

Charter Bylaw 20470

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 3634

WHEREAS Units 1-2, Condominium Plan 1522454; located at 11703C, 11703, and 11711 - 51 Avenue NW, Malmo Plains, Edmonton, Alberta, are 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 Units 1-2, Condominium Plan 1522454; located at 11703C, 11703, and 11711 - 51 Avenue NW, Malmo Plains, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto 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 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.

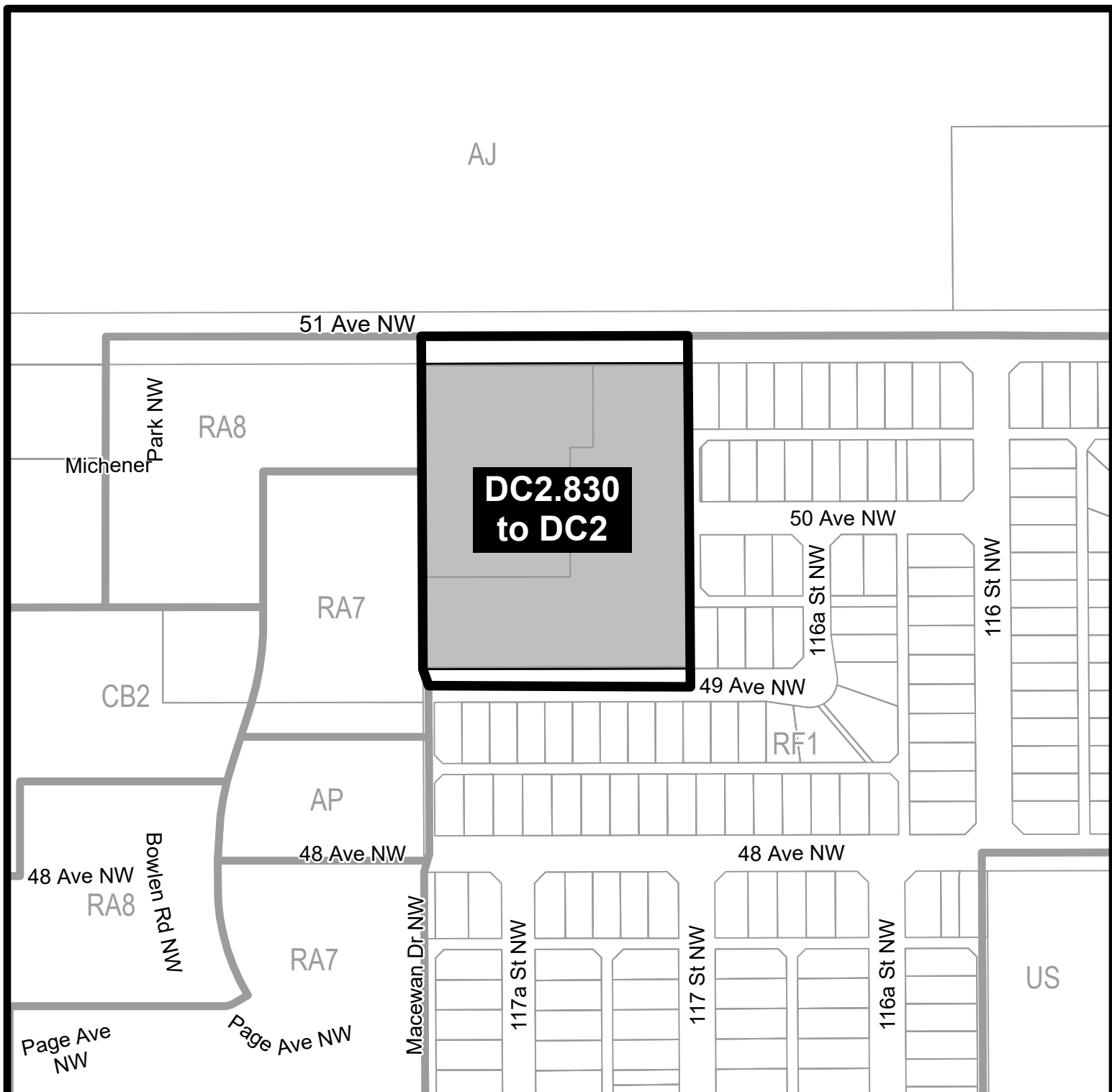
READ a first time this	day of	, A. D. 2023;
READ a second time this	day of	, A. D. 2023;
READ a third time this	day of	, A. D. 2023;
SIGNED and PASSED this	day of	, A. D. 2023.

THE CITY OF EDMONTON

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

# CHARTER BYLAW 20470



DC2.830 to DC2



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

### **1. General Purpose**

To accommodate medium density development that will include Multi-Unit Housing for a broad demographic. The comprehensive site development will apply urban design elements and architectural features to ensure a high quality of appearance and compatibility with surrounding land uses.

