

Bylaw 17399

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 2111

WHEREAS Lot 33, Block 78, Plan 1523194, located at 10125 - 84 Avenue NW, Strathcona, Edmonton, Alberta, are specified on the Zoning Map as (RF5) Row Housing 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 Lot 33, Block 78, Plan 1523194, located at 10125 - 84 Avenue NW, Strathcona, Edmonton, Alberta, which lands are shown on the sketch plan attached as Schedule "A", from (RF5) Row Housing Zone 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 incorporated into the Zoning Bylaw, being Part IV to Bylaw 12800, The Edmonton Zoning Bylaw.

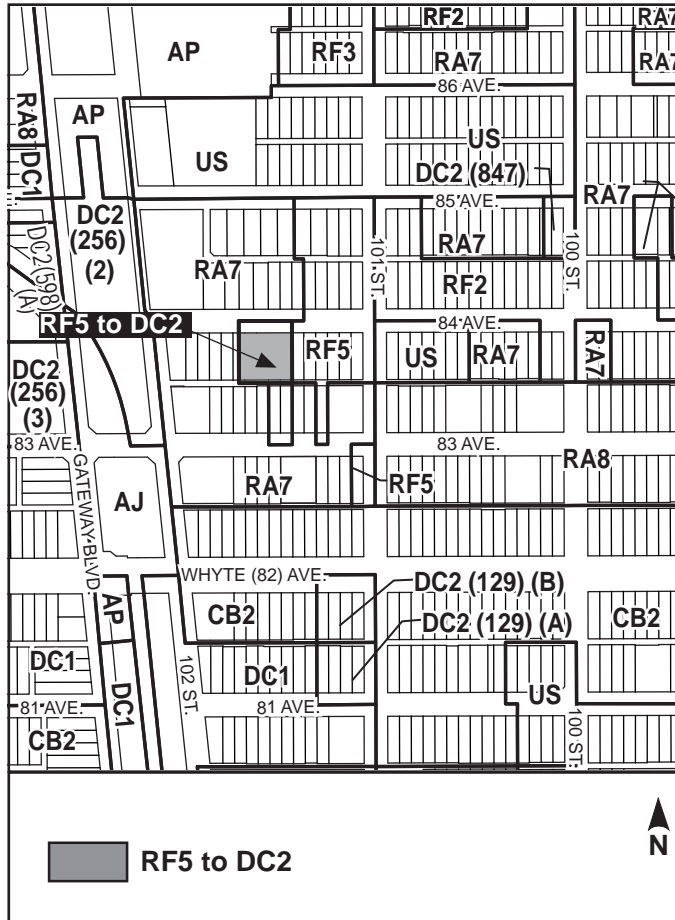
READ a first time this	day of	, A. D. 2016;
READ a second time this	day of	, A. D. 2016;
READ a third time this	day of	, A. D. 2016;
SIGNED and PASSED this	day of	, A. D. 2016.

THE CITY OF EDMONTON

MAYOR

CITY CLERK

BYLAW 17399



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

To establish a Site Specific Development Control Provision to accommodate a low rise residential development that is compatible in Uses, scale and character with the surrounding neighbourhood.

2. Area of Application

This provision shall apply to Lot 33, Block 78, Plan 1523194; located at 10125 – 84 Avenue NW, as shown on Schedule “A” of this Bylaw adopting this Provision, Strathcona.

3. Uses

- a. Apartment Housing
- b. Duplex Housing
- c. Garage Suites
- d. Garden Suites
- e. Live Work Unit
- f. Major Home Based Business
- g. Minor Home Based Business
- h. Residential Sales Centre
- i. Row Housing
- j. Secondary Suites
- k. Semi-detached Housing
- l. Single Detached Housing
- m. Stacked Row Housing
- n. Projecting On-premises Signs
- o. Fascia On-premises Signs
- p. Freestanding On-premises Signs
- q. Temporary On-premises Signs

