

Bylaw 20921

A Bylaw to amend Charter Bylaw 20001, as amended,
The Edmonton Zoning Bylaw
Amendment No. 114

WHEREAS Lots 32-36, Block 63, Plan I; located at 10506 - 81 Avenue NW, Queen Alexandra, Edmonton, Alberta, are specified on the Zoning Map as Direct Control Zone (DC2.1026); and

WHEREAS an application was made to rezone the above described property to Direct Control Zone (DC);

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 1.20 to Charter Bylaw 20001 The Edmonton Zoning Bylaw is hereby amended by rezoning the lands legally described as Lots 32-36, Block 63, Plan I; located at 10506 - 81 Avenue NW, Queen Alexandra, Edmonton, Alberta, which lands are shown on the sketch plan attached as Schedule "A", from Direct Control Zone (DC2.1026) to Direct Control Zone (DC).
2. The uses and regulations of the aforementioned DC Zone are annexed hereto as Schedule "B".
3. The sketch plan annexed hereto as Schedule "A" and the uses and regulations of the DC Zone shown on Schedule "B" annexed hereto are hereby incorporated into the Zoning Bylaw, being Part 4 to Charter Bylaw 20001, The Edmonton Zoning Bylaw.

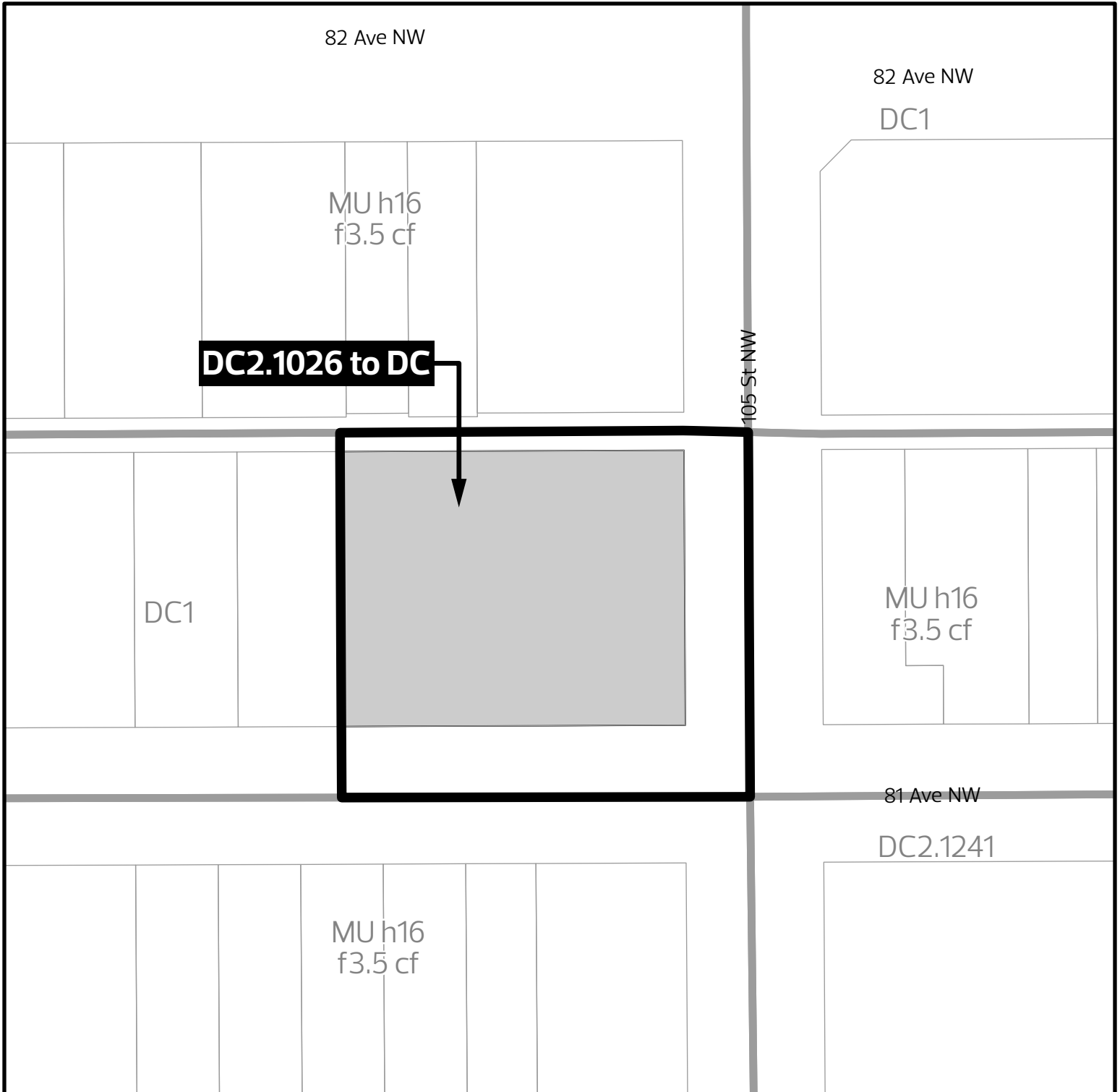
READ a first time this	day of	, A. D. 2024;
READ a second time this	day of	, A. D. 2024;
READ a third time this	day of	, A. D. 2024;
SIGNED and PASSED this	day of	, A. D. 2024.