### **2. Area of Application**

This DC2 Provision shall apply to Units 1-2, Condominium Plan 1522454; located south of 51 Avenue NW and east of approximately 118 Street NW, as shown on Schedule "A" of the Charter Bylaw adopting this DC2 Provision; Malmo Plains.

### **3. Uses**

1. Convenience Retail Stores
2. Health Services
3. Lodging Houses
4. Minor Home Based Business
5. Major Home Based Business
6. Multi-unit Housing
7. Personal Service Shops
8. Publicly Accessible Private Park
9. Residential Sales Centre
10. Supportive Housing
11. Fascia On-premises Signs
12. Freestanding On-premises Signs
13. Projecting On-premises Signs
14. Temporary On-premises Signs

#### **4. Development Regulations for Uses**

1. This provision establishes two sub-areas for the Site, identified in Appendix 1.
2. Non-Residential and non-Residential Related Uses except Publicly Accessible Private Parks:
  - a. shall not be permitted as a freestanding structure; and
  - b. only be permitted within Area A within the ground level of Building A.
3. Signs shall comply with Section 59 and Schedule 59b of the Zoning Bylaw.
4. Notwithstanding 4.3, Freestanding On-premises Signs may face public roadways along 51 Avenue NW and 49 Avenue NW and internal roadways.

#### **5. Development Regulations for Site Layout and Built Form**

1. Development shall be in general conformance with the attached Appendices to the satisfaction of the Development Officer.
2. The maximum Height of all buildings shall be as follows:
  - a. Within Area A, the maximum Height shall be 23.0 m, except for buildings adjacent to 51 Avenue NW which shall not exceed a maximum Height of 30.0 m; and
  - b. Within Area B, the maximum Height shall not exceed 13.0 m.
3. The maximum number of Dwelling Units on the Site shall be 475.
  - a. A minimum of 23% of the total number of Dwelling units shall
    - i. have access to private storage in an underground parking garage;
    - ii. have at least 2 bedrooms and the average number of bedrooms shall be 2.25 or greater for all such Dwellings; and
    - iii. have individual and private access to ground level, except that in the case of access to Dwellings above the first Storey may be shared by two Dwellings; and in the case of Multi-unit Housing, access to Dwellings above the first Storey may be shared, provided that entrances to not more than six Dwellings are located on any one Storey or landing;
4. The maximum Floor Area Ratio for the Site shall be 2.25.
5. The maximum total Site Coverage shall not exceed 45%.
6. The minimum building setbacks shall be:
  - a. 6.0 m from to the north property line;

- b. 6.0 m from to the south property line;
  - c. 9.0 m from the east property line, except that an additional 6.0 m setback is required for any part of a structure over 6.3 m in height from adjacent grade for a length of 35.0 m running south from the northeast corner of the property; and
  - d. 4.5 m from to the west property line.
7. Separation Space shall be provided in accordance with the Zoning Bylaw, except buildings fronting 49 Avenue NW shall have a minimum Separation Space of 7.5 m.

## **6. Development Regulations for Building Design and Features**

1. Perceived massing shall be minimized through the following design elements as follows:
- a. Building setback variations, building orientation, window placement, awnings where viable, articulation around entranceways, roof treatment, and the choice of exterior materials and colours;
  - b. Landscaping shall be situated so as to mitigate the perceived mass of the street façade;
  - c. Buildings along 49 Avenue NW shall contain a maximum of 16 Dwelling units, with 4 shared accesses along the building front and rear façades, with no more than 2 Dwellings per shared access;
  - d. The total length of any north and south building façades along 49 Avenue NW shall be limited to 30.0 m;
  - e. The total length of any flanking building façades along the east boundary shall be limited to 30.0 m. East facing facades shall not have balconies or doorways, and visual interest shall be provided through attention to design, detailing, materials and colours;
  - f. Within Area A, the total length of Lodging Houses and Multi-unit Housing building façade shall be limited to 60.0 m, except
    - i. the maximum length of 90.0 m shall be permitted for Building A if additional architectural treatment and articulation is achieved at the midpoint of the façade to limit the perceived massing of the building, as shown on Appendix 2 and 4.
2. Public Realm Interface:
- a. Development shall create an active frontage for all ground-floor, street-front directly accessible to 51 Avenue NW and 49 Avenue NW, featuring a rhythm of separated external front door entrance articulations

with municipal addresses to provide a sense of occupancy to the streetscape.

