

Charter Bylaw 20301

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 3550

WHEREAS the lands shown on Schedule "A" and legally described on Schedule "B", located along 96 Street NW, between Jasper Avenue NW and 103a Avenue NW, Boyle Street, 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 on Schedule "B", located along 96 Street NW, between Jasper Avenue NW and 103a Avenue NW, Boyle Street, Edmonton, Alberta, which lands are shown on the sketch plan attached 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 "C".

3. The sketch plan attached as Schedule "A" and the uses and regulations of the DC1 Provision shown on Schedule "C" attached are hereby incorporated into the Zoning Bylaw, being Part IV to Bylaw 12800, The Edmonton Zoning Bylaw.

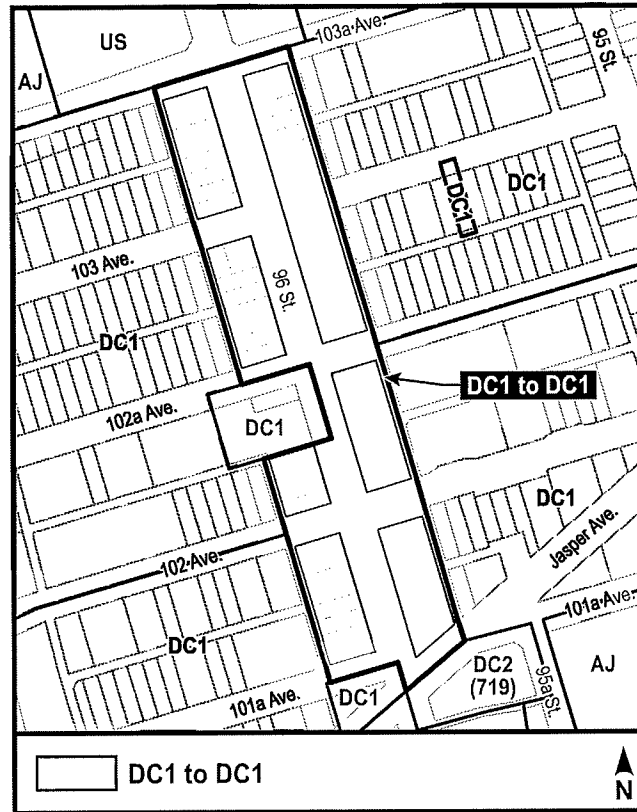
READ a first time this	18th day of October	, A. D. 2022;
READ a second time this	18th day of October	, A. D. 2022;
READ a third time this	18th day of October	, A. D. 2022;
SIGNED and PASSED this	18th day of October	, A. D. 2022.

THE CITY OF EDMONTON


MAYOR


CITY CLERK

CHARTER BYLAW 20301



<u>LEGAL</u>	<u>ADDRESS</u>	<u>TO</u>
Plan ND Blk 3 Lot 1,2	10134 - 96 STREET NW	DC1
Plan ND Blk 3 Lot 3	10146 - 96 STREET NW	DC1
Plan ND Blk 3 Lot 4	10152 - 96 STREET NW	DC1
Plan ND Blk 3 Lot 5,6	10152 - 96 STREET NW	DC1
Plan ND Blk 3 Lot 7,8	10164 - 96 STREET NW	DC1
Plan 1821372 Blk 5 Lot 48	10203 - 96 STREET NW	DC1
Plan ND Blk 6 Lot 1	10204 - 96 STREET NW	DC1
Plan ND Blk 6 Lot 1,2,3,4	10212 - 96 STREET NW	DC1
Plan ND Blk 7 Lot 2	10240 - 96 STREET NW	DC1
Plan 1922596 Blk 8 Lot 25	10245 - 96 STREET NW	DC1
Plan ND Blk 7 Lot 3,4	10246 - 96 STREET NW	DC1
Plan ND Blk 7 Lot 5	10256 - 96 STREET NW	DC1
Plan ND Blk 7 Lot 6	10260 - 96 STREET NW	DC1
Plan ND Blk 7 Lot 7,8	10266 - 96 STREET NW	DC1
Plan ND Blk 10 Lot 2	10308 - 96 STREET NW	DC1
Plan ND Blk 10 Lot 3	10312 - 96 STREET NW	DC1
Plan ND Blk 9 Lot 27	10315 - 96 STREET NW	DC1
Plan ND Blk 10 Lot 4	10316 - 96 STREET NW	DC1
Plan ND Blk 10 Lot 5,6	10318 - 96 STREET NW	DC1
Plan ND Blk 10 Lot 5	10318A - 96 STREET NW	DC1
Plan ND Blk 9 Lot 26	10319U - 96 STREET NW	DC1
Plan ND Blk 9 Lot 26	10321 - 96 STREET NW	DC1
Plan ND Blk 9 Lot 25	10325 - 96 STREET NW	DC1
Plan ND Blk 9 Lot 23,24	10329 - 96 STREET NW	DC1
Plan ND Blk 10 Lot 7,8	10334 - 96 STREET NW	DC1
Plan 1323656 Blk 4 Lot 1	9576 - JASPER AVENUE NW	DC1
Plan ND Blk 3 Lot 1	9604 - 101A AVENUE NW	DC1
Plan ND Blk 10 Lot 1	9604 - 103 AVENUE NW	DC1
Plan ND Blk 7 Lot 7,8	9609 - 103 AVENUE NW	DC1
Plan ND Blk 7 Lot 1	9610 - 102A AVENUE NW	DC1

