

Bylaw 17592

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 2200

WHEREAS Lots 254 - 258, Block 8, Plan 7540AH; located at 10809, 10813, 10819, 10821 and 10825 - 111 Avenue NW, Central McDougall, 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 Lots 254 - 258, Block 8, Plan 7540AH; located at 10809, 10813, 10819, 10821 and 10825 - 111 Avenue NW, Central McDougall, 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

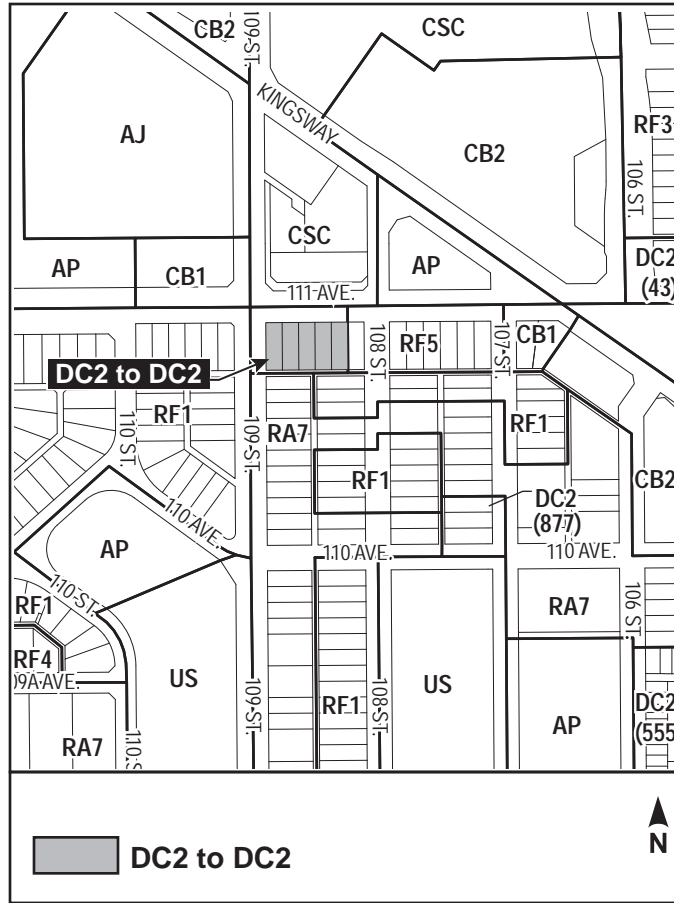
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MAYOR

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CITY CLERK

BYLAW 17592



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

To establish a Site Specific Development Control Provision to accommodate a mixed use commercial and residential development in close proximity to an LRT station that is sensitive to the surrounding neighbourhood and contributes to a pedestrian commercial shopping street.

**2. Area of Application**

This Provision shall apply to Lots 254 through 258, Block 8, Plan 7540AH; located on the southeast corner of 109 Street NW and 111 Avenue NW, as shown on Schedule “A” of this Bylaw adopting this Provision, Central McDougall.

**3. Uses**

- a. Apartment Housing
- b. Bars and Neighbourhood Pubs
- c. Business Support Services
- d. Child Care Services
- e. Commercial Schools
- f. Convenience Retail Stores
- g. Creation and Production Establishments
- h. General Retail Stores
- i. Government Services
- j. Health Services
- k. Household Repair Services
- l. Live Work Units
- m. Media Studios
- n. Minor Alcohol Sales
- o. Minor Home Based Businesses
- p. Major Home Based Businesses
- q. Personal Service Shops, excluding Body Rub Centres
- r. Professional, Financial and Office Support Services
- s. Residential Sales Centre
- t. Restaurants
- u. Second hand Stores

- v. Specialty Food Services
- w. Veterinary Services
- x. Fascia On-premises Signs
- y. Projecting On-premises Signs
- z. Temporary On-premises Signs, excluding trailer mounted signs and/or signs with changeable copy