4. Development Regulations for Apartment Housing

- a. Development shall be in general conformance with Appendices I-IV

- b. Residential Sales Centres shall be limited to the sale or lease of Dwellings on Site.
- c. The maximum number of Dwellings shall be 36.
- d. The minimum number of Family Oriented Dwellings shall be 7.
- e. Family Oriented Dwellings shall meet the definition of such in the Zoning Bylaw except that Dwellings can be located on any Storey of the building and the minimum number of 3 bedroom Family Oriented Dwellings shall be 2 with the remainder being 2 bedroom Dwellings.
- f. The minimum number of 3 bedroom Dwellings shall be 3.
- g. The minimum number of 2 bedroom Dwellings shall be 15.
- h. The maximum Height shall not exceed 16.0 m.
- i. The maximum Floor Area Ratio shall be 2.2.
- j. The minimum Front Setback shall be 6.0 m.
- k. The minimum Rear Setback shall be 7.5 m.
- l. The minimum Side Setback shall be 3.0 m for the most northerly 10.0 m from the front Façade and 4.0 m for the remainder, as illustrated in Appendix I.
- m. A Stepback shall be provided at all four corners of the building above the second Storey that has a minimum depth of 4.0 m from each Façade to optimize access to sunlight, increase privacy and otherwise provide for an appropriate transition to the abutting property. The Stepback shall only apply to the corner area and not the entire length of the Façade as shown on Appendices III and IV.
- n. Principal buildings shall front onto 84 Avenue NW.
- o. All ground Storey Apartment Dwellings adjacent to 84 Avenue NW shall have a private exterior entrance, in accordance with Appendix I. Sliding patio doors shall not serve as this entrance.
- p. Separation Space and Privacy Zones shall be provided in accordance with Section 48 of the Zoning Bylaw except that Separation Space in front of a Habitable Room Window other than a Principal Living Room Window shall be reduced to the required Setback provided the window is a clerestory window. If the sill of a Principal Living Room Window is at least 1.5 m above Grade and an acceptable landscaped buffer is provided, the required Privacy Zone may be reduced to 1.0 m to the satisfaction of the Development Officer.
- q. A minimum outdoor communal Amenity Area of 100 m² to a maximum of 150 m² shall be provided on the rooftop, in general accordance with Appendix II.
- r. The rooftop Amenity Area shall incorporate design features such as fencing, planters, seating, lighting, screening, properly barricaded mechanical equipment and a durable playground surfaced area for children that is designed to limit overlook, protect the privacy of residents in adjacent developments and to ensure illumination does not extend beyond the boundaries of the Site.

- s. A minimum Private Outdoor Amenity Area of 7.5 m² per Dwelling shall be provided, and at-grade Family Oriented Dwellings shall have a minimum of 15 m² of Private Outdoor Amenity Area.
- t. Private Outdoor Amenity Areas shall be provided in accordance with Section 47 of the Zoning Bylaw, except that they may also be provided within a Front Yard. Where provided within a Front Yard, reasonable privacy shall be maintained, however such screening shall not prevent viewing into a part of the Front Yard from any adjacent areas at a normal standing eye level.
- u. Elements of the development and of individual dwellings such as windows, doors, balconies and Private Outdoor Amenity Areas shall be sited, oriented and designed to minimize their impact on adjacent dwellings, considering such things as sunlight, ventilation, noise, visual privacy, shadowing and views. The applicant shall provide, at the discretion of the Development Officer, information regarding the location of such features on adjacent and abutting Sites and the relationship to the subject Site that demonstrates the minimizing of the impact described above to the satisfaction of the Development Officer.
- v. Signs shall comply with the General Provisions of Section 59 and Schedule 59B of the Zoning Bylaw.
- w. Freestanding On-premises Signs and Temporary On-premises Signs shall comply with Schedule 59B.3.
- x. A Crime Prevention through Environmental Design (CPTED) assessment shall be submitted and reviewed for acceptance by the Development Officer prior to the issuance of Development Permit to ensure that the overall development of the Site provides a safe urban environment in accordance with the guidelines and principles established in the Design Guide for a Safer City (City of Edmonton, 1995).
- y. Projections into Setbacks and Separation Spaces shall be in accordance with Section 44 of the Zoning Bylaw except that no verandas, porches, windows, unenclosed steps, cantilevered projections or Platform Structures shall project from the east or west Facades of the building

5. Urban Design Regulations

- a. The development shall be designed to include the use of different architectural elements and treatments, articulated Façades, materials, and colours to add variety, rhythm, to break up the massing and provide a sense of human scale.
- b. Building components such as windows, doors, trim, columns, balconies, stairs, and roofline features should be in proportion to one another and to the overall mass of the building.
- c. The building shall be finished with high quality, durable materials. Vinyl siding and/or knockdown stucco are prohibited. The development will maximize the use

of high quality exterior cementitious and fibrous cladding, wood panelling, glazing, acrylic stucco, masonry veneer, and prefinished metal cladding. The contextual fit, design, proportion, quality, texture, and application of various finishing materials shall be to the satisfaction of the Development Officer.

