

Bylaw 20932

A Bylaw to amend Charter Bylaw 20001, as amended,
The Edmonton Zoning Bylaw
Amendment No. 120

WHEREAS the lands shown on Schedule “A” and Schedule “B”, and legally described as Lots 9 - 13, Block 19, Plan 3549AE, and on Schedule “C”, located at 12021 - Jasper Avenue NW, and the land generally bounded by Jasper Avenue NW and the River Valley, from 124 Street NW to 116 Street NW, designated DC1 (Area 7) in Bylaw 11619, Oliver, Edmonton, Alberta, are specified on the Zoning Map as Direct Control Zone (DC1.11619); and

WHEREAS an application was made to rezone the above described properties to two Direct Control Zones (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 9 - 13, Block 19, Plan 3549AE, located at 12021 - Jasper Avenue NW, Oliver, Edmonton, Alberta, which lands are shown on the sketch plan attached as Schedule “A”, from Direct Control Zone (DC1.11619) to Direct Control Zone (DC).

2. The Zoning Map, being Part 1.20 to Charter Bylaw 20001 The Edmonton Zoning Bylaw is hereby amended by rezoning the lands legally described on Schedule “C”, generally bounded by Jasper Avenue NW and the River Valley, from 124 Street NW to 116 Street NW, designated DC1 (Area 7) in Bylaw 11619, Oliver, Edmonton, Alberta, which lands are shown on the sketch plan attached as Schedule “B”, from Direct Control Zone (DC1.11619) to Direct Control Zone (DC).

3. The uses and regulations of the aforementioned DC Zone referenced in section 1 of this Bylaw are annexed hereto as Schedules "D".
4. The uses and regulations of the aforementioned DC Zone referenced in section 2 of this Bylaw are annexed hereto as Schedule "E".
5. The sketch plans annexed hereto as Schedule "A" and Schedule "B" and the uses and regulations of the DC Zones shown on Schedules "D" and "E" annexed hereto are hereby incorporated into the Zoning Bylaw, being Part 4 to Charter Bylaw 20001, The Edmonton Zoning Bylaw.
6. Despite Subsection 3 of Section 7.80 of Charter Bylaw 20001, The Edmonton Zoning Bylaw, Pre-Application Notification Requirements do not apply in respect of the rezoning outlined in this Bylaw for the lands legally described on Schedule "C", generally bounded by Jasper Avenue NW and the River Valley, from 124 Street NW to 116 Street NW, designated DC1 (Area 7) in Bylaw 11619, Oliver, Edmonton, Alberta, which lands are shown on the sketch plan attached as Schedule "B".

READ a first time this	1st day of October	, A. D. 2024;
READ a second time this	1st day of October	, A. D. 2024;
READ a third time this	1st day of October	, A. D. 2024;
SIGNED and PASSED this	1st day of October	, A. D. 2024.

