

Bylaw 18178

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 2461

WHEREAS Lot 31, Block 15, Plan 0325528 and Lot 22, Block 26, Plan 0423030; located at 8310 and 8311 – 93 Avenue NW, Holyrood, Edmonton, Alberta, is specified on the Zoning Map as (DC2) Site Specific Development Control Provision and

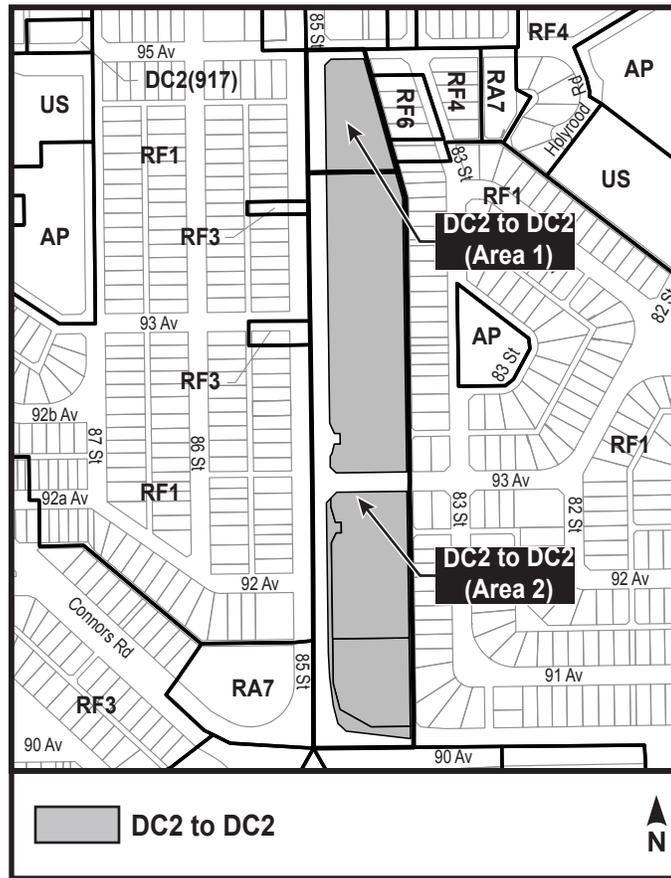
WHEREAS an application was made to rezone the above described property to (DC2) Site Specific Development Control Provision;

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 31, Block 15, Plan 0325528 and Lot 22, Block 26, Plan 0423030; located at 8310 and 8311 – 93 Avenue NW, Holyrood, Edmonton, Alberta, which lands are shown on the sketch plan attached as Schedule “A”, from (DC2) Site Specific Development Control Provision to (DC2) Site Specific Development Control Provision.
2. The uses and regulations of the aforementioned DC2 Provision are attached as Schedule "B" and “C”.



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**SCHEDULE "B"****(DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION  
(Area 1)****1.0 General Purpose**

To accommodate an existing medium density residential development with site specific development controls designed to ensure that the proposed development is compatible with the adjacent development in Area 2.

**2.0 Area of Application**

A portion of Lot 31 Block 15 Plan 0325528, as illustrated in Appendix I.

