

Charter Bylaw 20169

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 3481

WHEREAS Lots 92-95, Block 2, Plan NB; located at 10209 - 100 Avenue NW, Downtown, Edmonton, Alberta, is specified on the Zoning Map as (RMU) Residential Mixed Use 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 Lots 92-95, Block 2, Plan NB; located at 10209 - 100 Avenue NW, Downtown, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (RMU) Residential Mixed Use 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.

4. The Edmonton Zoning Bylaw is hereby further amended by deleting Appendix 2 to Section 910, the "Downtown Maximum Floor Area Ratio" and replacing it with the "Downtown Maximum Floor Area Ratio" attached hereto as Schedule "C" and forming part of this Bylaw.

5. The Edmonton Zoning Bylaw is hereby further amended by deleting Appendix 3 to Section 910, the "Downtown Maximum Height Map" and replacing it with the "Downtown Maximum Height Map" attached hereto as Schedule "D" and forming part of this Bylaw.

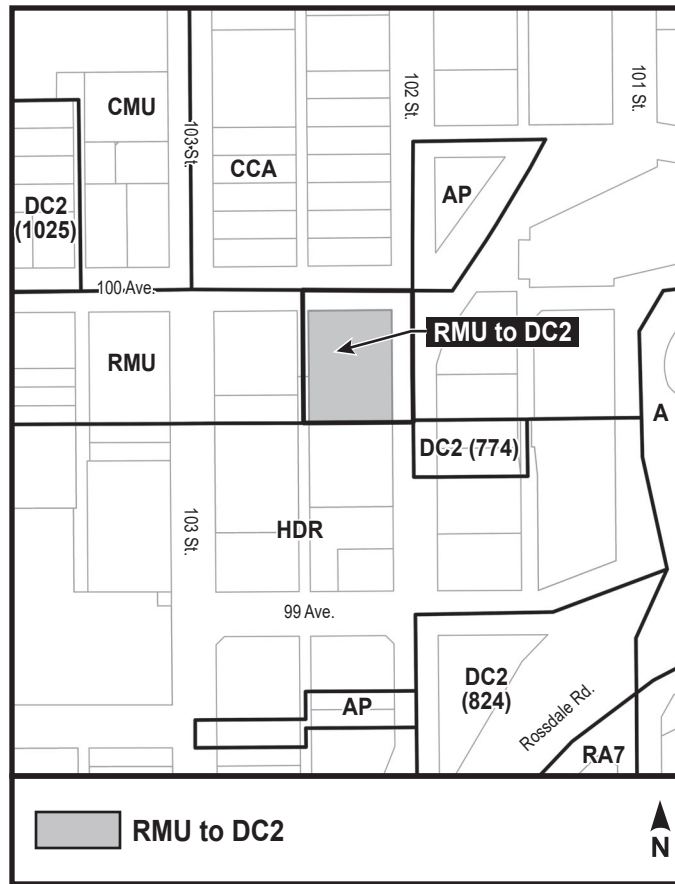
READ a first time this	day of	, A. D. 2022;
READ a second time this	day of	, A. D. 2022;
READ a third time this	day of	, A. D. 2022;
SIGNED and PASSED this	day of	, A. D. 2022.

THE CITY OF EDMONTON

MAYOR

CITY CLERK

CHARTER BYLAW 20169



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

The purpose of this zone is to provide for a 6-storey multi-family residential development with one level of structured parking. The development will be designed in a manner that is sensitive to the street environment to enhance the vibrancy of 100 Avenue and Bellamy Hill Road.

2. Area of Application

The provision shall apply to the lands legally described as Lots 92-95, Block 2, Plan NB, located at 10209 – 100 Avenue NW, as shown in Schedule A of the Charter Bylaw adopting this Provision, Downtown.

3. Uses

- a. Apartment Hotels
- b. Hotels
- c. Lodging Houses
- d. Major Home Based Business
- e. Minor Home Based Business
- f. Multi-unit Housing
- g. Residential Sales Centre
- h. Supportive Housing
- i. Urban Gardens
- j. Urban Indoor Farms
- k. Urban Outdoor Farms
- l. Fascia On-premises Signs
- m. Projecting 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 regulations found in Schedule 59B of the Zoning Bylaw.