THE CITY OF EDMONTON

MAYOR

CITY CLERK

BYLAW 20921



DC2.1026 to DC



DC2.1026 to DC



SCHEDULE “B”**(DC) DIRECT CONTROL ZONE****1. Purpose**

- 1.1. To accommodate a mixed use development with limited commercial uses and high density residential uses that provides an active and inviting pedestrian-oriented streetscape fronting 105 Street NW and 81 Avenue NW.

2. Area of Application

- 2.1. This Zone applies to Lots 32-36, Block 63, Plan I, located on the northwest corner of 105 Street NW and 81 Avenue NW shown in Schedule “A” of the Bylaw adopting this Zone, Queen Alexandra.

3. Uses**Residential Uses**

- 3.1. Home Based Business
- 3.2. Residential, limited to:
 - 3.2.1. Lodging House
 - 3.2.2. Multi-unit Housing
 - 3.2.3. Supportive Housing

Commercial Uses

- 3.3. Bar
- 3.4. Cannabis Retail Store
- 3.5. Custom Manufacturing
- 3.6. Food and Drink Service
- 3.7. Health Service
- 3.8. Indoor Sales and Service
- 3.9. Liquor Store
- 3.10. Minor Indoor Entertainment
- 3.11. Office

- 3.12. Parking Facility
- 3.13. Residential Sales Centre

Community Uses

- 3.14. Child Care Service
- 3.15. Community Service
- 3.16. Library
- 3.17. Park
- 3.18. School
- 3.19. Special Event

Agricultural Uses

- 3.20. Urban Agriculture

Sign Uses

- 3.21. Fascia Sign
- 3.22. Minor Digital Sign
- 3.23. Portable Sign
- 3.24. Projecting Sign

4. Additional Regulations for Specific Uses

Residential Uses

- 4.1. Home Based Businesses must comply with Section 6.60 of the Zoning Bylaw.

Non-Residential Uses

- 4.2. Non-Residential Uses are only allowed on the Ground Floor.
- 4.3. Cannabis Retail Stores must comply with Section 6.30 of the Zoning Bylaw.
- 4.4. Custom Manufacturing activities and storage must be located within an enclosed building.
- 4.5. Liquor Stores must comply with Section 6.70.

- 4.6. Uses with Drive-through Services are prohibited.
- 4.7. The total maximum combined Floor Area of all non-Residential Uses, except for a Residential Sales Centre, is 480 m².
- 4.8. The maximum Floor Area for each Food and Drink Service is 240 m² of Public Space, excluding exterior patio/deck space.
- 4.9. Residential Sales Centres must be limited to selling or leasing on-Site condominiums or rental Dwellings.

Sign Uses

- 4.10. The Development Planner must have regard for visual harmony and the compatibility of the proposed Sign with the architecture and finish of the development and with the design, location and appearance of other Signs of the development.
- 4.11. Signs must comply with Section 6.90 of the Zoning Bylaw, including Subsection 5 of Section 6.90, except:
 - 4.11.1. Copy must only be for On-Premises Advertising.
 - 4.11.2. Signs should follow, as much as is practicable, the traditional pattern of locating Signs, as found within the Old Strathcona Provincial Historic Area.
 - 4.11.3. If illuminated, Signs must be lit from an external source. Backlit or internally illuminated Fascia Signs are prohibited, except where only the lettering is backlit.
 - 4.11.4. Portable Signs are limited to project advertising associated with a Residential Sales Centre.
 - 4.11.5. Fascia Signs must be placed in historically traditional locations as follows:
 - 4.11.5.1. Sign band above the display or transom windows;
 - 4.11.5.2. Sign band below upper cornice; or
 - 4.11.5.3. Sign band immediately above a canopy or awning.
 - 4.11.6. Fascia Signs which consist only of a company Logo, or an Identification Sign formed of individual letters, are allowed. Not more than one (1) such Sign per business is allowed per building Facade.