THE CITY OF EDMONTON

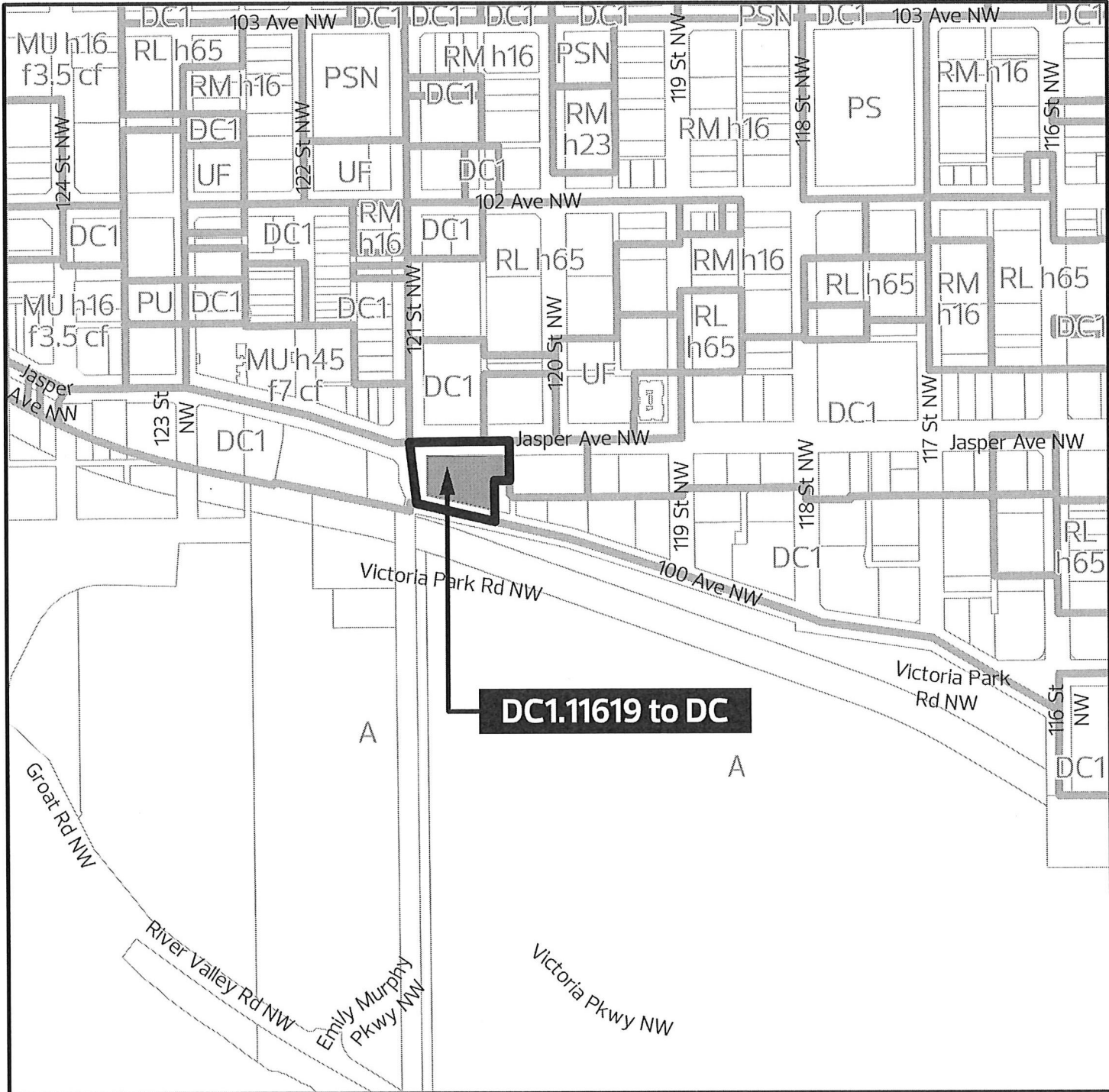


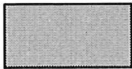
MAYOR



A/ CITY CLERK

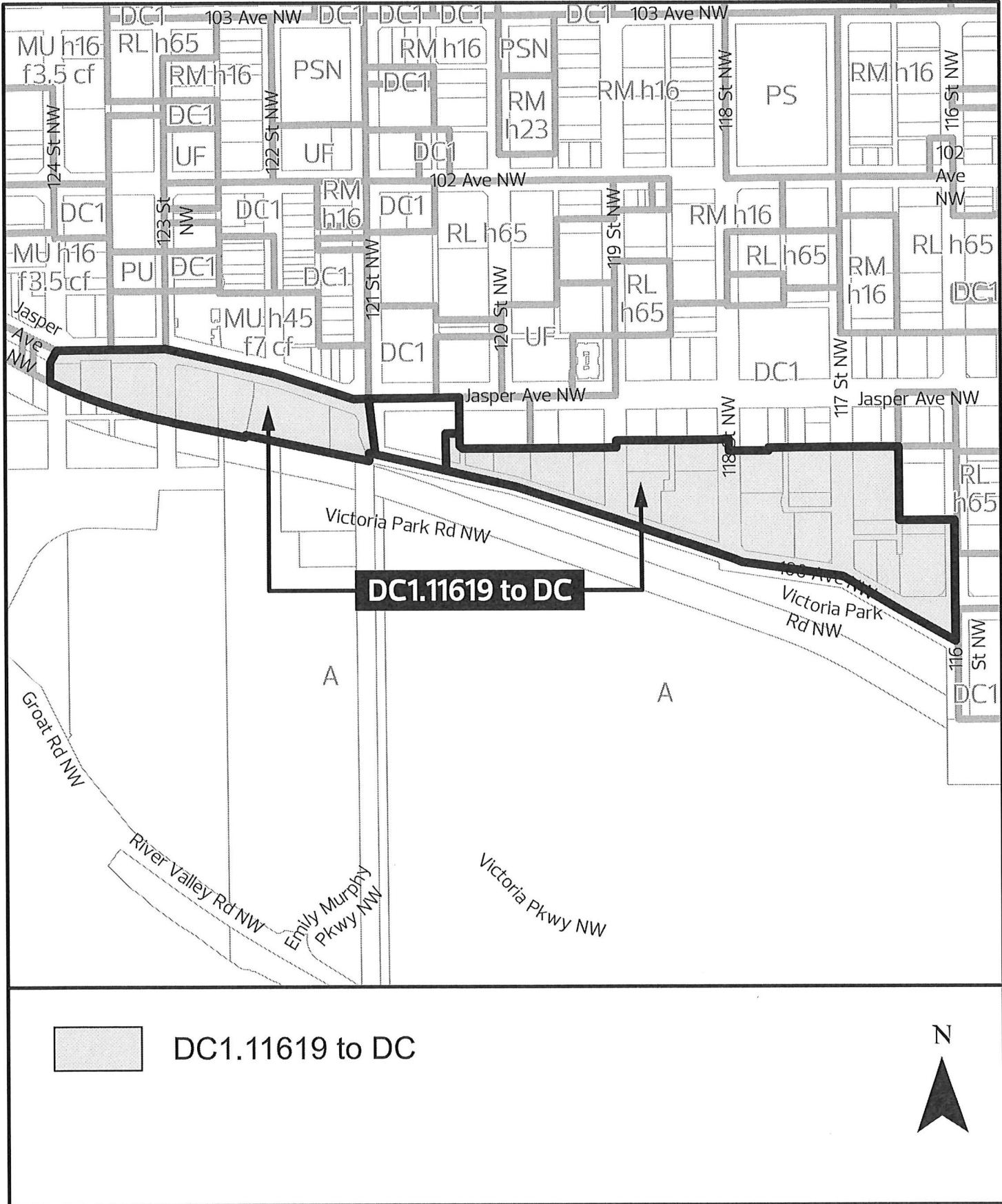
BYLAW 20932



 DC1.11619 to DC



BYLAW 20932



SCHEDULE "C"

Address	Legal Description	From	To
101- 1601, 10045 - 118 STREET NW	Units 1-139, Condominium Plan 7722911	DC1	DC
101-423, 1618 - 100 AVENUE NW	Units 1-45, Condominium Plan 8121684	DC1	DC
101-1707, 12121 - JASPER AVENUE NW; 12117, 12125, 12137, and 12145 - Jasper Avenue NW	Units 1 to 479, Condominium Plan 8122243	DC1	DC
1A-12B, 10050 - 118 STREET NW	Units 1-89, Condominium Plan 8221628	DC1	DC
101-1802, PTHS19, PTHS20, 11826 - 100 AVENUE NW	Units 1-52, Condominium Plan 8222325	DC1	DC
101-2305, 10011 - 123 STREET NW	Units 1-106, Condominium Plan 8321881	DC1	DC
2-5, PTHS, 11960 - 100 AVENUE NW	Units 1-5, Condominium Plan 8620626	DC1	DC
201-716, 10011 - 117 STREET NW	Units 1-16, Condominium Plan 8823082	DC1	DC
101-1704, PTHS, 11710 - 100 AVENUE NW	Units 1- 155, Condominium Plan 9122441	DC1	DC
100-516, 11716 - 100 AVENUE NW, and 11716C - 100 AVENUE NW	Units 1-177, Condominium Plan 9421160	DC1	DC
201-806, 10015 - 119 STREET NW	Units 1-40, Condominium Plan CD4104	DC1	DC
101-802, 12331 - JASPER AVENUE NW	Units 1-12, Condominium Plan CD5622	DC1	DC
