

Charter Bylaw 20692

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 3731

WHEREAS a portion of NE-20-51-24-4, and Units 1 to 3, Plan 1324176; located at 904, 904C, 1050, 1140, and 1304 - 103A Street SW, Cashman, 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 properties to (DC1) Direct Development Control Provision and (RA8) Medium Rise Apartment 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 a portion of NE-20-51-24-4, and Units 1 to 3, Plan 1324176; located at 904, 904C, 1050, 1140, and 1304 - 103A Street SW, Cashman, 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 and (RA8) Medium Rise Apartment 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.

4. Notwithstanding anything contained in Charter Bylaw 21001, the lands legally described as a portion of NE-20-51-24-4, located at 1304 - 103A Street SW, Belvedere, Edmonton, Alberta, being zoned to (RA8) Medium Rise Apartment Zone shall be deemed to be (RM h23.0) Medium Scale Residential Zone under Charter Bylaw 20001 upon the effective date of Charter Bylaw 21001.

|                         |        |               |
|-------------------------|--------|---------------|
| 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

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MAYOR

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CITY CLERK

# CHARTER BYLAW 20692



DC1 to DC1



DC1 to RA8



**SCHEDULE "B"****(DC1) DIRECT DEVELOPMENT CONTROL PROVISION****Area 1- Business Industrial and Commercial Area****1. General Purpose**

To accommodate development of a compatible and diverse mix of business industrial uses carried out within an enclosed building, and commercial uses, both with a high quality built form located at, and appropriate to the entrance to the Heritage Valley area and being visible from the Calgary Trail / Gateway Boulevard corridor.

**2. Area of Application**

This Direct Control Provision applies to the land generally located in the northerly portion of the Cashman Neighbourhood Area Structure Plan (NASP) located west of Calgary Trail, South of Ellerslie Road and east of Blackmud Creek legally described as Units 1, 2, 3 and Condo Common Area, Condominium Plan 1324176; and a portion of NE 20-51-24-4. More specifically, the lands surrounding the stormwater management facility identified as Area 1, as shown on the Attachment "A" Map adopting this Provision. Figure 1 provides a Conceptual Site Plan to illustrate the local roadway.

**3. Uses**

- a. Apartment Hotels
- b. Automotive and Minor Recreation Vehicle Sales/Rentals
- c. Bars and Neighbourhood Pubs
- d. Broadcasting and Motion Picture Studios
- e. Business Support Services
- f. Child Care Services
- g. Commercial Schools
- h. Convenience Retail Stores
- i. Convenience Vehicle Rentals
- j. Creation and Production Establishments
- k. Drive-in Food Services
- l. Equipment Rentals
- m. Gas Bars
- n. General Industrial Uses

- o. General Retail Sales
- p. Government Services
- q. Greenhouses, Plant Nurseries and Garden Centres
- r. Health Services
- s. Hotels
- t. Indoor Participant Recreation Services
- u. Limited Contractor Services
- v. Liquor Stores
- w. Major Amusement Establishments and Minor Amusement Establishments
- x. Nightclubs
- y. Personal Service Shops
- z. Professional, Financial and Office Support Services
- aa. Urban Outdoor Farms
- bb. Restaurants
- cc. Special Industrial Uses
- dd. Specialty Food Services
- ee Supportive Housing
- ff. Veterinary Services
- gg. Warehouse Sales
- hh. Fascia On-premises Signs
- ii. Freestanding On-premises Signs
- jj. Projecting On-premises Signs
- kk. Temporary On-premises Signs

#### **4. Development Regulations**

- a. The minimum Site Frontage for a Site abutting a major collector or higher standard public roadway shall be 30.0 m.