- 4.11.7. Fascia Signs in the form of a Window Sign, cannot exceed twenty-five percent (25%) of the area of the window on which it is located.
- 4.11.8. For Projecting Signs, the following applies:
 - 4.11.8.1. Specialty Projecting Signs are encouraged. These are Signs where the shape and details of the Sign are reflective of the nature of the business referred to on the Sign. Examples are optometrist Signs in the shape of eyeglasses, shoe repair Signs in the shape of shoes, etc.;
 - 4.11.8.2. Corner Projecting Signs must be placed at equal angles to the two Frontages at the corner of the building;
 - 4.11.8.3. Except in the case of corner Signs, a Projecting Sign must be placed at right angles to the building face to which it is attached; and
 - 4.11.8.4. The maximum permitted size of a projecting Sign is 7.5 m² in area.
- 4.11.9. For Projecting Signs attached to an awning, the following applies:
 - 4.11.9.1. Signs must be non-illuminated Signs painted or stenciled on the fabric surface of an awning;
 - 4.11.9.2. Signs must be located on awnings on the main Storey of a building to provide pedestrian protection and to shade display windows but may also be located on awnings above upper Storey windows;
 - 4.11.9.3. Signs must be painted on, or directly affixed to, the awning covering. No Sign can be suspended from an awning covering or support structure; and
 - 4.11.9.4. The Copy on the sloping portion of the awning Sign is restricted to the name or Logo of a business on Site, and must not include Off-Premises Advertising.
- 4.11.10. For Minor Digital Signs:
 - 4.11.10.1. Only one Minor Digital Sign is allowed.
 - 4.11.10.2. No portion of the Minor Digital Sign may be located above the first Storey of the building.

- 4.11.10.3. The maximum Sign Area for the Minor Digital Sign is 2.0 m².
- 4.11.10.4. Minor Digital Signs cannot take the form of a Ground Sign.
- 4.11.10.5. Minor Digital Signs can take the form of a Window Sign, provided it is displayed behind the inside of the window and it does not exceed twenty-five percent (25%) of the total area of the windows on the Ground Floor of the Facade on which it is located.

5. Site and Building Regulations

- 5.1. The development must be in general conformance with the attached Appendices.
- 5.2. The maximum Height is 23.0 m.
- 5.3. The maximum Floor Area Ratio is 5.0.
- 5.4. The maximum number of Dwellings is 120.
 - 5.4.1. A minimum of 20% of Dwellings must have two or more bedrooms.
 - 5.4.2. A maximum of 20% of Dwellings can be constructed as studio Dwellings.
- 5.5. The minimum Setbacks are:
 - 5.5.1. 1.0 m from the north Lot line, to a maximum Height of 7.5 m. This Setback must be paved and free of obstructions (other than a loading space) to support increased Alley traffic.
 - 5.5.2. 3.0 m from the north Lot line above 7.5 m in Height except that a minimum 1.0 m Setback must be provided for a minimum distance of 10.0 m from the east Lot line above 7.5 m in Height.
 - 5.5.3. 3.0 m from the south Lot line, except that:
 - 5.5.3.1. features such as staircases, stoops, canopies, architectural projections or landscaped yards in front of or above Residential Uses can project to within 1.5 m of the Lot line; and.
 - 5.5.3.2. the Setback may be reduced to 1.0 m to provide for a prominent residential entrance facing 81 Avenue NW.
 - 5.5.4. 3.0 m from the east Lot line, except that:

- 5.5.4.1. features such as staircases, stoops, canopies, architectural projections or landscaped yards in front of or above Residential Uses can project to within 1.5 m of the Lot line; and
- 5.5.4.2. the Setback may be reduced to 1.5 m in front of the Non-Residential Uses to a maximum Height of 7.5 m.
- 5.5.5. 0.5 m from the west Lot line except that the Setback must be increased to 1.2 m above 7.5 m in Height.
- 5.6. Despite the Setbacks above:
 - 5.6.1. Portions of the Parkade can extend to within 1.5 m of the south and east Lot lines, provided there is enough soil depth above to support any required Landscaping;
 - 5.6.2. Platform Structures in the form of balconies on the third Storey shall be allowed to project 1.5 m into the north, east, and south Setbacks; and
 - 5.6.3. Platform Structures in the form of balconies on the northeast corner shall be allowed to project 1.5 m into the north and east Setbacks.