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

##### **4.1 General**

- a. Development shall be in general conformance with the Appendices to this Provision.
- b. The Development shall contain both Residential and Commercial Uses with Commercial Uses restricted to the podium portion of the building as described in Section 5 of this Provision.
- c. Bars and Neighbourhood Pubs and Restaurants shall be limited to 200 Occupants and 240m<sup>2</sup> of Public Space per Use and shall be oriented toward either 109 Street NW or 111 Avenue NW. Only one Bar and Neighbourhood Pubs Use shall be permitted on Site.
- d. Specialty Food Services shall be limited to 100 Occupants and 120m<sup>2</sup> of Public Space per Use and shall be oriented toward either 109 Street NW or 111 Avenue NW.
- e. General Retail Stores shall not exceed a combined total Floor Area of 2000 m<sup>2</sup> for all such Uses. The Development Officer may grant a variance to this regulation by considering building massing and scale as well as the pedestrian-oriented nature of the area.
- f. Residential, Residential Related and Basic Service Uses shall only be allowed where they are located primarily above Grade forming part of a mixed use development.
- g. Any development with a vehicular drive-through service window is prohibited.
- h. The maximum Floor Area Ratio shall be 7.0.
- i. The building Setbacks from 111 Avenue NW and 109 Street NW shall be between 0.0m and 2.5 m. For any Setback greater than 0.0 m, it must be designed to accommodate street related activities, such as entry doors, sidewalk cafes, architectural features and Landscaping that contributes to the pedestrian-oriented shopping character of the area and functions as Public Amenity Space to the satisfaction of the Development Officer. The Setback shall be hardsurfaced between the public sidewalk and the building.
  - i. The Setback from 109 Street NW to the rear surface vehicular Parking Area shall be of a depth sufficient to provide adequate screen Landscaping in

accordance with Section 55 of the Zoning Bylaw.

- j. The Rear (south) Setback shall be a minimum of 20.0 m to the building but only a minimum of 0.6 m to the rear Surface Parking Area. The 0.6 m Setback shall be landscaped in accordance with Section 55 of the Zoning Bylaw.
- k. The Side Setback to the east shall be a minimum of 4.5 m. This Setback shall be landscaped and no parking, loading, storage or waste collection area shall be permitted within this Setback.
- l. Setback requirements shall not apply to the underground parkade which can be built to Lot line provided the soil above is of sufficient depth to support required Landscaping within Setbacks to the satisfaction of the Development Officer.
- m. The maximum building Height shall not exceed 45.0 m.
- n. A Sun Shadow Impact Study and Wind Impact Statement shall be submitted with a Development Permit Application and adverse environmental impacts such as sun shadow and wind shall be minimized in accordance with Section 14 of the Zoning Bylaw to the satisfaction of the Development Officer.
- o. A minimum of 7.5 m<sup>2</sup> of Amenity Area per Dwelling shall be provided in accordance with Section 46 of the Zoning Bylaw except that, notwithstanding Section 46.3(a) of the Zoning Bylaw, balconies with a minimum depth of 1.5 m shall count as Amenity Area.
- p. Signs shall comply with the regulations found in Schedule 59E and with the General Provisions of Section 59 of the Zoning Bylaw with the intent to compliment the pedestrian-oriented commercial environment, except that the top of a Projecting Sign shall not extend more than 75 cm above the floor of the second or third Storey, nor higher than the windowsill level of the second or third Storey. No signs shall be permitted on the south and east Façades.
- q. 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).
- r. Notwithstanding Sections 4.1(h), 4.1(m) and the appendices of this Provision, 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 this Provision except that:
  - i. the maximum Floor Area Ratio shall be 2.0; and
  - ii. the maximum Height shall not exceed 12.0 m.

