

Bylaw 17726

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 2259

WHEREAS Lot 94, Block 10, Plan 0627887; located at 11189 Ellerslie Road SW, Rutherford, Edmonton, Alberta, is 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 Lot 94, Block 10, Plan 0627887; located at 11189 Ellerslie Road SW, Rutherford, Edmonton, Alberta, which lands are shown on the sketch plan attached 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 attached as Schedule "B".

3. The sketch plan attached as Schedule "A" and the uses and regulations of the DC2 Provision shown on Schedule "B" attached are hereby incorporated into the Zoning Bylaw, being Part IV to Bylaw 12800, The Edmonton Zoning Bylaw.

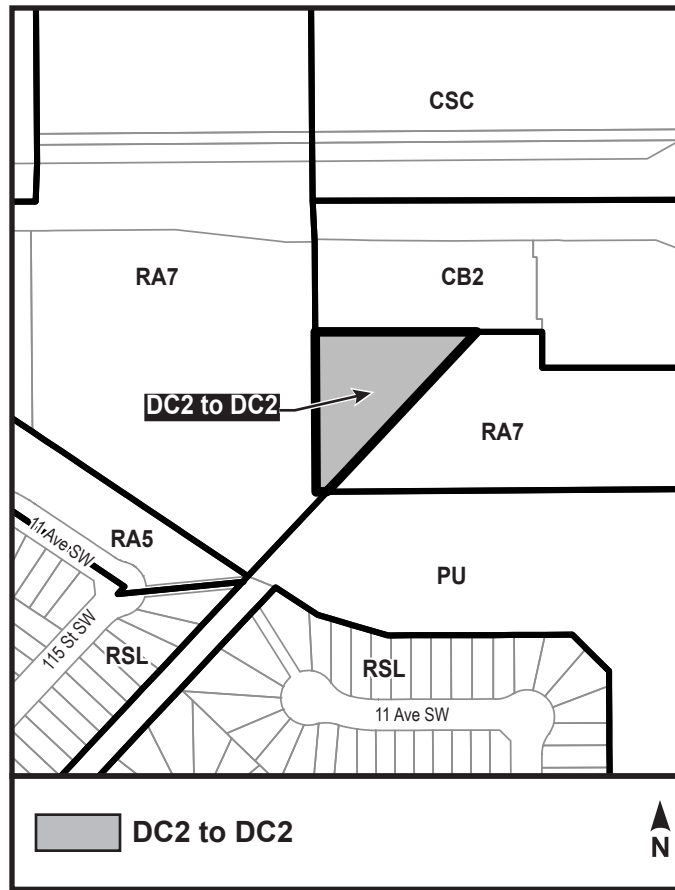
READ a first time this	day of	, A. D. 2016;
READ a second time this	day of	, A. D. 2016;
READ a third time this	day of	, A. D. 2016;
SIGNED and PASSED this	day of	, A. D. 2016.

THE CITY OF EDMONTON

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MAYOR

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

BYLAW 17726



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

To establish a Site Specific Development Control Provision to accommodate a high density apartment building that ensures compatibility with surrounding land uses and quality urban design while accommodating the unusual triangular shape of the property.

**2. Area of Application**

Lot 94, Block 10, Plan 062 7887; containing 0.413 ha, more or less, located south of Ellerslie Road and west of 111th Street, Rutherford, as shown on Schedule "A" of the Bylaw adopting this Provision.

**3. Uses**

- a. Apartment Housing
- b. Residential Sales Centre
- c. Minor Home Based Business
- d. Non-Accessory Parking
- e. Fascia On-Premises Signs
- f. Freestanding On-Premises Signs
- g. Projection On-Premises Signs
- h. Temporary On-Premises Signs

**4. Development Regulations**

- a. Development shall be in general accordance with the attached Appendices as follows:
  1. If Non-accessory Parking is proposed in accordance with the regulations of this Site Specific Direct Control Provision, development shall be in general conformance with the following Appendices:
    - i. Appendix 1a, Site Plan;
    - ii. Appendix 2a,b,c,d, Elevations;
    - iii. Appendix 3a, Underground Parking;
    - iv. Appendix 4a, Landscaping Concept;
    - v. Appendix 5a, Amenity Space and Pedestrian Circulation Map; and
    - vi. Appendix 6a (i), (ii), Parking and Vehicular Circulation Plan.
  2. If Non-accessory Parking is not proposed, ceases to exist, or the

easements thereto, or the signed Development Agreement to allow landscaping on Lot 91, Block 10, Plan 0627887 is dissolved, landscaping shall be provided on Site in general conformance with the following Appendices:

- i. Appendix 1b, Site Plan;
  - ii. Appendix 2a,b,c,d, Elevations;
  - iii. Appendix 3b, Underground Parking;
  - iv. Appendix 4b, Landscaping Concept;
  - v. Appendix 5b, Amenity Space and Pedestrian Circulation Map; and
  - vi. Appendix 6b (i), (ii), Parking and Vehicular Circulation Plan.
- b. The building shall be Setback as indicated on Appendix 1a or 1b, Site Plan:
- i. A minimum Setback of 7.5 m from the southeast property line;
  - ii. A minimum Setback of 13.0 m from the north property line;
  - iii. A minimum Setback of 4.5 m from the west property line;
  - iv. The underground parkade shall be Setback from the southeast property line a minimum of 7.5 m as indicated on Appendix 3a or 3b, as applicable, Underground Parking Plan.
- c. The following required landscaped Yards shall be applied except as required for vehicular and pedestrian circulation as indicated on Appendix 1a or 1b, as applicable, Site Plan:
- i. A minimum landscaped Yard of 7.5 m from the southeast property line to the building;
  - ii. A minimum landscaped Yard of 1.8 m adjacent to the north property line; and,
  - iii. A minimum landscaped Yard of 4.5 m from the west property line to the building.
- d. The maximum Floor Area Ratio shall not exceed 2.41.
- e. The maximum building Height shall not exceed 26 m nor 8 Storeys.
- f. Platform structures (balconies) may project 2.0 m into a required Yard except the west and north Yards, as indicated on Appendix 1a or 1b, Site Plan, as applicable.
- g. The number of dwelling units shall not exceed 105, nor 254 units/ha.
- h. Amenity Areas shall consist of:
- i. A minimum Amenity Area of 29.3 m<sup>2</sup> per dwelling (See Appendix 5a or 5b, Amenity Space and Pedestrian Circulation, as applicable);
  - ii. A minimum Amenity Area of 45 m<sup>2</sup> shall be provided within the building for active recreational purposes. This area shall not be developed as residential units; and

- iii. Outdoor, at grade Amenity Areas, as identified on Appendix 5a or 5b, Amenity Space and Pedestrian Circulation, as applicable, shall be provided as follows:
  - A. Amenity Area A shall be a minimum of 77 m<sup>2</sup>.
  - B. Amenity Area B shall be a minimum of 103 m<sup>2</sup>.
  - C. Amenity Area C shall be a minimum of 94 m<sup>2</sup>.
- i. Development shall be in accordance with the following architectural features, to the satisfaction of the Development Officer, as generally illustrated on Appendix 2a or 2b, Elevations, as applicable:
  - i. All exterior finishing materials shall be of a high quality acrylic stucco, durable and attractive in appearance and with consistent treatment on all faces of the building.
  - ii. On site security and building lighting shall provide a safe-lit environment and ensure that the illumination is directed downwards and not towards adjacent properties.
  - iii. All mechanical equipment on the roof of any building shall be concealed by screening in a manner compatible with the architectural character of the building, or concealed by incorporating it within the building.
- j. A Crime Prevention Through Environmental Design (CPTED) Assessment shall be submitted, reviewed and accepted by the Development Officer prior to the issuance of a Development Permit to ensure that development on the Site provides a safe urban environment in accordance with the guidelines and principles established in the Design Guide for a Safer City.
- k. The following fencing requirements shall be consistent with the architectural theme of the development and shall be constructed on Site as indicated on Appendix 4a or 4b, Landscaping Concept, as applicable:
  - i. A 1.2 m high solid screen wood fence along the north property line except where required for vehicular circulation;
  - ii. A 1.2 m high wrought iron fence along the southeast property line except where required for vehicular circulation; and,
  - iii. A decorative pedestrian entrance gate made with wrought iron, at the south end of the Site to provide connectivity between the multi-use trail and the sidewalk located along the western edge of the Site.
- l. Parking, Vehicular Circulation, and Garbage and Loading Area:
  - i. No parking, loading, storage, trash collection, outdoor service, or display area shall be permitted within a required Yard (except in the northern portion of the Site as indicated on Appendix 1a or 1b, Site Plan, as applicable);
  - ii. A maximum of 18 Non-accessory Parking spaces may only be located along the northern portion of the Site in accordance with Appendix 1a,