6. Design Regulations

Building Relationship to the Street (Public Realm Interface)

- 6.1. Residential Uses must have access separated from the non-Residential Uses.
- 6.2. Non-Residential Uses must have individual external accesses facing a Street which must be well-defined.
- 6.3. The building Façade fronting onto 105 Street NW:
 - 6.3.1. must be designed to break their appearance between the second and third Storey using a combination of projections, changes in building materials, colours and/or physical breaks in building mass.
 - 6.3.2. The Ground Floor and second Storey must be designed with detail and articulation at a maximum of 11.0 m intervals to create an attractive streetscape and must be articulated by a combination of recesses, projections, changes in building materials, colours, and/or physical breaks in building mass.
- 6.4. The building Façade fronting onto 81 Avenue NW must provide an open “U-shaped” courtyard to ensure ample natural light for all south-facing units.

Units above the second Storey must face the courtyard to create an articulated form and outdoor amenity spaces to the south.

- 6.5. The Ground Floor and second Storey of the east and south Facades must be compatible with the visual continuity of the adjacent streetscapes which are characterized by buildings which are similar in rhythm, alignment, and Setbacks.
- 6.6. The active commercial frontages must incorporate traditional storefront features such as recessed entries and large display windows with transom glazing located above.

Residential Uses

- 6.7. The development must incorporate a prominent residential entrance facing 81 Avenue NW which may project a maximum of 2.0 m into the south Setback. This residential entrance must provide the following:
 - 6.7.1. A distinct architectural treatment or wayfinding techniques to differentiate the entrance to the building;
 - 6.7.2. a weather protection element in the form of a canopy, overhang, or other architectural element to create a comfortable environment for people walking or rolling. This weather protection element can extend to the south Lot line; and
 - 6.7.3. universal accessibility features minimizing level changes from sidewalks to the entrance of the building and ensuring Streetscape furniture and other elements are located out of the travel path to ensure they are not obstacles to building access.
- 6.8. A minimum of four (4) Dwellings fronting onto 105 Street NW and three (3) fronting onto 81 Avenue NW must be developed as ground-oriented dwellings in accordance with the following:
 - 6.8.1. Dwellings fronting 105 Street NW must take the appearance of row housing.
 - 6.8.2. Dwellings fronting onto 81 Avenue NW must be one-Storey or take the appearance of row housing.
 - 6.8.3. Dwellings must be articulated as individual units with windows facing onto the adjacent Street. In addition, features such as staircases, stoops, or landscaped yards must be provided. Sliding patio doors must not serve as these entrances.

- 6.8.4. Dwellings must provide individual direct entrances either facing onto the adjacent Street or at a 90-degree angle.
- 6.8.5. There must be a semi-private outdoor area that is provided in a manner that establishes 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, to the satisfaction of the Development Planner.

Non-Residential Uses

- 6.9. The Ground Floor and second Storey must address both Streets and provide distinctive architectural features consistent with the style of the building to enhance the corner.
- 6.10. The minimum Ground Floor Height for non-Residential Uses is 4.0 m.
- 6.11. Building entrances and windows must be oriented to front onto a Street and the Alley on the north side of the building.
- 6.12. A minimum of 65% of the linear frontage of the non-Residential Uses must consist of transparent glazing. Linear frontage must be measured as the horizontal plane at 1.5 m above the finished Grade of the abutting sidewalk.
- 6.13. The windows located above the Ground Floor commercial uses must reflect the repetitive, vertical pattern along the Streets.

Waste Collection

- 6.14. Waste collection, storage areas, and loading must be located within the Site, accessed from the Alley abutting the Site and enclosed with consistent materials to provide screening from view from the Alley to the satisfaction of the Development Planner in consultation with the City department responsible for waste management, transportation services and City operations.

Architectural Treatment

- 6.15. All building Façades must have consistent and harmonious exterior finishing materials in general conformance with the attached Appendices and as follows:
 - 6.15.1. The exterior finishes of the Ground Floor and second Storey must primarily emphasize subdued colours in keeping with the colour schemes of historical buildings in the area.

- 6.15.2. All building Façades below the third Storey must emphasize the use of materials such as brick, pressed metal, and stone.
 - 6.15.3. All building Façades above the third Storey must be finished with high-quality, durable materials that may include but are not limited to, stone, brick, wood, concrete, exterior insulation and finishing system panels, cementitious and/or acrylic panels, panelized systems, or glass.
- 6.16. Reflective glass windows are prohibited.