- b. Development for Building A shall include ground-oriented units fronting onto 51 Avenue NW and shall be in accordance with the following:
    - i. Dwellings shall be articulated as individual units with individual direct entrances and windows fronting onto adjacent rights-of-way and include such features as staircases, stoops, or landscaped yards. Sliding patio doors shall not serve as these entrances.
    - ii. There shall be a transition area between the Dwelling and publicly accessible land using landscaping features such as a change in grade, shrub beds, planters, rock gardens and/or other built elements.
    - iii. Entrances for non-Residential Uses shall be differentiated from entrances to Residential and Residential-Related Uses through distinct architectural treatment.
3. Architectural design details shall include but not be limited to:
- a. Building articulation to provide architectural variety and interest, and to create balconies and terrace areas for the enjoyment of building residents where appropriate and in consideration of existing adjacent residential uses;
  - b. The reduction of perceived massing through application of architectural elements and treatments including but not limited to changes in plane (e.g., recesses and projections) and variety of building finishes, materials, textures, colours, or other features that create an identifiable pattern and sense of human scale;
  - c. Entrance and exit to underground parking structures shall be finished in a material compatible with the base of the building, creating a unified exterior without any exposed concrete. Any required retaining walls for the parkade entry must be incorporated into the Landscape Plan and be utilized for decorative landscaping such as planters and railing. Any structures, including fencing and planters, adjacent to or part of the parkade entrance and exit shall not block sight lines of adjacent residential uses.
  - d. The primary building entrances shall be identifiable, prominent, accessible, and inviting and shall incorporate weather protection features in the form of a canopy or any other architectural element, and shall provide adequate lighting to identify these areas at night, to the satisfaction of the Development Officer.

- e. All mechanical equipment, including but not limited to those on roofs or at grade, shall be concealed by screening in a manner compatible with the architectural character of the building, or concealed by incorporating it within the massing articulation of the buildings, and shall not be located in close proximity to existing adjacent residential uses.
- f. All exterior building materials shall be of a good quality and shall complement and enhance the site and surrounding area, and may include but not be limited to brick, wood, masonry veneer, acrylic stucco, fibre cement siding, natural and synthetic stone, granite, textured concrete, and glazing. Colour schemes shall tie building elements together, enhance the architectural form of the building, and be compatible with buildings in the immediate surrounding area.

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

1. Vehicular access to the Site shall consist of one all-directional access from 51 Avenue NW, on the north side of the property, and one emergency access north from 49 Avenue NW, as shown on Appendix 2.
2. The private internal roadway shall be designated to accommodate both pedestrian and vehicular traffic. Design elements shall include, but not be limited to sidewalks, marked crossings, special paving features, limited grade separation, and bollards where appropriate.
3. Vehicular and bicycle parking shall be provided in accordance with the Zoning Bylaw, except;
  - a. For the purpose of calculating bicycle parking in Area B the required amount of bicycle parking shall be 61 stalls.
  - b. Resident parking shall be accommodated below-ground level in underground parking structures, except that accessible parking and visitor parking may be accommodated at ground level. Where parking is located at ground level, it shall not abut, be adjacent to, or face a public roadway or any abutting site zoned residential.
  - c. Entrance and exit points to underground parking structures shall be accessed from the private internal roadway in general conformance with Appendix 2, to the satisfaction of the Development Officer and Subdivision and Development Coordination (Transportation).
4. The trash collection and loading areas shall be accessed from the private internal roadway, located at-grade, and shall not be located in close proximity to existing adjacent residential uses on the adjacent properties. It shall be screened from public streets, common amenity areas and on-site sidewalks using landscaping, fencing or walls, designated to the satisfaction of the Development Officer in consultation with



Waste Management Services and Subdivision and Development Coordination  
(Transportation).

## **8. Development Regulations for Landscaping, Lighting and Amenity Areas**

1. A detailed Landscape Plan shall be submitted by a registered landscape architect, in accordance with Section 55 of the Zoning Bylaw, except within Area A:
  - a. 12 trees shall be provided along the north property line.
  - b. 13 trees shall be provided along the west property line.
2. The Landscape Plan shall include but not be limited to planting, pedestrian connections, exterior lighting and street/walkway furniture, landscape features, open spaces, fencing details, and trash enclosure details, and other features designed for people of all ages to the satisfaction of the Development Officer.
3. To the satisfaction of the Development Officer, prior to submission of the Landscape Plan and to ensure that a high standard of appearance and a sensitive transition to the surrounding land uses are achieved, the applicant shall consult with the adjacent property owners and the Malmo Plains Community League regarding landscape details on the perimeter of the entire Site. These plans shall include but will not be limited to details of fencing and sizes and species of proposed plantings for the entire perimeter, and minimum soil depth to be maintained for healthy root development.
4. A 1.8 m solid privacy fence shall be provided along the east property line with appropriate breaks to allow for pedestrian access.
5. Landscape screening consisting of trees and shrubs will be planted onsite along the east boundary adjacent to the privacy fence. Landscaping will be specifically located to provide privacy to existing adjacent residential uses.
6. Street trees, placed at approximately 12.0 m on centre will be planted along 49 Avenue NW within the Right-of-Way.
7. Street trees, placed at approximately 12.0 m on centre, will be planted along 51 Avenue NW within the existing public Right-of-Way.
8. Notwithstanding Landscape Regulation 8.1 of this Provision, in the required building setback adjacent to the east property line, landscaping shall be grouped to decrease overlook into adjacent residential properties, and trees in this setback shall be provided in the following fashion:
  - a. All required deciduous trees shall be a minimum of 75.0 mm caliper; and
  - b. All required coniferous trees shall be a minimum of 3.5 m in height.
9. Planting and/or fencing shall be used to screen the shipping/receiving and ramp to underground parking from existing adjacent residential uses.

