

Charter Bylaw 20433

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 3618

WHEREAS Lot A, Block 12, Plan B4; located at 10540 - 112 Street NW, Queen Mary Park, Edmonton, Alberta, is specified on the Zoning Map as (PU) Public Utility Zone; and

WHEREAS an application was made to rezone the above described property to (DC1) Direct Development Control Provision and (AP) Public Parks Zone;

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 A, Block 12, Plan B4; located at 10540 - 112 Street NW, Queen Mary Park, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (PU) Public Utility Zone to (DC1) Direct Development Control Provision and (AP) Public Parks Zone.
2. The uses and regulations of the aforementioned DC1 Provision are attached as Schedule "B".

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

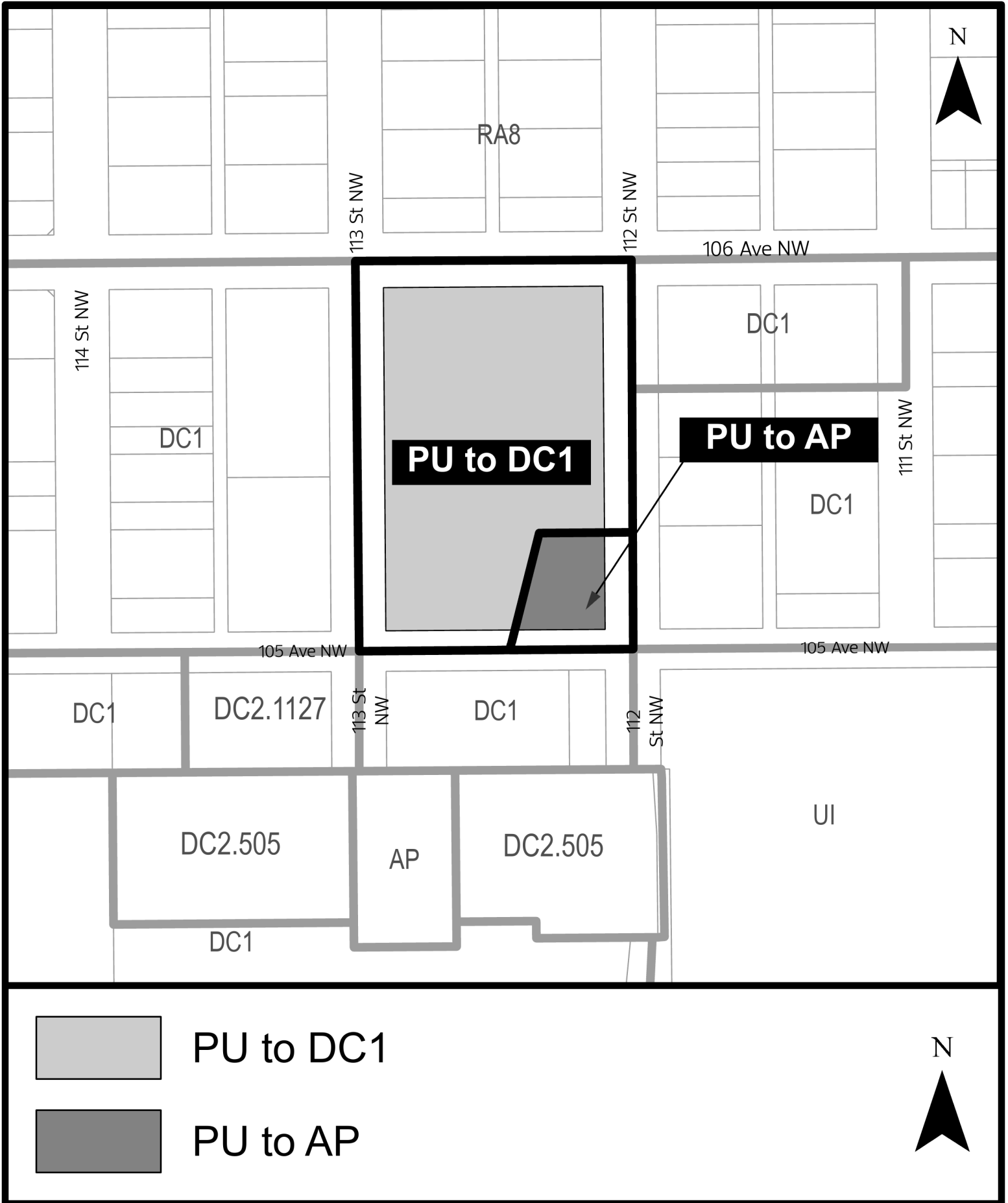
READ a first time this	day of	, A. D. 2023;
READ a second time this	day of	, A. D. 2023;
READ a third time this	day of	, A. D. 2023;
SIGNED and PASSED this	day of	, A. D. 2023.

