

Bylaw 17567

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 2196

WHEREAS Lots 3 - 5, Block 14, Plan 1420502; Lots 2 & 3, Block 13, Plan 1420502 and Lot A, Plan 5886RS; located east of Tamarack Way and north of Maple Road, Tamarack, Edmonton, Alberta, is specified on the Zoning Map as (DC1) Direct Development Control Provision; and

WHEREAS an application was made to rezone the above described property to (DC1) Direct 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 3 - 5, Block 14, Plan 1420502; Lots 2 & 3, Block 13, Plan 1420502 and Lot A, Plan 5886RS; located east of Tamarack Way and north of Maple Road, Tamarack, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (DC1) Direct Development Control Provision to (DC1) Direct Development Control Provision.
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.

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

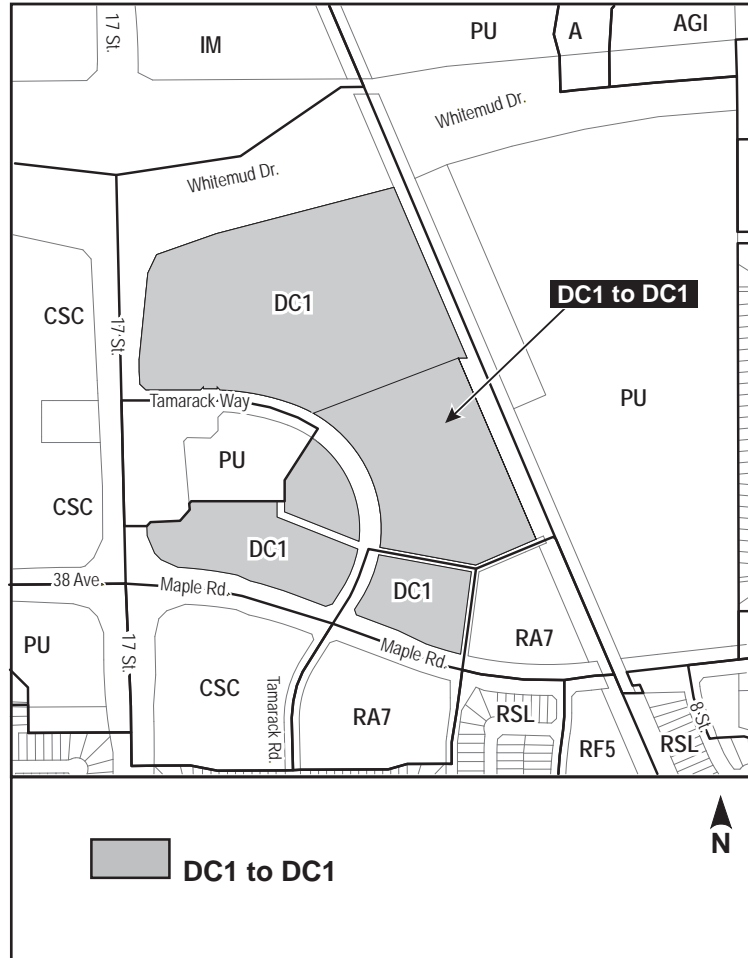
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MAYOR

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CITY CLERK

BYLAW 17567



**SCHEDULE “B”****(DC1) DIRECT DEVELOPMENT CONTROL PROVISION****1. General Purpose**

The purpose of this (DC1) Direct Development Control Provision is to facilitate the development of a pedestrian friendly and transit-supportive mixed use area that may accommodate a range of commercial, residential, and office uses.

**2. Area of Application**

This Provision shall apply to Lots 3, 4, & 5, Block 14, Plan 1420502; Lots 2 & 3, Block 13, Plan 1420502; and Lot A, Plan 5886RS, as shown on Schedule “A” attached to the Bylaw adopting this Provision and as identified on Appendix “1” attached.