- d. Decorative and security lighting shall be designed and finished in a manner consistent with the design and finishing of the development and shall be provided to ensure a well-lit environment for pedestrians in accordance with Section 58 of the Zoning Bylaw and to highlight the development at night time, to the satisfaction of the Development Officer.
- e. Night-time light pollution shall be reduced by avoiding over-illumination of the development and by using exterior lighting fixtures that are full cut-off in design which direct light downward, to ensure illumination does not extend beyond the boundaries of the development Site in accordance with Section 51 of the Zoning Bylaw.
- f. The building shall be finished with high quality, durable materials such as wood, stone, brick and glass. Exterior finish materials and colours shall complement, and be harmonious with adjacent development.
- g. All mechanical equipment, including roof mechanical units, surface level venting systems, and transformers shall be concealed by screening in a manner compatible with the architectural character of the building or concealed by incorporating them within the building framework and be oriented to minimize negative impacts on Amenity Areas, public roadways other than Lanes, and surrounding properties.
- h. Balconies and glazing along the east side of the principal building shall provide adequate screening and be located to maximize privacy and minimize overlook to the adjacent residential property. This may include, but not be limited to privacy screens, louvers, frosted glass or glass block, or landscaping buffer, to the satisfaction of the Development Officer.
- i. All ground level Residential Dwellings shall have a semi-private outdoor Amenity Area in front of each at-grade Dwelling exterior entry that shall be provided in a manner that establishes a transition area between the Amenity Area and the adjacent public roadway (including a Lane), abutting Site or Setback area using landscape features such as decorative fencing, change in Grade, shrub beds or rock gardens and/or built elements such as private entrance features and verandas or porches.

6. Additional Development Regulations

- a. The owner/developer 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. Improvements to be addressed in the Agreement include but are not limited to repair of any damage to the

Abutting roadways, sidewalks and/or boulevards resulting from construction of the development, to the satisfaction of Sustainable Transportation. The Site must be inspected by Sustainable Transportation prior to the start of construction and once again when construction is complete.

- b. Prior to the issuance of any 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 the Development Permit approval, the option to purchase up to 5% of the proposed number of residential units at 85% of market value, or the equivalent value as cash in lieu to the City.
- c. Notwithstanding Section 4 of this provision or Section 720.3(2) of the Zoning Bylaw, Single Detached Housing, Semi-detached Housing, Duplex Housing, Secondary Suites, Garage Suites and Garden Suites shall be developed in accordance with the regulations of the (RF4) Semi-detached Residential Zone and the regulations of the Mature Neighbourhood Overlay.
- d. Notwithstanding Section 4 of this provision or Section 720.3(2) of the Zoning Bylaw, Row Housing and Stacked Row Housing shall be developed in accordance with the regulations of the (RF5) Row Housing Zone and the regulations of the Mature Neighbourhood Overlay.
- e. Major Home Based Business shall comply with Section 75 of the Zoning bylaw and shall only be permitted in Single Detached, Semi-detached and Duplex Dwellings.
- f. Live Work Units shall comply with Section 92 of the Zoning Bylaw, not be developed above the ground floor of the building and shall have individual front entrances at Grade.
- g. Notwithstanding the other regulations and 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 under a valid Development Permit for a principal building within 10 years of the date of the passage of the Bylaw adopting this Provision, development of the Site shall be developed in accordance with the regulations of the (RF5) Row Housing Zone and the Mature Neighbourhood Overlay.

7. Landscaping

- a. Landscaping shall be in accordance to Section 55 of the Zoning Bylaw, except that:
 - i. A detailed Landscape Plan prepared by a registered AALA Landscape Architect shall be submitted with an application for a Development Permit to the satisfaction of the Development Officer.