## Site Plan.

- iii. A temporary turnaround shall be constructed within the pipeline corridor with approval until such time as the lands located immediately east of this Site are developed providing access directly to James Mowatt Trail;
  - iv. Loading, storage and trash collections 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 with a 1.8 m high wood fence with hinged gates that is consistent with the main building and perimeter fencing in accordance with Appendix 4a or 4b, Landscaping Concept, as applicable;
  - v. Internal access to the parcel will be from the site to Ellerslie Road and James Mowatt Trail;
  - vi. In the event that the joint access easement exists as shown on Appendix 6a, access to the Site shall be provided in accordance with Appendix 6a;
  - vii. In the event that the joint access easement exists as shown in Appendix 6b, access to the Site shall be provided in accordance with Appendix 6b; and,
  - viii. Notwithstanding sign Schedule 59B, directional signage shall be provided for the one-way drop off operation at the entrance to the building, to the satisfaction of the Development Officer.
- m. Parking shall consist of the following and be in accordance with Appendix 6a or 6b, Parking and Vehicular Circulation, as applicable:
- i. The minimum total parking stalls provided shall be 169 stalls which include visitor parking;
  - ii. The minimum underground residential parking stalls shall be 152 stalls, including 18 tandem stalls;
  - iii. The minimum visitor parking stalls located at grade shall be 4 stalls;
  - iv. The minimum underground visitor parking stalls shall be 13 stalls;
  - v. The minimum secure underground bicycle parking shall be 25 stalls; and,
  - vi. The minimum outdoor bicycle parking shall be 5 stalls.
- n. Main building entrances for any use shall be designed for universal accessibility. Change in elevation 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.
- o. The following regulations are specific to the development of Non-accessory Parking:
- i. Prior to the issuance of a Development Permit, a Development Agreement shall be provided between Lot 91, Block 10, Plan 0627887 and Lot 94, Block 10, Plan 0627887 to permit Landscaping to be located on Lot 91, Block 10, Plan 0627887 as illustrated on Appendix 4a, Landscape Concept, to the satisfaction of the Development Officer.

- ii. If development of the Non-accessory Parking does not occur, ceases to exist, or the easements thereto, or the signed Development Agreement to allow Landscaping on Lot 91, Block 10, Plan 0627887 is dissolved, Landscaping shall be provided on Site as illustrated on Appendix 4b, Landscape Concept.
- p. The Developer shall enter into a Servicing Agreement for offsite improvements necessary as a result of the development. These improvements include but are not limited to the following:
  - i. Additional levels of on-site fire protection shall be addressed as required. Engineering drawings must be submitted to EPCOR Water, Network Services for review and approval, prior to the release of drawings for building permit review; and
  - ii. Construction of a 1.5 m concrete walkway from the southerly limits of the site to tie into the existing multi-use trail within the pipeline corridor as indicated on Appendix 1a or 1b, Site Plan, as applicable.
- q. A detailed Landscape Plan shall be submitted by a registered landscape architect in accordance with the Zoning Bylaw prior to the approval of any Development Permit. The landscape plan shall include pedestrian connections, exterior lighting and street/walkway furniture, landscape features, open spaces, fencing details, garbage enclosure details, and landscape design and material selection consistent with Appendix 4a or 4b, Landscape Concept, as applicable.
- r. All landscaped Yards and Amenity Areas shall contain a minimum of 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 outdoor at grade Amenity Area.
- s. All plantings shall conform to the following:
  - i. The proportion of deciduous to coniferous trees and shrubs shall be approximately 60:40;
  - ii. 100% of required deciduous trees shall be a minimum of 75 mm caliper; and,
  - iii. 75% of required coniferous trees shall be a minimum of 2.5 m in height and 25% shall be a minimum of 3.5 m in height.
- t. A public access easement shall be registered on the Certificate of Title to allow for public use of internal site sidewalks, as shown on Appendix 1a or 1b, Site Plan, as applicable, and Appendix 5a or 5b, Amenity Space and Pedestrian Circulation, as applicable.
- u. Prior to the issuance of the Development Permit, 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 market price, or as prescribed in any future City of Edmonton's Affordable Housing Policy initiatives.



- v. Prior to the issuance of a Development Permit, the owner shall enter into an agreement with the City whereby the Owner shall provide public art to a value equal to \$6.46 per square meter (approximately sixty cents per square foot) of Gross Floor Area. The public art will be:
  - i. Acquired through a juried art procurement process administered by the Edmonton Arts Council; and
  - ii. Owned and maintained by the Condominium Association.
- w. General Development Regulations and Special Land Use Provisions of the Zoning Bylaw shall apply, unless otherwise modified or regulated by this Provision.
- x. The building shall meet the requirements of LEED Canada-NC 1.0 to achieve a LEED Silver sustainability target. Upon submission of a Development Permit application, the applicant must submit a detailed report, endorsed by a third-party registered professional engineer or architect, indicating how the LEED Silver points will be achieved upon construction completion. This report must be approved by the Development Officer prior to the issuance of the Development Permit.

This Provision encourages that the following Sustainability Targets be included in the LEED Silver checklist and integrated into the building design to the satisfaction of the Development Officer:

- i. Sustainable Sites, a total of 5 points, for including site selection, development density, alternate transportation for public transportation access, bicycle storage and changing room, and stormwater management;
- ii. Water Efficiency, 4 points, for water efficiency landscaping by limiting or eliminating the use of potable water for landscape irrigation, maximizing water efficiency within the building with high efficiency fixtures and employing wastewater technology;
- iii. Energy and Atmosphere, 4 points, for using increasing levels of energy performance in energy consumption and cost in regulated and non-regulated uses, and employing best practice commissioning to verify that the entire building is designed, constructed and calibrated to operate as designed, in compliance with the Montreal Protocol;
- iv. Material and Resources, 5 points for including a construction waste management plan to divert waste up to 75% from the landfill, and using building materials that incorporate recycled contents. At least 10% of building material and products used will be extracted and manufactured regionally. In addition, a building durability plan will be developed and implemented in accordance with the principles of CSA S478-95 (2001);
- v. Indoor Environmental Quality, a total of 12 points, for providing effective delivery of supply air to support the safety, comfort and well being of building occupants, and together with this, preparing a construction IAQ management plan for construction and before occupancy. Construction specifications will indicate the use of low volatile organic compounds

(VOC) for adhesives, sealants, paints and coatings, and carpets, and show controllability of systems in both perimeter spaces and non-perimeter spaces to achieve a daylight and view factor of 95%; and

- vi. Innovation and Design Process, 3 points, for the placement of signage in different parts of the building to educate occupants and visitors to the benefits of Green Buildings.