**3.0 Uses**

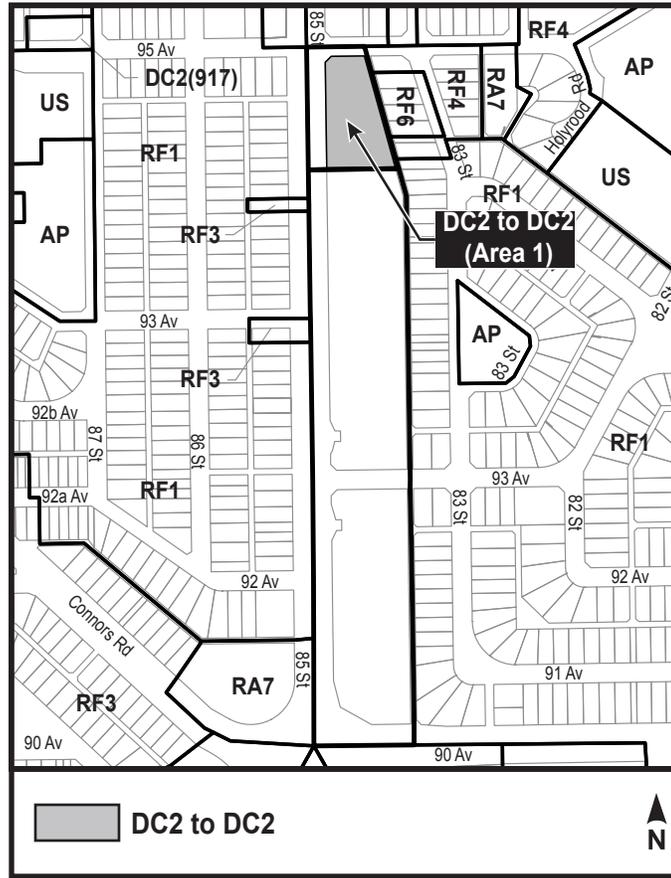
- a. Apartment Housing
- b. Child Care Services
- c. Group Homes
- d. Major Home Based Business
- e. Minor Home Based Business
- f. Residential Sales Centre
- g. Row Housing
- h. Stacked Row Housing
- i. Semi-detached Housing
- j. Urban Gardens
- k. Freestanding On-premises Signs
- l. Temporary On-premises Signs

**4.0 Development Regulations**

- a. All Regulations in the Zoning Bylaw shall apply to development in this Direct Control Provision, unless such regulations are specifically excluded or modified in the Provision.
- b. This Site shall be developed to a maximum of 100 Dwellings.
- c. The maximum number of Dwellings to be enclosed within a single apartment building shall not exceed 70.
- d. The maximum total Floor Area Ratio shall be 2.0.
- e. The maximum Height shall not exceed 17 m.

- f. A minimum 3.0 m Setback shall be provided adjacent to the Lot line abutting 95 Avenue.
- g. A minimum 3.0 m Setback shall be provided along the east Lot line abutting the lane.
- h. A minimum 3.0 m Setback width shall be provided along the south boundary of the Site adjacent to Area 2.
- i. Notwithstanding 4(f), 4(g), and 4(h), underground Parking Garage access ramps and vehicular circulation shall be permitted within Setbacks, as generally indicated in Appendix III.
- j. A minimum separation space of 3.0 m shall be provided between buildings located on the Site.
- k. A Landscape Plan shall be completed by a registered Landscape Architect to the satisfaction of the Development Officer, prior to the issuance of any Development Permit. The landscaping plans shall include details of any pavement materials, fencing, street/walkways lighting, pedestrian seating areas, sidewalk improvements, aggregated open spaces and pedestrian linkages, number, sizes and species of new and existing plantings and any special grading for the entire Site.
- l. Location of buildings shall be in general conformance with Appendices II-IV.
- m. Roof lines and building facades shall include design elements and variations that will reduce the perceived mass and linearity of the buildings, and will add architectural interest.
- n. All exterior finishing materials must be of a high quality, durable and attractive in appearance. All exposed sides of the buildings shall be finished in a consistent, harmonious manner.
- o. The final locations and geometric details of the on-site vehicular access roads, driveways, curb returns and curb drops shall be to the satisfaction of the Development Officer in consultation with Transportation.
- p. A maximum of 25 parking spaces may be provided as surface parking.
- q. Signs shall be in general accordance with Schedule 59B of the Zoning Bylaw.
- r. The development shall provide Amenity Area of 7.5 m<sup>2</sup> for each dwelling unit to the satisfaction of the Development Officer.

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**SCHEDULE “C”****(DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION  
(Area 2)****1.0 General Purpose**

To allow for redevelopment of an existing medium density site to a mixed use, high density, transit-oriented development adjacent to the Holyrood LRT station while accommodating low to high-rise built forms, street-oriented ground floor residential and limited commercial opportunities, to create a pedestrian-friendly environment and compatible interface with the adjacent low density neighbourhood.