- b. The maximum Floor Area Ratio shall be 1.2, except that the maximum Floor Area Ratio for Apartment Hotels; Hotels; and Professional, Financial and Office Support Services, shall be 3.5 when developed individually or in combination with Permitted Uses.
- c. A minimum Yard of 6.0 m shall be required where any Lot Line of a Site Abuts a public roadway, other than a Lane and a minimum Yard of 7.5 m shall be required where any Lot Line of a Site abuts the property line of a Site containing a Residential Use or a stormwater management facility.
- d. No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required Yard. Loading, storage and trash collection areas shall be located to the rear or sides of the principal building and shall be screened from view from any adjacent Sites or public roadways in accordance with the Zoning Bylaw. If the rear or sides of a Site are used for parking, an outdoor service or display area or both, and Abut a Site containing a Residential Use, or a storm water management facility, such areas shall be screened.
- e. General Industrial Uses shall be limited to those processing, manufacturing, cleaning/servicing/repairing, storage or transportation, distribution, or general industrial training activities that conform with the General Purpose of this Direct Control Provision and are not likely to create negative impacts such as noise, light or odours which may be noticeable on adjacent properties, or where the Site is directly adjacent to residential activities. The Development Officer shall require that these potential impacts be minimised or negated. This may be achieved through a variety of measures including: landscaping; berming or screening; noise attenuation measures such as structural soundproofing; and any other measures as the Development Officer may deem appropriate.
- f. Notwithstanding General Industrial Use Class, where potential impacts of an activity may affect surrounding uses and such impacts are not mitigated to the satisfaction of the Development Officer, the Development Officer may deny that activity under the General Industrial Use Class.
- g. All Uses and activities shall be located and carried on such that no nuisance factor is created or apparent outside an enclosed building. There shall be no outdoor display areas except for Automotive and Minor Recreational Vehicle Sales/Rentals, and Convenience Vehicle Rentals.
- h. The maximum Building Height shall not exceed 20.0 m, except for Hotels and Apartment Hotels where the maximum Building Height shall not exceed 28.0 m.
- i. Bars and Neighbourhood Pubs shall not exceed 200 occupants and 240 m<sup>2</sup> of Public Space.
- j. General Retail Sales shall not exceed 2,800 m<sup>2</sup> of gross floor area per unit.
- k. Nightclubs shall not exceed 200 occupants and 240 m<sup>2</sup> of Public Space.
- l. Restaurants shall not exceed 200 occupants and 240 m<sup>2</sup> of Public Space.
- m. Specialty Food Services shall not exceed 100 occupants and 120 m<sup>2</sup> of Public Space.
- n. Warehouse Sales shall not exceed 2,800 m<sup>2</sup> of gross floor area per unit.

o. The roof line and building Facade of all developments, including those with a Floor Area greater than 3000 m<sup>2</sup> or single wall length of 25 m visible from a public road, shall:

i. include design elements that reduce the perceived mass of the building and add architectural interest; and

ii. include landscaping adjacent to exterior walls to minimise the perceived mass of the building and to create visual interest.

p. All mechanical equipment, including roof mechanical units, shall be concealed by screening in a manner compatible with the architectural character of the building or concealed by incorporating it within the building.

q. Any outdoor lighting for any development shall be located and arranged so that no direct rays of light are directed at any adjoining properties, or interfere with the effectiveness of any traffic control devices in accordance with the Zoning Bylaw.

r. On-site security and building lighting must be situated and designed such that the illumination is directed downwards and no direct rays of light are directed outwards from the Site into adjacent properties.

s. All storage, display, or parking areas shall be hard surfaced.

t. A detailed landscaping plan shall be submitted prior to the approval of any development permit in accordance with the Zoning Bylaw. This plan shall include

i. pedestrian connections with the multi-use trail developed on parkland and within the stormwater management facility;

ii. connections between private development and the public park located along Blackmud Creek;

iii. fence details;

iv. exterior lighting and street furniture elements;

v. pedestrian seating areas; and

vi. varied sizes and species of new plantings.

Landscaping plans shall contain design and materials which coordinate with, and are a continuation of, existing development approvals within the area of this DC1.

u. All landscaped yards shall contain minimum plantings as outlined in the following:

i. one tree for each 17.5 m<sup>2</sup> and one shrub for each 10 m<sup>2</sup> of any required Yard or Setback at grade.

ii. one tree for each 17.5 m<sup>2</sup> and one shrub for each 7.5 m<sup>2</sup> of required parking area islands. In no case shall there be less than one tree per required parking area island.

v. All planting shall conform to the following:

i. the proportion of deciduous to coniferous trees and shrubs shall be

approximately 50:50 and the following mix of tree sizes shall be used;

- A. 100% of required deciduous trees shall be a minimum of 75 mm calliper; and
- B. 75% of required coniferous trees shall be a minimum of 2.5 m in height and 25% shall be a minimum 3.5 m in height.

w. For the purposes of subdivision, the concept plans for the collector roadways shall include treed boulevards.

x. Signs shall comply with the regulations found in Section 59 and Schedule 59E of the Edmonton Zoning Bylaw.

y. Individual business identification signs located on the Facades of buildings shall be similar in proportion, construction materials and placement. The design, scale and placement of signs shall be such that the signage does not detract from the overall appearance of the development and that the signage is not obtrusive, having regard to the scale of the buildings on the Site and to the distance of the building Setback.

z. Site planning and building design of individual developments adjacent to the creek and top of bank walkway shall include elements such as doors, windows, public access, and architectural details oriented toward the public park and Blackmud Creek.