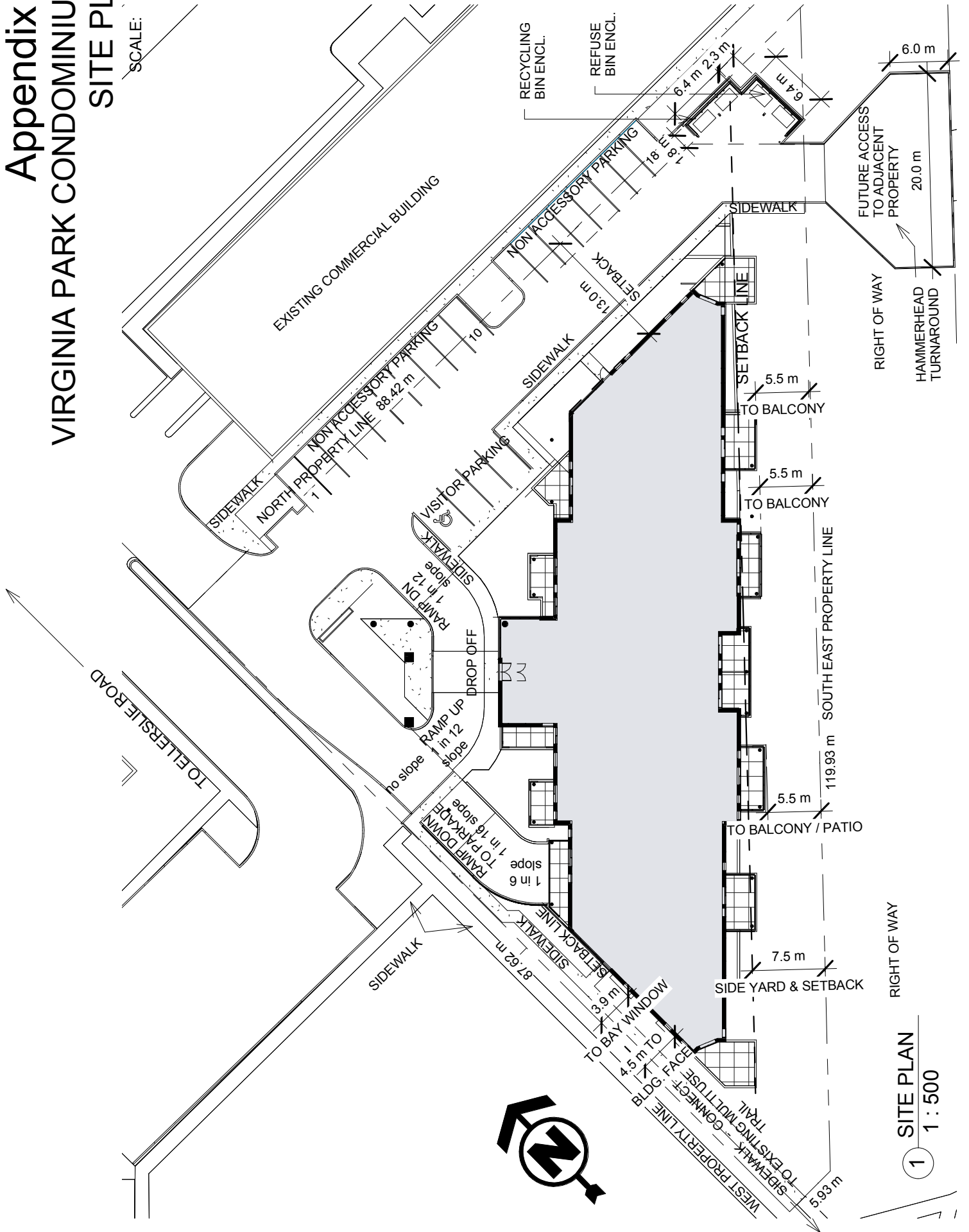
# Appendix 1a

## VIRGINIA PARK CONDOMINIUMS

### SITE PLAN

SCALE: 1 : 500

11/26



1 SITE PLAN  
1 : 500

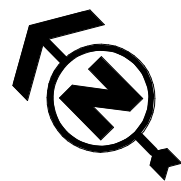
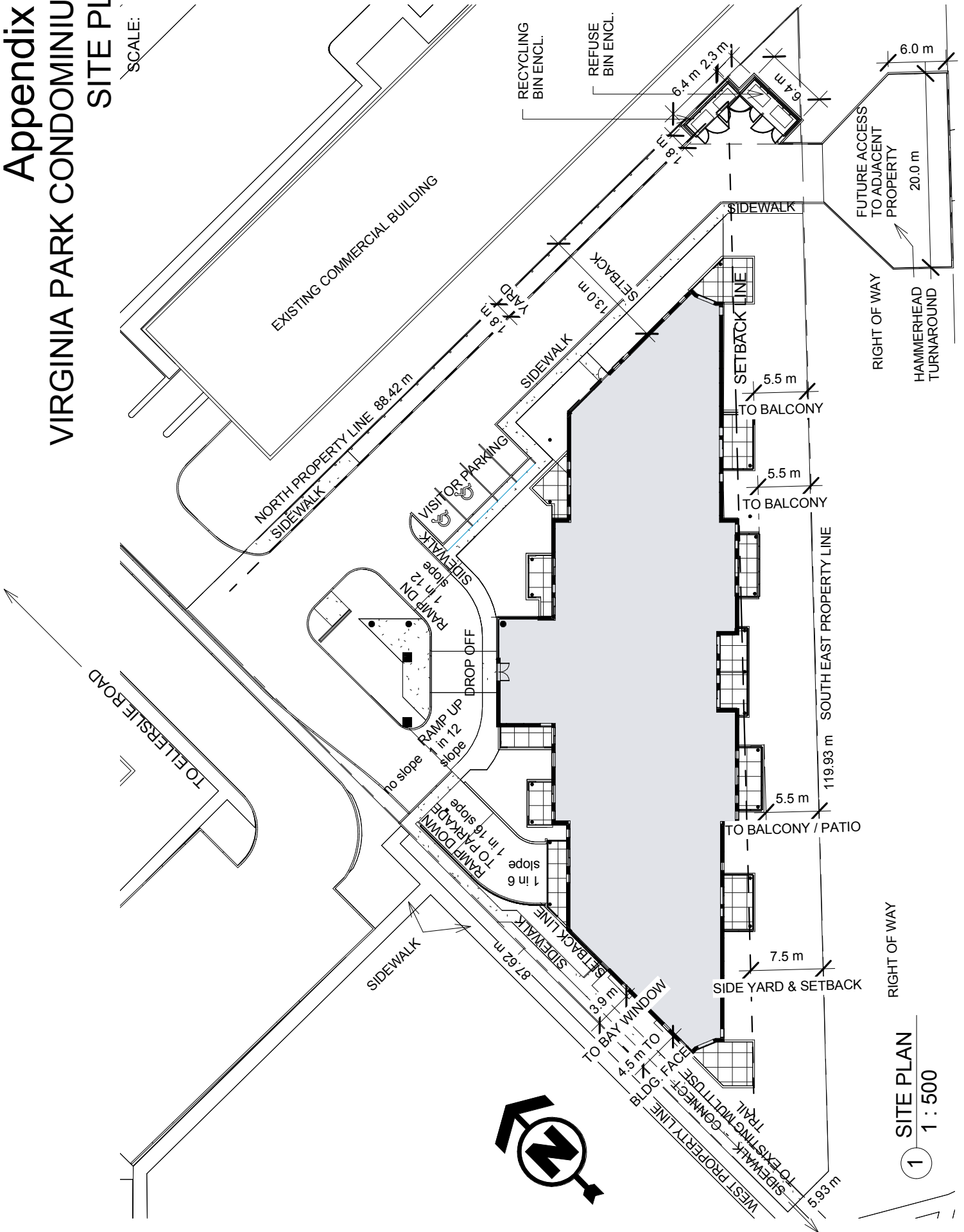
# Appendix 1b

## VIRGINIA PARK CONDOMINIUMS

### SITE PLAN

SCALE: 1 : 500

12/26



1 SITE PLAN  
1 : 500

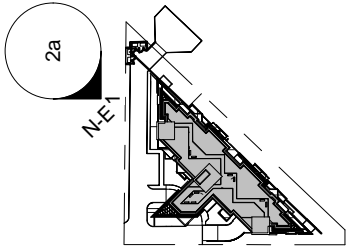
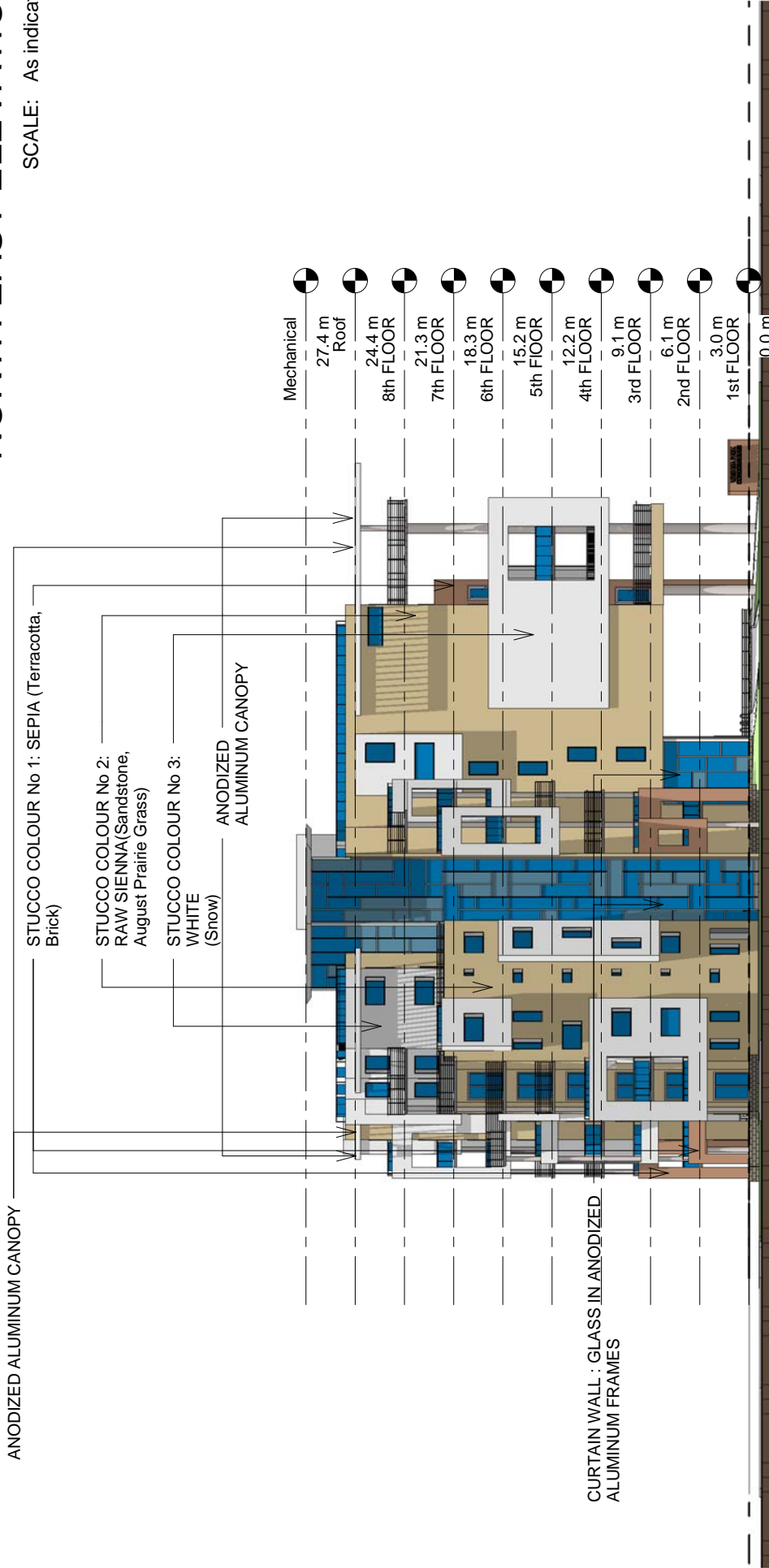
# Appendix 2a

## VIRGINIA PARK CONDOMINIUMS

### NORTH EAST ELEVATION

SCALE: As indicated

13/26



① NORTH EAST ELEVATION  
N.T.S.