SCHEDULE "C"

(DC1) DIRECT DEVELOPMENT CONTROL PROVISION**(AQ) THE ARMATURE QUARTER AREA 1, 2, & 3**

1. General purpose

The purpose of this Provision is to accommodate mid- and high-rise mixed-Use (but predominantly residential) development with active retail and residential street Frontages that is pedestrian friendly and compatible in scale, function, built form and design with surrounding developments and open space and/or accessible public assembly space for passive and active Use, all in accordance with Section 860 of the Zoning Bylaw, The Quarters Downtown Area Redevelopment Plan and The Quarters Downtown Urban Design Plan.

2. Area of Application

This Provision shall apply to Area 1, Area 2, and Area 3 as shown on Appendix I.

3. Uses

- a. Apartment Hotels
- b. Bars and Neighbourhood Pubs
- c. Breweries, Wineries and Distilleries
- d. Business Support Services
- e. Cannabis Retail Sales
- f. Carnivals
- g. Child Care Services
- h. Commercial Schools
- i. Community Recreation Services
- j. Convenience Retail Stores
- k. Creation and Production Establishments

- l. Equipment Rentals
- m. General Retail Stores
- n. Health Services
- o. Hotels
- p. Household Repair Services
- q. Indoor Participant Recreation Services
- r. Liquor Stores
- s. Live-Work Unit
- t. Lodging Houses
- u. Major Home Based Business
- v. Market
- w. Media Studios
- x. Minor Amusement Establishment
- y. Minor Home Based Business
- z. Multi-unit Housing
- aa. Nightclubs
- bb. Personal Service Shops
- cc. Private Clubs
- dd. Professional, Financial and Office Support Services
- ee. Public Libraries and Cultural Events
- ff. Public Park
- gg. Residential Sales Centre
- hh. Restaurants
- ii. Specialty Food Services
- jj. Special Event

- kk. Spectator Entertainment Establishments
- ll. Supportive Housing restricted to Limited Supportive Housing
- mm. Urban Gardens
- nn. Urban Indoor Farms
- oo. Urban Outdoor Farms
- pp. Veterinary Services
- qq. Fascia On-premises Signs
- rr. Freestanding On-premises Signs
- ss. Projecting On-premises Signs
- tt. Temporary On-premises Signs

4. Development Regulations

- a. The minimum building Height shall not be less than 11.0 m
- b. The maximum building Height within Area 1 shall not exceed 52.0 m, subject to Section 860 of the Zoning Bylaw.
- c. The maximum building Height within Area 2 shall not exceed 40.0 m subject to Section 860 of the Zoning Bylaw.
- d. The maximum building Height within Area 3 shall not exceed 23.0 m, subject to Section 860 of the Zoning Bylaw.
- e. The minimum Floor Area Ratio shall be 3.0 subject to Section 860 of the Zoning Bylaw.
- f. The maximum Floor Area Ratio within Area 1 shall be 8.75 subject to Section 860 of the Zoning Bylaw.
- g. The maximum Floor Area Ratio within Area 2 shall be 6.5 subject to Section 860 of the Zoning Bylaw.
- h. The maximum Floor Area Ratio within Area 3 shall be 4.5 subject to Section 860 of the Zoning Bylaw.
- i. Lodging Houses shall not isolate an adjacent Site within this Zone of less than 800 m².