- c. Urban Indoor Farms shall only be located in a converted underground Parking Garage and only be permitted if the owner can demonstrate, through a Parking Impact Assessment or Parking Justification to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation), that the current parking utilization on Site is less than provided. Any surplus may then be approved for Use as Urban Indoor Farms.

5. Development Regulations For Site Layout and Built Form

- a. Development shall be in general conformance with the attached Appendices to the satisfaction of the Development Officer.
- b. The maximum Height shall be 35.0 m and shall be determined by measuring the horizontal plane through Grade to the midpoint of the highest parapet.
- c. The Development Officer shall determine Grade from the lowest elevation point of the site, being the south east corner.
- d. The maximum Floor Area Ratio shall be 4.0. Floor Area exclusively used for Vehicle Parking, Storage or Service to the building, or Urban Indoor Farms shall not be included in Floor Area Ratio calculations.
- e. The maximum number of Dwellings shall be 215.
- f. Minimum Setbacks for the building shall be:
 - i. 1.5 m from the north Lot line;
 - ii. 6.0 m from the south Lot line;
 - iii. 3.0 from the east Lot line; and
 - iv. 5.0 m from the west Lot line.
- g. Architectural features such as roof projections may project 1.5 m into the required Setbacks.
- h. The portions of the structured Parking Garage shall not be subject to required Setbacks and can extend to all Lot lines provided there is sufficient soil capacity to support the required Landscaping. Any tie-backs to the structured Parking Garage that

extend into road right-of-way shall be a minimum of 6 m below Grade at the corresponding Lot line.

- i. Platform Structures in the form of balconies with a minimum depth of 1.2 m may be used to satisfy required Amenity Area and may project into Setbacks.

6. Development Regulations for Building Design and Features

- a. Exterior building materials shall be durable, high quality and appropriate for the development within the context of the immediately surrounding neighbourhood, including, but not limited to: masonry, stone, brick, EIFS, cladding, paneling, and/or glazing.
- b. The first three storeys of the south Facade shall be distinguishable from the main body of the building above by using predominantly brick as an exterior cladding material and shall be further animated by the use of lintel details above the windows.
- c. Public realm interface along 100 Avenue:
 - i. The exterior building materials for the ground level storey shall incorporate distinctive architectural elements through the predominant use of brick and stone that distinguish this storey from the main body of the building above. These materials shall wrap along the west Facade of the building for a minimum of 6 m.
 - ii. The two most westerly ground floor dwellings fronting onto 100 Avenue shall have individual entrances and provide for transition areas by using such features as, but not limited to verandas, porches, staircases, decorative fencing, and / or planters; and
 - iii. The principal building entrance shall be recessed and clearly visible and distinguishable through the use of a canopy feature.
- d. Public realm interface with Bellamy Hill:
 - i. A paved pathway shall be provided from the south-facing entrance to Bellamy Hill; and
 - ii. The south-facing entrance shall be clearly visible and distinguishable from Bellamy Hill through the use of a glass door, canopy feature and lighting.

- e. A transition area between the public roadways (Bellamy Hill Road and 100 Avenue) shall be provided by using landscape features such as decorative fencing, change in grade, planters, shrub beds, rock gardens and/or built elements. Special attention shall be provided to the tree planting along Bellamy Hill, such that the portion of the east Facade that contains parking is appropriately screened.
- f. All mechanical equipment, including ground level Parking Garage 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.
- g. Any portion of the Parking Garage fronting east or south which is not wrapped with active Residential Uses shall be screened from external view so as to ensure vehicles within the structure are not visible, to the satisfaction of the Development Officer. The predominant external cladding materials used for these portions of the south and east Facades shall be metal, vertical fins.

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

- a. Vehicular access to the structure Parking Garage shall be provided from the abutting Lane.
- b. Accessory vehicular parking and Non-Accessory vehicular parking for Non-Residential and Non Residential-Related Uses may share parking spaces with residential Use and residential visitor parking spaces through an owner operated parking management program.
- c. Bicycle parking shall be provided in accordance with Section 54 of the Zoning Bylaw, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation), and the following:
 - i. Bicycle Parking shall be provided at a minimum rate of 0.5 spaces per Dwelling;
 - ii. Bicycle Parking spaces shall be provided in a safe and 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; and