#### **4.1. Development Regulations for Sub-Area 1**

a. The following regulations shall apply to Sub-Area 1 as shown on the Figure 1, Conceptual Site Plan;

- i. A minimum Yard of 1.0 m shall be required where any lot line of a Site abuts a public roadway, other than a Lane and shall provide enhanced landscape screening with one shrub for each 10m<sup>2</sup> and tall grasses spaced at a maximum of 0.5 m on centre for tall grasses.
- ii. A building setback of 3.0 m shall be required where any Lot Line of a Site Abuts a public roadway, other than a Lane.
- iii. No minimum Yard shall be required where any Lot Line of a Site Abuts a parcel that allows residential uses.
- iv. Parking and loading facilities shall be located a minimum of 1.0 m from any public or pedestrian corridor and the setback landscaped and screened with a dense hedge row at a maximum of 1.0 m on centre for shrubs or 0.5 m on centre for tall grasses.

#### **5. Design Guidelines and Regulations**

The Development Officer shall ensure that the following site planning and architectural guidelines and regulations are incorporated in all developments within Area 1 of this Provision to achieve a high quality urban environment, compatibility of mixed uses and quality streetscapes and architecture.



### **5.1. Site Planning**

- a. Arrangement of structures, parking and circulation areas and open spaces shall recognize the particular characteristics of the Site and shall relate to the surrounding built environment in pattern, function, scale character and materials.
- b. Residential and Residential-related Uses shall be separated from commercial or business industrial development. Landscaping, increased setbacks and appropriate building orientation shall be utilised as means to provide adequate separation between such land uses.
- c. Building siting shall take into consideration the context of the surrounding mixed use area, the location of major traffic generators and the Site's particular characteristics.
- d. The placement and design of structures shall facilitate pedestrian activity and convey a visual link to the street and sidewalks.
- e. Residential, Commercial, and Business Industrial Uses should incorporate plazas and courtyards into their design. Primary access to public plazas shall be provided from the street, and secondary accesses may be provided from on-site uses. Landscaping, water features, and public art should be incorporated into plaza and courtyard design and provide shelter and relief from direct sunlight.
- f. Buildings should be sited along Frontages, and use variable building setbacks in order to avoid long monotonous building Facades and to create an interesting streetscape.
- g. Increased building setbacks shall be provided for buildings 10.0 m high or greater.

### **5.2. Architecture**

- a. A distinct architectural theme will be developed for the neighbourhood. High quality, innovative and imaginative architecture is encouraged. The selected architectural style/design shall consider compatibility with surrounding character, including harmonious building style, form, size, colour, materials and roofline.
- b. Building orientation located on corner Sites should be arranged to frame the corner of the intersection to create a sense of place using building design, decorative architectural walls, and landscaping.
- c. Building Facades, on all sides, shall include design elements, finishing materials, and variations that will reduce any perceived mass and linearity of large buildings and add architectural interest.
- d. Building entries shall be readily identifiable and use recesses, projections, columns and distinctive material and colours to articulate entrances. Use of cementitious stucco and vinyl siding shall be avoided.
- e. All wall surfaces visible to the public shall be architecturally enhanced. Front and side wall

elevations shall provide building offsets and architectural details.

- f. The roof line of buildings shall consist of:
  - i. sloped roofs of varying pitches which may be finished in any combination of metal, wood shakes, asphalt shingles, clay tiles, or roof materials having a similar texture and appearance; OR
  - ii. flat roofs where they are concealed by parapet walls that include articulation and use of design elements that are in harmony with the principal architectural theme that reduce any perceived mass and linearity of large buildings and add architectural interest.

### **5.3. Access and Circulation**

- a. Site access and internal circulation shall promote safety, efficiency and convenience. Conflicts between vehicles and pedestrians shall be avoided. Clearly defined pedestrian paths shall be provided from parking areas to primary building entrances and sidewalks along the Site's perimeter.
- b. Internal circulation within residential developments shall be designed to facilitate access to building clusters, take advantage of views or amenities and to reduce conflict with pedestrians.
- c. Linkages (e.g. walkways, common landscape areas, and building orientation) between compatible commercial and business industrial uses are encouraged.
- d. Parking shall not dominate street frontages. Underground parking is recommended for low rise apartments.
- e. Parking or loading facilities shall be located a minimum of 3.0 m from any public or pedestrian corridor and the setback landscaped and screened to the satisfaction of the Development Officer.
- f. Recreation facilities such as jogging trails and bicycle paths shall connect developments to the Blackmud Creek ravine and multi-use trail.