**2.0 Area of Application**

This Provision shall apply to Lot 22, Block 26, Plan 0423030 and a portion of Lot 31, Block 15, Plan 0325528, located to the north and south of 93 Avenue, and east of 85 Street in Holyrood, as shown in Appendix I of this Provision.

**3.0 Uses**

- a. Apartment Housing
- b. Apartment Hotels
- c. Bars and Neighbourhood Pubs
- d. Business Support Services
- e. Child Care Services
- f. Convenience Retail Stores
- g. Health Services
- h. Live Work Units
- i. Minor Alcohol Sales
- j. Minor Home Based Businesses
- k. Personal Service Shops
- l. Professional, Financial, and Office Support Services
- m. Public Accessible Private Park
- n. Residential Sales Centre
- o. Restaurants
- p. Specialty Food Services
- q. Urban Gardens
- r. Fascia On-premises Signs
- s. Minor Digital On-premises Signs
- t. Projecting On-premises Signs

#### 4.0 Development Regulations

- a. The Site shall be developed in general accordance with the following appendices:

Appendix II: Site Plan  
 Appendix III: Vehicular Access & Circulation  
 Appendix IV: Pedestrian Linkages & Circulation  
 Appendix IV: Pedestrian Linkages & Circulation

- b. Density:

- i. The maximum number of Dwellings shall not exceed 1,200

- c. Floor Area Ratio:

- i. The total maximum Floor Area Ratio shall be 4.0

- d. Site Coverage:

- i. The maximum site coverage shall be 60%

- e. Height, Floor Plate, and Setbacks:

- i. Building types shall be in accordance with Table 1 below and located in general conformance with Appendix II: Site Plan.

**Table 1: Massing**

Building Type	Maximum Height	Maximum Floor Plate of Tower	Minimum Setback from East Property Line
A (Mid Rise Apartment Type)	23.0 m	N/A	10.0 m
P1 (Podium Type 1)	23.0 m	N/A	10.0 m
P2 (Podium Type 2)	30.0 m	N/A	10.0 m
T1 (Tower Type 1)	64.0 m	1,000 m <sup>2</sup>	25.0 m
T2 (Tower Type 2)	78.0 m	1,200 m <sup>2</sup>	25.0 m

- ii. Remaining Setbacks shall be provided as per Table 2 below.

**Table 2: Setbacks**

	<b>Minimum</b>	<b>Maximum</b>
A. 93 Avenue	2.0 m	6.0 m
B. 90 Avenue, 85 Street	10.0 m	20.0 m
C. North Lot Line	6.0 m	--

- iii. Notwithstanding subsection 4(e)(ii), minimum and maximum setbacks may apply from the 85 Street Road Right of Way as it was the property line, to the discretion of the development officer.
- f. Amenity Area:
  - i. A minimum Amenity Area of 7.5 m<sup>2</sup> per Dwelling shall be provided.
  - ii. Indoor Amenity Areas shall be exempt from Floor Area Ratio calculations.
  - iii. Private Outdoor Amenity space for street-oriented and ground oriented dwellings, located in general conformance with Appendix IV, will be visually and physically defined with features such as (but not limited to) planting, fencing, low walls, and/or grade changes. Private outdoor amenity space for ground floor units will include individual entrances.
- g. Publicly Accessible Private Park(s)
  - i. A minimum total of 1.0 ha shall be provided in stages across the entire site as ground level Publicly Accessible Private Parks and publicly accessible walkways, as a condition of each Development Permit.
  - ii. Publicly Accessible Private Parks shall be developed as plazas, courtyards and/or seating areas, and shared use paths, or other open spaces suitable for this intended Use. These Parks shall be aggregated into minimum 75 m<sup>2</sup> areas and shall be provided in stages with each development permit, in general accordance with Appendix IV, to the satisfaction of the Development Officer, and shall be designed as per the following :
    - A. To actively interface with the adjacent buildings;
    - B. To promote creation of a well-connected pedestrian network;
    - C. Giving regard to CPTED principles to provide safe and defensible space, clear sightlines, adequate lighting, and provision of multiple access points;
    - D. To incorporate public seating and impromptu social gathering areas and include features, which may include but not be limited to decorative light standards, trash receptacles, bollards, landscaped planting beds, planters, or tree grates, and/or hard surfacing; and