THE CITY OF EDMONTON

MAYOR

CITY CLERK

CHARTER BYLAW 20433



SCHEDULE “B”**(DC1) DIRECT DEVELOPMENT CONTROL PROVISION****(Area 8 – Precinct ‘D’)****1. General Purpose**

To allow for a mixed use, high density, development that is compatible with the surrounding area and incorporates a mix of Uses in a pedestrian-friendly environment.

2. Area of Application

This provision shall apply to a portion of Lot A, Block 12, Plan B4, generally bounded by 105 Avenue NW, 106 Avenue NW, 112 Street NW and 113 Street NW, as shown in Schedule “A” of the Charter Bylaw adopting this Provision, Queen Mary Park.

3. Uses

1. Breweries, Wineries and Distilleries
2. Business Support Services
3. Cannabis Retail Sales
4. Child Care Services
5. Commercial Schools
6. Community Recreation Services
7. Convenience Retail Stores
8. Creation and Production Establishments
9. General Retail Stores
10. Government Services
11. Health Services
12. Indoor Participant Recreation Services
13. Media Studios
14. Minor Home-Based Business
15. Multi-unit Housing
16. Personal Service Shops
17. Professional, Financial, and Office Support Services
18. Private Education Services
19. Public Education Services
20. Public Libraries and Cultural Exhibits
21. Religious Assembly

22. Residential Sales Centre
23. Restaurants
24. Special Industrial Uses
25. Specialty Food Services
26. Supportive Housing
27. Fascia On-premises Signs
28. Freestanding On-premises Signs
29. Projecting On-premises Signs
30. Temporary On-premises Signs, not including portable Signs

4. Definitions

1. For the purpose of this DC1 Provision, the following terms shall be defined as follows and located as generally shown in Appendix 1:
 - a. “Private Shared Street(s)” means roadways designed for shared use by motorized vehicles and active travel modes which are privately owned and maintained but openly accessible to the Public at all times through the registration of a 24-hour Public Access Easement in favour of the City of Edmonton.
 - b. “Private Shared Pathway(s)” means space designed for active travel modes which are privately owned and maintained but openly accessible to the Public at all times through the registration of a 24-hour Public Access Easement in favour of the City of Edmonton.

5. Development Regulations for Uses

1. Residential Sales Centres shall be limited to the sale and/or leasing of Dwellings located on Site.
2. Cannabis Retail Sales shall be developed in accordance with any Use specific development regulations in the Zoning Bylaw.

6. Development Regulations for Site Layout and Built Form

1. The development shall be in general conformance with Appendix 1 - Site Plan.
2. Prior to the issuance of any Development Permit for new building construction within this Provision, a subdivision of Lot A, Block 12, Plan B4 shall be registered.
3. The maximum building Height and maximum Floor Area Ratio shall be in general conformance with Appendix 1 - Site Plan and as per the below table:

