

Bylaw 18152

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 2443

WHEREAS Lot 47, Block 22, Plan 4097RS; located at 14540 - 72 Street NW, Kilkenny, Edmonton, Alberta, is specified on the Zoning Map as (RA7) Low Rise Apartment 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 47, Block 22, Plan 4097RS; located at 14540 - 72 Street NW, Kilkenny, Edmonton, Alberta, which lands are shown on the sketch plan attached as Schedule "A", from (RA7) Low Rise Apartment Zone to (DC2) Site Specific Development Control Provision.
2. The uses and regulations of the aforementioned DC2 Provision are attached as Schedule "B".

3. The sketch plan attached as Schedule "A" and the uses and regulations of the DC2 Provision shown on Schedule "B" attached are hereby incorporated into the Zoning Bylaw, being Part IV to Bylaw 12800, The Edmonton Zoning Bylaw.

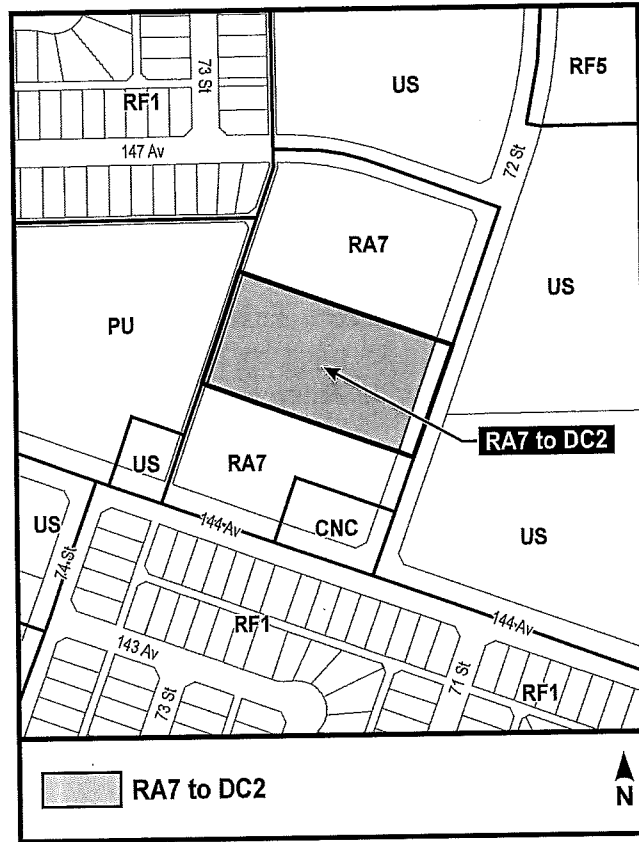
READ a first time this	28th	day of	August	, A. D. 2017;
READ a second time this	28th	day of	August	, A. D. 2017;
READ a third time this	28th	day of	August	, A. D. 2017;
SIGNED and PASSED this	28th	day of	August	, A. D. 2017.

THE CITY OF EDMONTON

  
MAYOR

  
CITY CLERK

BYLAW 18152



**SCHEDULE "B"**

**(DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION**

**1. General Purpose**

To accommodate the development of a mid rise residential building with at Grade Dwellings and limited commercial uses, as a built form that enhances and maintains the pedestrian scale of 72 Street NW.

**2. Area of Application**

This Provision shall apply to Lot 47, Block 22, Plan 4097 RS, as shown on Schedule "A" of the Bylaw adopting this provision, Kilkenny.

**3. Uses**

- a. Apartment Housing
- b. Child Care Services
- c. Community Recreation Services
- d. Convenience Retail Stores
- e. Flea Market
- f. General Retail Stores
- g. Health Services
- h. Minor Home Based Business
- i. Private Education Services
- j. Public Education Services
- k. Residential Sales Centre
- l. Specialty Food Services
- m. Urban Gardens
- n. Facia On-premises Signs
- o. Projecting On-premises Signs
- p. Temporary On-premises Signs