10. All sidewalks, walking paths, and curbs shall be hard surfaced and designed to facilitate barrier-free movement. A 1.5 m wide sidewalk shall be provided on the westerly property line, connecting 51 Avenue NW to the north portions of the central courtyard Amenity Area.
11. A minimum Amenity Area of 7.5 m<sup>2</sup> per Dwelling shall be provided through the following features:
  - a. Common Indoor Amenity Areas which may include, but not limited to lounges, fitness facilities;
  - b. private amenity areas such as ground level patios and platform structures in the form of balconies;
  - c. minimum Amenity Area of 2.5 m<sup>2</sup> per Dwelling that shall be provided outdoors at grade, aggregated into areas of at least 25 m<sup>2</sup>, and designed to facilitate active or passive recreational activities and:
    - i. shall have a minimum width and length of 5.0 m;
    - ii. shall be within clear view of several Dwelling units;
    - iii. may include seating and artificial lighting; and
    - iv. shall be directly accessible from a building;
  - d. a minimum 600 m<sup>2</sup> outdoor Amenity Area in the form of a Publicly Accessible Private Park shall be developed in the southeast corner of the Site to the satisfaction of the Development Officer.

## **9. Other Regulations**

1. A Crime Prevention Through Environmental Design Assessment shall be provided to the satisfaction of the Development Officer to ensure a safe urban environment in accordance with the guidelines and principles established in the City of Edmonton's Design Guide for a Safer City.
2. Prior to issuance of any Development Permit for the Site, a Phase II ESA and if necessary a Phase III ESA, shall be submitted to Sustainable Development and approved by Alberta Environment and Sustainable Resources Department, Alberta Health Services and Subdivision and Development Coordination (Transportation).
3. The design and implementation of the development shall apply, where feasible, techniques to reduce consumption of energy and materials consistent with best practices of sustainable design, including but not limited to:

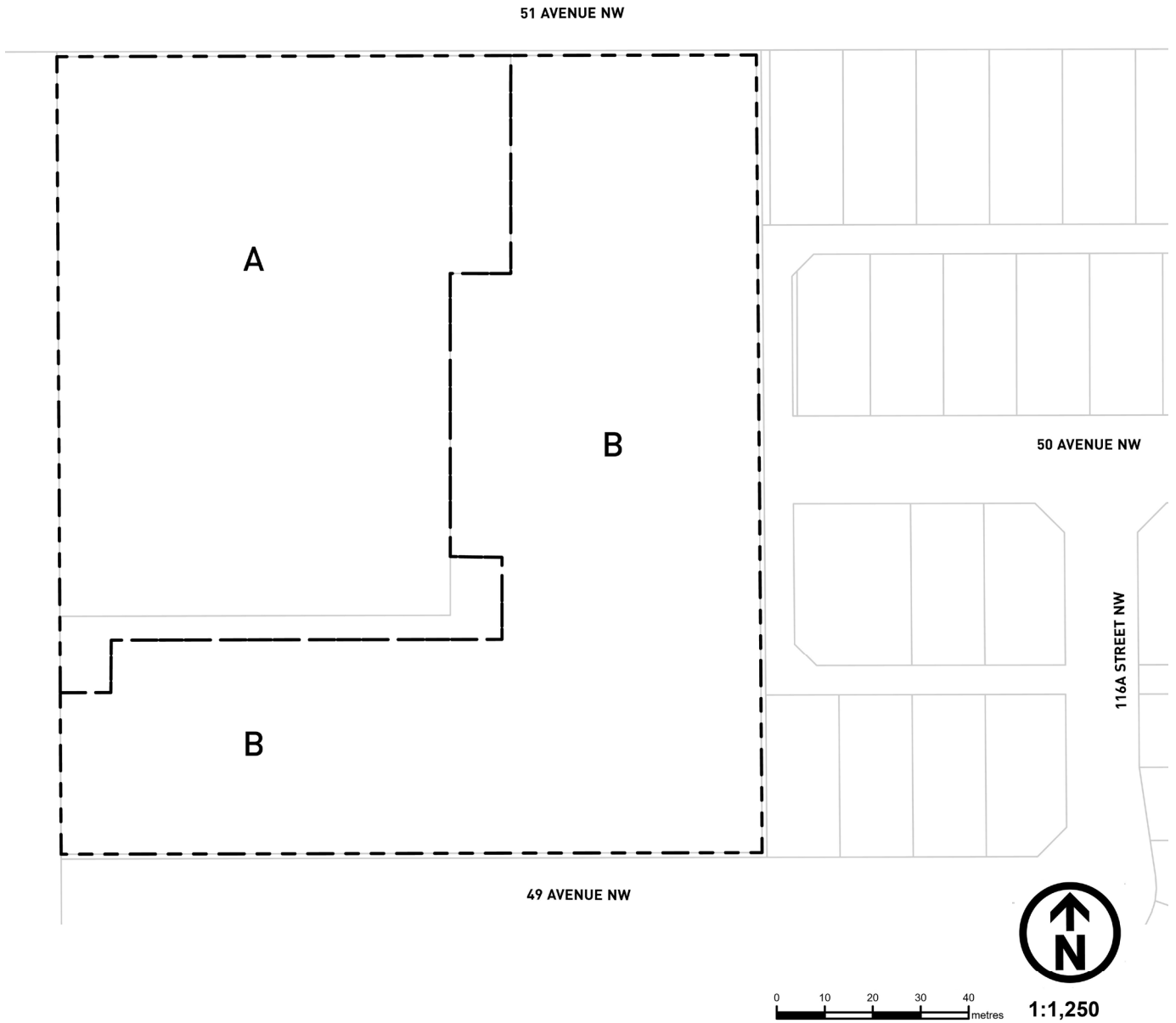
- a. Stormwater management – utilize materials and methods that decrease the rate and quantity of stormwater runoff;
- b. Heat island effect – design roofing and paving to reduce glare and heat absorption;
- c. Light pollution – utilize high efficiency lighting with effective “cut offs” to minimize dark sky impact and light trespass to neighboring properties;
- d. Water efficient landscaping – utilize high efficiency irrigation technology and drought tolerant plant materials;
- e. Regional materials – utilize locally available building materials and aggregates; and
- f. Low-emitting materials – utilize low Volatile Organic Compound emission paint.

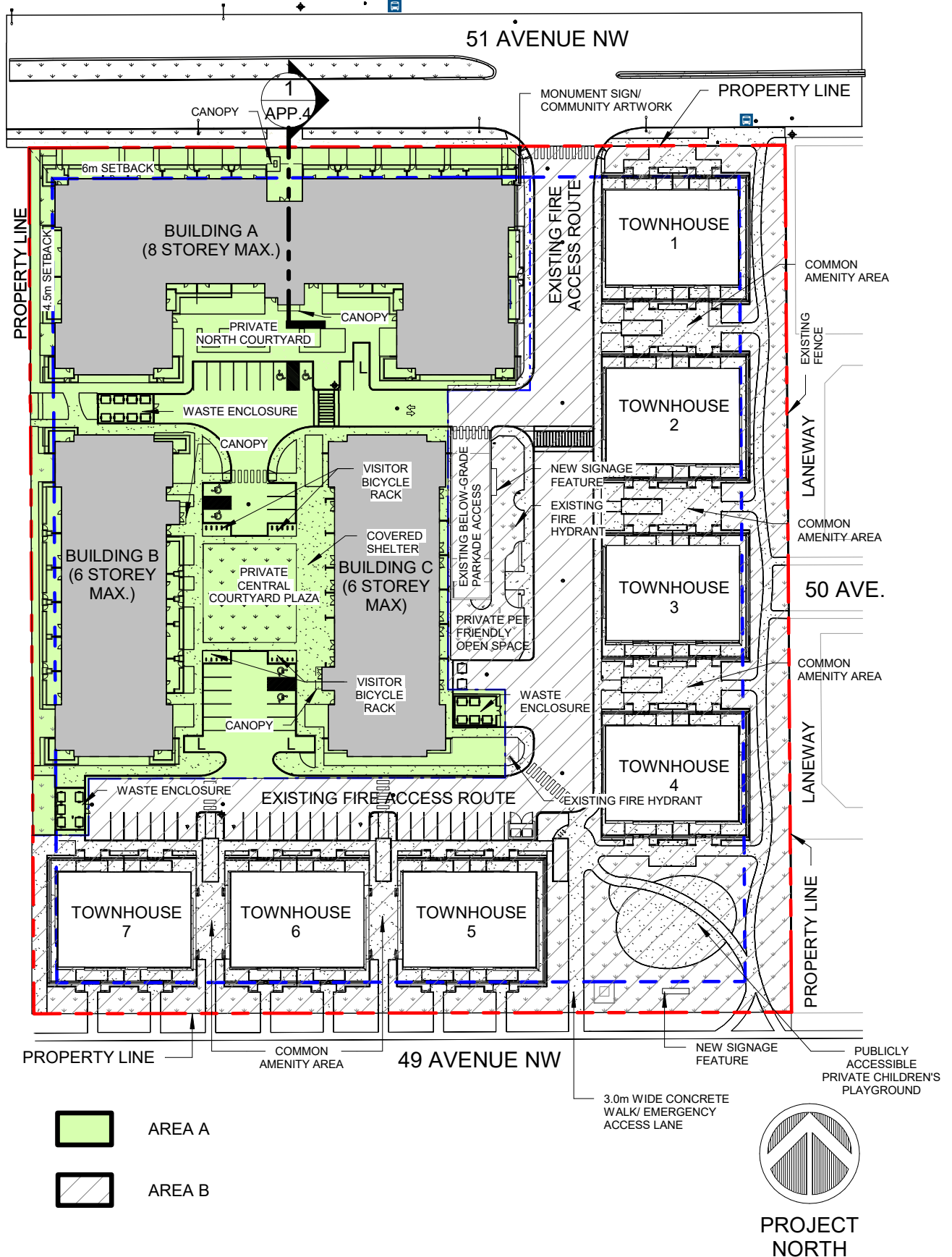
## **10. Public Improvements and Contributions**