Area	Maximum Height	Maximum FAR
Site 1	24 metres	3.5
Site 2	70 metres	5.5

4. A 2.0 m Stepback shall be provided for all Facades at a Height between 8.0 and 15.0 m.
5. In Area B, the maximum Floor Plate of any portion of a building above 24 m in Height shall be 850 m².
6. For buildings or portions of buildings where non-Residential or non-Residential-Related Uses are at ground level, a Setback between 1.0 m and 2.5 m shall be provided where a Site Abuts a public roadway, Private Shared Street, Private Shared Pathway or a Site in a different Zone, except that:
 - a. no Setback shall be required where the distance from the Lot line to the roadway curb is a minimum of 4.7 m.
 - b. a Setback greater than 1.0 m shall be to accommodate street related activities, such as, but not limited to sidewalk cafes, patios, or gathering spaces, to retain existing mature landscaping, and/or to facilitate public realm improvements that contribute to the pedestrian-oriented character of the area;
 - c. canopies, and other similar architectural projections shall be permitted to extend into Setbacks and above sidewalks; and
 - d. for the purpose of calculating the Setback from a Private Shared Street or Private Shared Pathway, the measurement shall be between the main building Facade and the closest edge of the portion of the Private Shared Street or Private Shared Pathway designed for the movement of people or vehicles.
7. For buildings or portions of buildings where Residential or Residential-Related Uses are at ground level, a minimum Setback of 3.0 m up to a maximum Setback of 4.5 m shall be provided where a Site Abuts a public roadway, Private Shared Street, Private Shared Pathway or a Site in a different Zone, except that:
 - a. canopies, and other similar architectural projections shall be permitted to extend into Setbacks and above sidewalks; and
 - b. for the purpose of calculating the Setback from a Private Shared Street or Private Shared Pathway the measurement shall be between the main building Facade and the closest edge of the portion of the Private Shared Street or Private Shared Pathway designed for the movement of people or vehicles.

7. Development Regulations for Building Design and Features

1. Where Dwellings are located at ground level, they shall provide physical separation

from the abutting public roadway for the Dwellings through the use of patios, courtyards, terraces, or other private amenity space directly associated with the abutting Dwelling.

2. All buildings shall include design elements such as, but not limited to, articulation of the Façade, the use of recessions and projections such as canopies, bay windows, and entrance features, and architectural features such as cornices, sign bands, pilasters, and parapets to reduce the perceived mass of the building, add architectural interest, and to promote the pedestrian scale of the abutting public realm.
3. No portion of an Above Ground Parkade on the ground (first) floor shall be allowed for a minimum depth of 10.0 m from any building Façade facing a public roadway.
4. No portion of an Above Ground Parkade above the ground (first) floor shall be allowed for a minimum depth of 6.0 m from any building Façade facing a public roadway.
5. Buildings shall address all adjacent public roadways, with individual entrances that are clearly visible to lend a sense of occupancy to the street. Buildings on corner sites shall address both the street and avenue and shall distinguish the street intersection to give it prominence.
6. Where a Dwelling is provided at ground level abutting a public roadway, the principal entrance to the unit shall have direct external access to the adjacent public sidewalk.
7. Where a non-Residential or non-Residential-Related Use is provided at ground level the principal entrance to the unit shall have direct external access to an adjacent sidewalk. A minimum of 50% of the ground (first) floor level portion of the Façade abutting a public roadway, shall be comprised of clear, non-reflective glazing to promote pedestrian interaction and safety.
8. At least 80% of the floor elevation of the ground (first) floor shall be no higher than 1.0 m above the mean Grade of the adjacent public sidewalk, at the Lot line.
9. Any building with a single wall length greater than 15.0 m visible from a public roadway shall include design elements, materials, and articulation that reduce the perceived mass of the building Façade and add architectural interest.
10. Blank walls (with or without windows) of an Above Ground Parkade shall not be developed adjacent to, or visible from, any public roadway.
11. Buildings shall be designed through their massing and location, to avoid adverse microclimatic effects such as wind tunneling, snow drifting, rain sheeting, shadowing, and loss of sunlight, both on and off-site.
12. Main building entrances for any Use shall be designed so that level changes from the sidewalk to entrances of buildings shall be minimized. Sidewalk furniture and other elements shall be located out of the travel path to ensure they are not

obstacles to building access.