# Appendix 2b

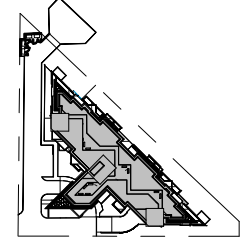
## VIRGINIA PARK CONDOMINIUMS

### NORTH WEST ELEVATION

SCALE: As indicated



1 NORTH WEST ELEVATION  
N.T.S.

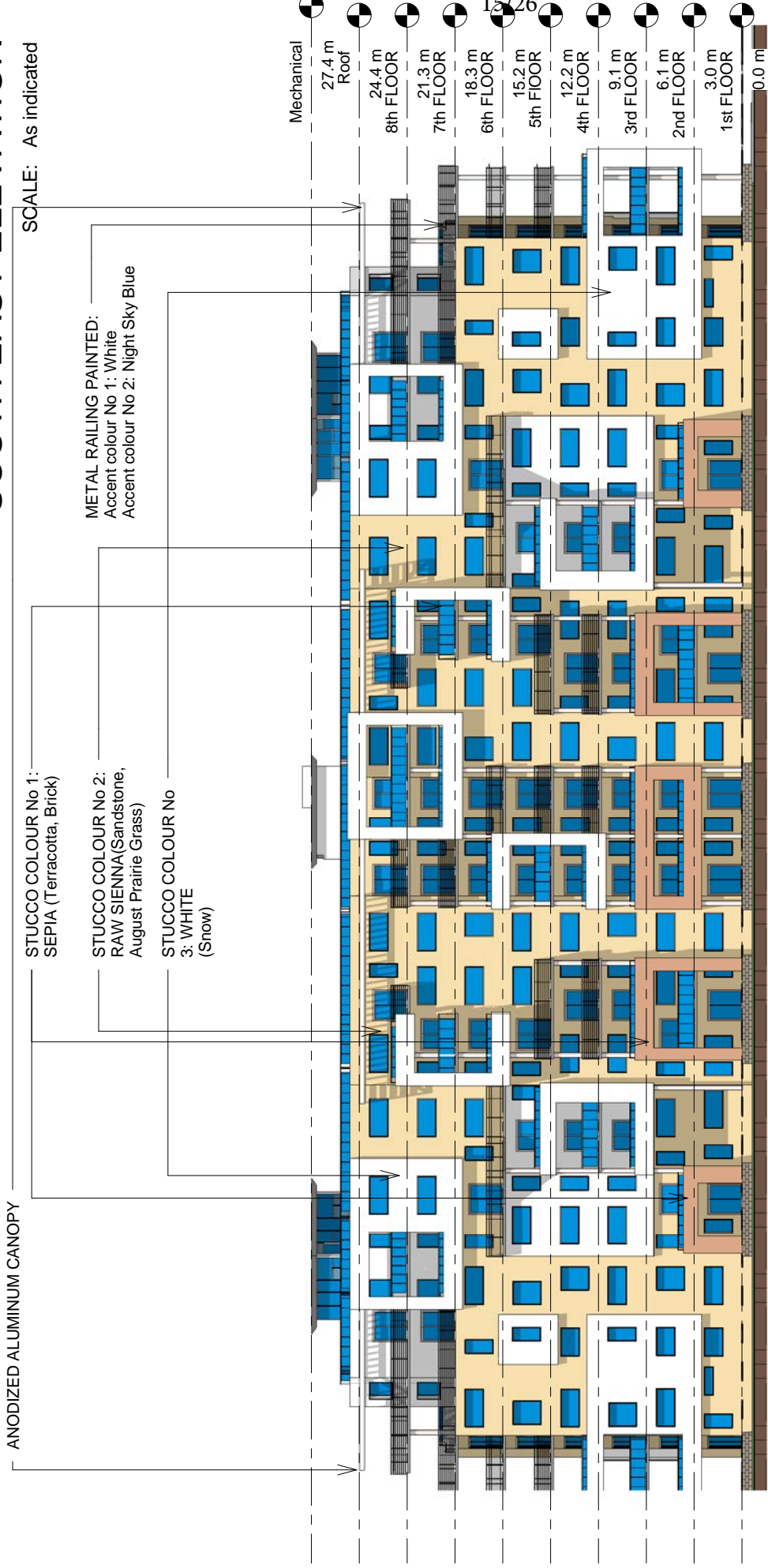




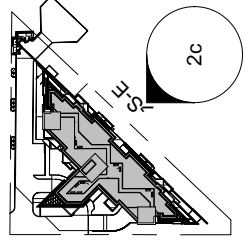
# Appendix 2c

## VIRGINIA PARK CONDOMINIUMS

### SOUTH EAST ELEVATION



1 SOUTH EAST ELEVATION  
N.T.S.

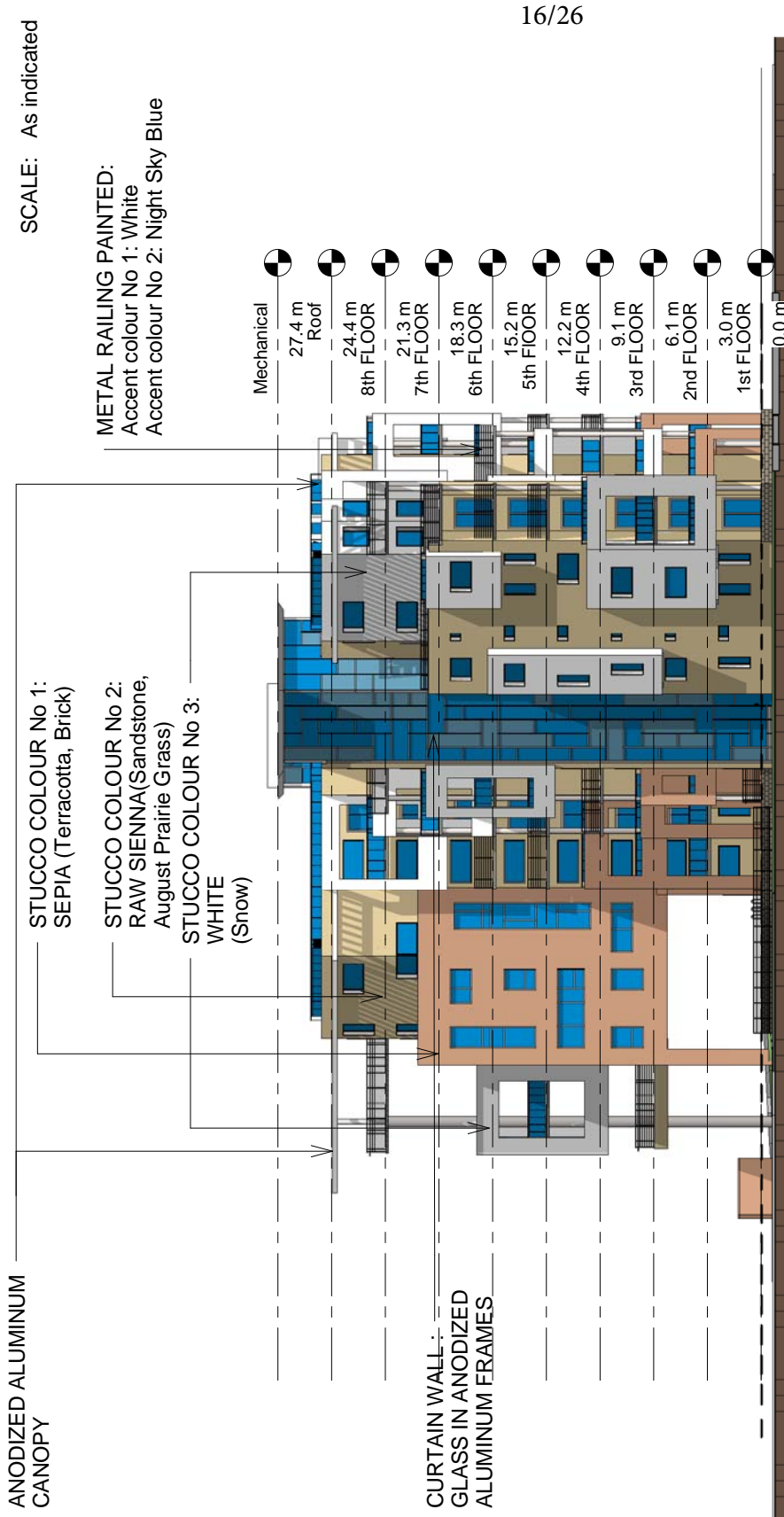