## **4.2 Parking, Loading and Access**

- a. Vehicular access from/to 111 Avenue NW shall be provided as generally shown on Appendix I, to the satisfaction of the Development Officer in consultation with Sustainable Transportation and Citizen Services (Neighbourhoods Branch).
- b. The access from 111 Avenue NW shall be designed to prioritize the pedestrian connection across it and minimize disruption of the pedestrian oriented shopping street by including features such as the continuation of sidewalk surface material through the vehicular access and inclusion of pedestrian ramps at all curb locations.
- c. A pedestrian connection shall be provided from the rear Parking Area to the public realm along 111 Avenue NW. This connection shall be separate from the vehicular connection and ensure safe pedestrian circulation through the Site.
- d. The number of off-street accessory vehicular parking spaces shall be in accordance with Section 54 of the Zoning Bylaw. Variances to required off-street vehicular accessory parking may be granted by the Development Officer in consultation with Sustainable Transportation if:
  - i. the owner can demonstrate, to the satisfaction of the Development Officer, in consultation with Sustainable Transportation, through the provision of a Parking Impact Assessment that the parking required is less than the minimum required by Section 54 of the Zoning Bylaw; and
  - ii. the owner implements programs which reduce parking demand such as car share programs, carpooling, or universal transit passes to the satisfaction of the Development Officer in consultation with Sustainable Transportation.
- e. The maximum allowable number of surface vehicular parking spaces including loading shall be 36.
- f. Surface parking, loading, storage and trash collection areas shall be located to the south of the building and shall be screened from adjacent views in accordance with Section 55 of the Zoning Bylaw. In addition, a 1.82 m decorative screen fence (chain link prohibited) shall be provided between the rear surface Parking Area and the rear Lane.
- g. Bicycle Parking Facilities shall be provided in accordance with Section 54 of the Zoning Bylaw. Of the required Bicycle Parking Spaces, ten (10) secure Spaces shall be provided in an outdoor area for Commercial Uses. Bicycle Parking for Residential Uses shall be provided within a secure enclosed area of the building that is easily accessible to cyclists via access ramps, or a route through the building which facilitates easy and efficient transportation of bicycles.

## **4.3 Landscaping**

- a. A detailed Landscape Plan for the Site, including all existing and proposed utilities within the road right-of-way must be submitted for review and approval by the City of Edmonton, prior to the issuance of any Development Permit.

- b. Notwithstanding Section 55.4 of the Zoning Bylaw, required Parking Area islands shall not be required to include a tree and can consist of only shrubs.
- c. In addition to meeting the requirements of Section 55.3 of the Zoning Bylaw the Landscape Plan submitted with the Development Permit application shall:
  - i. consider the use of plant materials that provide colour throughout the year to enhance the appearance of the development during the cold weather months;
  - ii. include details of pavement materials, exterior lighting location, and other landscape elements as applicable, taking into consideration the maximization of views and functionality of the Site;
  - iii. have regard for Section 58 of the Zoning Bylaw when determining the placement of coniferous planting;
  - iv. provide additional Landscaping along the east Lot line to provide screening to mitigate interface with McDougall House to the satisfaction of the Development Officer. A minimum of eight (8) trees shall be provided within the east Setback to serve this purpose.
  - v. Provide a 1.82 m decorative screen fence (chain link prohibited) along the entire length of the east Lot line except within 1.5 m of 111 Avenue NW and the rear Lane.

## **5. Urban Design Regulations**

### **5.1 Built Form**

- a. The roof line and building Façade shall include design elements that reduce the perceived mass of the building and add architectural interest.
- b. 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.
- c. Podium:
  - i. A podium shall be required, the maximum Height of which shall not exceed 8.0 m.
  - ii. The podium shall include design elements that create a pedestrian oriented built form, such as but not limited to articulation around entrance ways, roof treatment, Setbacks and Stepbacks in the building mass, building articulation, and the architectural treatment of the Façades.
  - iii. The podium shall incorporate canopies or any other architectural elements on Façades wherever active commercial frontages exist.
- d. Mid-Section:
  - i. There shall be a minimum Stepback of 3.0 m above the 1<sup>st</sup> Storey on the north and east Façades.
  - ii. The mid-section shall be differentiated from the podium, but should reinforce some of the design details, materials, and architectural expression from the podium.



- e. Top-Section
  - i. There shall be a minimum Stepback of 3.0 m above the 8<sup>th</sup> Storey or no higher than 31 m on the east Façade.