13. Multi-unit Housing or Supportive Housing above the ground floor shall have access at ground level that is separate from any Non-residential Uses.
14. All mechanical equipment, including surface level venting systems and transformers, shall be screened in a manner compatible with the architectural character of the building or be concealed by incorporating it within the building. Ground level vents shall be oriented away from adjacent Sites, on-Site amenity, or pedestrian circulation areas.
15. Podium roofs shall provide enhancements to improve rooftop aesthetics. These enhancements may include, but are not limited to, landscape features, Amenity Area, screening elements and improved aesthetic rooftop materials.
16. Primary building entrances must be emphasized and be easily distinguishable within the overall building architecture. All building entrances must provide weather protection such as canopies.

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

1. Appropriate access/egress points from 112 Street NW, 113 Street NW, 105 Avenue NW and 106 Avenue NW through the Site shall be provided for active mode travel (walking/rolling/biking, etc.) These connections can either be separate from or adjacent to vehicle access/egress points and shall be located and designed in a manner that provides a clearly defined, safe, efficient and convenient circulation pattern for both on-site and off-site vehicular traffic and pedestrian movements.
2. Access to vehicular Parking Garages or parking areas shall only be from an abutting Private Shared Street. A maximum of one vehicle access/egress point to the land subject to this Provision shall be allowed from each Abutting public roadway, except no vehicular access/egress shall be taken from 105 Avenue NW.
3. Private Shared Streets and Private Shared Pathways shall be located in general conformance with Appendix 1 - Site Plan and to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation).
4. No Surface Parking Lots are permitted.
5. 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:
 - a. Notwithstanding the above, the Development Officer may consider, in consultation with Transportation Services, a reduction in bicycle parking if a parking demand study is submitted in conjunction with an application for a Development Permit justifying any reduction in bicycle parking requirements; and

- b. Long term Bicycle Parking Spaces shall be provided in a safe and secure location that is easily accessible to cyclists via access ramps, or a route through the building that facilitates easy and efficient transportation of bicycles.
- 6. All waste collection, storage, or loading areas shall be accessed from interior Private Shared Street(s) or within the buildings and designed to the satisfaction of the Development Officer in consultation with Waste Management Services and Subdivision and Development Coordination (Transportation). Gates and/or doors of the waste enclosure shall not open or encroach into road right-of-way

9. Development Regulations for Landscaping, Lighting and Amenity Area

- 1. Development shall incorporate functional and decorative lighting to enhance the appearance of the building during the winter months, and, if applicable, to provide additional lighting for the 105 Avenue NW corridor as well as the open space within the Site.
- 2. The Landscape Plan for a Development Permit for a principal building shall include pavement materials, exterior lighting, street furniture elements, pedestrian seating areas and plant materials, as applicable.
- 3. On-Site landscaping shall use plant materials that provide colour throughout the year to enhance the appearance of the development during the cold weather months.
- 4. The Landscape Plan for a Development Permit for a principal building shall show details of off-site improvements, if applicable, including enhancements to the public realm to the satisfaction of the Development Officer; and
- 5. The required Landscape Plan submitted with a Development Permit application for new building construction shall be prepared by a Landscape Architect registered with the Alberta Association of Landscape Architects (AALA).

10. Other Regulations

- 1. 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 the abutting public roadways. If required by the Development Officer in consultation with Urban Forestry, 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:
 - a. 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
- b. 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 C456C.
2. Prior to the issuance of a Development Permit for buildings in Area A, a Qualitative (CFD) Wind Impact Study shall be submitted for review. Prior to the issuance of a Development Permit for buildings in Area B, a Quantitative Wind Impact Study (Wind Tunnel Study) shall be submitted. 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 Qualitative (CFD) Wind Impact Study or Quantitative Wind Impact Study.
 3. Built form, public realm interfaces, streetscape elements and pedestrian connections shall consider the City of Edmonton's Winter Design Guidelines in their design and implementation. An Urban Design Brief outlining how the development conforms to these guidelines shall be submitted with the Development Permit for a principal building.
 4. 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.
 5. Prior to the issuance of a Development Permit, except for Development Permits for demolition, excavation, shoring or signage, additional Environmental Site Assessment work, an Environmental Risk Management Plan and Remedial Action Plan, as required by the Development Officer, shall be submitted and reviewed to the satisfaction of the Development Officer in consultation with Development Services (Environmental Planner). The Development Officer shall impose any Development Permit conditions necessary, prior to the release of the drawings for Building Permit review, to ensure that the Site is suitable for the full range of Uses