# Appendix 2d

## VIRGINIA PARK CONDOMINIUMS

### SOUTH WEST ELEVATION

SCALE: As indicated





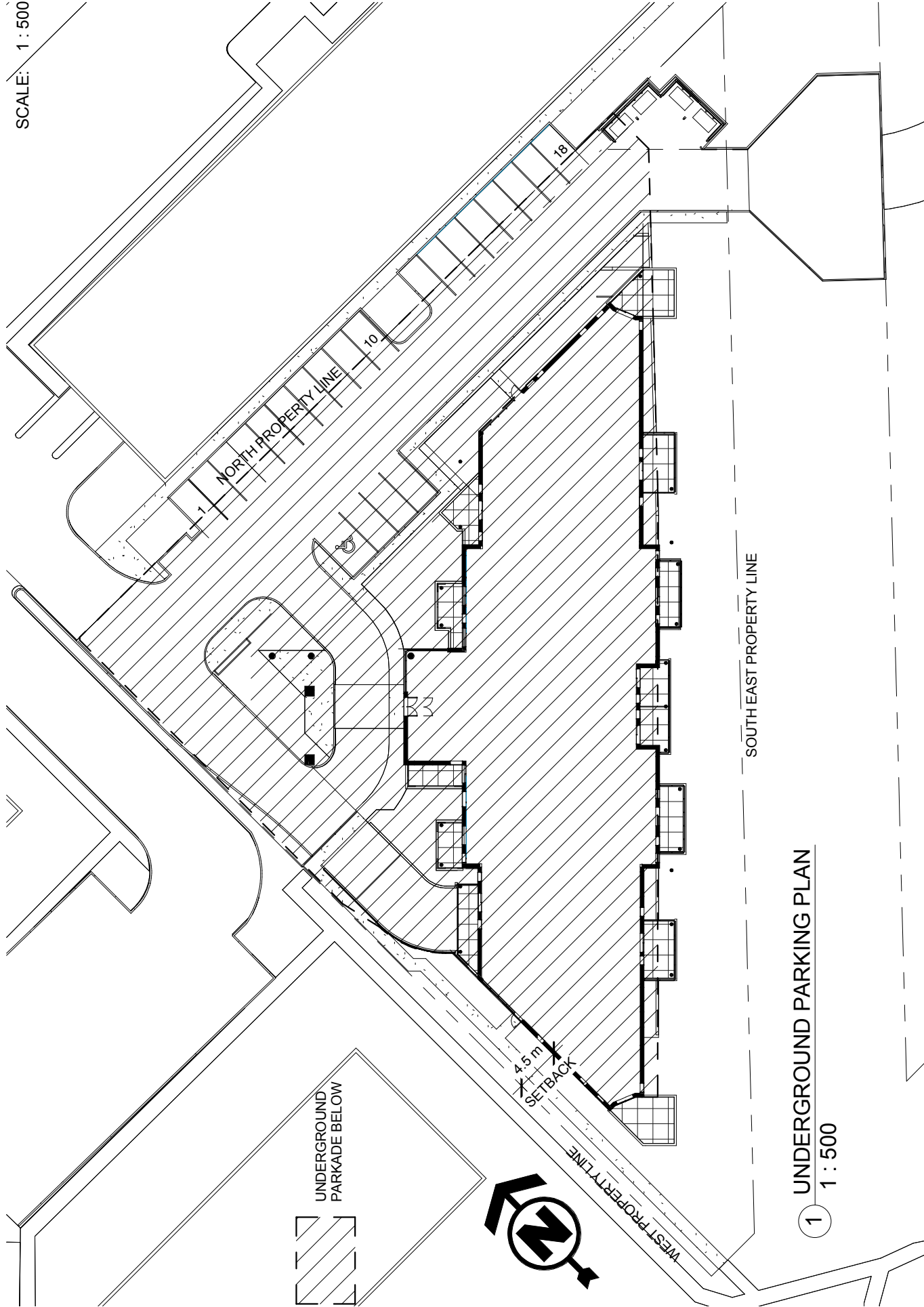
# Appendix 3a

## VIRGINIA PARK CONDOMINIUMS

### UNDERGROUND PARKING PLAN

SCALE: 1 : 500

17/26



1 UNDERGROUND PARKING PLAN  
1 : 500

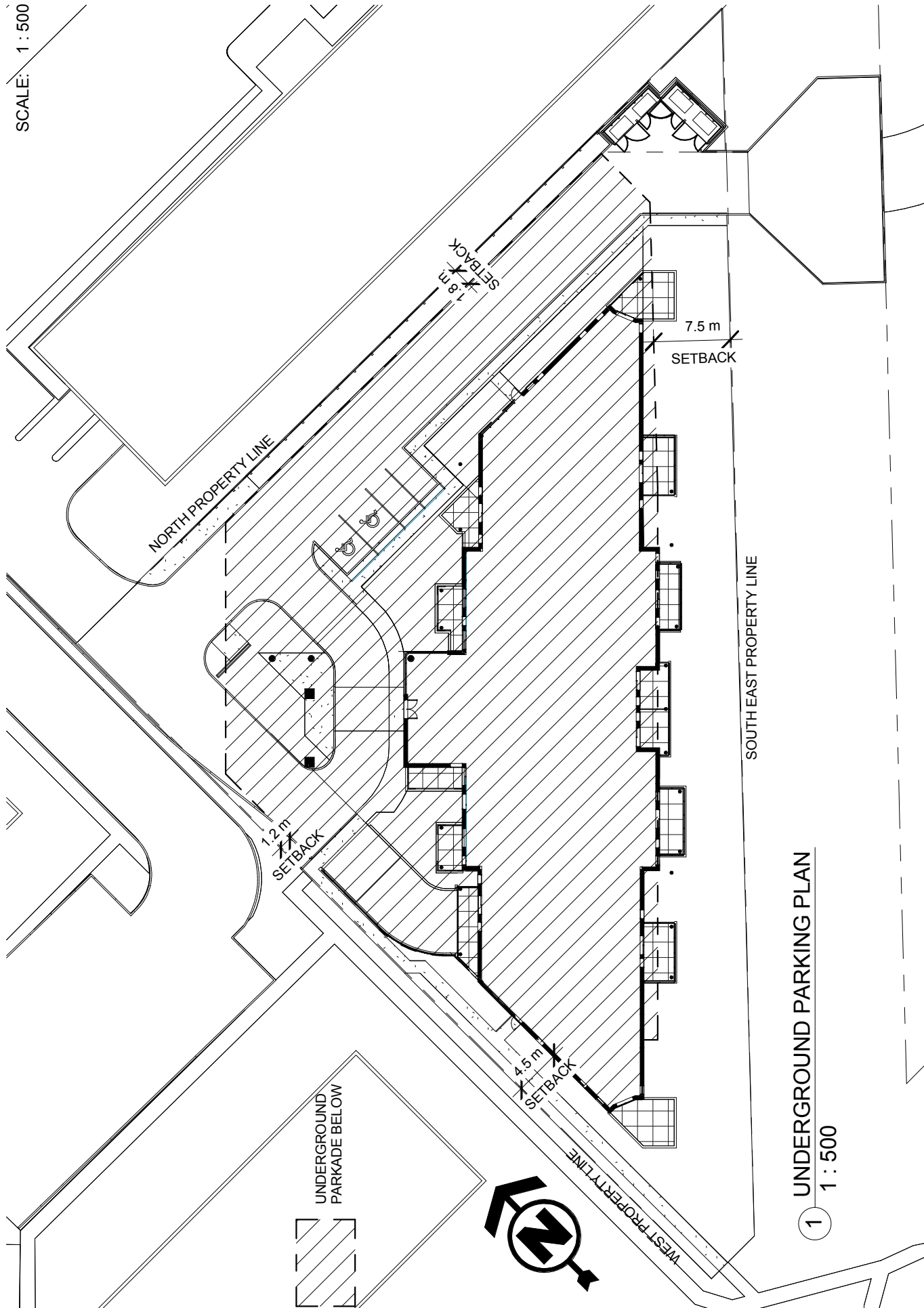
# Appendix 3b

## VIRGINIA PARK CONDOMINIUMS

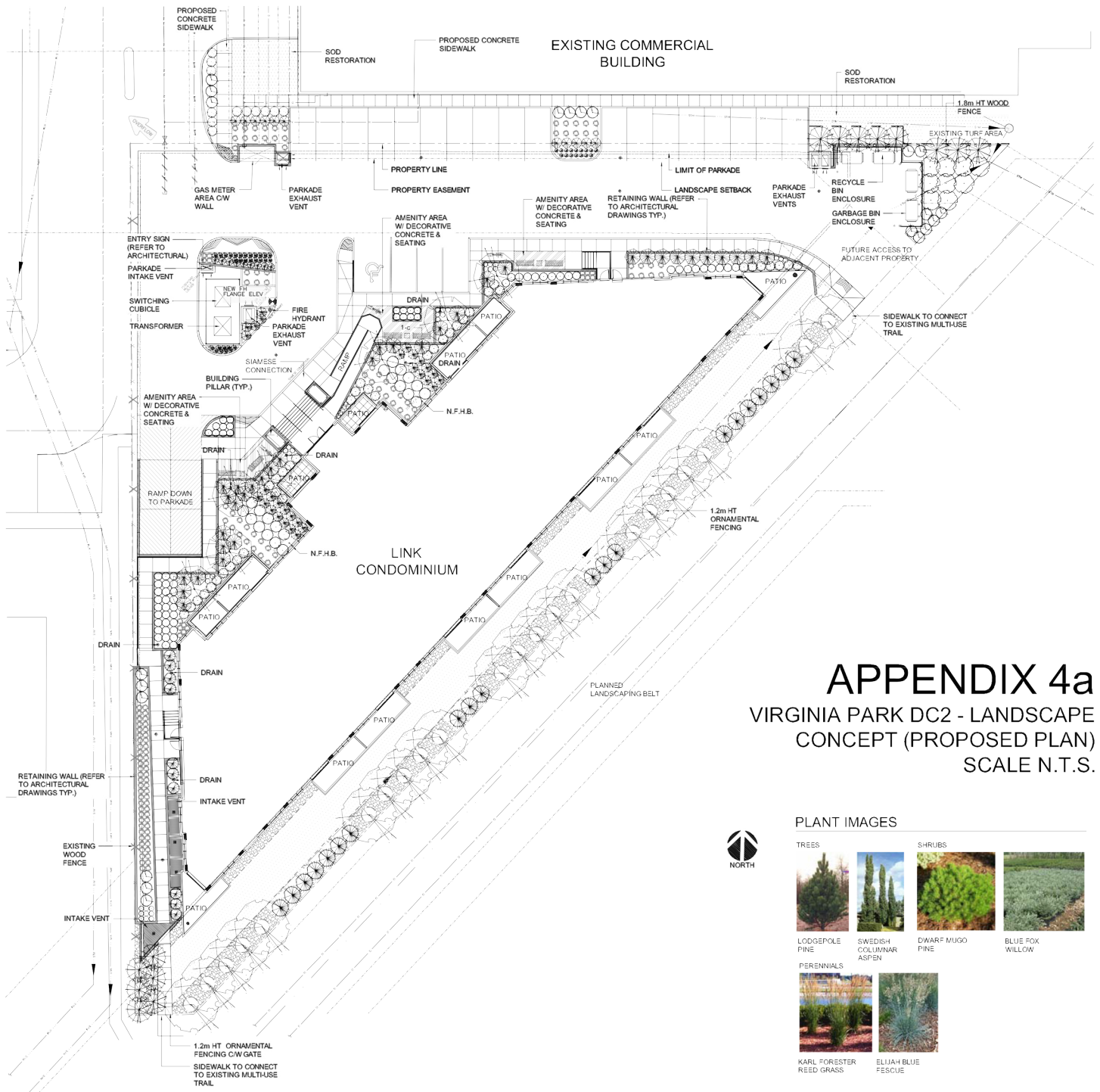