## **5.2 Street Interface, Entrances and Corners**

- a. The building shall incorporate well-articulated Façades and architectural treatments that establish the building as a signature feature on the Site and distinctive landmark for the surrounding area.
- b. The Façade treatment shall wrap around the corner of the building to provide a consistent profile towards both 111 Avenue NW and 109 Street NW.
- c. Residential and Residential-Related Uses shall have a separate entrance at ground level from non-Residential Uses. Entrances shall be differentiated through distinct architectural treatment.
- d. The development shall create a pedestrian-friendly environment on 111 Avenue NW, which may include such things as entrance features, outdoor sitting areas, canopies, Landscaping and other features that lend visual interest and a human scale to development along the street.
- e. Active commercial frontages shall be developed in accordance with Appendix I as well as the following, to the satisfaction of the Development Officer:
  - i. a minimum of 70% of the ground floor commercial Façade fronting 111 Avenue NW and 109 Street shall have clear, untinted and unobscured glazing that allows pedestrian viewing of the operations within the Use; and
  - ii. ground floor commercial frontage shall be articulated at a maximum of 11.0 m intervals on 111 Avenue NW.

## **5.3 Building Façade, Materials and Exterior Finishings**

- a. Building materials must be durable, of high quality and appropriate for the development within the urban context. The contextual fit, design, proportion, quality, texture and application of various finishing materials shall be to the satisfaction of the Development Officer.

## **6. Off-Site Improvements to serve the Development**

- a. Prior to the issuance of any development permit, the owner shall enter into an Agreement with the City of Edmonton for off-Site improvements necessary to serve the development. The Agreement shall include an engineering drawing review and approval process. Improvements to be addressed in the Agreement include but are not limited to the following:
  - i. A right-in / right-out curb return access to 111 Avenue NW including curb ramps on both sides, as generally shown in Appendix I.
  - ii. Repair of any damage to the abutting roadways, sidewalks and/or boulevards resulting from construction of the development, to the satisfaction of the Development Officer in consultation with Sustainable Transportation. The Site must be inspected by Sustainable Transportation prior to the start of construction and once again when construction is complete.

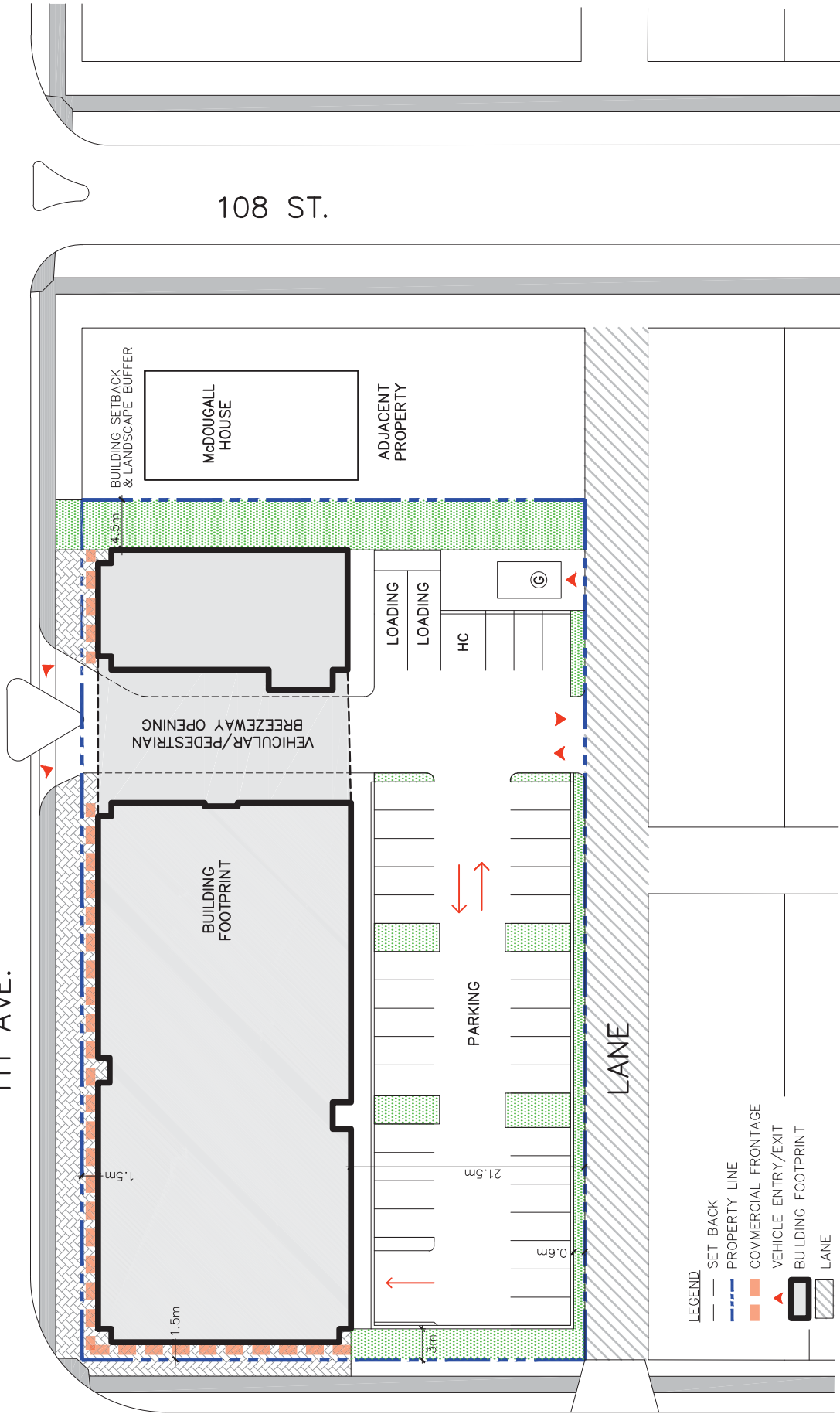
**7. Improvements and Public Amenity Contributions**