**3. Uses****3.1 Area A - Commercial / Retail / Office Node**

- a. Automotive and Equipment Repair Shops
- b. Bars and Neighbourhood Pubs
- c. Business Support Services
- d. Child Care Services
- e. Commercial Schools
- f. Convenience Retail Stores
- g. Creating and Production Establishments
- h. Drive-in Food Services
- i. Gas Bars
- j. General Retail Stores
- k. Government Services
- l. Health Services
- m. Hotels
- n. Indoor Participant Recreation Services
- o. Major Alcohol Sales
- p. Minor Alcohol Sales
- q. Major Amusement Establishments
- r. Minor Amusement Establishments
- s. Media Studios

- t. Minor Service Stations
- u. Personal Service Shops
- v. Private Clubs
- w. Private Education Services
- x. Professional, Financial and Office Support Services
- y. Public Libraries and Cultural Exhibits
- z. Rapid Drive-through Vehicle Services
- aa. Residential Sales Centre
- bb. Restaurants
- cc. Specialty Food Services
- dd. Temporary Flea Markets
- ee. Veterinary Services
- ff. Fascia On-premises Signs
- gg. Freestanding On-premises Signs
- hh. Major Digital Signs
- ii. Minor Digital Off-premises Signs
- jj. Minor Digital On-premises Signs
- kk. Minor Digital On-premises Off-premises Signs
- ll. Projecting On-premises Signs
- mm. Roof On-premises Signs
- nn. Temporary On-premises Signs

**Area B – Pedestrian Friendly Commercial Node**

- a. Bars and Neighbourhood Pubs
- b. Business Support Services
- c. Child Care Services
- d. Commercial Schools
- e. Convenience Retail Stores
- f. Drive-in Food Services
- g. General Retail Stores
- h. Government Services
- i. Health Services

- j. Hotels
- k. Indoor Participant Recreation Services
- l. Minor Alcohol Sales
- m. Minor Amusement Establishments
- n. Personal Service Shops
- o. Professional, Financial and Office Support Services
- p. Public Libraries and Cultural Exhibits
- q. Residential Sales Centre
- r. Restaurants
- s. Specialty Food Services
- t. Temporary Flea Markets
- u. Veterinary Services
- v. Fascia On-premises Signs
- w. Freestanding On-premises Signs
- x. Major Digital Signs
- y. Minor Digital Off-premises Signs
- z. Minor Digital On-premises Signs
- aa. Minor Digital On-premises Off-premises Signs
- bb. Projecting On-premises Signs
- cc. Temporary On-premises Signs

### **Area C – Residential Mixed Use Node**

#### **Commercial and Commercial-related Uses**

- a. Child Care Services
- b. Convenience Retail Stores
- c. General Retail Stores
- d. Health Services
- e. Personal Service Shops
- f. Professional, Financial and Office Support Services
- g. Residential Sales Centre
- h. Restaurants
- i. Specialty Food Services
- j. Fascia On-premises Signs

- k. Freestanding On-premises Signs
- l. Projection On-premises Signs
- m. Temporary On-premises Signs

### **Residential and Residential-related Uses**

- a. Apartment Housing
- b. Live Work Unit
- c. Minor Home Based Business
- d. Row Housing
- e. Stacked Row Housing

### **Area D – Medium Density Residential Node**

- a. Apartment Housing
- b. Live Work Unit
- c. Minor Home Based Business
- d. Row Housing
- e. Stacked Row Housing

## **4. Development Objectives and Regulations**

### **4.1 Site Planning and Building Design Objectives**

- a. On-site development shall:
  - i. become a destination for the surrounding area;
  - ii. function as a walkable commercial centre with a pedestrian-friendly commercial node, creating a sense of place for users;
  - iii. relate appropriately to adjacent built forms, roadways, uses, functions and activities, with particular attention to adjacent public transit facilities;
  - iv. create an attractive and cohesive visual identity;
  - v. include outdoor spaces of interest; and
  - vi. be phased appropriately to accommodate opportunities for future intensification as market conditions change.
- b. Buildings shall be developed:
  - i. to set the framework for a comfortable and attractive pedestrian realm;
  - ii. with a harmonious and visually attractive architectural theme; and

- iii. with high-quality and durable building materials and finishes.
- c. Interior access roads and walkways shall promote contiguous and logical patterns of safe pedestrian and vehicular movement throughout the site and between the site and surrounding development and uses.
- d. Parking areas shall:
  - i. facilitate safe and convenient pedestrian movements;
  - ii. be appropriately landscaped to soften their appearance and add visual interest; and
  - iii. be dispersed and segmented.

#### **4.2 General Development Regulations**

- a. Development shall be in general accordance with the objectives and the attached appendices.
- b. At the Development Permit stage a generalized concept plan shall be submitted for all new building development or substantial redevelopment to illustrate how the proposed development will integrate with existing and future surrounding and on-site development. The concept plans shall show the location of existing and future buildings, parking areas, vehicular and pedestrian routes and amenity areas.
- c. A CPTED Assessment shall be completed to guide the design of public and private spaces and facilities, focusing on natural surveillance and access control.