### UNDERGROUND PARKING PLAN

SCALE: 1 : 500

18/26



1 UNDERGROUND PARKING PLAN  
1 : 500



# APPENDIX 4a

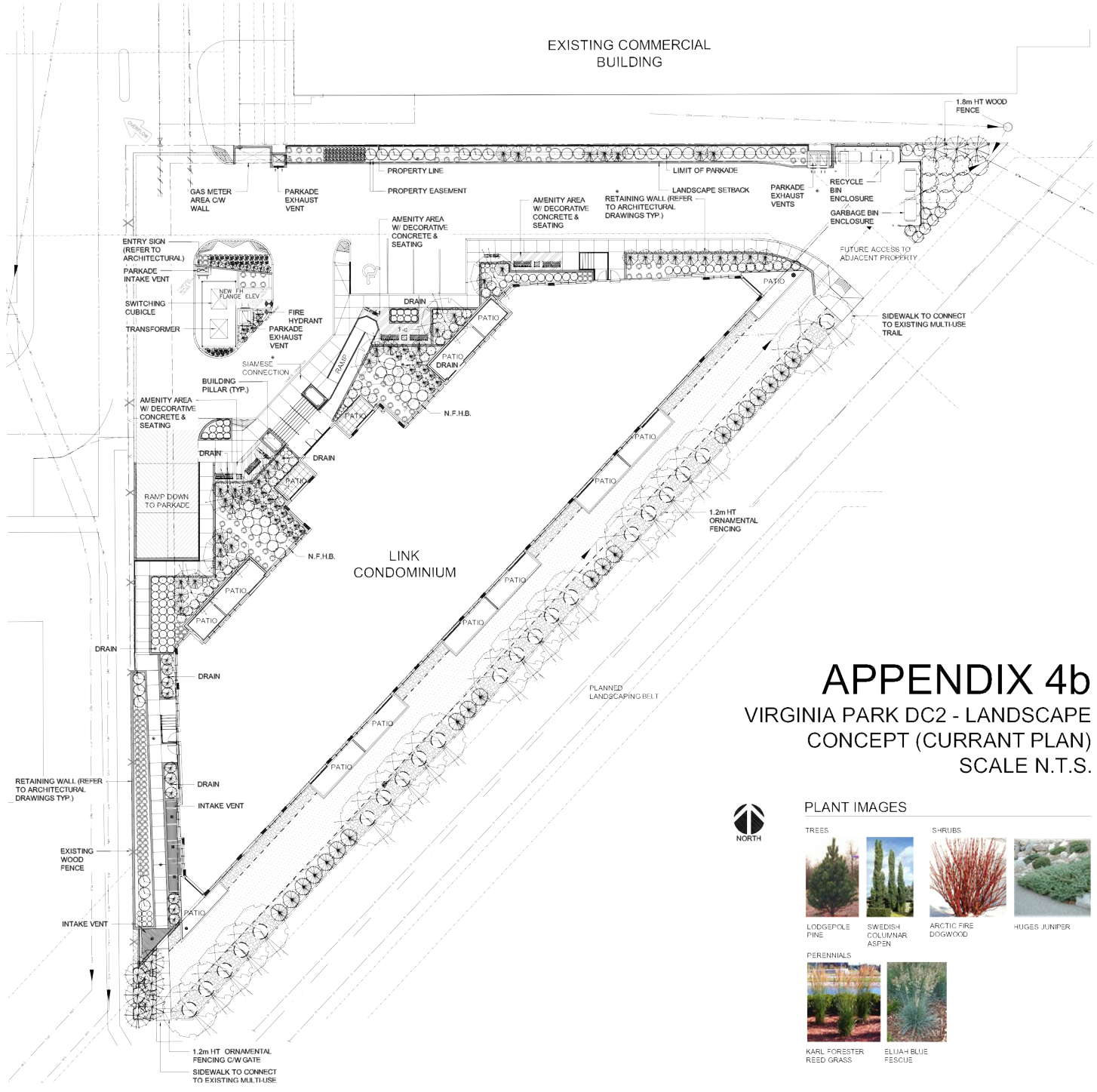
## VIRGINIA PARK DC2 - LANDSCAPE CONCEPT (PROPOSED PLAN)

SCALE N.T.S.



### PLANT IMAGES





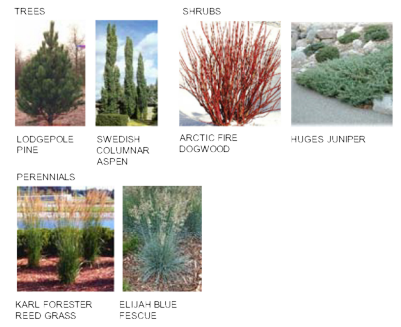
# APPENDIX 4b

## VIRGINIA PARK DC2 - LANDSCAPE CONCEPT (CURRANT PLAN)

SCALE N.T.S.