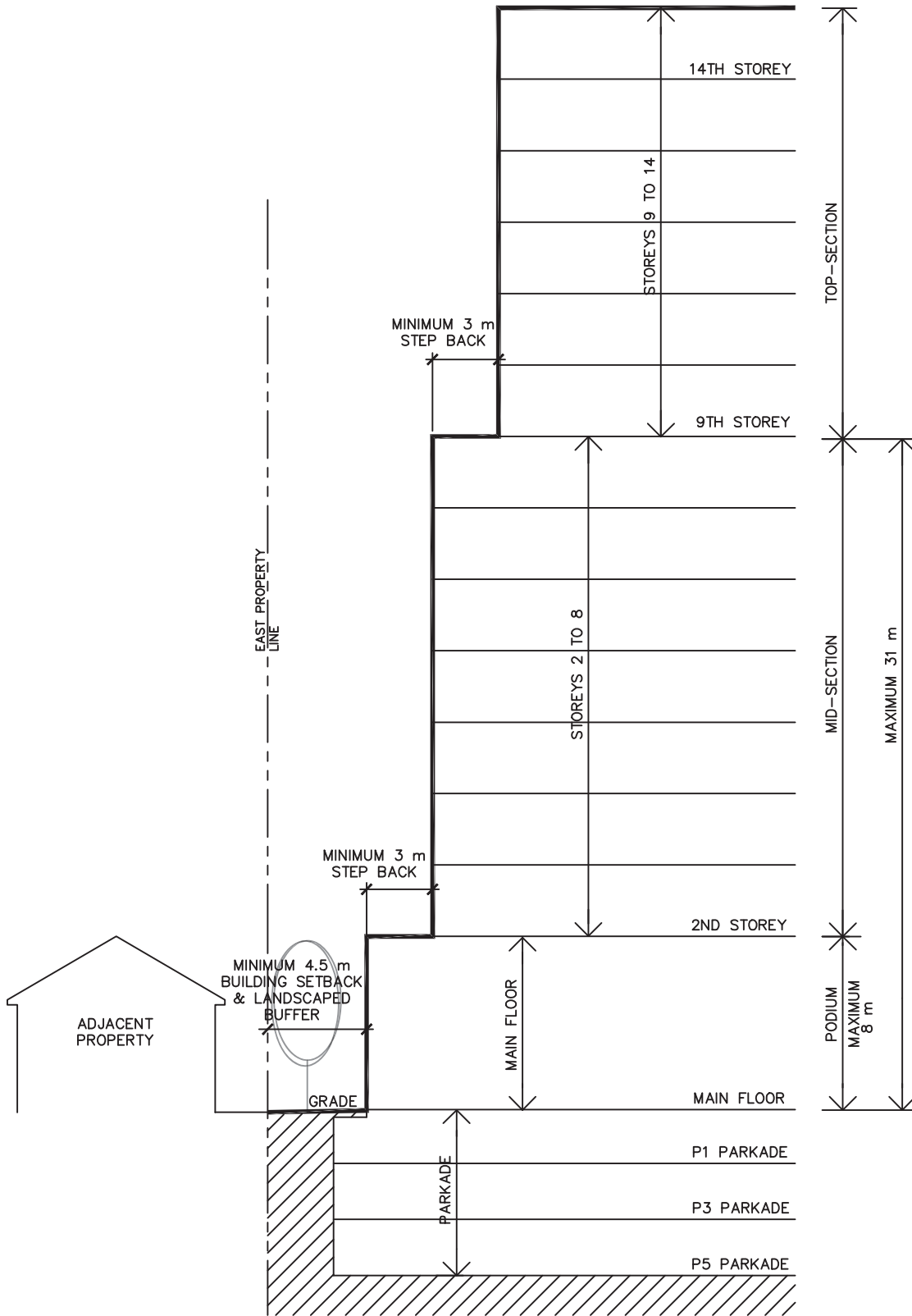
- a. As a condition of the Development Permit and prior to the issuance of the occupancy permit, the owner shall provide documentation to the Development Officer that indicates an agreement is in place for the provision of an amount of \$25,000 for public art to be located on-Site or on the Building.
- b. The design and implementation of the development shall apply techniques to reduce consumption of water, energy and material consistent with best practices in sustainable design in general conformance with Appendix III. Upon submission of a Development Permit application, the applicant must submit a detailed report, endorsed by a registered professional engineer or architect, indicating how the targets identified in Appendix III will be achieved upon construction completion. This report must be approved by the Development Officer prior to the issuance of the Development Permit. Upon completion of the building, the Owner shall provide a report by a professional Architect or Engineer that demonstrates, to the satisfaction of the Development Officer, that the design and construction of the building meets the targets identified in Appendix III.

