

Bylaw 18226

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 2488

WHEREAS Lot 4, Block 1, Plan 6215V; located at 9503 – 157 Avenue NW, Eaux Claires, Edmonton, Alberta, is specified on the Zoning Map as (AG) Agricultural 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 4, Block 1, Plan 6215V; located at 9503 – 157 Avenue NW, Eaux Claires, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (AG) Agricultural 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	22nd	day of	January	, A. D. 2018;
READ a second time this	22nd	day of	January	, A. D. 2018;
READ a third time this	22nd	day of	January	, A. D. 2018;
SIGNED and PASSED this	22nd	day of	January	, A. D. 2018.

THE CITY OF EDMONTON

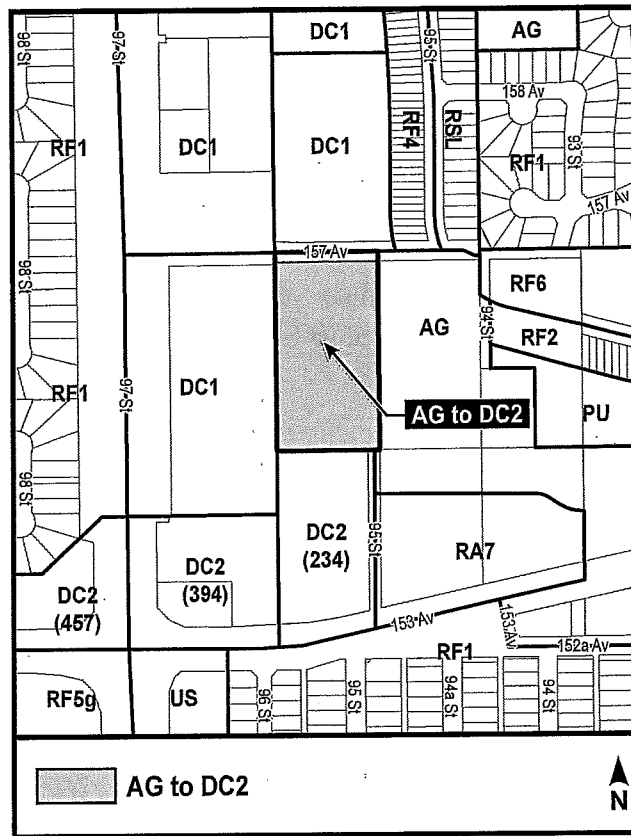


MAYOR

A 

CITY CLERK

BYLAW 18226



(DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION**1. General Purpose**

To establish a Direct Development Control Provision to accommodate a high density residential development and hotel which provides pedestrian connectivity to the Transit Centre and appropriate land use transitions to adjacent development.

2. Area of Application

Lot 4, Block 1, Plan 6215V, containing 1.95 ha, more or less, located south of 157 Avenue, east of 97 Street and west of 95 Street, Eaux Claires, as shown on Schedule "A" of the Bylaw adopting this Provision.

3. Uses

This Provision establishes four sub areas identified in Appendix A as follows:

Area A – Medium Density Residential

- a. Apartment Housing
- b. Child Care Services
- c. Group Homes
- d. Health Services
- e. Limited Group Homes
- f. Lodging Houses
- g. Minor Home Based Business
- h. Personal Service Shops
- i. Residential Sales Centre
- j. Fascia On-premises Signs
- k. Freestanding On-premises Signs
- l. Projecting On-premises Signs

Area B – High Density Residential

- a. All uses in Area A
- b. Convenience Retail Stores
- c. Professional, Financial and Office Support Services

- d. Specialty Food Services

Area C – High/Medium Density Residential

- a. All uses in Area A and B
- b. Row Housing
- c. Stacked Row Housing

Area D – Hotel/High Density Residential

- a. Apartment Hotels
- b. Apartment Housing
- c. Child Care Services
- d. General Retail Stores
- e. Hotels
- f. Personal Service Shops
- g. Professional, Financial and Office Support Services
- h. Specialty Food Services
- i. Residential Sales Centre
- j. Restaurants
- k. Fascia On-premises Signs
- l. Freestanding On-premises Signs
- m. Projecting On-premises Signs.