contemplated in the Development Permit application.

6. The storm and sanitary drainage systems required to service the development, including drainage infrastructure extensions and 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 Development Services (Drainage). 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 these improvements, which are to be constructed at the owner's cost.
7. Should the development be staged, with each subsequent Development Permit application after the issuance of the first Development Permit for the construction of a principal building, the applicant shall provide data, to the satisfaction of the Development Officer in consultation with Planning Coordination (Transportation), on the utilization of implemented transportation demand management strategies.

11. Public Improvements and Contributions

1. As a condition of a Development Permit for the first principal building within this provision, the owner shall register a 24-hour Public Access Easement for the Private Shared Streets and Private Shared Pathways as identified on Appendix 1 - Site Plan. Under this Easement, the owner shall be responsible for maintenance and liability and the spaces shall be accessible to the public at all times.
 - a. Private Shared Streets shall, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation), be designed in general conformance with the Complete Streets Design and Construction Standards and:
 - i. provide high quality shared space with minimal distinction between space allotted for people walking or rolling and other users;
 - ii. use textured surfacing and other features strategically located to limit vehicular speeds;
 - iii. encourage reduced domain speeds to operate intuitively as a shared space without the need for signage, though signage may be provided;
 - iv. provide a minimum of 6.0 m wide of hard surfacing; and
 - v. significantly limit motorized vehicle traffic and limit drivers to speeds that are no faster than typical walking speed.
 - b. Private Shared Pathways shall, to the satisfaction of the development officer, be designed to:
 - i. provide high quality accessible connections which are inviting and safe for all users;
 - ii. be a public space for recreation, socialization, and leisure;

- iii. be a minimum of 3.0 m wide; and
 - iv. have a single shared surface for all active mode users to discourage high speed travel by cyclists or scooters.
- 2. The owner shall be responsible for the costs of the required streetscape improvements to the portion(s) of road right(s)-of-way abutting a Site (from private property line to the new curb) that are identified by the 105 Avenue Corridor Study, and/or identified by the Community Services, Planning and Development, or Transportation Departments as part of the development. These costs shall be paid to the City of Edmonton as a condition of the approval of a Development Permit. These streetscaping improvements may include, but are not limited to, new sidewalks, streetlights, boulevard landscaping, boulevard trees, street furniture, and/or the relocation of utilities underground.
- 3. Where applicable, the Site plan submitted with a Development Permit application must indicate the coordination between development on the subject Site and the adjacent 105 Avenue corridor, in accordance with the 105 Avenue Corridor Study.
- 4. The first Development Permit for new building construction within 15.0 m of the abutting land zoned (AP) Public Parks Zone shall include development of the abutting AP Zoned land into a Public Park with a minimum value of \$548,572.05. This Park shall be designed to:
 - a. actively interface with the adjacent buildings;
 - b. promote creation of a well-connected pedestrian network;
 - c. give regard to CPTED principles to provide safe and defensible space, clear sightlines, adequate lighting, and provision of multiple access points;
 - d. serve as a high-quality amenity for people of all ages and during all seasons by incorporating features such as, but not limited to, hard and/or soft Landscaping, seating areas and/or bicycle facilities; and
 - e. incorporate public seating and impromptu social gathering area(s) and include features, which may include but not be limited to, decorative light standards, waste bins, bollards, landscaped planting beds, planters, tree grates, and/or hard surfacing.

Appendix 1 - Site Plan