- iii. A minimum of 10 short term Bicycle Parking spaces shall be provided for visitors at ground level in a highly visible location.
 - iv. Vertical or stacked racks may be used to satisfy the Bicycle Parking requirements if it can be demonstrated that they can be safely and efficiently used, to the satisfaction of the Development Officer in consultation with the appropriate City Department
- d. An easily accessible storage rack capable of holding a minimum of one bicycle shall be provided within the suite for a minimum of 50% of the Dwellings, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation).
- e. Storage and waste collection areas shall be located within the building such that they are not visible from 100 Avenue NW or Bellamy Hill Road NW. The waste collection area shall be accessed from the abutting Lane.
- f. Prior to issuance of a Development Permit for a principle building, the owner will be required to register an easement to accommodate the turning maneuvers of waste management vehicles, as illustrated on Appendix A, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation) and Waste Services. The easement shall stipulate that the easement area will remain free and clear of obstructions.
- g. Notwithstanding zoning bylaw 54.6.1, there shall be no requirement for on-site loading facilities.

8. Development Regulations for Landscaping, Lighting and Amenity Areas

- a. A minimum Amenity Area of 2.5 m² per Dwelling shall be provided. This may be achieved through the use of Platform Structures, Rooftop Terraces, and outdoor and indoor Common Amenity Areas such as communal lounges and fitness areas.
- b. Landscaping shall be provided in general accordance with Section 55.3 of City of Edmonton Zoning Bylaw 12800. Notwithstanding this, the provisions of Section 55.3(1)(c)(i) of City of Edmonton Zoning Bylaw 12800, shall not apply.
- c. A detailed Landscape Plan, prepared by a registered Alberta Association of Landscape Architects (AALA) landscape architect, for the Site, shall be submitted for review and approval by the Development Officer, prior to the issuance of any Development Permit, except for a permit for excavation or shoring.

- d. Landscaping proposed on City property is required to meet the City of Edmonton Design and Construction Standards. Detailed landscaping plans shall be submitted to Subdivision and Development Coordination for review and approval for landscaping proposed on City property.
- e. 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.
- f. Prior to the issuance of a Development Permit, a detailed exterior lighting plan showing location and detail of outdoor lighting shall be provided that demonstrates that decorative and security lighting is 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, to accentuate artwork and building elements, and to highlight the development at night time and in winter months. The lighting plan should also mitigate negative impacts on adjacent properties.
- g. The setback area along 100 Avenue NW, including useable outdoor spaces, shall continue the public sidewalk paving materials, finish, and pattern.

9. Other Regulations

- a. 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 10 years of the passage of the Bylaw adopting this Provision, development of the Site shall be in accordance with this Provision, except that the maximum density shall be 500 Dwellings/ha.
- b. 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 100 Avenue 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