4. Development Regulations

- a. Development shall be in general accordance with the attached appendices.
- b. The maximum Floor Area Ratio and number of Dwellings for each Area shall be:
 - i. In Area A, the maximum Floor Area Ratio shall be 2.5 and the maximum number of Dwellings and/or Sleeping Units shall be 170.
 - ii. In Area B, the maximum Floor Area Ratio shall be 4.0 and the maximum number of Dwellings shall be 105.
 - iii. In Area C, the maximum Floor Area Ratio shall be 2.7 and the maximum number of Dwellings shall be 120.

- iv. In Area D, the maximum Floor Area Ratio shall be 2.7 and the maximum number of Dwellings and/or Sleeping Units shall be 135.
- c. The maximum Height shall not exceed the following:
 - i. 18.0 m for Area A;
 - ii. 45.0 m for Area B;
 - iii. 40.0 m for Area D; and
 - iv. in Area C, the maximum Height shall not exceed 45.0 m for Apartment Housing and 12.0 m for Stacked Row Housing or Row Housing.
- d. In Areas B, C, and D, any portion of the Tower that exceeds 12.0 m in Height shall have a maximum Floor Plate of 850 m².
- e. The maximum Floor Area for Commercial Uses shall be 1,500 m², except for Hotels.
- f. Setbacks shall be provided in accordance with Appendix A.
- g. In Area C, any portion of the building that exceeds 12.0 m in Height shall have a minimum 10.0 m Setback from the east Lot line and a minimum 50.0 m Setback from the north Lot line.
- h. In Area D, any portion of the north Façade that exceeds 12.0 m in Height shall have a minimum 2.5 m Stepback from the lower portion of the Façade.
- i. Professional, Financial and Office Support Services, Personal Service Shops, Convenience Retail Stores, General Retail Stores, Health Services, Restaurants and Specialty Food Services shall not be permitted in any freestanding structure separate from a structure containing Residential Uses or Hotels and shall not be located above the second Storey of the building.
- j. Residential and Residential-Related Uses shall have a separate entrance at Grade from non-Residential Uses.
- k. Of the total number of Dwellings provided in Areas B and C, a minimum of 5% shall have three bedrooms or more with direct access to a Private Outdoor Amenity Area or balcony.
- l. A minimum Amenity Area of 6.0 m² per Dwelling shall be provided. Out of this total:
 - i. a minimum indoor Common Amenity Area of 35.0 m² shall be provided in each of Areas A, B, and C; and
 - ii. a minimum outdoor Common Amenity Area of 50.0 m² shall be provided at Grade in each of the Areas A, B, C and D.

- m. Notwithstanding clause 4. 1., a minimum 20 m² Private Outdoor Amenity Area shall be provided for each Stacked Row Housing Dwelling contained in the lowest Storey and for each Row Housing Dwelling.
- n. Outdoor Common Amenity Areas shall:
 - i. have a minimum length of 5.0 m and width of 3.0 m;
 - ii. include seating; and
 - iii. be directly accessible from the principal building by a hard surfaced sidewalk or Walkway.
- o. Platform structures, such as balconies, shall have a minimum depth of 1.5 m.
- p. In Area A, Personal Service Shops shall be accessory to the Apartment Housing Use, shall not exceed 80.0 m² of floor area, and shall be located on the ground floor.
- q. The minimum Separation Space between Towers in Areas B, C, and D shall be 20.0 m.
- r. No outdoor trash collection or outdoor storage areas shall be developed within 3.0 m of any Lot line. Surface parking shall not be developed within 5.0 m of the north Lot line in Area D and Area C.
- s. Vehicular access shall be as follows:
 - i. Vehicular access to Area A shall be limited to 95 Street and vehicular access to Area B, C and D shall be limited to 157 Avenue.
 - ii. The two on-site roundabouts shall be designed as one-way circular drive aisles and shall be connected by an emergency vehicle-only hard surfaced access road.
- t. Pedestrian Walkways shall be provided in general accordance with Appendix B and to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation).
- u. Pedestrian Walkways shall be a minimum of 1.8 m wide with the exception of the Walkway along the south Lot line in Area A which shall be a minimum of 3.0 m wide.
- v. The owner(s) shall register a Public Access Easement along the pedestrian Walkways within the site to ensure public pedestrian access within the private property.
- w. The owner(s) shall register an Emergency Access Easement along the private access roads, the one-way circular drive aisles and the emergency vehicle-only access road. Easements shall make the private property owner(s) responsible for

maintenance and liability. The area having Public Access Easements shall be accessible to Fire Rescue Services at all times.