7. Parking, Loading, Storage and Access Regulations

Access and Parking

- 7.1. All vehicular access and egress must be provided from the Alley Abutting the Site.
- 7.2. All vehicular parking must be provided in an Underground Parkade, except that a maximum of 16 indoor Parking Spaces may be located at ground level and accessible from the Alley.
- 7.3. Entrances to the Parkade must minimize the physical and visual impact of the entrances and doors to the Alley Abutting the development.

8. Landscaping, Lighting and Amenity Area Regulations

Landscaping

- 8.1. Landscaping must be in general conformance with Appendix 3 and must comply with Section 5.60 of the Zoning Bylaw, except:
 - 8.1.1. A Landscape Plan for the Site, prepared by a Landscape Architect registered with the Alberta Association of Landscape Architects (AALA), including all existing and proposed utilities and off-site streetscape improvements must be submitted as part of a Development Permit application for review and approval by the Development Planner;
 - 8.1.2. All Setbacks adjacent to a Street must be landscaped with hard Landscaping and incorporated into the adjacent public realm, except for where soft Landscaping is shown in Appendix 3 of this Zone;
 - 8.1.3. No trees are required and 12 shrubs are required; and
 - 8.1.4. Landscaping must incorporate native or drought-tolerant species.

Amenity Areas

- 8.2. A Common Amenity Area designed for children must be provided with a minimum area of 50 m².

Lighting

- 8.3. Decorative and security lighting must be designed and finished in a manner consistent with the architectural theme of the development and must be provided to ensure a well-lit and safe environment for pedestrians, to accentuate architectural elements, and to provide additional lighting for 81 Avenue NW, 105 Street NW and the Alley Abutting the development.
- 8.4. Night-time light pollution must be reduced by avoiding over-illumination of the development and by using exterior lighting fixtures that are cut-off in design which direct light downward, to ensure illumination does not extend beyond the boundaries of the development Site.

9. Other Regulations

- 9.1. An arborist report and tree preservation plan to the satisfaction of the Development Planner in consultation with the City department responsible for public tree management, must be submitted with the Development Permit application to determine the impact of the proposed development, including excavation and construction, on the existing boulevard trees along 105 Street NW. If required by the Development Planner, an air spading tool must be used to determine the amount and size of roots that may need to be cut for the Parkade/foundation wall. If:
 - 9.1.1. the arborist report indicates that the development will unduly compromise the ongoing viability and health of a tree or trees, each tree must be removed as part of the redevelopment of the site. The owner/developer is responsible for the cost of removal as well as for compensating the City for the value of the tree being removed. If required by the Development Planner, each tree removed must be replaced by a new tree in an enhanced growing soil medium in the form of soil cells or continuous trenches, at the cost of the owner; or
 - 9.1.2. the arborist report indicates that the development will not unduly compromise the ongoing viability and health of a tree or trees, each tree must be retained and protected as per the City's Corporate Tree Management Policy C456C.
- 9.2. Site and building layouts must include design elements that take the principles of Crime Prevention Through Environmental Design (CPTED) into consideration.

The Development Planner may, at their discretion, require a CPTED assessment prepared in accordance with Section 5.110 of the Zoning Bylaw to confirm this has been done to their satisfaction. The Development Planner must apply any conditions deemed necessary to the approval of the Development Permit based on the recommendations of the CPTED assessment to promote a safe physical environment.

9.3. Despite the other Development Regulations of this Zone, the Appendices of this Zone and Section 7.80.4.1.1.5 of the Zoning Bylaw, if the owner/developer does not obtain a valid Development Permit and Building Permit for a principal building within 5 years of the passage of the Bylaw adopting this Zone, development of the Site must be in accordance with this Zone, except that:

9.3.1. the maximum Height is 16.0 m; and

9.3.2. the maximum Floor Area Ratio is 2.0.