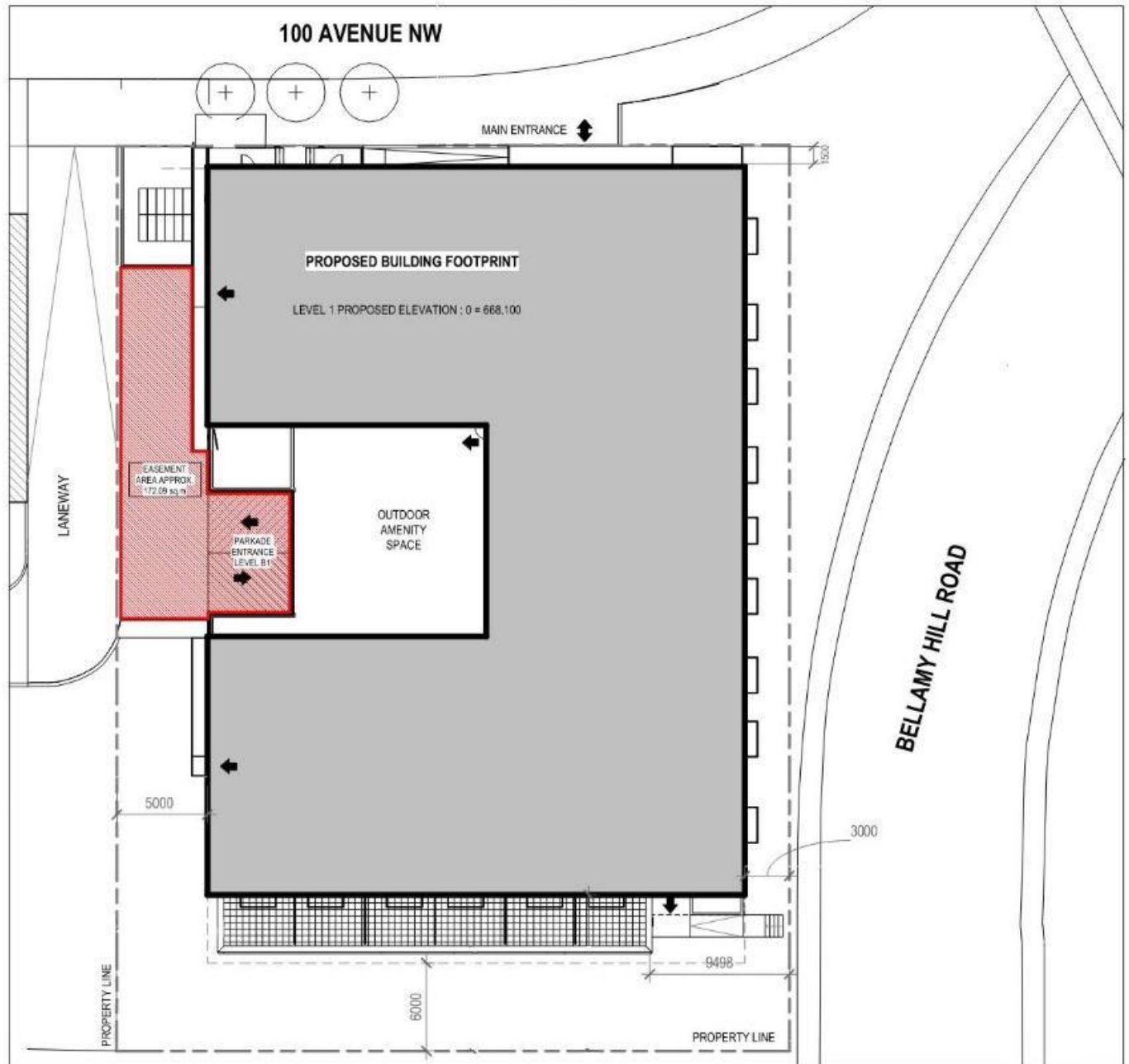
- the City for the value of the tree being removed. If required by the Development Officer, each tree removed shall be replaced by a new tree in an enhanced growing soil medium in the form of soil cells or continuous trenches, at the cost of the owner; or
- ii. the arborist report indicates that the 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.
- c. Prior to the issuance of a Development Permit for any buildings greater than 20.0 m in Height, a Wind Impact Statement 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 Statement.
- d. 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, increase sightlines and use; 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.

10. Public Improvements and Contributions

- a. As a condition of a Development Permit for construction of a principal building, the owner shall enter into an Agreement with the City of Edmonton for off-Site improvements necessary to serve the development, such improvements to be constructed at the owner's cost. The Agreement process includes an engineering drawing review and approval process, and be designed to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation). Improvements to address in the Agreement include, but are not limited to:

- i. Resurfacing of the north-south Lane abutting the Site within the available right-of-way;
- 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, to the satisfaction of Subdivision and Development Coordination (Transportation);
- iii. The storm and sanitary drainage systems required to service the development, including 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 City Planning (Drainage);
- iv. Off-site landscaping improvements which shall include, but not be limited to the inclusion of planters, street trees, hard landscaping and soft landscaping;
- v. Replacement of any street furniture including lamps, benches, bollards or planters, that are removed/damaged for construction and shall match the 100 Avenue/Heritage Trail streetscaping standards for style and frequency; and
- vi. Removal of the existing 100 Avenue vehicular access and restoration of the public realm that matches the Heritage Trail Street streetscaping standards in terms of paving materials, finish, and pattern.