1. 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 or enhance the development, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation) and Fire Rescue Services. Such improvements shall be constructed at the owner’s cost. The Agreement process shall include an engineering drawing review and approval. Improvements to address in the Agreement include, but are not limited to:
  - a. Repair of any damage to the abutting roadways, sidewalks and boulevard, including Lanes not directly adjacent to the Site, caused by the construction of the development.
  - b. A minimum 11.5 m all-directional curb return access to 51 Avenue NW, including curb ramps on both sides, except that the width of the all-directional curb return access may be reduced to accommodate additional landscaping on the west side of the entry if it can be demonstrated that safe multimodal and emergency access are maintained;
  - c. Two transit pads with shelter pads located on the north and south side of 51 Avenue NW, east and west of the development access;
  - d. A westbound left turn bay to the all-directional access, on 51 Avenue NW;
  - e. A 3.0 m shared-use path along the north side of 51 Avenue NW from the transit pad west of the Site access to the existing shared use path opposite 116 Street NW at the stormwater management facility;

- f. Installation of traffic signals or a pedestrian actuated signal at the development access to 51 Avenue NW;
  - g. Improvements to the public realm along 51 Avenue directly abutting Area A of the Site shall include, a minimum of 10 new boulevard trees in enhanced growing mediums.
2. As a condition of a Development Permit for the construction of a principle building, the owner shall register a 24-hour Public Access Easement for the Publicly Accessible Private Park (Children's Playground) and a 9.0 m wide a multi-use path along the eastern property line as shown on Appendix 8. Under this Easement, the owner shall be responsible for maintenance and liability and the Publicly Accessible Private Park and multi-use path shall be accessible to the public at all times.
3. Prior to the issuance of a Development Permit, the applicant shall submit documentation that demonstrates, to the satisfaction of the Development Officer in consultation with Fire Rescue Services and EPCOR Water Services, that the fire flows and water servicing to the Site will be adequate for the proposed building and construction type, and be in accordance with the City of Edmonton Design and Construction Standards. The Development Officer shall verify that any infrastructure upgrades or systems required to ensure these standards are met.
4. Prior to the issuance of the Development Permit for new building construction, the owner shall enter into an agreement with the City of Edmonton whereby the owner shall provide a minimum contribution of \$150,000.00 toward the acquisition and placement of public art. Such agreement shall require that:
  - a. Prior to the issuance of the Development Permit, a public art plan showing the general location(s) of art shall be prepared and submitted to the City of Edmonton for review and approval by the Development Officer. The art will be acquired through an art procurement process administered by the owner(s) and all costs related to the procurement of the artworks, operation and future maintenance shall be the responsibility of the owner;
  - b. Artworks shall be created by a professional artist or designer;
  - c. Artworks may be located on or within the public or private property and shall be in locations that are publicly viewable to the satisfaction of the Development Officer;
  - d. If located on public property or roadway right of way, the location shall be to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation) , City Operations and Integrated Infrastructure Services; and The Public Art contribution amount shall be increased every 5 years from the date of passage of the Charter Bylaw adopting this Provision according to the annual rate of national inflation as determined by Statistics Canada.