**4. Development Regulations**

- a. The development shall be in general conformance with the attached appendices, to the satisfaction of the Development Officer.
- b. The maximum Floor Area Ratio shall be 2.2.
- c. The maximum Height shall be 25 m.
- d. The maximum number of Dwellings shall be 240.
- e. Setbacks shall be as follows as illustrated in Appendix I:
  - i. Minimum 5.0 m from the north Lot line;
  - ii. Minimum 1.0 m from the east Lot line;
  - iii. Minimum 5.0 m from the south Lot line; and
  - iv. Minimum 6.0 m from the west Lot line.
- f. Apartment Housing and Minor Home Based Business uses shall only be permitted above the first Storey.
- g. The minimum Setback for Apartment Housing above the second floor, from the east Lot line shall be 20.0 m.
- h. The maximum Floor Area for Commercial Uses and Residential-Related Uses shall not exceed 318 m<sup>2</sup>.
- i. Specialty Food Services shall be accessed from 72 Street NW through a separate external building entrance, be limited to one such Use on Site and have a maximum of 60 m<sup>2</sup> of Public Space.
- j. Convenience Retail Stores and General Retail Stores shall be accessed from 72 Street NW through a separate external entrance and each shall be limited to one such Use on Site.
- k. Flea Markets shall be limited to artists markets involving the sale of artisanal handicrafts or other similar type products.
- l. Child Care Services shall be developed in accordance with Section 80 of the Zoning Bylaw, except Child Care Services shall be located in the ground Storey, provide an outdoor play space with a minimum area that is 50% of the Child Care Service Use interior area, and shall be screened and secured by perimeter fencing of at least 1.83 m in height. Additional delineation shall be provided through the use of shrubs or perennial plantings.

- m. Notwithstanding Section 46 of the Zoning Bylaw, a minimum Amenity Area of 7.5 m<sup>2</sup> per Dwelling shall be provided. This may be achieved through the use of balconies, patios, indoor communal amenity spaces and outdoor communal amenity spaces. Outdoor common amenity areas shall be provided in areas of at least 50 m<sup>2</sup>. Amenity Area shall also comply with the following regulations:
  - i. Amenity Area provided as communal recreation space may be provided indoors or outdoors;
  - ii. When Amenity Area is provided as communal recreation space outdoors, it shall be provided in an area that is central to the overall development in a courtyard type configuration; and
  - iii. Patios and balconies with a minimum depth of 1.5 m may be used to satisfy required Amenity Area.
- n. Notwithstanding Section 44 of the Zoning Bylaw, architectural features such as balconies and roof projections may project into required Setbacks to a maximum of 1.5 m.
- o. A minimum of 35 at Grade Dwellings shall be Family Oriented Dwellings.
- p. Signs shall be developed in accordance with the General Provisions of Section 59 and Schedule 59B of the Zoning Bylaw.
- q. Temporary On-premises Signs shall exclude trailer mounted signs and/or signs with changeable copy.
- r. A Sun Shadow Impact Study shall be prepared by a qualified, registered Professional Engineer or Architect, to professional standards and be submitted with the Development Permit Application for a principal building.
- s. A Crime Prevention through Environmental Design (CPTED) assessment shall be submitted, reviewed and accepted by the Development Officer prior to the issuance of the Development Permit to ensure that the development of the Site provides a safe and urban environment in accordance with the guidelines and principles established in the Design Guide for the Safer City.

## **5. Parking and Loading**

- a. A minimum of 185, to a maximum of 235, off-street vehicular parking spaces for Residential uses shall be provide within a below Grade Parking Garage, to the satisfaction of the Development Officer.
- b. A minimum of 35 Visitor and Commercial parking spaces shall be provided at Grade and shall be combined in a shared parking pool, located as generally shown in Appendix A.