Appendix A – Site Plan



Appendix B – Conceptual Landscape Plan



Appendix C – Elevations



East Elevation



North Elevation



South Elevation

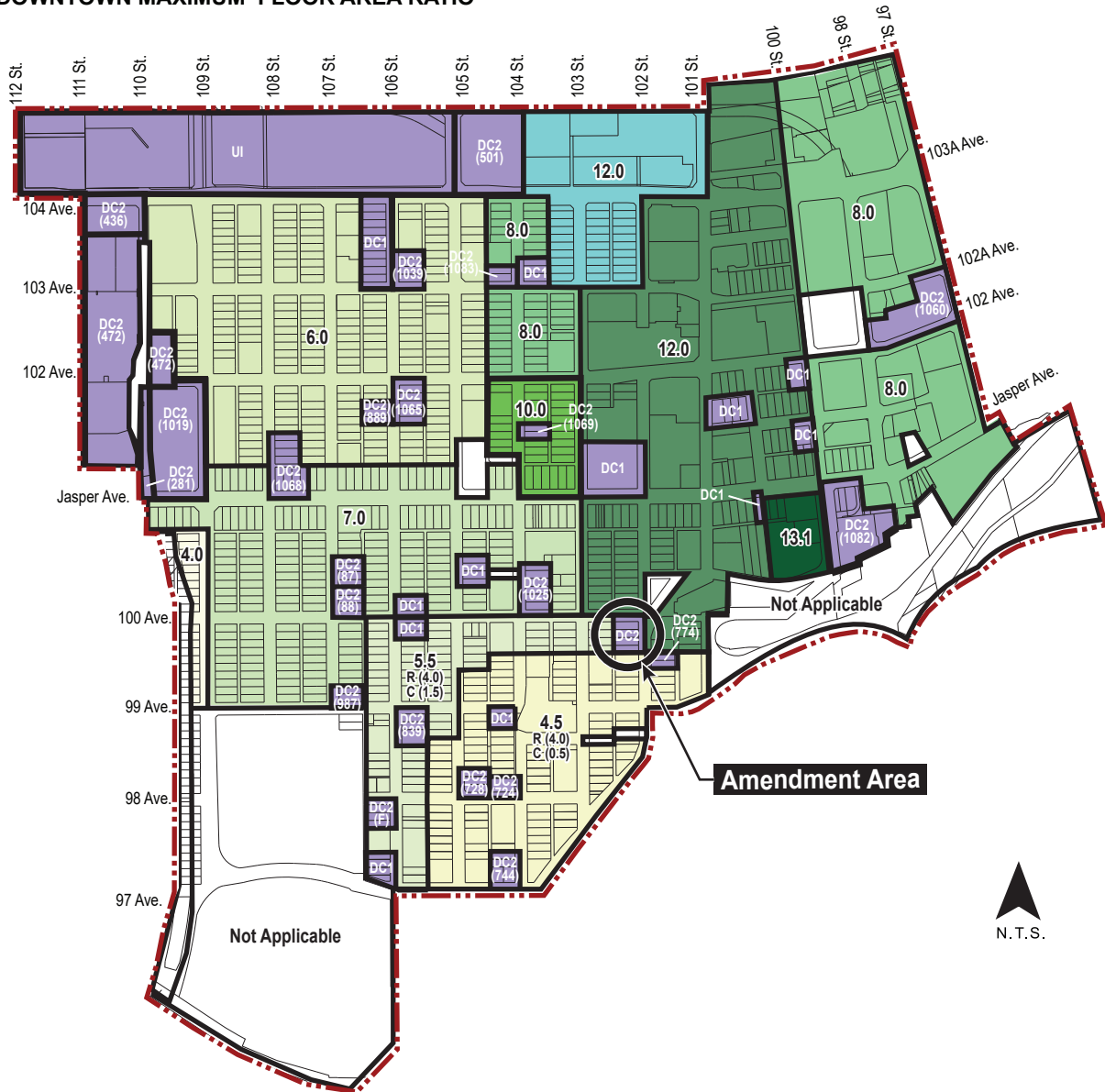


West Elevation



Special Area, Downtown

Appendix 2 to Section 910 of Bylaw 12800 as amended by Bylaw 15202 and subsequent appropriate Bylaws.
(amended for Charter Bylaw 20169 on July 5, 2022)