### PLANT IMAGES



# Appendix 5a

## VIRGINIA PARK CONDOMINIUMS

### AMENITY SPACE AND PEDESTRIAN CIRCULATION

SCALE: 1 : 500

21/26



AMENITY SPACE AND PEDESTRIAN CIRCULATION

1 1 : 500

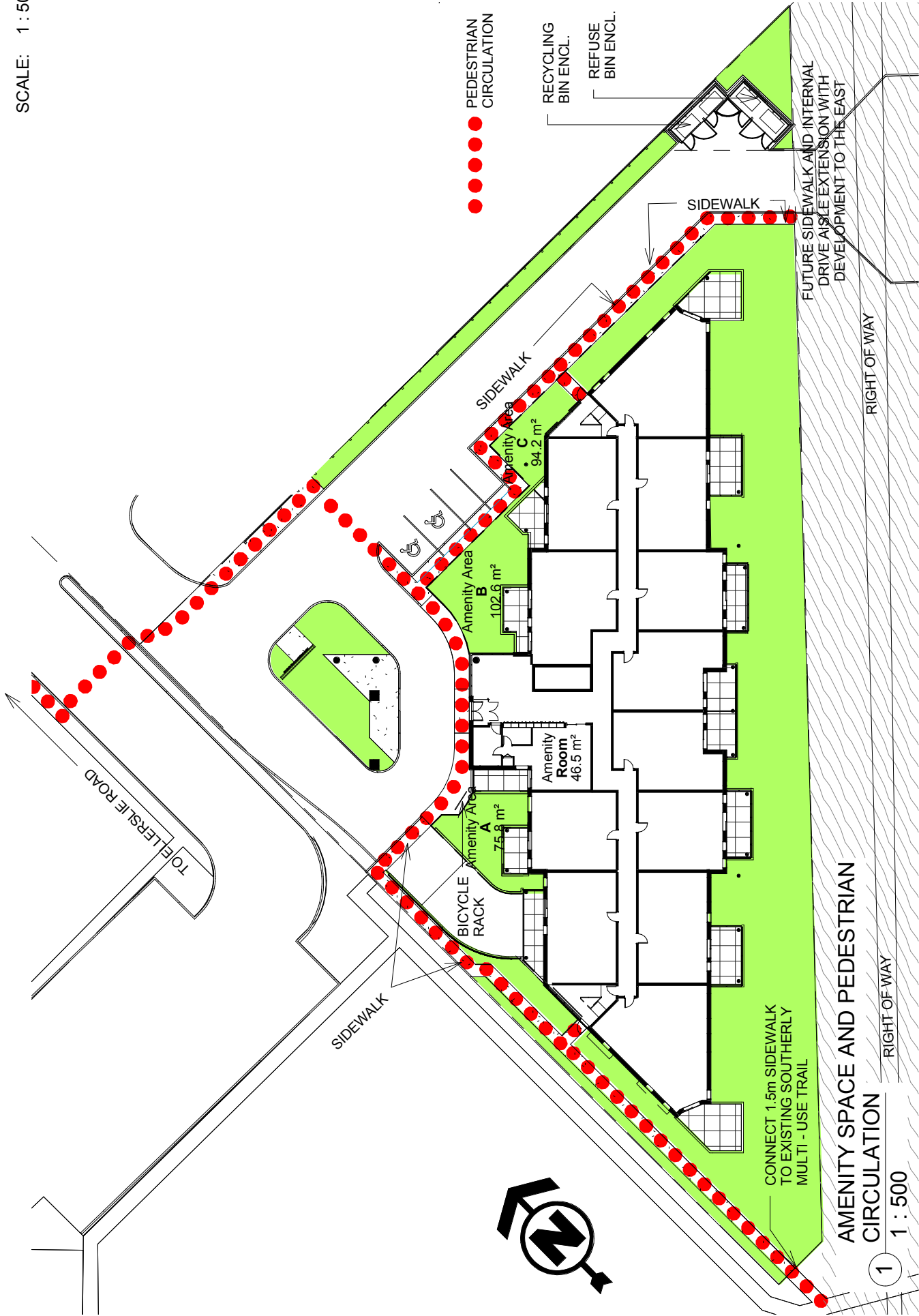


# Appendix 5b

## VIRGINIA PARK CONDOMINIUMS

### AMENITY SPACE AND PEDESTRIAN CIRCULATION

SCALE: 1 : 500

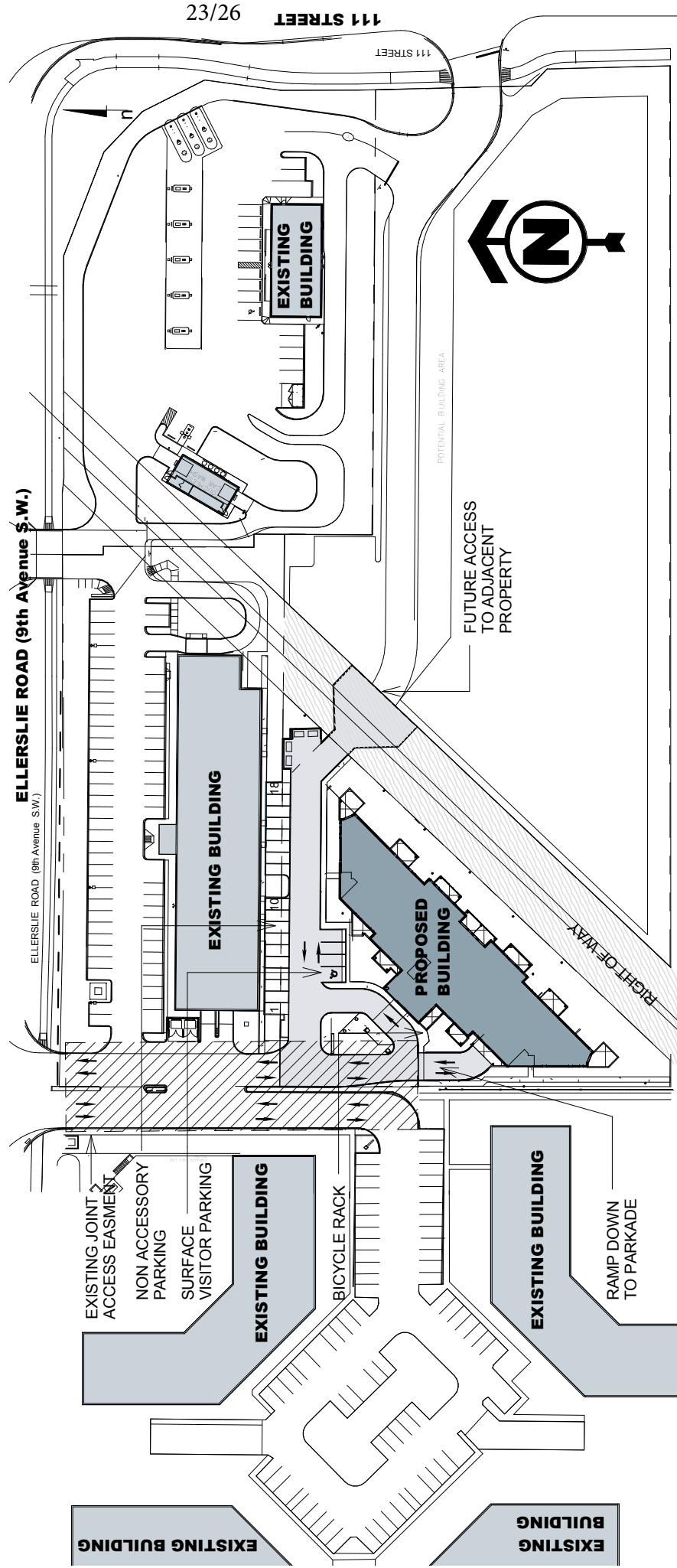


# Appendix 6a.i

## VIRGINIA PARK CONDOMINIUMS

### PARKING AND VEHICULAR CIRCULATION

SCALE: N.T.S.



1 PARKING AND VEHICULAR CIRCULATION

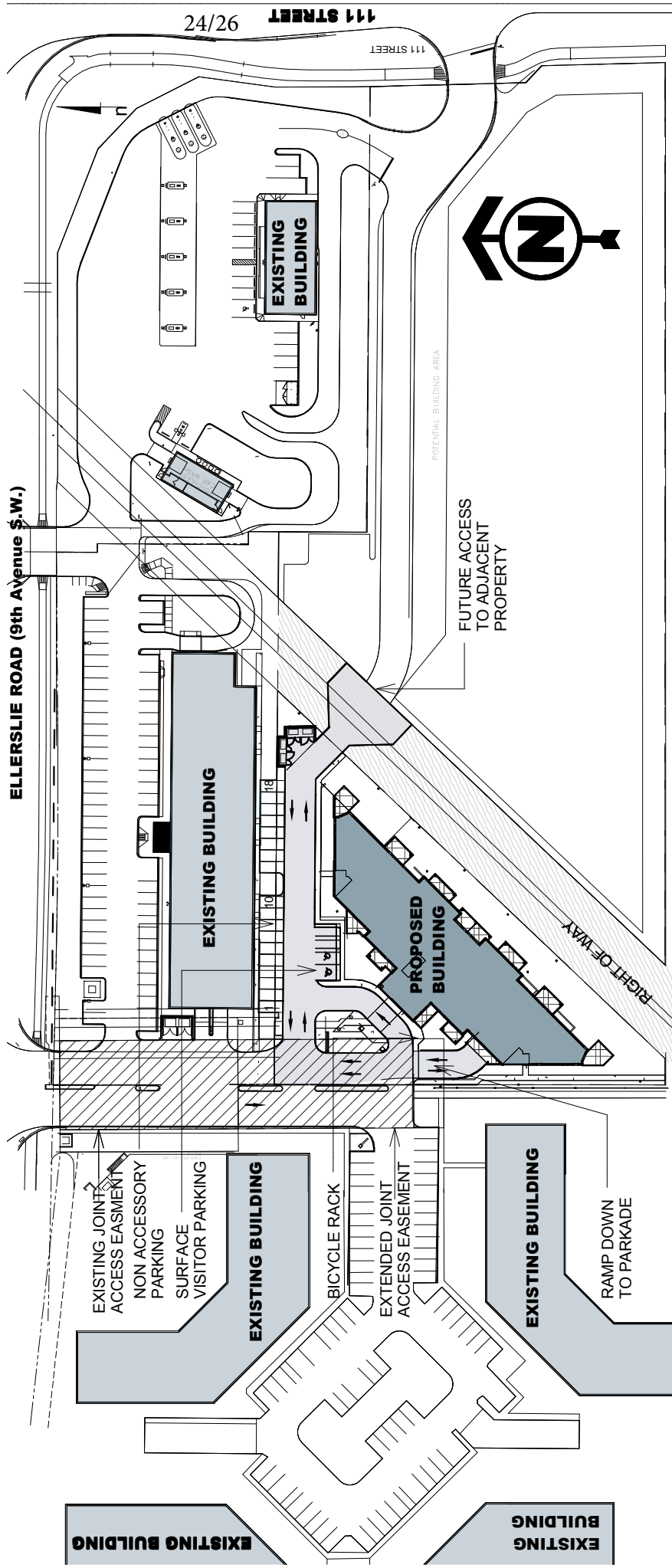
N.T.S.