5. At the time of Development Permit submission, the applicant shall demonstrate to the satisfaction of the Development Officer that the applicant has carried out good faith negotiation with the Malmo Community League regarding entering into a good-neighbour agreement, which shall include, but not be limited to, the following:
  - a. A provision to allow pedestrian access through the property;
  - b. Subject to 10.3, Identification of a location for the public art element/feature;
  - c. Location and use of the landscaped amenity area; and
  - d. Review of the Development Permit application prior to submission.





Appendix 3 (Area A - Building A Elevations)

MAX. ALLOWABLE HEIGHT  
30.0m



■ NORTH ELEVATION

MAX. ALLOWABLE HEIGHT  
30.0m



■ SOUTH ELEVATION

MAX. ALLOWABLE HEIGHT  
30.0m

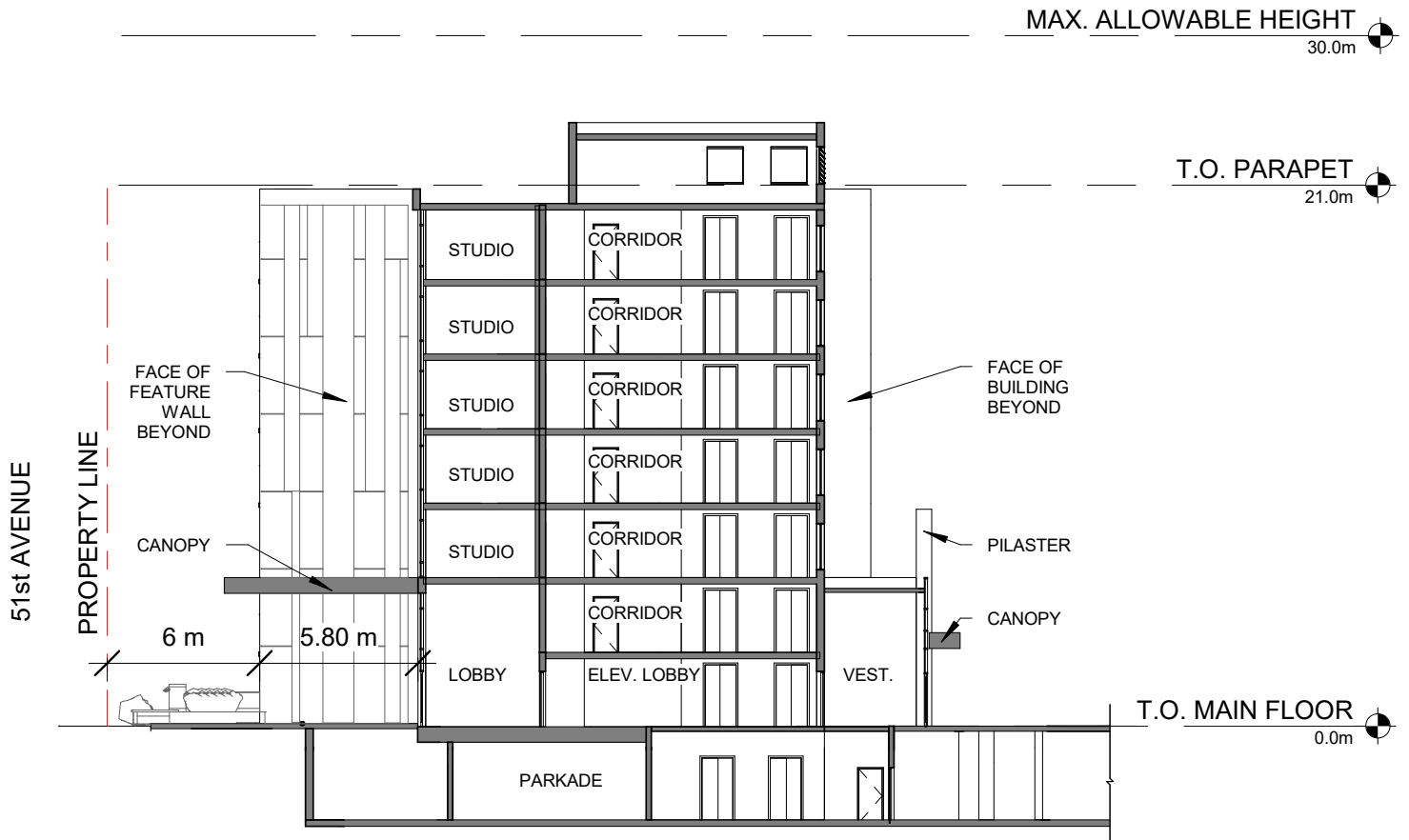


■ EAST ELEVATION

■ WEST ELEVATION



Appendix 4 (Area A - Building A North-South Section View)