- ii. The Landscape Plan shall include pavement materials, exterior lighting, street furniture elements, sizes and species of new plantings and other Landscaping details and elements as applicable.
 - iii. The selection of plant materials shall consider plants and shrubs that provide colour throughout the year to enhance the appearance of the development.
 - iv. A minimum 1.83 m high wood screen fence shall be provided for the full length of the east property line except within the Setback from 84 Avenue NW and within 3.0 m of the rear Lane, to the satisfaction of the Development Officer.
 - v. Adjacent City of Edmonton boulevard trees and the 4 existing Manitoba Maple (*Acer negundo*) trees along the east property line, as shown on Appendix II, shall be protected as per Parks and Planning 'Large Tree Hoarding', drawing L100. All components and workmanship shall conform to the specification Section 02930 Trees, Shrubs, and Groundcovers as well as related sections. The Landscape Plan shall provide details and specifications describing the appropriate protection of the boulevard trees during construction, to the satisfaction of the Development Officer. In addition, a report prepared by a certified AALA Landscape Architect, shall be submitted as part of the development permit application, detailing the methodology and steps taken to preserve on-site trees that are to be retained, to the satisfaction of the Development Officer. The following shall also apply:
 - A. trees within 1 – 3m of construction activity require 10mm plywood and 1.25m height enclosure separating tree from the project site;
 - B. trees within 3 – 5m of construction require a standard "safety orange" snow fence to be placed a min. of 2.5m from the tree trunk; and
 - C. excavation beyond 2m of existing trees requires all tree roots to be severed with a "root-cutter" to a depth of 350mm to 500mm prior to digging with all exposed roots flush with the excavation wall pruned immediately after excavation.
- b. The Landscaping Plan shall demonstrate:
- i. the use of vertical landscaping features (e.g. hedges, decorative fences, low walls, shrubs and other plant material) between surface parking areas and ground storey apartment Dwellings that look onto these areas.
 - ii. entry transitions including features such as steps, decorative fences, gates, hedges, low walls, and planting beds within the setback from 84 Avenue NW.
 - iii. a decorative screen wall along the parkade ramp entrance, and shall not impair the sight lines for vehicular traffic, in general accordance with

Appendix II, with a vertical height to the satisfaction of the Development Officer. This screen wall shall not consist of landscaping.

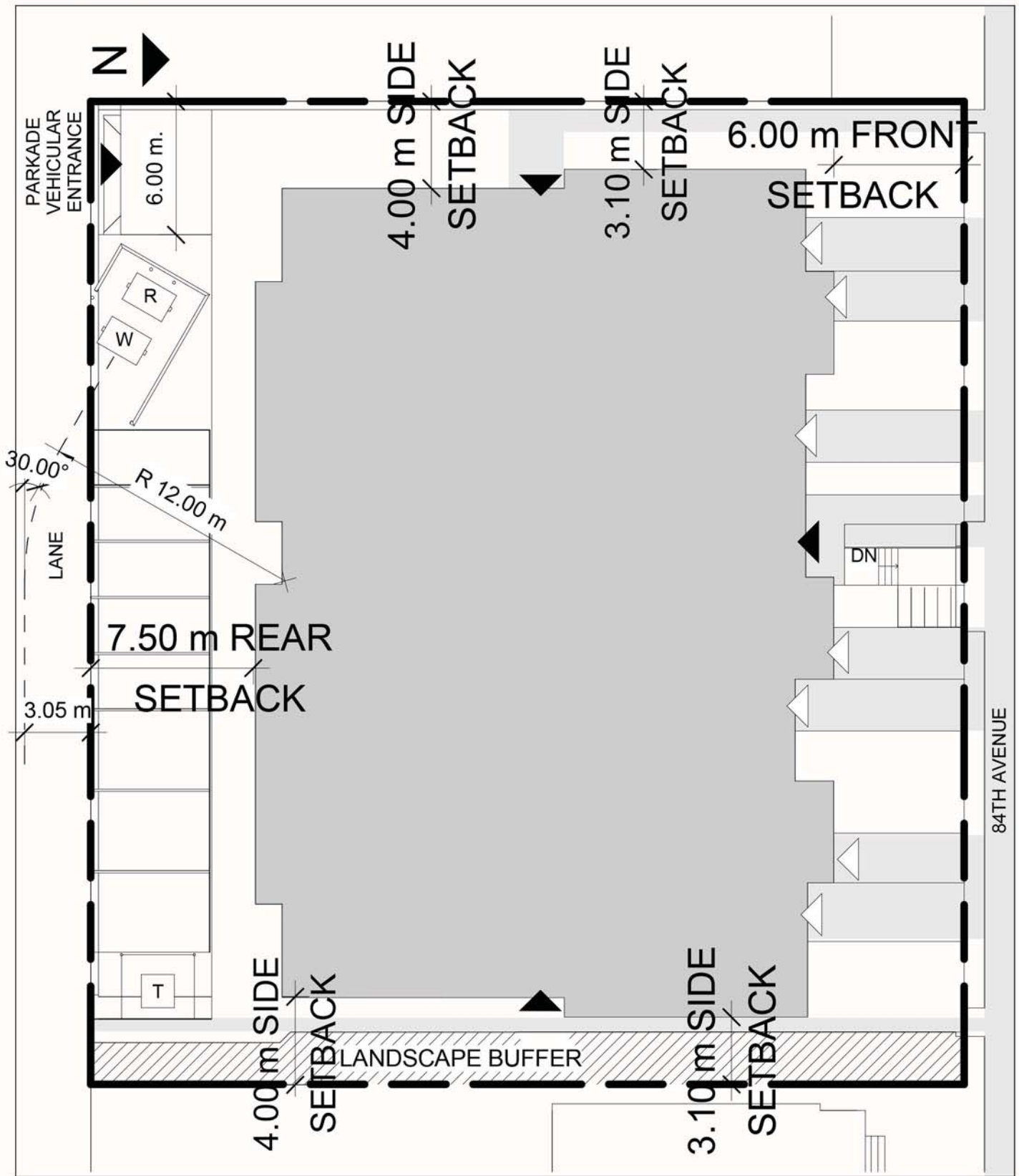
- iv. clear delineation of all Private Outdoor Amenity Areas at grade with vertical landscaping features (e.g. hedges, decorative fences, low walls, shrubs and other plant material).
- v. soil above the underground parking facilities shall be of sufficient depth to accommodate required landscaping, including trees, shrubs, flower beds, grass, and ground cover.