- E. As per the principles of the City of Edmonton's Winter Design Guidelines to promote vibrant use during winter months.
- h. Landscaping
- i. In addition to Section 55 of the Zoning Bylaw, Landscaping shall comply with the following:
    - A. The Landscape Plan shall include pavement materials, exterior lighting, street furniture elements, pedestrian seating areas, plant materials, and freestanding sign locations as applicable;
    - B. Landscaping on the Site shall consider the use of plant materials that provide colour, texture, and visual interest throughout the year to enhance the appearance of the development and create comfortable, attractive, and sustainable environments to the satisfaction of the Development Officer;
    - C. Landscape design shall consider appropriate plant material for horticultural zone 3a.
    - D. Private Amenity Area, communal Amenity Area and Publicly Accessible Private Parks shall be clearly separated and distinguishable.
    - E. The Landscape Plan shall show details of off-site improvements including enhancements to Lanes and the public realm.
    - F. Publicly Accessible Private Parks as shown on Appendix - IV, shall serve as high quality amenities for people of all ages and during all seasons to the satisfaction of the Development Officer. These areas shall include, but are not limited to, public art, hard and/or soft landscaping, seating areas and/or bicycle facilities; and
    - G. The Landscape Plan shall be prepared by a registered Landscape Architect.
  - i. Non-Residential Uses:
    - i. Non-Residential Uses shall be developed only in conjunction with Residential Uses within any freestanding structure and shall not be developed above the ground floor.
    - ii. A maximum of 1,200 m<sup>2</sup> of Floor Area of non-Residential Uses shall be permitted on the Site.
    - iii. The Gross Floor Area for each individual Bars and Neighbourhood Pubs and Restaurants Use shall not exceed 235 m<sup>2</sup>.
    - iv. Residential Sales Centres shall be limited to the sale or leasing of units located within this Provision.
    - v. Where a Use creates negative impacts (such as noise, light or odours) that could affect adjacent properties zoned for residential or other Uses within the same building and site, adequate mitigation measures to reduce any

negative impacts shall be provided as a condition of a Development Permit for such use.

- j. Parking, Access, Loading, and Servicing:
  - i. Vehicular Access and Egress and off-street Parking shall be developed in accordance with the following:
    - A. all parking shall be provided within the underground Parking Garages;
    - B. notwithstanding section 4(e)i(A), a maximum of 20 surface parking stalls shall be provided for short term visitor parking and loading, accessed via the Lane and to the rear of the buildings;
    - C. access and egress for underground Parking Garages shall be provided in the locations generally indicated on Appendix III: Vehicular Access & Circulation;
    - D. parking access ramps shall be located entirely within the building;
  - ii. Vehicular parking shall be provided in conformance with the TOD Parking requirements of the Zoning Bylaw.
    - A. The Development Officer may consider, in consultation with Transportation, a vehicular parking reduction if a Parking Demand Study is submitted in conjunction with a Development Permit Application justifying any reduction in vehicular parking requirements.
  - iii. Bicycle Parking
    - A. Bicycle Parking spaces shall be provided at a minimum rate of 0.3 spaces per Dwellings proposed by a Development Permit application.
    - B. 80% of bicycle parking spaces provided shall be located in a safe and secure location, within the ground floor of a building or within a Parking Garage with pedestrian access to Grade to the satisfaction of the Development Officer.
  - iv. Access, Loading and Servicing
    - A. Off-street loading spaces shall be accessed from the rear lane.
    - B. Any waste collection area or storage area shall be screened and located within the building such that it is not visible from a public roadway, located in general conformance with Appendix III and to the satisfaction of the Development Officer in consultation with Planning Coordination (Transportation) and City Operations.
    - C. The Setback area along 85 Street and 90 Avenue shall include a minimum 6.0 m wide publicly accessible private roadway that will provide emergency access and pedestrian/bicycle (non-vehicle) access only. The owner(s) shall register a 24 hour Public Access

Easement aligned with all the publicly accessible private roadway within the Site.

