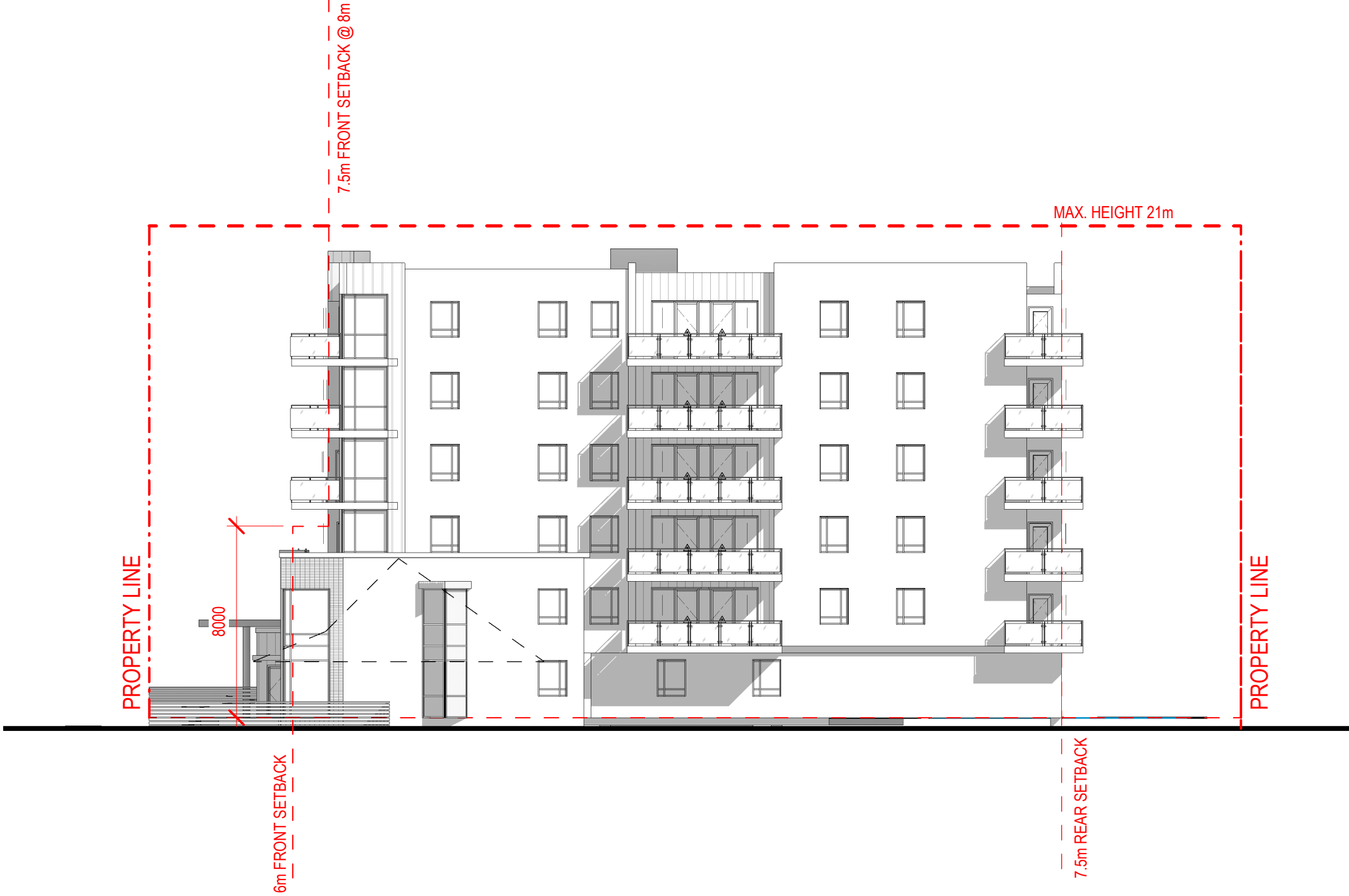


122 OLIVER

APPENDIX 3 - WEST (BACK) ELEVATION

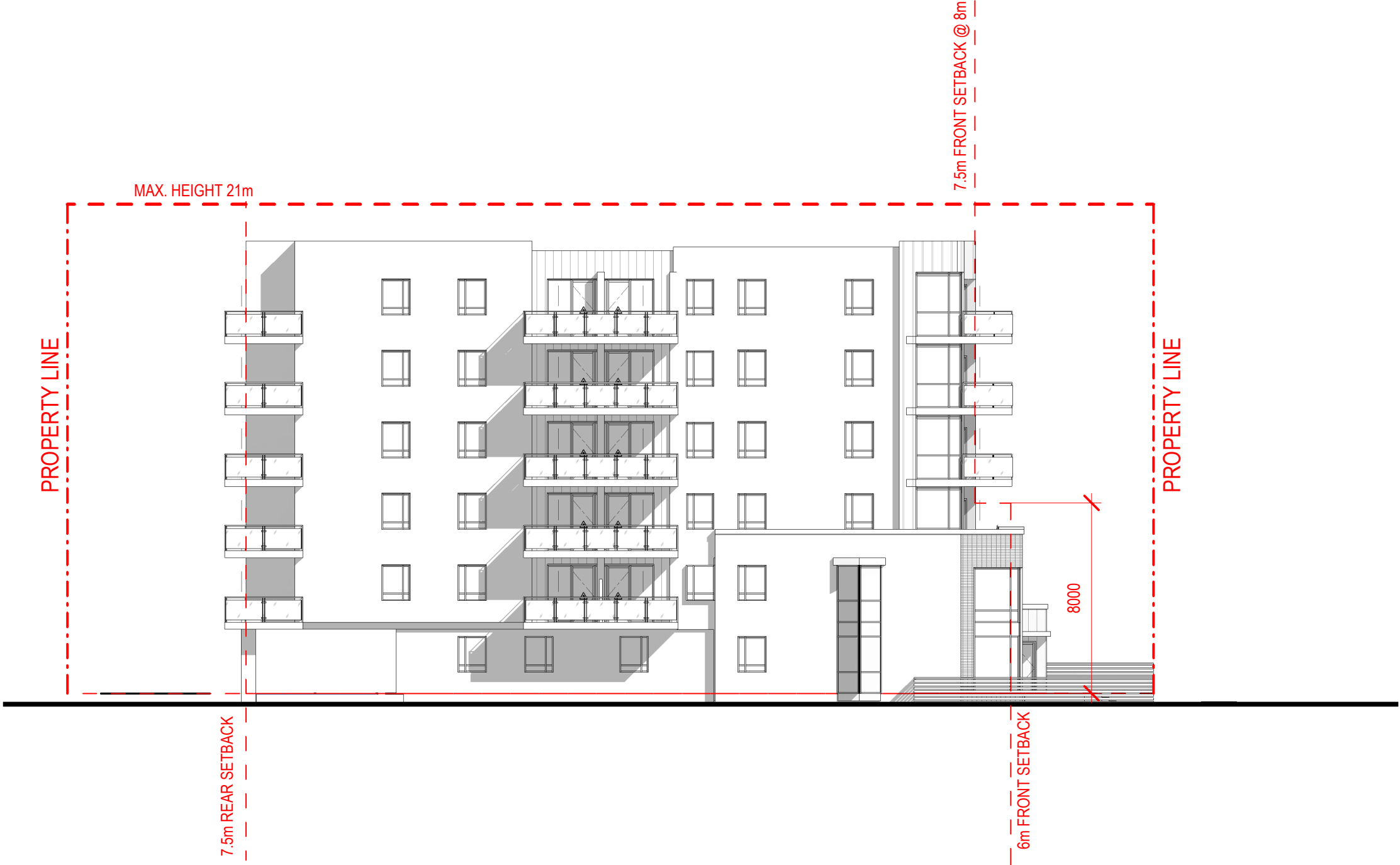
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122 OLIVER

APPENDIX 4 - NORTH (SIDE) ELEVATION A403



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APPENDIX 5 - SOUTH (SIDE) ELEVATION

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