DOWNTOWN MAXIMUM FLOOR AREA RATIO



Legend

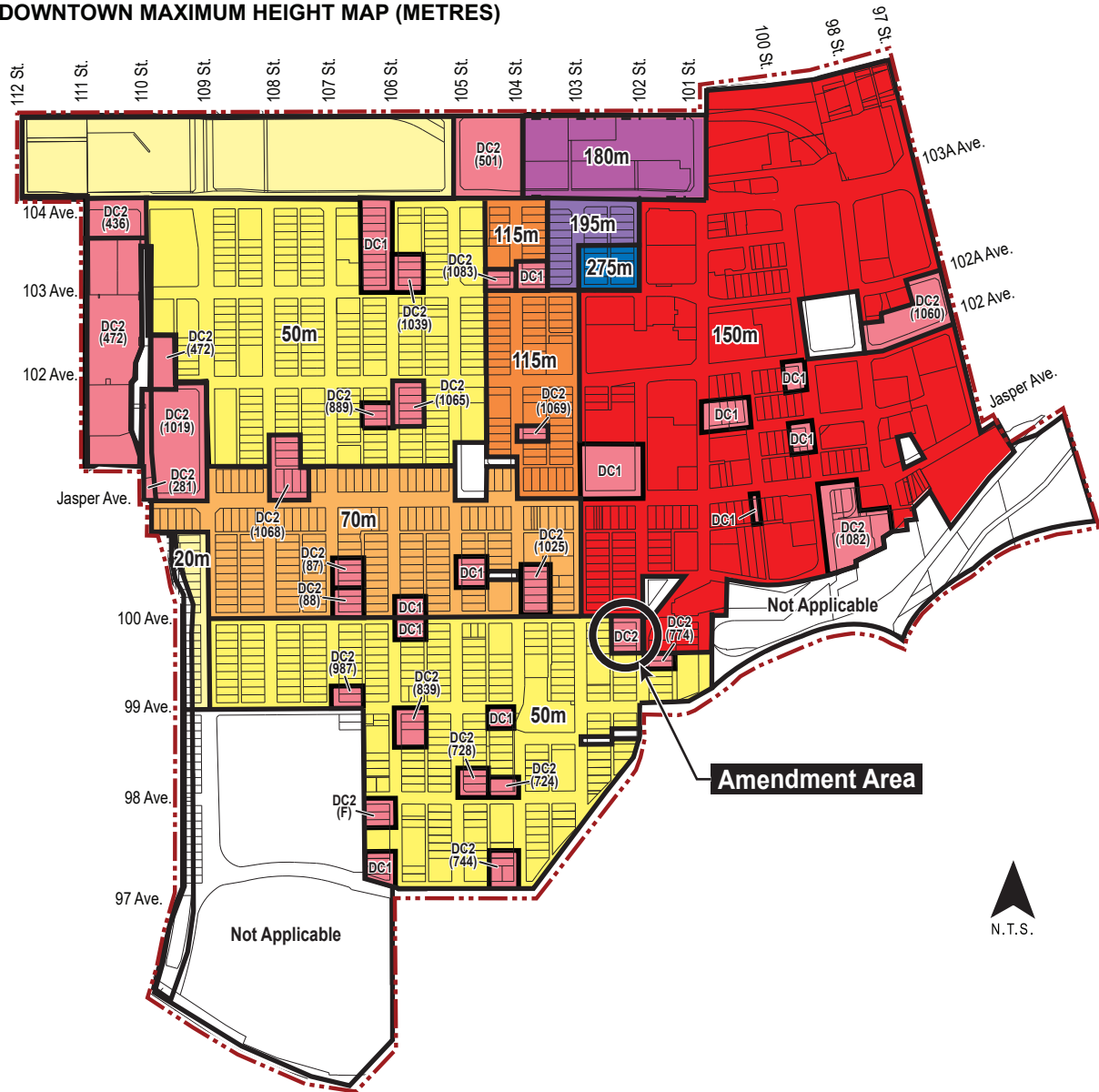
-  DC1 & DC2 (Direct Development Control Provisions)
FAR individually approved/established by City Council
-  Not Applicable

Total FAR → 8.0
R (6.0) ← Residential FAR
C (2.0) ← Commercial FAR

NB: Maximum F.A.R. shown does not include additional F.A.R. for specific uses or discretion, where granted by the Development Officer.

Special Area, Downtown

Appendix 3 to Section 910 of Bylaw 12800 as amended by Bylaw 15202 and subsequent appropriate Bylaws.
(amended for Charter Bylaw 20169 on July 5, 2022)

DOWNTOWN MAXIMUM HEIGHT MAP (METRES)**Legend**

- DC1 & DC2 (Direct Development Control Provisions)
- Heights individually approved/established by City Council and remain unaltered
- Not Applicable

NB: Maximum height shown does not include discretionary height, where granted by the Development Officer.