- x. The owner(s) shall register a Public Access Easement along the north edge of Area D from the west Lot line to the proposed access to allow for the construction and public use of the sidewalk on the south side of 157 Avenue.
- y. Should the private one-way circular drive aisle and access road in Area A function as a turnaround for public use prior to the completion of the 95 Street connection to 156 Avenue, then the owner(s) shall register a Public Access Easement along the private road to ensure public access along the private road within Area A to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation).
- z. The owner(s) shall retain a Transportation Engineering Consultant to complete a Traffic Safety Assessment to review the operation of the 95 Street and 153 Avenue intersection with the first Development Permit application within Area A. The Assessment is to be submitted to the Development Officer and completed to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation) and Traffic Safety. The owner(s) shall complete any necessary intersection improvements at the intersection of 95 Street and 153 Avenue which are recommended in the Assessment with the first Development Permit application within Area A, to the satisfaction of Subdivision and Development Coordination (Transportation) in consultation with Traffic Safety.
- aa. The design of the development shall incorporate the “Crime Prevention through Environmental Design (CPTED)” principles intended to promote a safer physical environment. The applicant will submit a CPTED assessment to the satisfaction of the Development Officer prior to the issuance of a Development Permit.
- bb. Signs shall comply with the regulations found in Schedule 59B of the Zoning Bylaw.
- cc. Two Freestanding On-premises Signs shall be permitted on the Site each with a maximum Sign Area of 25 m² and a maximum Height of 3 m.
- dd. Any outdoor lighting for any development shall be located and arranged so that no direct rays of light are directed at any adjoining properties, or interfere with the effectiveness of traffic control devices.
- ee. Vehicular and bicycle parking shall be provided in accordance with the Zoning Bylaw and:
 - i. All vehicular parking shall be provided in underground parking garages.

- ii. Notwithstanding section 4.ee.i, a maximum of 5 surface parking spaces shall be permitted in each of Areas A, B, C, and D to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation). Surface parking shall be limited to visitor parking.
- ff. A preliminary Wind Impact Statement prepared by a qualified, registered Professional Engineer shall be required where the height of a proposed development exceeds 20.0 m to the satisfaction of the Development Officer.
- gg. A detailed Wind Impact Study, prepared by a qualified, registered Professional Engineer, may be required if the preliminary Wind Impact Statement indicates that uncomfortable or unsafe wind conditions may result from the building design.
- hh. A Sun Shadow Impact Study may be required for any development exceeding 20.0 m in Height to the satisfaction of the Development Officer. This Study shall be prepared by a qualified, registered Professional Engineer or Architect, to professional standards.
- ii. As a condition of the Development Permit, the owner shall complete a report amendment to the South Eaux Claires Neighbourhood Design Report. The report, prepared by a Registered Professional Engineer, shall demonstrate that the sanitary flows generated by the proposed development can be adequately serviced by the adjacent sanitary sewer system. The report shall be submitted and approved to the satisfaction of the Development Officer, in consultation with Planning Coordination Drainage. The report must demonstrate that the developments are in accordance with the Neighbourhood Structure Plan, Appendix D and City of Edmonton Design and Construction Standards.

5. Architectural Treatment of Buildings:

- a. Perceived massing shall be minimized through design elements such as building setback variations, projection or recession of the Façade, building orientation, window placement, awnings, articulation around entrance ways, varied roof treatments and the choice of exterior materials and colours.
- b. All building Façades shall be articulated with architectural elements such as columns, pilasters, piers, changes in plane, or changes in building finishes, materials and textures so that the Façade is visually broken into pieces of approximately 15.0 m or less.
- c. In Area D, a minimum of 60% of the linear frontage of non-residential ground-floor Façades indicated on Appendix B, shall have clear, non-reflective glazing

and shall not be covered with Signs. Transparency is calculated as a percent of linear meters at 1.5 m above the ground floor.