101-707, 12207 - JASPER AVENUE NW	Units 1-45, Condominium Plan 0726886	DC1	DC
201-1602, 10046 - 117 STREET NW	Units 1-135, Condominium Plan 0829959	DC1	DC
101-600, 11930 - 100 AVENUE NW	Units 1-39, Condominium Plan 0840624	DC1	DC
101-1807, 12303 - JASPER AVENUE NW	Units 1-118, Condominium Plan 7520736	DC1	DC
10039 - 117 STREET NW, 10051 - 117 STREET NW, 3, 201-1804, 10045 - 117 STREET NW, and 10037 - 117 STREET NW	Units 1-281, Condominium Plan 8121550, 8521973	DC1	DC
100-1702, 10010 - 119 STREET NW, and 10010C - 119 STREET NW	Units 1-115, Condominium Plan 8420848,8322264	DC1	DC
201-1802, 12319 - JASPER AVENUE NW	Units 1-121, Condominium Plan 9020918	DC1	DC
101-1801, 11920 - 100 AVENUE NW	Units 1-44, Condominium Plan CD1774	DC1	DC
11808 - 100 AVENUE NW	Plan 3549AE Blk 18 Lots 1-4,18,OT	DC1	DC
11950 - 100 AVENUE NW	Plan 3549AE Blk 19 Lot 8	DC1	DC
10020 - 121 STREET NW	Plan 5861MC Lot E	DC1	DC
10002 - 116 STREET NW	Plan B3 Blk 16 Lot 11	DC1	DC
10025 - 117 STREET NW	Plan B3 Blk 16 Lot 17	DC1	DC
10024 - 116 STREET NW	Plan B3 Blk 16 Lot 9	DC1	DC
11610 - 100 AVENUE NW	Plan B3 Blk 16 Lots 10-13,OT	DC1	DC
10036 - 117 STREET NW	Plan B3 Blk 17 Lot 7	DC1	DC
10002 - 117 STREET NW	Plan B3 Blk 17 Lot 8	DC1	DC