10. Public Improvements and Contributions

10.1. As a condition of the Development Permit for constructing a principal building, the owner must enter into an Agreement with the City of Edmonton for off-site improvements necessary to serve or enhance the development. The Agreement must include an engineering drawing review and approval process. Improvements must be constructed at the owner's cost and must be designed to the satisfaction of the Development Planner in consultation with the City departments responsible for subdivision, development coordination, transportation services, City operations, integrated infrastructure services, drainage planning, public tree management, as well as EPCOR Water Services, and others as required. Improvements to address in the Agreement must include, but are not limited to:

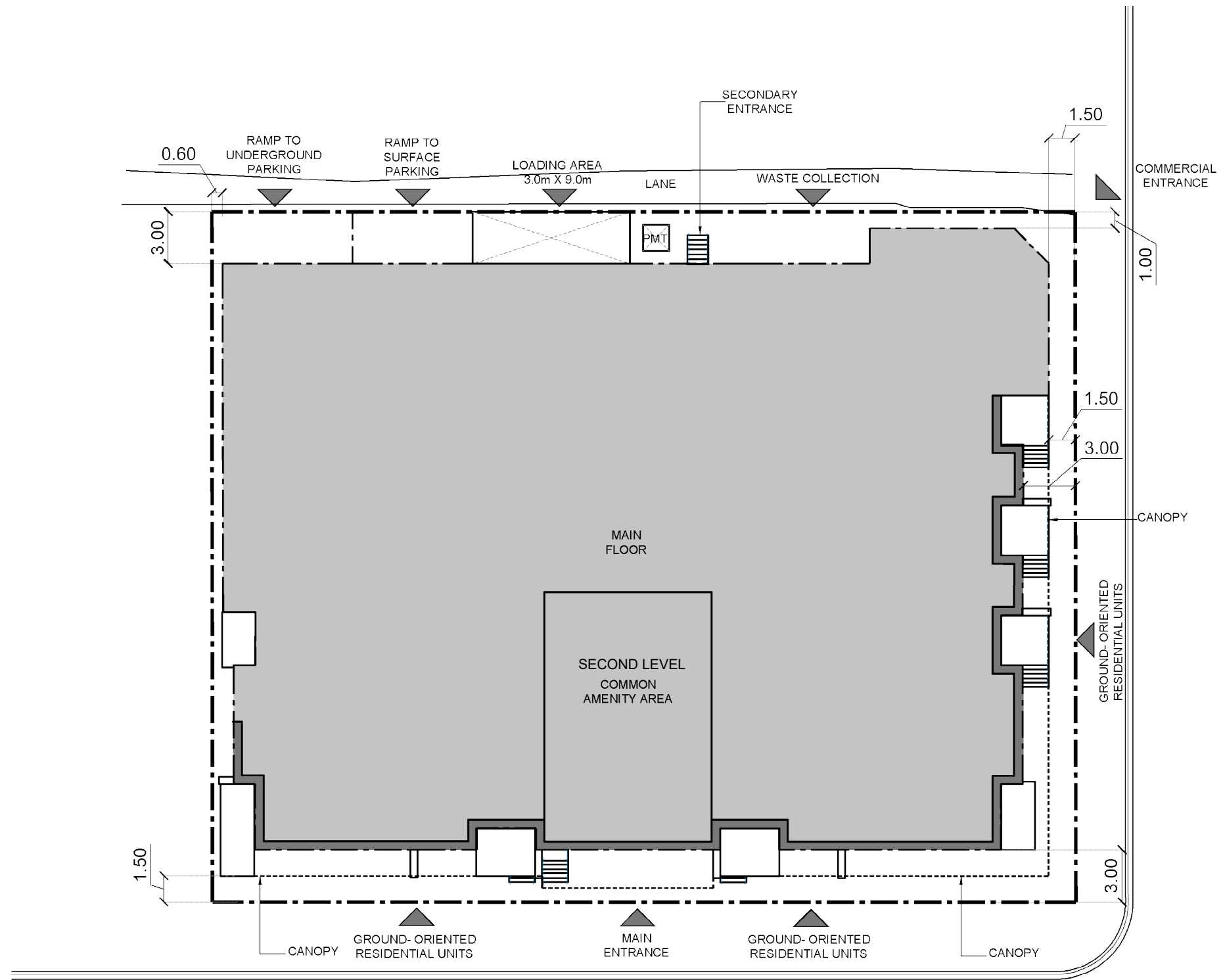
10.1.1. construction of the storm and sanitary drainage systems required to service the development, including any on-site stormwater management, must be in general conformance with the latest accepted Drainage Servicing Report or proposed alternatives to the satisfaction of the Development Planner in consultation with the City department responsible for drainage planning;

10.1.2. repair of any damage to the Abutting Streets, Alley, sidewalks and boulevard, including Alleys not directly adjacent to the Site, caused by the construction of the development;