1 NORTH/SOUTH SECTION VIEW BUILDING A  
APP.4 SCALE: 1 : 300



■ EAST ELEVATION



■ WEST ELEVATION



Appendix 6 (Area A - Building C Elevations)



■ EAST ELEVATION



■ WEST ELEVATION



■ SOUTH ELEVATION

■ NORTH ELEVATION



■ NORTH ELEVATION



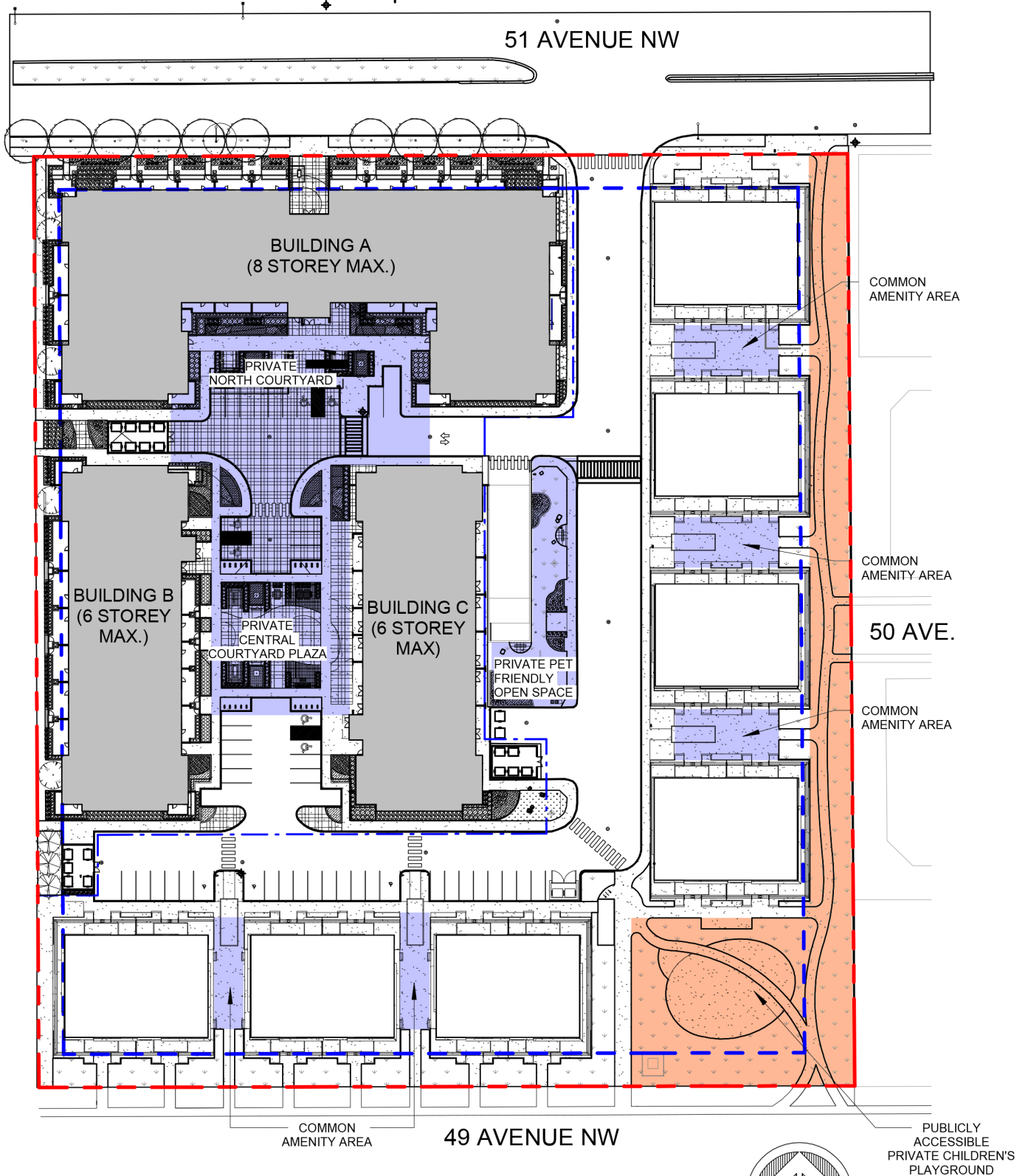
■ SOUTH ELEVATION





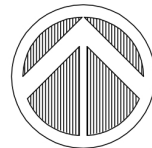
■ NORTH ELEVATION



■ SOUTH ELEVATION



-  PRIVATE AMENITY
-  PUBLIC AMENITY



PROJECT  
NORTH



Legend:



Proposed Trees



Proposed Shrubs and Perennials  
Proposed Ground Covers



Existing Vegetation

0 5 10 15 20 25m