111 AVE.

108 ST.

109 ST.





APPENDIX II: EAST PROPERTY LINE SCHEMATIC SECTION

## Appendix III – Sustainability Practices and Targets

<b>Design Components</b>	<b>Sustainable Initiative</b>	<b>Specific Target</b>
<i>Sustainable Sites</i>	Stormwater Management	The development shall implement a stormwater management plan that results in a 25% decrease in the rate and quantity of stormwater runoff when compared to the existing site.
	Heat Island Effect	A minimum of 50% of the building roof area shall be covered with high emissivity roofing (emissivity of 0.9 or greater), vegetated roofing, or a combination thereof.
	Light Pollution Reduction	The development shall avoid light trespass from the building and site onto neighbouring properties, with the exception of adjacent public areas requiring lighting for reasons of security and shall meet or exceed the requirements of the Illuminating Engineering Society of North America (IESNA RP-33-99).
<i>Water Efficiency</i>	Innovative Wastewater Technologies	The design shall reduce the use of municipally provided potable water for building sewage conveyance by 20% as calculated per the Canadian Green Building Council LEED Reference Guide 2009 (not including irrigation).
	Water Use Reduction	The design shall employ strategies that in aggregate use 20% less potable water than water use baseline calculated for the building per the Canadian Green Building Council LEED Reference Guide 2009 (not including irrigation).
<i>Energy and Atmosphere</i>	Reduced Energy Consumption	The design shall reduce energy consumption by 24% over the comparable Canadian Model National Energy Code Building (2011).
	Lighting	Lighting in all residential common areas and commercial

		areas shall exceed the efficiency specified in the Model National Energy Code for Buildings by 10% (2011).
<i>Materials and Resources</i>	Recycled Content	The design shall specify building materials such that 7.5% of the total value used in the development consists of post-industrial and post-consumer recycled materials.
	Regional Matters	The design shall specify building materials such that 80% of all aggregates used in the development are extracted, processed and manufactured within 800 km of the development.
<i>Indoor Environmental Quality</i>	Low-Emitting Materials	The design shall specify paints with VOC emissions that do not exceed the VOC and chemical component limits of Green Seal's Standards SS – August 17, 2011 requirements or acceptable alternative standards.