- d. All mechanical equipment, including roof mechanical units, shall be integrated into the total building design or screened in a way that is consistent with the character and finishing of the building.
- e. Elements of the development and of individual Dwellings such as windows, doors, balconies, and Amenity Areas should be sited, oriented and designed to minimize their impact on adjacent dwellings, considering such things as daylight, sunlight, ventilation, quiet, visual privacy, shadowing, views and noise, to the satisfaction of the Development Officer.
- f. Development within Area A shall comply with Section 93 of the Zoning Bylaw for inclusive design.
- g. Primary building entrances for non-residential uses and Apartment Housing shall be designed for universal accessibility as follows:
 - i. Ground-level entrances shall not require ramps or steps to gain access; and
 - ii. Sidewalk furniture and other streetscape elements shall be located out of the travel path to ensure they are not obstacles to building access.
- h. Weather protection in the form of a canopy, awning or other architectural element, with a minimum projection of 1.5 m from the building Façade, shall be provided above ground-level entrances to create a comfortable environment for pedestrians.
- i. Buildings shall use consistent building materials and architectural features on all Façades, to the satisfaction of the Development Officer.

6. Landscape Requirements

- a. All open space including Yards, at-Grade Amenity Areas, Private Outdoor Amenity Areas, Setback areas and Separation Spaces shall be landscaped with flower beds, grass, ground cover or suitable decorative hardscaping in addition to trees and shrubs. This requirement shall not apply to those areas designated for parking or vehicular circulation.