- j. Equipment Rentals shall be fully enclosed within a building.
- k. General Retail Stores shall not exceed a capacity of 750 m² of gross Floor Area.
- l. Minor Amusement Establishments shall only be permitted as an Accessory Use to a Restaurant.
- m. The first floor of any Frontage, including the associated entranceway, shall have a maximum ground level separation of 1.2 m from any Abutting public sidewalk.
- n. Notwithstanding the Incentive System provided for in Section 860 of the Zoning Bylaw, prior to the issuance of a Development Permit for any base level development, except for within Area 1, 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% of the proposed number of residential units at 85% of the list price, or to provide the equivalent value as cash-in-lieu to the City, or as prescribed in any future City of Edmonton Affordable Housing Policy initiatives as prescribed by City Council.
- o. Notwithstanding the Incentive System provided for in Section 860 of the Zoning Bylaw, prior to issuance of any Development Permit for a Multi-Unit Housing and/or Lodging Houses Use within Area 1, the Development Officer shall ensure that an affordable housing agreement has been executed between the City and the owner, and that a caveat has been registered with respect to the affordable housing agreement against the title to the land, confirming that a minimum of 5% of the Dwellings or Sleeping Units shall be operated as affordable housing with rents not more than 85% of market rates for a period of 10 years. The caveat shall remain registered against title until the Development Officer is satisfied that, at the option of the owner, either:
 - i. a minimum of 5% of the Dwellings or Sleeping Units have been operated as affordable housing with rents not more than 85% of market rates for a period of 10 years; or
 - ii. payment of a cash in lieu contribution of \$262,500, equivalent to 0.75% of the original construction value of the entire facility, has been paid by the owner to the City.

If the foregoing affordable housing agreement is not executed within 24 months of the passage of the Charter Bylaw adopting this provision, or there is substantial breach of the affordable housing agreement, a cash in lieu contribution

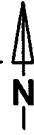
to the City of \$262,500, equivalent to 0.75% of the original construction value of the entire facility, shall be immediately due and payable by the owner to the City.


- p. Within Area 1 and 2, the applicant and/or owner shall provide proof satisfactory to the Development Officer in consultation with Alberta Environment, Alberta Health, and the City of Edmonton Subdivision and Development Coordination (Transportation) that, if necessary, the land has been remediated to allow for the intended Uses, excepting the parkade excavation Building Permit. The Development Officer shall not physically release the Development Permit for the purposes of a Building Permit until this condition has been adequately satisfied through sign-off letters from the reviewing agencies.
- q. Within Area 1, an updated Transportation Impact Assessment shall be provided prior to the issuance of any Development Permit. The issuance of any Development Permit for the site is subject to there being sufficient capacity on the adjacent roadway network, as well as adequate access via the adjacent alley to accommodate the traffic associated with the development, and shall be to the satisfaction of the Development Officer and Subdivision and Development Coordination (Transportation).
- r. Within Area 3, Residential and Live Work Units shall occupy no less than 33.3% of the Floor Area in any new building.
- s. Parking shall be provided in accordance with Section 860 of the Zoning Bylaw.
- t. Signage
 - i. Signs shall be provided in accordance with Section 59 and Schedule 59B of the Zoning Bylaw.
 - ii. Temporary On-premises Signs shall be limited to project advertising and residential sale purposes only. Trailer mounted signs and/or signs with Changeable Copy shall not be permitted.
 - iii. Freestanding Signs shall be limited to neighbourhood identification signage.

5. Urban Design Regulations

- a. Site Planning shall be in accordance with the Quarters Downtown Urban Design Plan.
- b. Setbacks:
 - i. East of 96 Street NW, no building Setbacks are required.

- ii. West of 96 Street NW, no Setbacks are required except a minimum 1.0 m Setback shall be required from any Lot line Abutting a Lane for each Storey of building Height.
- c. Stepbacks:
 - i. No Stepbacks are required for buildings adjacent to avenues.
 - ii. For buildings adjacent to the east side of 96 Street NW within Area 3, a minimum 3.0 m Stepback shall be provided at approximately 7.0 m OR 11.0 m building Height.
 - iii. For buildings adjacent to the west side of 96 Street NW, two Stepbacks, a minimum 3.0 m each shall be provided at approximately 7.0 m and 14.0 m of building Height.
 - iv. For buildings adjacent to the Lane west side of 96 Street NW, a Stepback may be required at approximately 11.0 m of building Height.
 - v. At the discretion of the Development Officer, Stepbacks may be required adjacent to Lot lines internal to a block having regard to the character of the surrounding built form, the objectives of the Quarters Downtown Urban Design Plan and Crime Prevention Through Environmental Design principles.
- d. Building entrances shall be developed in accordance with Section 860 of the Zoning Bylaw.
- e. Weather protection shall be provided in accordance with Section 860 of the Zoning Bylaw.
- f. Architectural control shall be in accordance with Section 860 of the Zoning.



-  The Armature Quarter Sub-Areas
- The Quarters Downtown Overlay Boundary