#### **4.3 Specific Development Regulations for Area A - Commercial / Retail / Office Node**

- a. The maximum Floor Area Ratio shall be 0.3.
- b. Notwithstanding section 4.3(a), the maximum Floor Area Ratio may be increased to 1.0 with the submission of a Transportation Impact Assessment (TIA) to the satisfaction of the Development Officer, in consultation with Transportation Services.
- c. The maximum building height shall be 20.0 m.
- d. All Temporary Flea Markets Use shall be limited to farmers markets involving the sale of items such as local produce and handicrafts.
- e. The following regulations shall apply to Automotive and Equipment Repair Shops developments:
  - i. Service Bays for Automotive and Equipment Repair Shops shall not front onto Tamarack Way as identified in Appendix I.
  - ii. All activities and mechanical equipment associated with Automotive and Equipment Repair Shops shall be located within an enclosed building designed to service vehicles with a maximum weight of 3,500 kg (7,716 lbs.).



- iii. Automotive and Equipment Repair Shops shall be designed as integral components of buildings accommodating other uses, rather than as standalone structures.
- f. The following regulations shall apply to Gas Bar developments:
  - i. Where Gas Bars are located adjacent to Tamarack Way, decorative landscaping shall be utilized to screen the development from the pedestrian environment.
- g. Signs shall comply with the regulations in Schedule 59 D.

#### **4.4 Specific Development Regulations for Area B Pedestrian Friendly Commercial Node**

- a. Buildings shall be clustered along the road as to minimize the open spaces between buildings.
- b. The maximum Floor Area Ratio shall be 0.3.
- c. Notwithstanding section 4.4(b), the maximum Floor Area Ratio may be increased to 1.0 with the submission of a Transportation Impact Assessment (TIA) to the satisfaction of the Development Officer, in consultation with Transportation Services.
- d. The maximum Floor Area of any individual business premises adjacent to Tamarack Way shall not exceed 500m<sup>2</sup>.
- e. The maximum Building Height shall not exceed 14.0 m.
- f. All Bars and Neighborhood Pubs Use shall be limited to a maximum of 100 occupants and 120 m<sup>2</sup> of Public Space.
- g. All Restaurants Use shall be limited to a maximum of 200 occupants and 275 m<sup>2</sup> of Public Space.
- h. All Specialty Food Services Use shall be limited to a maximum of 200 occupants and 275 m<sup>2</sup> of Public Space.
- i. All Temporary Flea Markets Use shall be limited to a farmers market involving the sale of items such as local produce and handicrafts.
- j. Notwithstanding section 4.4(e), Hotel uses shall not exceed 18.0 m.
- k. Buildings shall be designed and oriented to incorporate active frontage along Tamarack Way.
- l. On Tamarack Way, buildings shall be built to the front property lines. The Development Officer may allow building Setbacks up to 4.5 m to accommodate street related activities, such as sidewalk cafes, architectural features and Landscaping that contribute to the pedestrian-oriented shopping character of the area.

- m. A minimum of 50% of the ground floor fronting Tamarack Way, shown in Appendix I, shall have exterior glazing;
- n. Horizontal breaks of uninterrupted façade shall not exceed 12.0 m in length;
- o. On Corner Lots the façade treatment shall wrap around the side of the building to provide a consistent profile facing both roadways. This includes private and public roadways.
- p. Vehicle parking shall be located at the side or rear of the building where possible.
- q. Drive-through service windows shall be oriented away from the Front Yard and placed, wherever possible, at the rear of the building;
- r. Signs shall comply with the regulations in Schedule 59 D.