- b. Notwithstanding the Landscaping regulations of the Zoning Bylaw, the number of trees and shrubs shall be determined on the basis of the following:
 - i. for Area A, B and C, one tree for each 30 m² and one shrub for each 13 m² of Setback; and

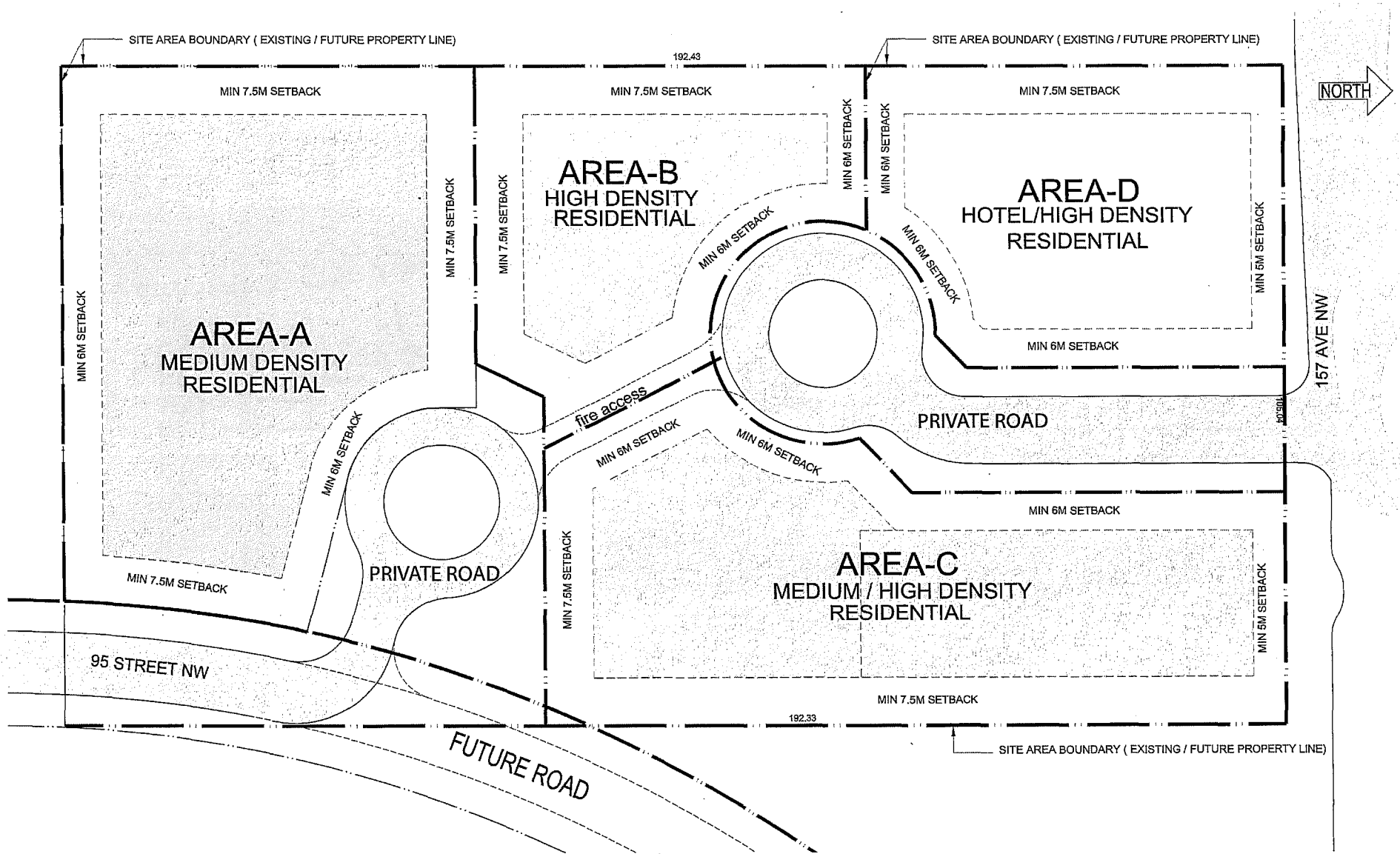
- ii. for Area D, one tree for each 25 m² and one shrub for each 13 m² of Setback.
- c. Landscaping of the Site may be phased per Area. However, the first Development Permit application will require the submission of an overall landscape master plan.
- d. Detailed landscape plans shall be submitted by a registered landscape architect prior to approval of any Development Permit.
- e. All sidewalks, Walkways, and curbs shall be hard surfaced and designed to facilitate barrier-free movement.
- f. Landscape screening consisting of trees and shrubs shall be planted on the Site along the west Lot line to help mitigate the impacts between commercial and residential uses.
- g. In Area C, landscape screening consisting of trees and shrubs shall be planted on the Site along 157 Avenue to help mitigate impacts between the Transit Centre/Park & Ride and residential uses.
- h. Hard surfaced areas such as Walkways, private roads, and plazas shall be enhanced with Landscaping, to the satisfaction of the Development Officer.
- i. Landscaping on Site shall use plant materials that provide colour throughout the year to enhance the appearance of the development during the cold weather months.
- j. Soil above the underground parking facilities shall be of sufficient depth to accommodate required Landscaping.