8. Vehicular Access and Parking

- a. Vehicular access to parking shall be from the Abutting Lane, in general conformance with Appendices I and II.
- b. Residential visitor parking spaces shall be located at Grade.
- c. In addition to the requirements of Section 54.3 of the Zoning Bylaw, Bicycle Parking Facilities shall be located on Site in a secure enclosed area within or attached to the principle building that is easily accessible to cyclists via access ramps, or a route through the building which facilitates easy and efficient transportation of bicycles.
- d. Vehicular parking requirements for Live Work Units shall be accommodated by the use of the residential visitor parking spaces.
- e. Any underground parking access card devices must be located on Site, a minimum of 3 m inside the property line.
- f. The entrance to the underground parkade shall be at Grade at the Lot line and not exceed a slope of 6% for a distance of 4.5 m inside the Lot line or be to the satisfaction of the Development Officer in consultation with Transportation Services.
- g. Parking for the disabled shall only be located in the underground parkade, with direct and barrier-free access to the elevator.
- h. Retaining walls bordering the underground driveway/parkade ramp, must not exceed a Height of 0.3 m for a distance of 3 m from the property line and no portion of the wall may encroach onto road right-of-way. If these Height and distance requirements cannot be achieved, it shall be demonstrated that adequate sight lines to traffic in the Lane are maintained for vehicles entering and exiting the parkade to the satisfaction of the Development Officer, in consultation with Transportation Services.
- i. A waste collection area shall be located adjacent to the Lane and entirely within private property. The collection area shall be screened from view on at least 2 sides through the use of landscaping, fencing or walls. The bins shall be equipped

with a locking mechanism and the enclosure shall be secured to the satisfaction of the Development Officer.