#### **4.5 Specific Development Regulations for Area C Residential Mixed Use Node**

- a. The maximum density shall be 224 Dwellings/ha.
- b. The maximum Floor Area Ratio shall be 3.0
- c. The maximum Building Height shall be 45.0 m.
- d. The minimum Front Setback shall be 3.0 m
- e. The minimum Rear Setback shall be 7.0 m
- f. The minimum Side Setback shall be 1.0 m for each Storey or partial Storey, up to 7.5 m, except that at least 2.0 m shall be provided in all cases.
- g. A minimum Amenity Area of 7.5 m<sup>2</sup> per Dwelling shall be provided
- h. All Restaurants Use shall be limited to a maximum of 200 occupants and 275 m<sup>2</sup> of Public Space.
- i. All Specialty Food Services Use shall be limited to a maximum of 200 occupants and 275 m<sup>2</sup> of Public Space.
- j. Ground oriented units or enhanced landscaping shall be provided along Tamarack Way and the Pedestrian Link as shown in Appendix 1.
- k. Apartment Housing shall only be accommodated:
  - i. in free standing residential buildings with or without ground floor commercial uses and which may have Row or Stacked Row Housing at the base; or
  - ii. as part of a comprehensively developed project where buildings are attached and can vary from predominantly residential to mixed use.
- l. In mixed-use buildings, the residential entrances shall be designed separate from non-residential uses and address the street in a prominent manner.
- m. At grade residential developments shall provide separate, individual access at grade and feature identifiable doorways, landscaped terraces, pedestrian lighting,

and patios. They shall ensure adequate privacy through the provision of screening and at least a 0.75m grade separation above the adjacent City sidewalk.

- n. The maximum Floor Area of any individual business premises shall not exceed 465 m<sup>2</sup>.
- o. Non-Residential uses shall not be developed in a free standing structure.
- p. The top two Storeys of a building over 6 Storeys shall be articulated differently than lower Storeys through the use of distinct materials, setbacks, trusses or other architectural features.
- q. The minimum separation distance between Towers shall be 30 m.
- r. The portion of the building that is greater than 20m in Height is limited to a maximum Floor Plate of 1250m<sup>2</sup>.
- s. Separation Space shall be provided in accordance with Section 48 of the Zoning Bylaw.
- t. Signs shall comply with the regulations in Schedule 59 B.

#### **4.6 Specific Development Regulations for Area D Medium Density Residential Node**

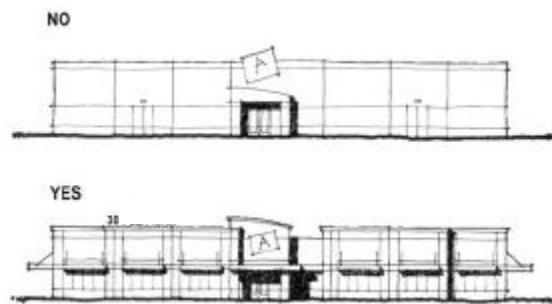
- a. This area shall be developed in accordance with the regulations of the RA7 Zone.
- b. The Front Yard shall be located along Tamarack Way.
- c. Notwithstanding 4.6 (a), where possible buildings shall front Tamarack Way.

#### **4.7 Site Design Regulations**

- a. Buildings shall generally, to the satisfaction of the Development Officer, be oriented to:
  - i. frame (or be located at) the corners of intersections of private internal roadways;
  - ii. frame major vehicular and pedestrian entry/exit points to and from the site without impeding vehicular and pedestrian movement sight lines; and
  - iii. permit views into the site along the axis of roadways and walkways intersecting Tamarack Way.
- b. Along the private internal roadways, the spaces between freestanding structures shall be improved to include:
  - i. landscaped pedestrian connections;
  - ii. small pockets of landscaped parking areas;
  - iii. public seating areas; and
  - iv. landscaped open spaces.
  - v.

## 4.8 Building Design Regulations

- a. Buildings shall use a variety of architectural elements and treatments, materials and colours to break up the massing and provide human-scale development and no walls that face a public street, private internal roadways or connecting pedestrian walkway shall have a blank uninterrupted length exceeding 12.0 m. The massing of building walls may be reduced through the use of architectural elements such as columns, ribs, pilasters or piers, changes in plane, changes in building finishes, materials and textures, or other features that create an identifiable pattern and sense of human scale, such as shown in Figure 1.



*Figure 1 – Example of Building Elevation*

- b. Building materials shall be sustainable, durable, high quality and appropriate for the development.
- c. All buildings shall be designed and finished to generally conform to a consistent architectural theme using similar architectural design elements, materials and colours. A consistent theme shall be developed through the design of lighting, sidewalk pattern, street furniture and landscaping.
- d. Buildings shall provide active frontages wherever possible, and shall be designed to include a clearly identifiable primary entrance through the use of recesses, projections, canopies, porticos, overhangs, arcades, peaked roof forms, arches, outdoor patios, display windows, planters, walls, or other similar design elements (see example, Figure 2).



*Figure 2 – Example of Commercial Retail Unit Active Frontage*

- e. Building rooftop mechanical equipment shall be concealed from the public in a manner that is consistent with the character of the building.