7. Off-site Improvements and Contributions

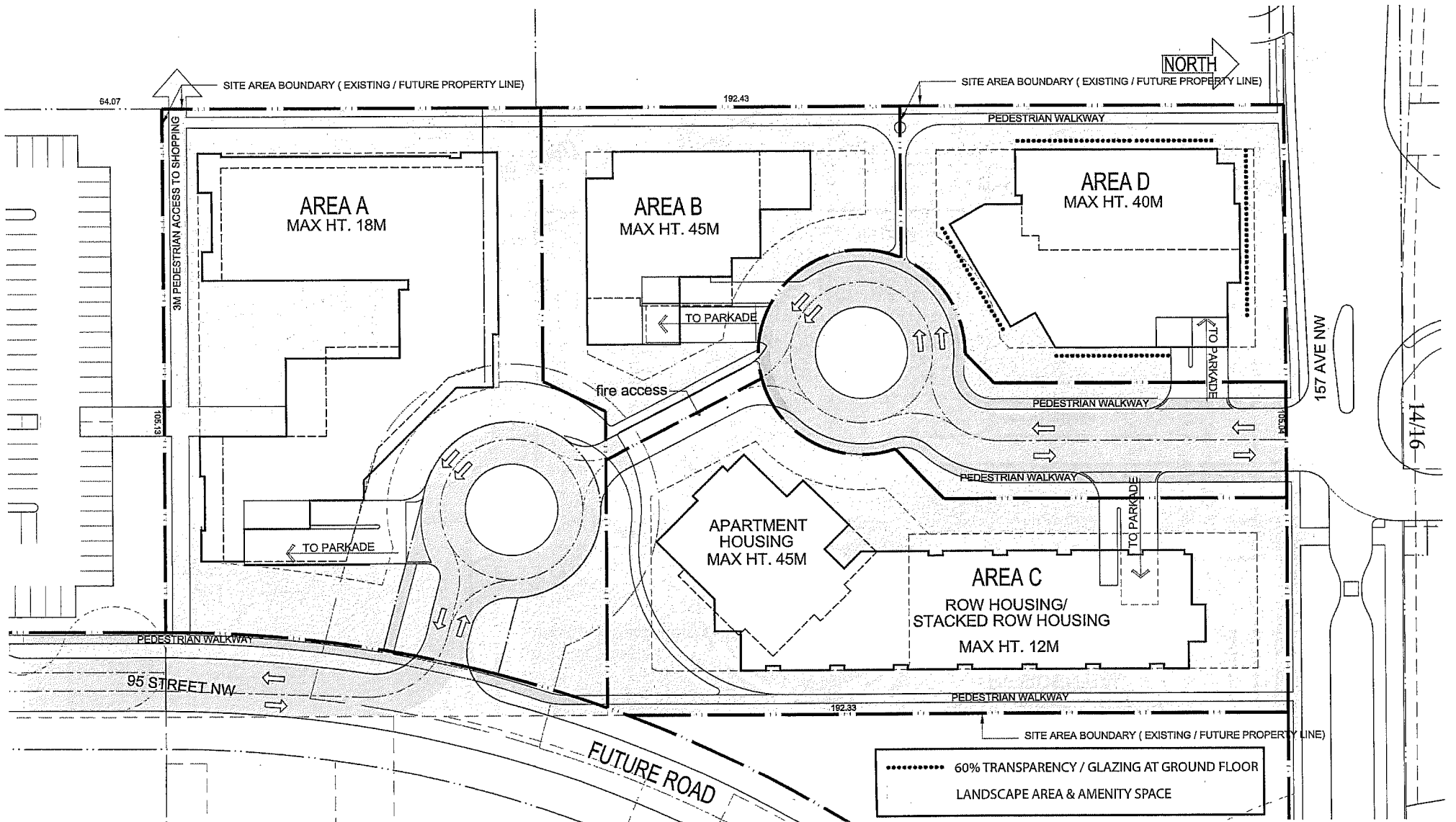
- a. Prior to the issuance of any Development Permit, the Development Officer shall ensure that a signed agreement has been executed between the City and the owner, requiring the owner to provide the City, at the time of Development Permit approval, the option to purchase 5 percent of the proposed number of residential units at 85 percent of market value or the equivalent value as cash-in-lieu to the City.
- b. As a condition of any Development Permit, the owner shall enter into a Servicing Agreement with the City of Edmonton to construct off-Site water improvements necessary to serve the development, in accordance with the City of Edmonton Design and Construction Standards and in general accordance with Appendix C.
- c. As a condition of any Development Permit, the owner shall enter into a Servicing Agreement with the City of Edmonton to construct off-Site sanitary and storm

sewer improvements necessary to serve the development in accordance with the City of Edmonton Design and Construction Standards and in general accordance with Appendix D.

- d. The owner(s) shall enter into a Servicing Agreement with the City of Edmonton, in conjunction with subdivision or development application(s), for off-site improvements necessary to serve the development. These off-site improvements shall include, but not be limited to:
- i. Upgrading of 95 Street from 153 Avenue to the site access including, but is not limited to, reconstruction of the roadway to accommodate one travel lane, sidewalk and boulevard on west side of the roadway, curbs and gutters, curb ramps, street-lighting, and pavement marking, to the satisfaction of Subdivision and Development Coordination (Transportation).
 - ii. Construction of and access to 157 Avenue and an access to the upgraded 95 Street, to the satisfaction of Subdivision and Development Coordination (Transportation).
 - iii. Construction of a sidewalk along the south side of 157 Avenue along the length of the site to connect the existing sidewalk west of the site to the east Lot line of the site, to the satisfaction of Subdivision and Development Coordination (Transportation).
 - iv. Construction of a marked crosswalk on 157 Avenue east of the site access to the satisfaction of Subdivision and Development Coordination (Transportation).
 - v. Construction of any improvements deemed necessary as a result of the traffic safety assessment completed for the intersection of 95 Street and 153 Avenue to the satisfaction of Subdivision and Development Coordination (Transportation) in consultation with the Office of Traffic Safety.