10.1.3. planting a minimum of four (4) boulevard trees along 81 Avenue NW within portions of the road right-of-way directly adjacent to the Site, with

sufficient soil volumes as per the City of Edmonton Design and Construction Standards;

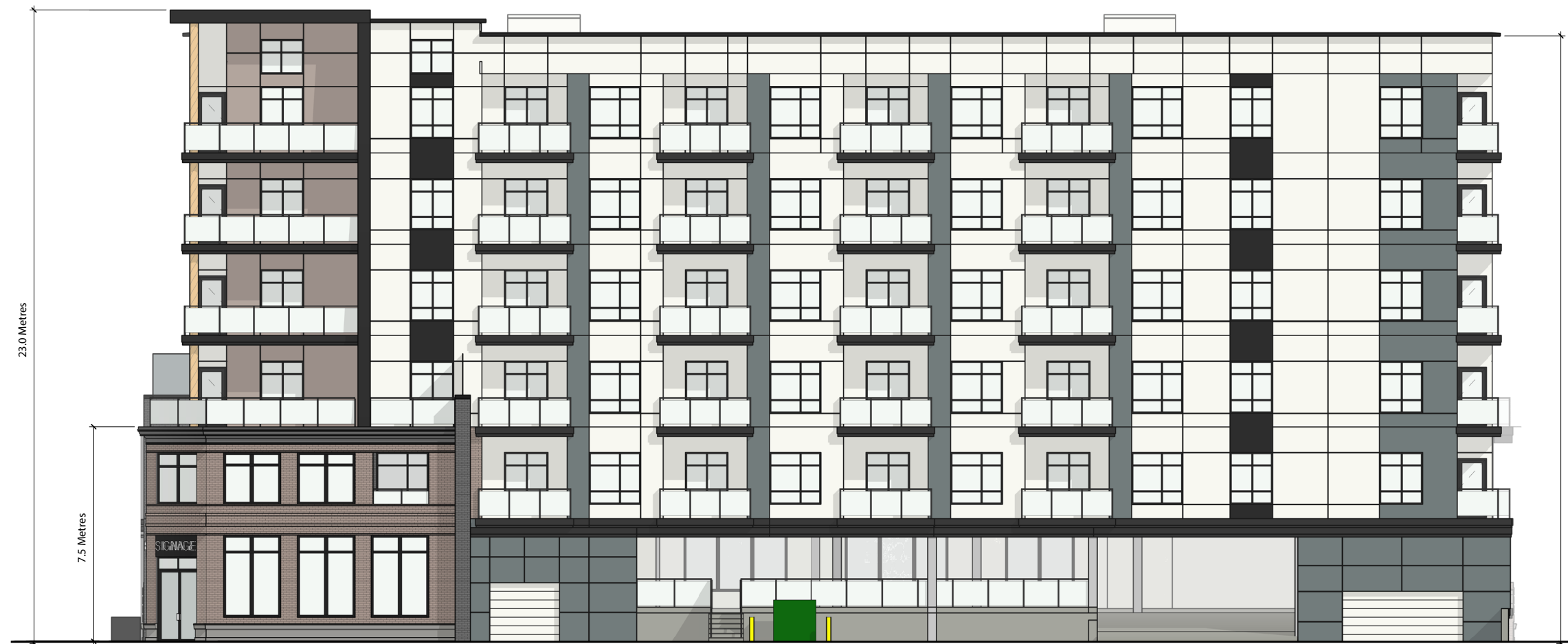
- 10.1.4. provision of Landscaping and sidewalk paving materials within the portions of the road right-of-way directly adjacent to the Site in general conformance with Appendix 3;
 - 10.1.5. coordination with the City of Edmonton Alley Renewal program and upgrading the Alley abutting the Site to a commercial alley standard within the available right-of-way from the east to west Lot lines, and reconstructing the 105 Street NW Alley crossing to the full width of the Alley, as required; and
 - 10.1.6. two new marked pedestrian crossings extending across 105 Street NW and 81 Avenue NW from the southeast corner of the Site to the satisfaction of the Development Officer in consultation with the City department responsible for transportation services. These crossings may include, but shall not be limited to enhanced materials such as stamped asphalt, signage and pavement markings, to assist with the safe and efficient movement of people walking or rolling.
- 10.2. A minimum of five (5) Dwellings must be designed with the following characteristics:
- 10.2.1. have a minimum of three bedrooms;
 - 10.2.2. be on storeys 1 through 3;
 - 10.2.3. have a dedicated and enhanced bulk storage located within the Dwelling or on the same Storey as the Dwelling;
 - 10.2.4. have access to a Common Amenity Area specifically designed for children of at least 50 m²; and
 - 10.2.5. have access to a dedicated and secured family bicycle parking room or cage which must have racks or railings for a minimum of two (2) bicycle parking spaces. These spaces must not infringe on the ability of all remaining Dwellings in the development to have access to one (1) bicycle parking space per Dwelling.