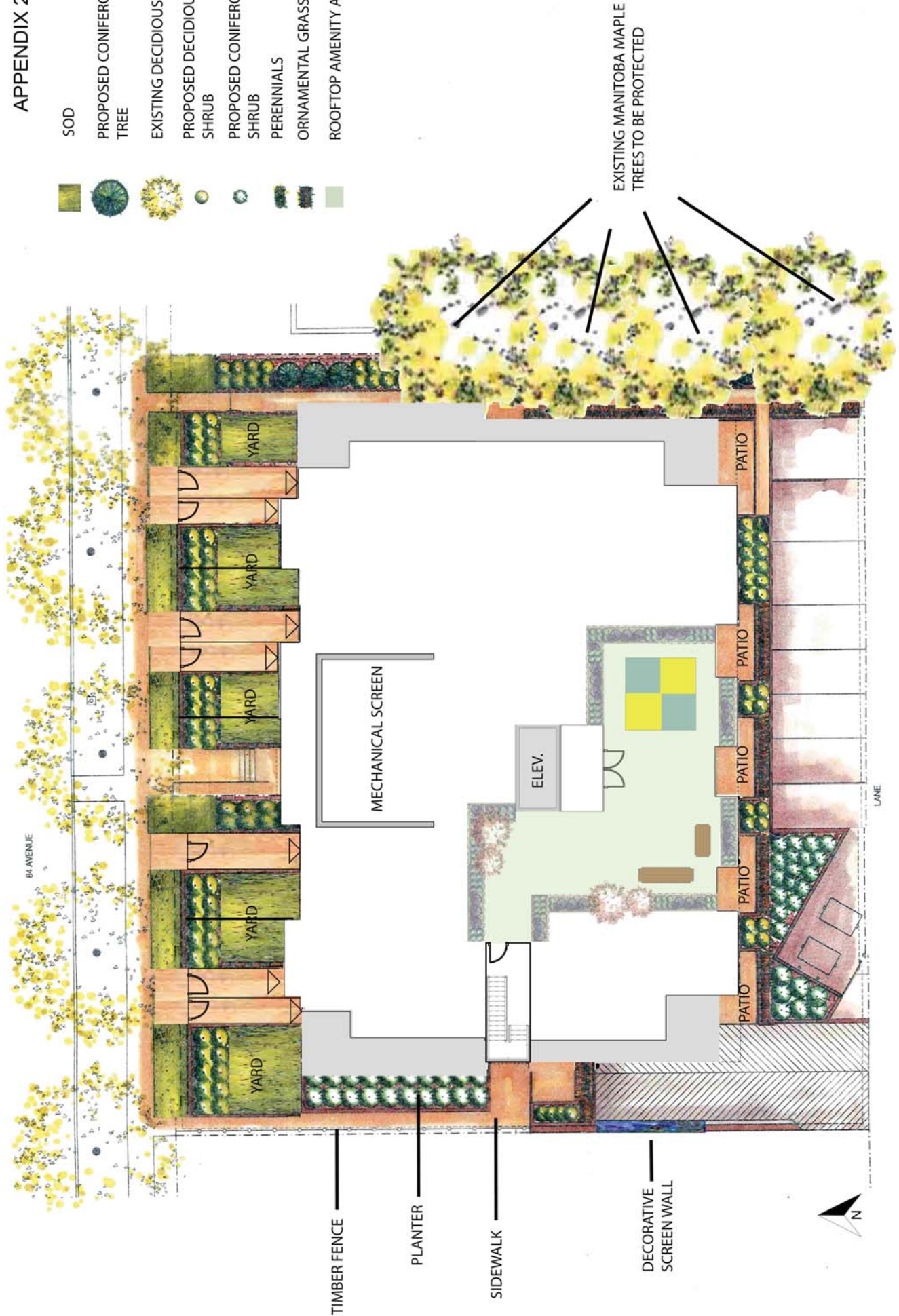
- j. Articulation details of the surface of decorative screen wall and exposed retaining walls bordering the underground driveway/parkade ramp shall be provided and be to the satisfaction of the Development Officer.



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|---|--|---|---------------|---|-----------------------------------|
|  | BUILDING OUTLINE | W | WASTE BIN |  | SHARED ENTRYWAY |
|  | LANDSCAPED AREAS | R | RECYCLING BIN |  | PRIVATE ENTRYWAY |
|  | LANDSCAPED BUFFER AGAINST RF5 ZONED EAST NEIGHBOUR | T | TRANSFORMER | --- | WASTE MANAGEMENT VEHICLE APPROACH |

APPENDIX 2

- SOD
- PROPOSED CONIFEROUS TREE
- EXISTING DECIDUOUS TREE
- PROPOSED DECIDUOUS SHRUB
- PROPOSED CONIFEROUS SHRUB
- PERENNIALS
- ORNAMENTAL GRASSES
- ROOFTOP AMENITY AREA



84 AVENUE

YARD

YARD

YARD

YARD

YARD

MECHANICAL SCREEN

ELEV.

PATIO

PATIO

PATIO

PATIO

PATIO

LANE

TIMBER FENCE

PLANTER

SIDEWALK

DECORATIVE SCREEN WALL

EXISTING MANITOBA MAPLE TREES TO BE PROTECTED





APPENDIX 4