- c. Vehicular access and egress from underground parking shall be provided off the Lane abutting the west Lot line, to the satisfaction of the Development Officer in consultation with Transportation.
- d. Notwithstanding Section 54.4 of the Zoning Bylaw, a minimum of 1 off-street vehicular loading space shall be provided at Grade.
- e. Vehicular access and egress shall be as conceptually shown in Appendix A.
- f. Landscape enhancements shall be incorporated to improve aesthetics of at Grade parking area, to the satisfaction of the Development Officer. Enhancements may include perennials, trees, and/or shrubs.
- g. Notwithstanding Section 54.3, Schedule 2, a minimum of 50 Bicycle Parking Spaces shall be provided and located on Site in a secure enclosed area within or attached to the principle building that is easily accessible to cyclists via access ramps, or a route through the building which facilitates easy and efficient transportation of bicycles, to the satisfaction of the Development Officer.
- h. Notwithstanding Section 54.3, each Bicycle Parking space shall be a minimum of 0.4 m in width with a minimum clear length of 1.8 m. Bicycle Parking spaces shall have a minimum vertical clearance of 1.2 m.
- i. The underground driveway ramp must not exceed a slope of 6% for a minimum distance of 4.5 m inside the Lot line, or be to the satisfaction of the Development Officer in consultation with Transportation. The ramp must be at Grade at the Lot line.
- j. Any underground parking access card devices must be located on Site, a minimum of 3 m inside the Lot line.
- k. Retaining walls bordering the underground driveway/Parking Garage ramp, must not exceed a height of 0.3 m for a distance of 3 m from the Lot line and no portion of the wall may encroach onto road right-of-way. If this cannot be achieved, adequate sight lines shall be maintained for vehicles entering and exiting the underground parkade, to the satisfaction of the Development Officer in consultation with Transportation.
- l. Parking Garage(s) developed below Grade shall be permitted to be built to the Lot lines, provided the soil above is of sufficient depth to support required Landscaping, to the satisfaction of the Development Officer. The Development Officer shall condition the Development Permit for excavation and construction of the below Grade parkade to protect encroachment on the abutting properties or road right-of-way, unless the appropriate agreements for such encroachments are entered into.

- m. Any waste collection or outdoor storage area, shall be located adjacent to the Lane abutting the west Lot line or the north and south Lot lines. Landscape enhancements, as shown in Appendix B, shall be incorporated to improve aesthetics of waste collection areas abutting the north and south Lot lines, to the satisfaction of the Development Officer in consultation with Waste Management.
- n. All mechanical equipment, including roof mechanical units, surface level venting systems, and transformers shall be concealed by screening through landscape enhancements or in a manner compatible with the architectural character of the building. They may also be concealed by incorporating them within the building framework and be oriented to minimize negative impacts on Amenity Areas, public roadways other than Lanes, and surrounding properties.

## **6. Landscaping**

- a. Landscaping shall be provided in accordance with Section 55 of the Zoning Bylaw, and shall be developed in general conformance with Appendix B.
- b. Landscaping Plans shall incorporate native and/or drought tolerant species into the Landscaping design and shall consider the use of plant material that provides colour and texture throughout the year.
- c. A minimum 1.83 m high decorative screen fence shall be provided for the full length of the north and south Lot line, except within the east Setback from 72 Street NW and it shall not exceed 0.3 m in Height within 3.0 m of the west Lane, to the satisfaction of the Development Officer.

## **7. Urban Design Regulations**

- a. The development shall be finished with durable high quality materials. The contextual fit, design proportion, quality, texture, and application of various finishing materials shall be to the satisfaction of the Development Officer.
- b. The use of vinyl siding and Portland cement stucco as a finishing material shall be prohibited.
- c. All ground Storey Residential Dwellings shall be articulated as individual units with individual exterior entrances and have a semi-private Amenity Area in front of each at-grade Dwelling exterior entrance that shall be provided in a manner that establishes a transition area between the Amenity Area and the adjacent roadway. This shall be achieved by 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.