### **5.4. Landscaping**

- a. Landscaped areas shall utilise the three tiered planting system: 1) grasses and ground covers; 2) shrubs and vines; 3) trees. All areas not covered with structures, yards, walkways, driveways, and parking spaces shall be landscaped. Xeriscapes and low maintenance or naturalised vegetation types are encouraged.
- b. Where fences are developed they shall be consistent in design, materials, finishes, and colours with the fence styles established for the neighbourhood. Chain link fences shall not be visible from public roadways.

**5.5. Crime Prevention Through Environmental Design (CPTED)**

- a. CPTED principles shall be used to design public and private spaces and facilities, focusing on natural surveillance and access control.

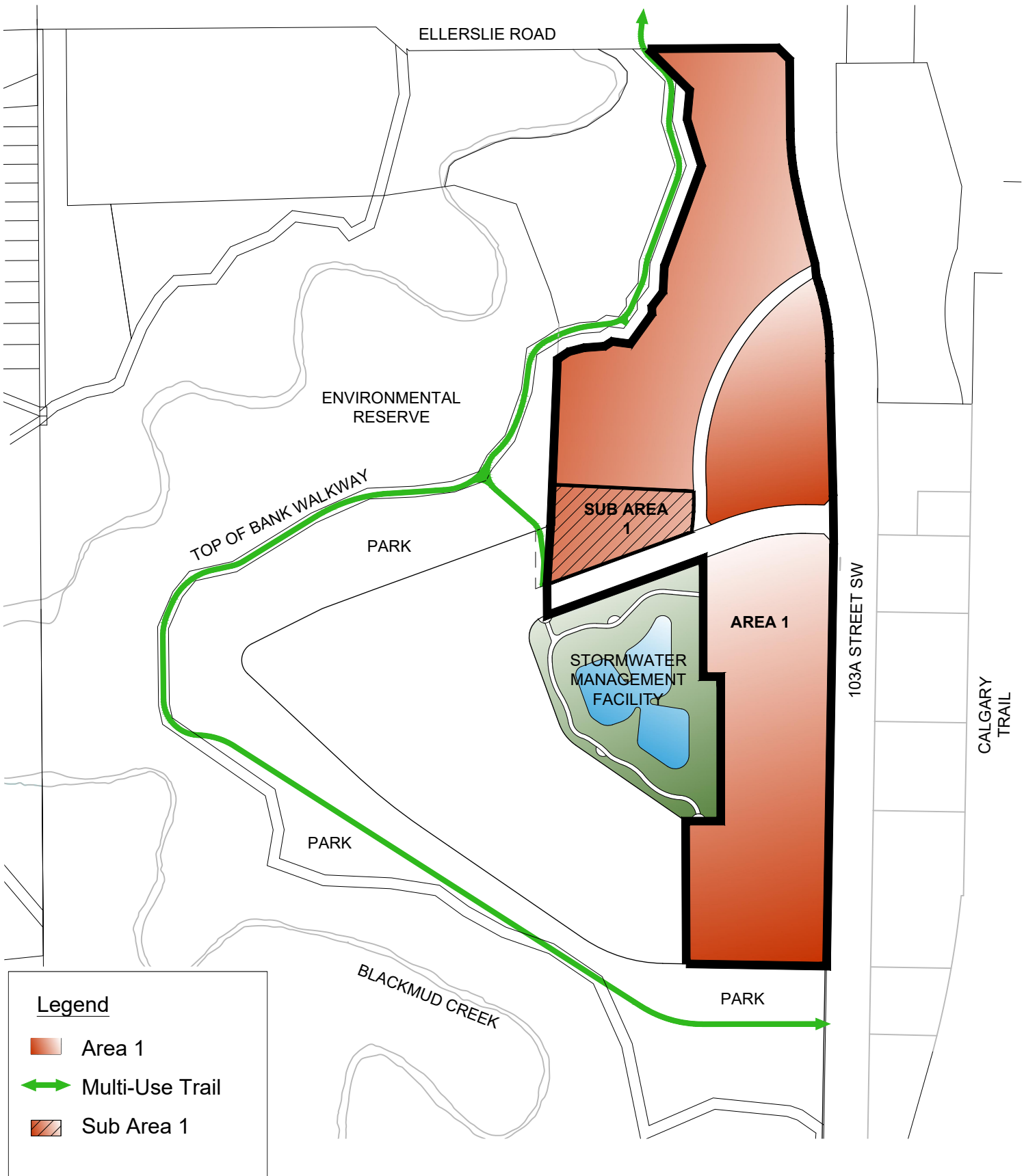


FIGURE 1 - CONCEPTUAL SITE PLAN