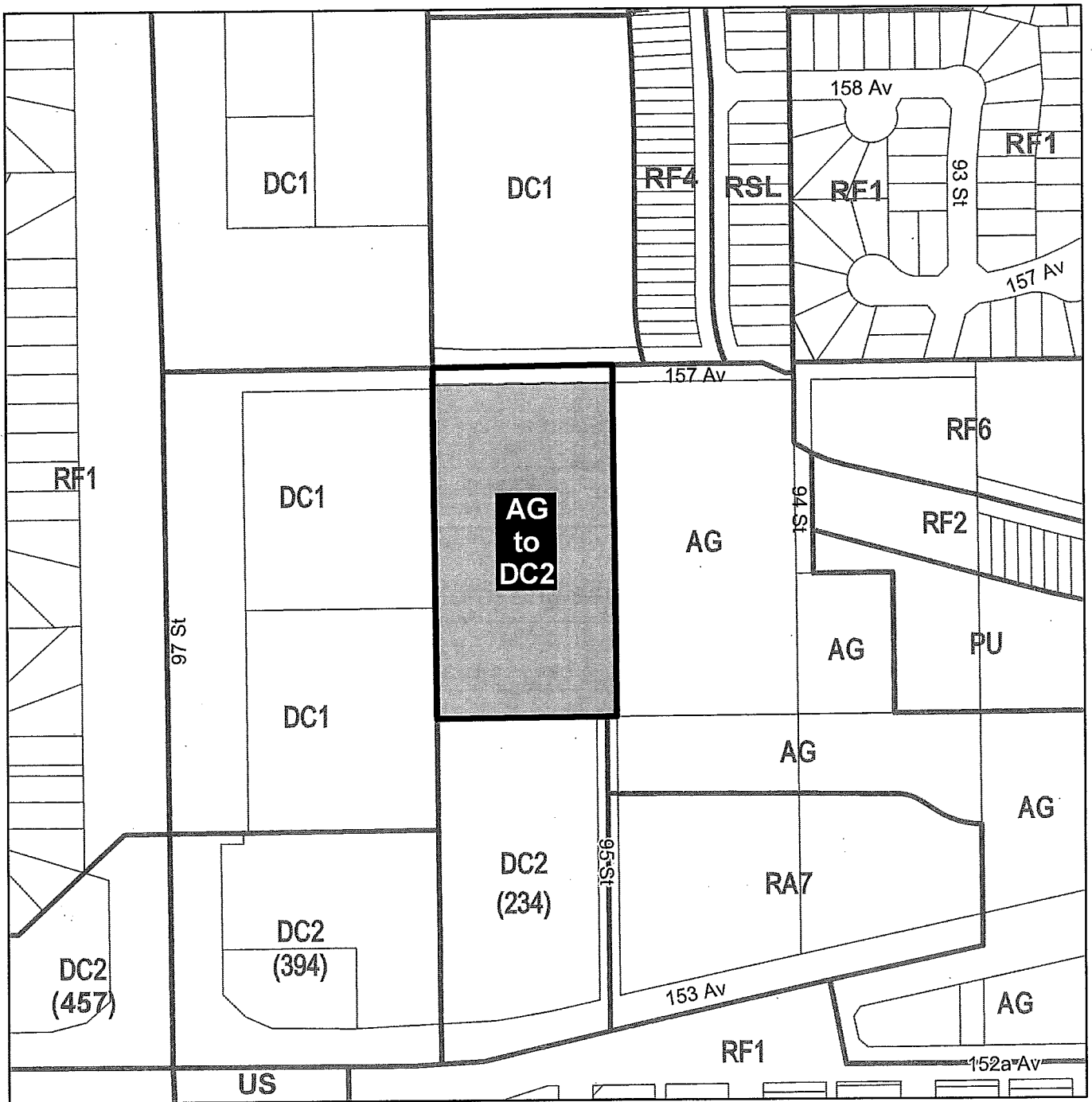
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APPENDIX B


SITE PLAN

EAUX CLAIRE ESTATE
NEIGHBOURHOOD PLAN



APPENDIX D - Offsite storm and sanitary sewer requirements



 **From:** (AG) Agricultural Zone
To: (DC2) Site Specific Development Control Provision