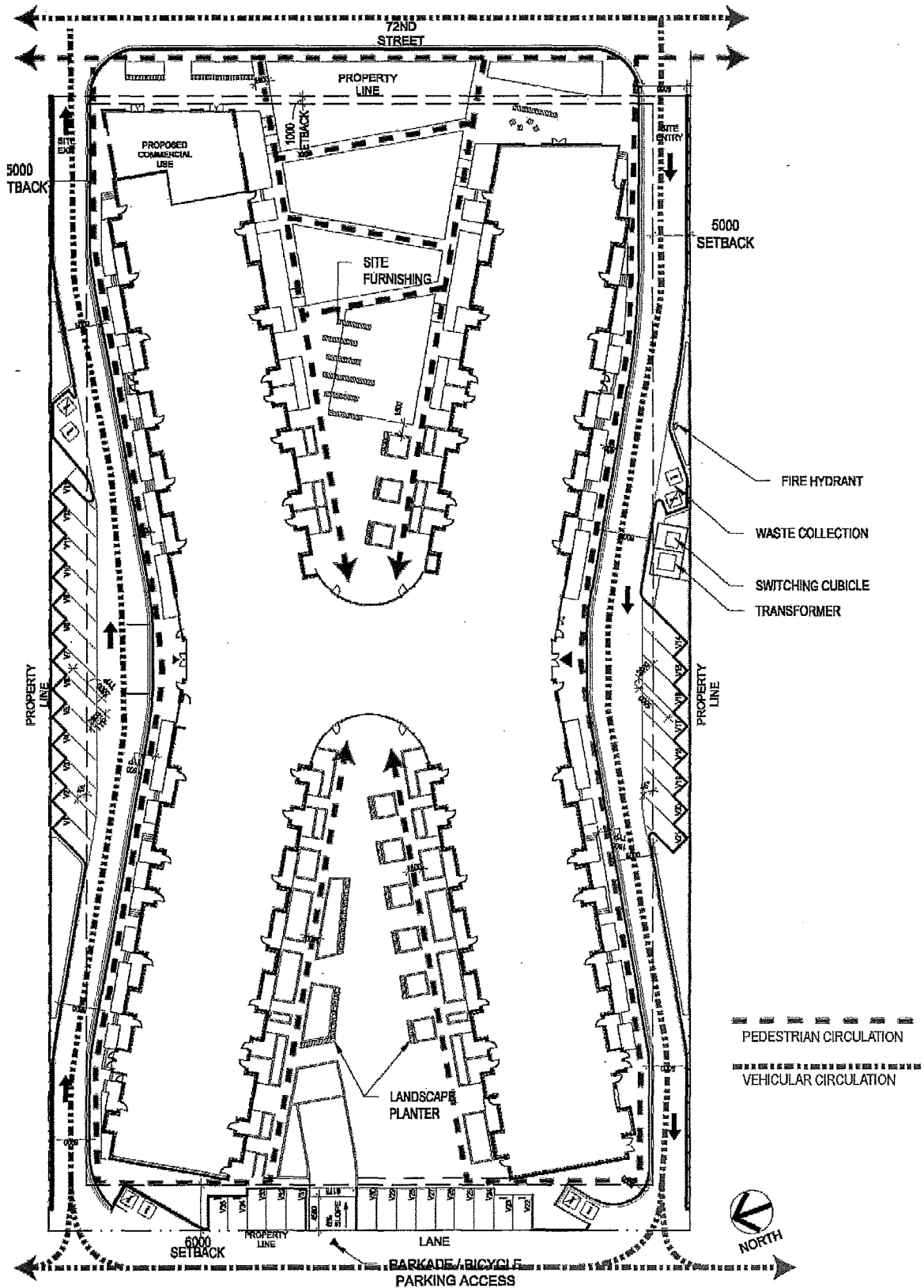


- d. Decorative and security lighting shall be designed and finished in a manner consistent with the design and finishing of the development and shall be provided to ensure a well-lit environment for pedestrians in accordance with Section 58 of the Zoning Bylaw and to highlight the development at night time, to the satisfaction of the Development Officer.
- e. Night-time light pollution shall be reduced by avoiding over-illumination of the development and by using exterior lighting fixtures that are full cut-off in design which direct light downward, to ensure illumination does not extend beyond the boundaries of the development Site in accordance with Section 51 of the Zoning Bylaw.

**8. Off-Site Improvements**

- a. As a condition of a Development Permit, the owner shall enter in to an Agreement with the City of Edmonton for off-Site improvements. Improvements shall be constructed at the owner's expense. The agreement shall include an engineering drawing review and approval process. Improvements to be addressed in the agreement shall include but are not limited to:
  - i. Planting boulevard trees along 72 Street NW directly adjacent to the Site, to the satisfaction of the Development Officer in consultation with Transportation. Detailed Landscaping plans, including any existing and proposed utilities within the road right-of-way, must be submitted with the Development Permit application for review and approval by the Development Officer in consultation with Transportation and Forestry.
  - ii. Reconstructing the Lane serving the development to a residential standard, with a paved surface the full width of the Lane, from the subject Site's northern Lot line to the southern Lot line, to the satisfaction of the Development Officer, in consultation with Transportation.
  - iii. Constructing and upgrading the eastbound and westbound accesses along the eastern Lot line, from the subject Site's Lot line to 72 Street NW, to the satisfaction of the Development Officer, in consultation with Transportation.

# Appendix A – Site Plan



# Appendix B – Landscape Plan