Appendix 1
Site Plan



Appendix 2a
East Elevation



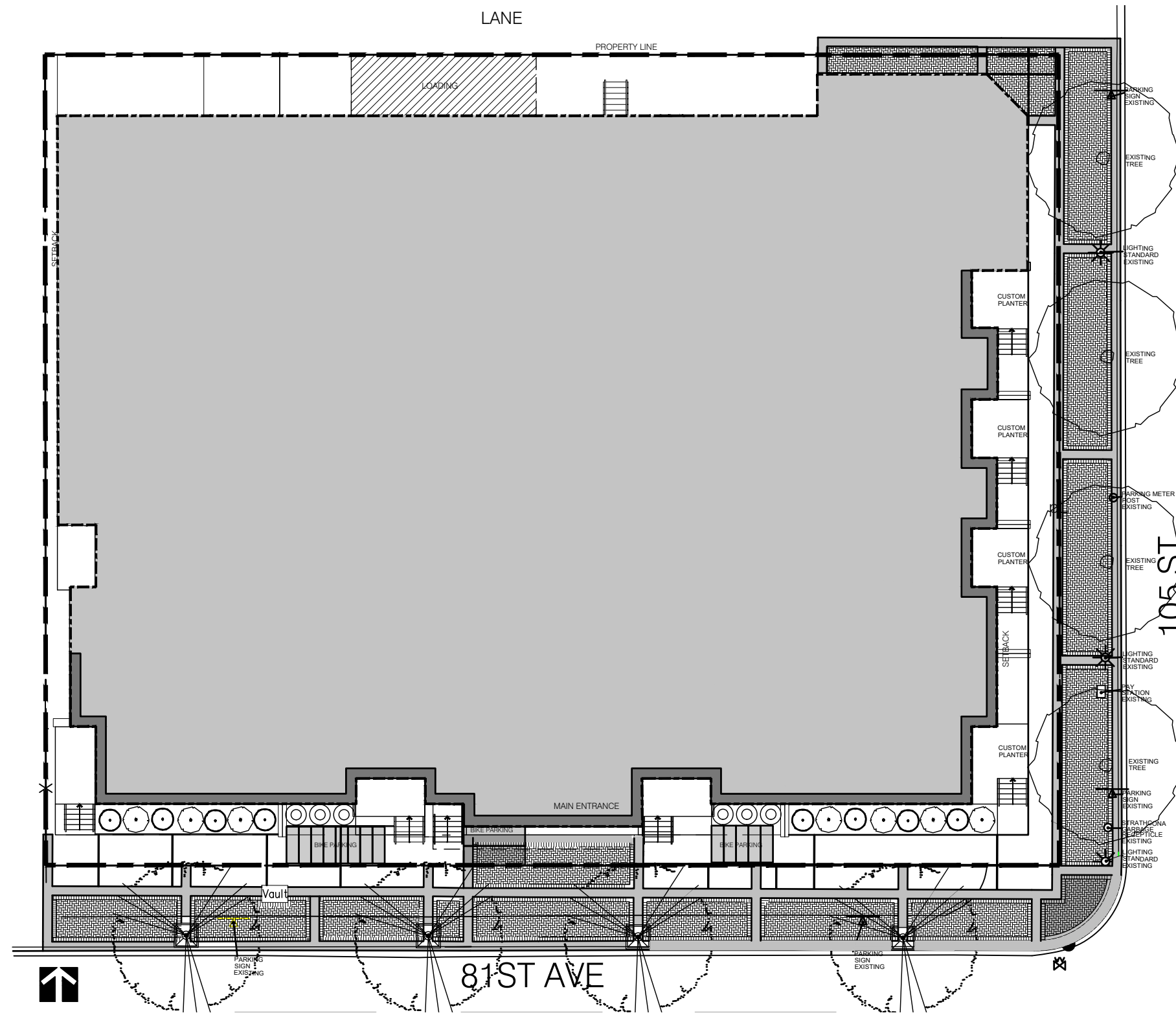
Appendix 2b
North Elevation



Appendix 2c
South Elevation



Appendix 2d
West Elevation



Appendix 3
Landscape Plan