# Appendix 6a.ii

## VIRGINIA PARK CONDOMINIUMS

### Parking & Vehicular Circulation

SCALE: N.T.S.



1 PARKING AND VEHICULAR CIRCULATION

N.T.S.

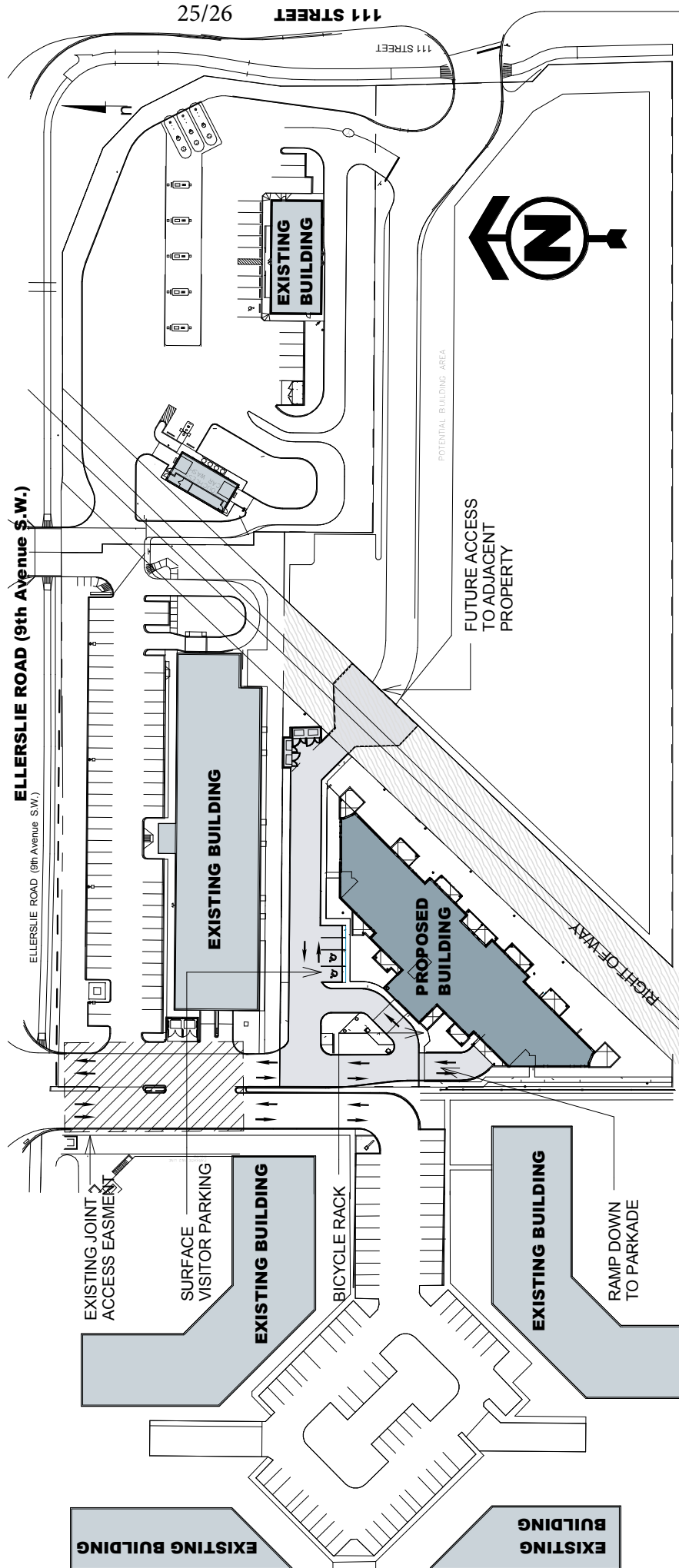


# Appendix 6b.i

## VIRGINIA PARK CONDOMINIUMS

### PARKING AND VEHICULAR CIRCULATION

SCALE: N.T.S.



1 PARKING AND VEHICULAR CIRCULATION

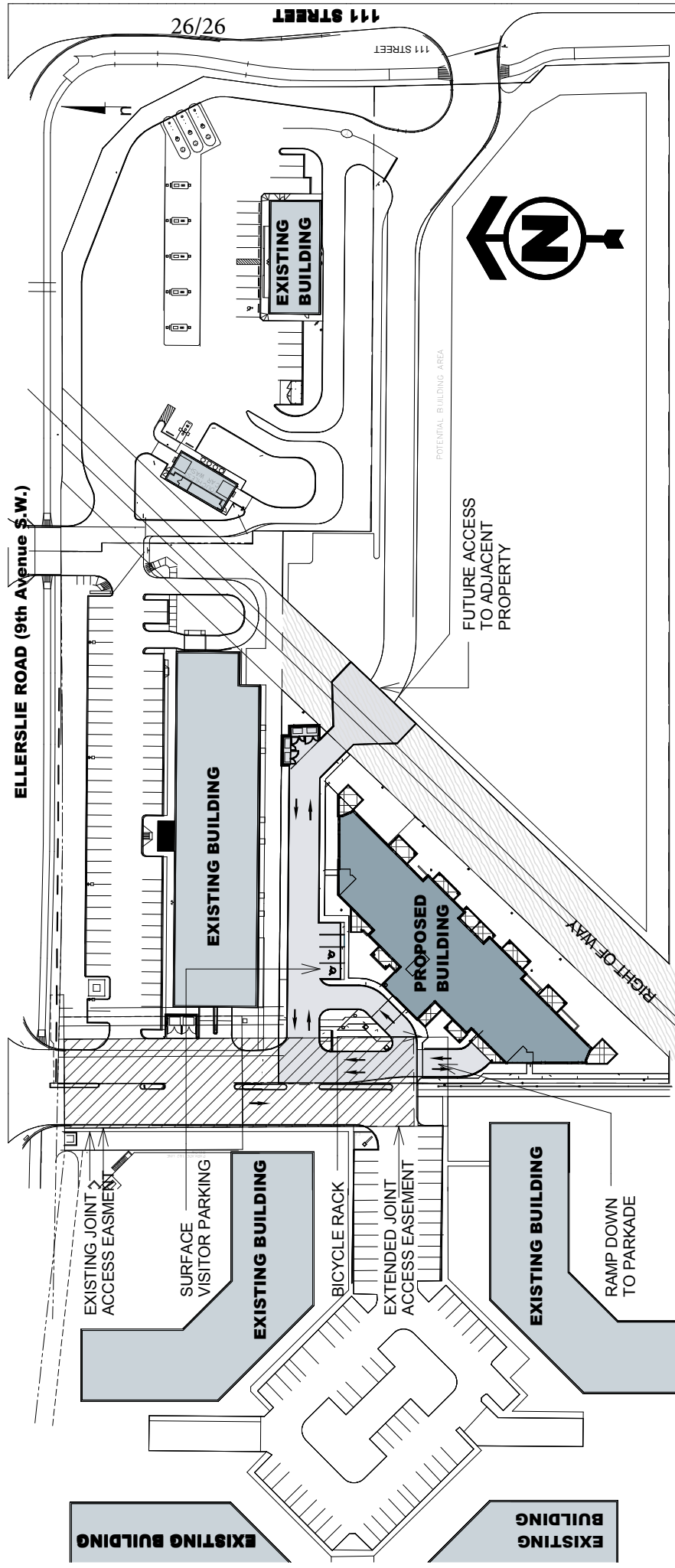
N.T.S.

# Appendix 6b.ii

## VIRGINIA PARK CONDOMINIUMS

### Parking & Vehicular Circulation

SCALE: N.T.S.



1 PARKING AND VEHICULAR CIRCULATION

N.T.S.