#### **4.9 Access, Circulation and Parking**

- a. Private internal roadways shall be established to accommodate the peak traffic volumes for the site to the satisfaction of Transportation Services.
- b. Pedestrian connections shall be established through the utilization of clearly demarcated walkways, lighting and signage systems to reduce pedestrian conflict and create a pedestrian-friendly design.
- c. Pedestrian Connections in Areas A and B shall include landscaping, pedestrian-level lighting and a minimum 1.5 m hard-surfaced sidewalk. Where vehicular access is also provided in these locations, the Pedestrian Connection shall be required on both sides of private internal roadways. Where developed through surface parking areas, Pedestrian Connections shall be designed as enhanced parking islands with walkways and shall include landscaped islands with raised curbs and a 1.5 m hard-surfaced sidewalk. Remedial treatment such as raised pedestrian crossings, landscaping, forecourts and landings, special paving, light and bollards shall be provided at significant points of pedestrian and vehicular interaction.
- d. Sidewalks in Areas A and B shall be provided in the front of large format buildings at a minimum of 3.0 m in width, the fronts of freestanding Commercial buildings at a minimum of 2.0 m in width.
- e. Vehicular and bicycle parking shall be provided in accordance with Section 54 of the Zoning Bylaw and located to the satisfaction of the Development Officer and Transportation Services.
- f. Maximum vehicular parking for any Commercial Use shall be 40% more than what is required by Section 54 of the Zoning Bylaw.
- g. Parking areas shall be “broken up” by means of on-site private roads, drive aisles, pedestrian corridors and/or landscaped islands.
- h. Surface parking should be located to the interior of blocks wherever possible and shall be screened from view from the public roadway by buildings or landscaping.
- i. 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 buildings and shall be screened from view from any adjacent Sites, public or private roadways, and designed to ensure vehicles do not encroach or back onto public or private road right-of-way, in accordance with the provisions of subsection 55.4 of the City of Edmonton Zoning Bylaw 12800.
- j. Notwithstanding 4.9 (i), in Areas C and D parking, loading and trash collection shall be permitted within side or rear Yards, except Yards adjacent to public roadways, where a minimum Yard of 2.5 m shall be maintained.

- k. Any on-street parking on the private roadways will be located and designed such that it does not interfere with the operations of the private roadway intersections with Tamarack Way, 17 Street and Maple Road.

#### **4.10 Landscaping and Amenities**

- a. A detailed landscaping plan for each phase of development shall be submitted in accordance with section 55 prior to the approval of any development permit. This plan shall clearly illustrate landscaping internal to the site, pedestrian connections, and the design of lighting, street furniture, and sidewalks.
- b. Landscaping at site entrances shall include the use of ornamental plant material, shrubs and planting beds and surface treatments to further enhance the appearance of the entrance.
- c. Where Commercial and Residential Uses abut a pedestrian link (as shown in Appendix 1) fencing shall be limited to a maximum height of 1.2m and logical breaks shall be made to allow for pedestrian access.
- d. A landscaped berm shall be provided adjacent to the CN rail right-of-way.
- e. Notwithstanding Section 55 of the Zoning Bylaw, landscaping requirements shall exceed the minimum requirements for the number of trees and shrubs required by 15% in Areas A and B.
- f. Amenity Area / Plaza areas are intended to provide a visual terminus and enhance the pedestrian realm along Tamarack Way. Design features within these amenity areas shall include hard and soft landscaping elements, seating areas and / or a visual landmark such as a hardscaped plaza, clock tower, water feature or other identifiable feature to facilitate social interaction amongst users and create a "sense of place".

#### **4.11 Environmental Site Assessment**

- a. The Development Officer shall require the submission of an Environmental Site Assessment (ESA) report prepared by a qualified environmental consultant, to the satisfaction of the Development Officer, in consultation with Alberta Environment and Alberta Health Services which demonstrates that the sites are suitable for the full range of allowable uses.

#### **4.12 Additional Development Regulations**

- a. Notwithstanding Section 4.3(f) and 4.4(n), Major Digital Signs, Minor Digital On-premises Signs, Minor Digital Off-premises Signs, Minor Digital On-premises Off-premises Signs, and Roof On-premises Signs shall comply with the regulations found in Schedule 59D.3.



# TAMARACK DCI SITE

Appendix I: Concept Plan

MAY 6, 2013  
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