- v. Emergency Access
  - A. As a condition of Development Permit, the owner(s) shall register an Emergency Access Easement with the private road within the site. 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 (from north and south) at all times. Such easements shall be a required condition of a Development Permit.
  - B. As a condition of Development Permit, all access and bollard treatments, including ongoing safe operations and maintenance agreements, will be completed to the satisfaction of Edmonton Fire Rescue Services.
- k. Signs shall be developed in accordance with the regulation in Schedule 59B.
- l. Minor Digital Signs shall only be permitted when affixed to a building and shall only be located where Retail Uses are provided as shown on Appendix IV.
- m. Notwithstanding section 4(f), Minor Digital Signs shall be developed in accordance with Schedule 59E.3.

## **5.0 Urban Design Regulations**

- a. Building Massing and Articulation
  - i. Building Types P1, P2, T1, and T2 shall provide Stepbacks as per the following:
    - A. A minimum 2.0 m Stepback shall be provided along public roadways other than a lane.
    - B. The Stepback shall be provided at a minimum Height of 9.0 m and a maximum Height of 12.0 m.
    - C. Building Type T2 shall have a minimum 8.0 meters Stepback from the north and east tower façade of the tower at a minimum height of 46.0 m and a maximum height of 51.0 m.
    - D. Buildings Type T1 shall have a minimum 8.0 m Stepback from the east façade of the tower at a minimum height of 46.0 m and a maximum height of 51.0 m.
  - ii. Building Type A shall provide visual definition and articulation for the portion of the buildings at a minimum height of 14.0 m and a maximum height of 16.0 m.
  - iii. The minimum Separation Space of 10.0 m shall be accommodated between individual buildings as generally shown on Appendix 2.

- b. **Building Facade, Materials, and Exterior Finishing**
- i. For buildings located at the intersection of public roadways the corner Facade treatment shall wrap around the side of the building to provide a consistent profile facing both streets.
  - ii. Building Facade(s) facing a public roadway or outdoor Common Amenity Area shall be designed with detail and articulation to a maximum of 10.0 m intervals to create attractive streetscapes and interfaces.
  - iii. Access to underground Parking Garages visible from the street shall be architecturally treated and articulated, to the satisfaction of the Development Officer.
  - iv. A minimum of 70% of the linear frontage of the commercial ground floor façade shall consist of transparent glazing to the satisfaction of the Development Officer. Linear frontage shall be measured as the horizontal plane at 1.5 m above Grade.
    - A. A maximum of 10% of the glazed area of a commercial frontage may be covered with signs.
  - v. A minimum of 50% of the linear frontage of the residential ground floor façade shall consist of transparent glazing to the satisfaction of the Development Officer. Linear frontage shall be measured as the horizontal plane at 1.5 m above Grade.
  - vi. All Building Facades shall have consistent and harmonious exterior finishing materials such as stone, masonry, metal, wood panels, cement panels, and/or glass.
  - vii. For buildings labelled A-Type above 16 m articulation and buildings.
  - viii. Exterior finishing materials must be durable high quality and appropriate for the development within the context of the block face.
  - ix. All mechanical equipment, including roof mechanical units, surface level venting systems, and transformers shall be concealed by screening in a manner compatible with the architectural character of the buildings.
- c. **Building Relationship to Streets and Amenity Areas**
- i. Weather protection in the form of a canopy or other architectural element with a minimum projection of 1.5 m from the Building Facade shall be provided above any ground floor entrances to create a comfortable environment for pedestrians.
  - ii. Weather protection in the form of a canopy or other architectural element shall be provided adjacent to any ground floor non-Residential uses to create a comfortable environment for pedestrians.
  - iii. Residential Use entrances at-Grade shall be clearly differentiated from non-Residential Use entrances through distinct architectural treatment to the satisfaction of the Development Officer.

- iv. Where non-Residential Uses face a street or Amenity Area (i.e. plaza, seating area or courtyard), they shall be designed to create a pedestrian-friendly environment, which may include such things as entrances, outdoor seating areas, canopies, landscaping, and/or other features that lend visual interest and a human scale to development.
  - v. Sidewalk materials placed on private property shall match the elevation and Grade of the abutting sidewalk on Public Right of Way.
  - vi. Street-oriented Residential Dwellings shall provide individual entrances fronting the public roadway separated by a defined private amenity area, with direct pedestrian access to publicly accessible walkways.
  - vii. Ground-oriented Residential Dwellings shall provide individual entrances fronting the outdoor amenity areas separated by a defined private amenity area.
- d. Streetscape and Pedestrian Circulation
- i. Prior to the issuance of a Development Permit, a comprehensive pedestrian network plan detailing a pedestrian walkway system shall be provided, to the satisfaction of the Development Officer in consultation with Transportation and in general accordance with Appendix IV:
    - A. A minimum of two publicly accessible walkways shall be provided through the Site in the east-west direction, to provide access to the Holyrood LRT stop.
    - B. Publicly accessible walkways shall be a minimum 3.0 m in width, and shall include a minimum 1.8 m unobstructed walkway and a furnishing zone with a minimum width of 1.2 m to accommodate street trees, shrub planting, ornamental grasses, benches, and/or pedestrian scaled lighting, in general accordance with Appendix V: Cross Sections;
    - C. Internal walkways on the Site shall logically connect to publicly accessible walkways and public sidewalks adjacent to the Site;
    - D. Internal walkways shall be a minimum of 1.5 m in width;
    - E. The owner(s) shall register a 24 hour Public Access Easement aligned with all the publicly accessible walkways within the Site in favour of the City of Edmonton.
- e. Lighting
- i. Decorative and security lighting shall be designed and finished in a manner consistent with the architectural theme of the development and shall be provided to ensure a well-lit safe environment for pedestrians and provide security in publicly accessible areas, to the satisfaction of the Development Officer.

## **6.0 Other Regulations**

- a. Prior to the issuance of any Development Permit for any development on the south portion of the adjacent service road, the south portion of the adjacent service road, south of 93 Avenue NW and east of 85 Street NW, shall be closed and consolidated with the abutting site.
- b. Prior to the issuance of a Development Permit for any development on the north portion of the adjacent service road, the north portion of the adjacent service road, north of 93 Avenue NW and east of 85 Street NW, shall be closed and consolidated with the abutting site.
- c. A Wind Impact Study shall be prepared by a qualified, registered Professional Engineer for any new development with a proposed Height over 30.0 m. The Wind Impact Study shall be submitted with the Development Permit application and any mitigation measures that ensure the space is fit for the intended Uses shall be implemented to the satisfaction of the Developer Officer prior to the issuance of the Development Permit.
- d. A Sun Shadow Study shall be submitted with the Development Permit application for any new development or addition to a development with a proposed Height over 30.0 m. The study shall be reviewed by the Development Officer and mitigation measures that ensure the shadow impacts are adequately mitigated to the satisfaction of the Development Officer shall be implemented prior to the issuance of the Development Permit.
- e. Prior to the issuance of any Development Permit, a Crime Prevention through Environmental Design (CPTED) Assessment shall be completed to the satisfaction of the Development Officer.
- f. Notwithstanding the other Development Regulations and Appendices of this Provision, in the event that the owner/developer does not obtain a Development Permit and commence construction of a minimum of one building in Area 2 under a valid Development Permit within 10 years of the passage of the Bylaw adopting this Provision, development within Area 2 shall be in accordance with this Provision, except that:
  - i. the maximum Height shall be 20.0 m; and
  - ii. the maximum number of Dwellings shall be 420.

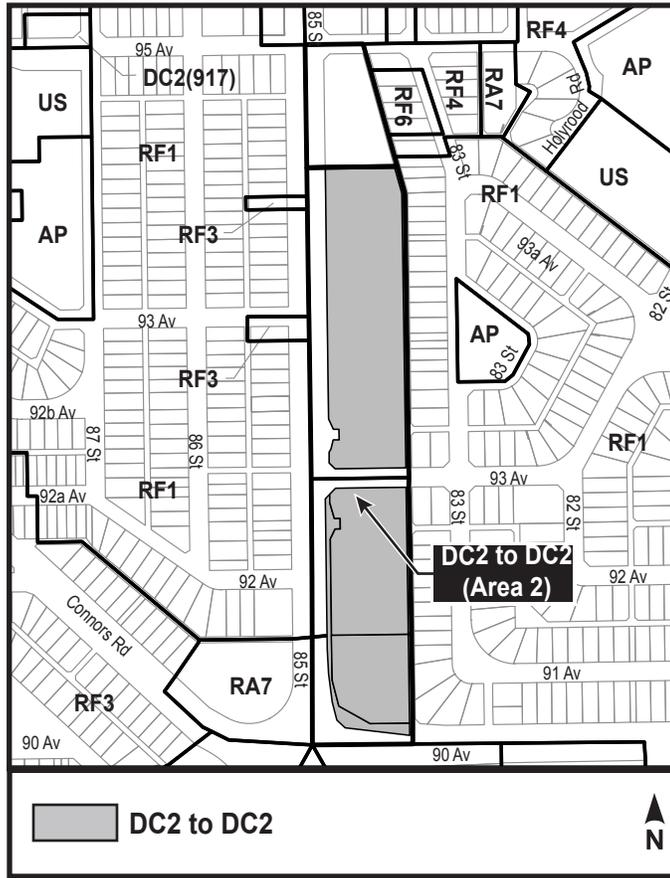
## **7.0 Public Improvements and Contributions**

- a. Prior to the issuance of the Building Permit, the owner shall enter into an agreement to contribute \$50,000 each to the Holyrood and Strathearn Community Leagues for offsite public amenity/improvements, \$35,000 to the Holyrood School, and \$15,000 to the South East Edmonton Seniors Association Activity

Centre (SEESA). This shall be contributed in installments over a maximum 3-year period, commencing upon start of construction of a principal Building.

- b. Prior to the issuance of the 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 five percent of the proposed number of residential units (rounded to the nearest unit) at 85 percent of market value or provide the equivalent value as cash-in-lieu (at the option of the developer) to the City.
- c. Notwithstanding Section 6.1 (38) of the Zoning Bylaw, a minimum of 3% of Dwellings shall have three bedrooms or more, with direct access to a Private Outdoor Amenity Area or balcony.
- d. The owner shall enter into an Agreement with the City of Edmonton, in conjunction with development permit(s), for off-site improvements necessary to serve the development. These off-site improvements shall include, but are not limited to:
  - i. Widening the alley to a standard 6.0 m paved width adjacent to Area 1 with the potential to encroach on the owner's property in some constrained area. This widening shall be applicable to non-constrained areas only and the City shall not request relocation of dedicated infrastructure such as utility transformers.

BYLAW 18178



APPENDIX - 1  
AREAS



AREA 1 & AREA 2



AREA 2



APPENDIX - II  
SITE PLAN



AREA 1 & AREA 2



AREA 2

LEGEND

- A BUILDING TYPE A
- P1 BUILDING TYPE P1
- P2 BUILDING TYPE P2
- T1 BUILDING TYPE T1
- T2 BUILDING TYPE T2
- ACCESS CONTROL
- ↑ SETBACK DIMENSION
- ↓ SETBACK DIMENSION



APPENDIX - III  
VEHICULAR ACCESS & CIRCULATION



AREA 1 & AREA 2



AREA 2

- LEGEND**
- ENCLOSED WASTE AREA & LOADING AREA
  - VEHICULAR CIRCULATION
  - PROPERTY LINE
  - ACCESS CONTROL - ONLY EMERGENCY VEHICLES ALLOWED
  - SURFACE PARKING
  - PRIVATE ROAD / PUBLIC ACCESS EASEMENT (6.0 MIN)
  - EMERGENCY ACCESS ONLY (6.0 MIN)





APPENDIX - V  
CROSS SECTIONS