SCHEDULE “D”

(DC) DIRECT CONTROL ZONE

1. Purpose

- 1.1. To accommodate an existing high rise residential building and a new tall high rise mixed-use tower and podium, with a design that integrates with and enhances the Jasper Avenue commercial corridor.

2. Area of Application

- 2.1. This zone applies to Lots 9-13, Block 19, Plan 3549AE, located on the southeast corner of Jasper Avenue NW and 121 Street NW as shown in Schedule “A” of the Bylaw adopting this zone, Wihkwêntôwin (Oliver).

3. Uses

Residential Uses

- 3.1. Home Based Business
- 3.2. Residential

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. Hotel
- 3.9. Indoor Sales and Service
- 3.10. Liquor Store
- 3.11. Minor Indoor Entertainment
- 3.12. Office
- 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. Freestanding Sign
- 3.23. Portable Sign
- 3.24. Projecting Sign

4. Additional Regulations for Specific Uses

- 4.1. Non-Residential Uses must only be developed in conjunction with Residential Uses and must not be in any freestanding structure.
- 4.2. The maximum Floor Area Ratio for Non-Residential Uses is 4.0
- 4.3. Residential Uses in the west building must comprise a minimum of 75% of Floor Area.
- 4.4. Signs must comply with Subsection 5 of Section 6.90 of the Zoning Bylaw.
- 4.5. Freestanding Signs must:
 - 4.5.1. be limited to project identification or identification of Commercial premises on site; and
 - 4.5.2. complement the design of the west building.

- 4.6. Portable Signs must be limited to building construction identification or real estate advertising associated with the site and must not include trailer mounted or signs with changeable copy.

5. Site and Building Regulations

- 5.1. The development must be in general conformance with the attached appendices.
- 5.2. The development must consist of two buildings. The existing building on the east side of the Site (east building) must consist of the existing Tower, and the building on the west side of the Site (west building) must consist of a new Tower and Podium.
- 5.3. The minimum separation distance between on-site Towers is 13 m.
- 5.4. The maximum Podium Height of the west building is 14 m.
- 5.5. The maximum total Height of the west building is 108 m.
- 5.6. The maximum Height of the east building is 40 m.
- 5.7. The maximum total Floor Area Ratio for the site is 11.
- 5.8. The minimum west building Podium Setbacks must be as follows:
 - 5.8.1. 51.3 m from the easternmost Lot line;
 - 5.8.2. 0 m from the west Lot line;
 - 5.8.3. 0 m from the north Lot line; and
 - 5.8.4. 3.0 m from the south Lot line.
- 5.9. The minimum west building Tower Setbacks must be as follows:
 - 5.9.1. 51.3 m from the east Lot line;
 - 5.9.2. 2.5 m from the west Lot line;
 - 5.9.3. 4.0 m from the north Lot line; and
 - 5.9.4. 4.5 m from the south Lot line.
- 5.10. The minimum east building Setbacks must be as follows:
 - 5.10.1. 4.5 m from the nearest east Lot line;
 - 5.10.2. 43.0 m from the west Lot line;

- 5.10.3. 6.0 m from the north Lot line; and
- 5.10.4. 5.4 m from the south Lot line.
- 5.11. Balconies may project 2.0 m into required Tower Setbacks.
- 5.12. The Floor Plate of the west Tower must not exceed 825 m².

6. Design Regulations

- 6.1. Each Commercial Use must have a well defined entrance at ground level.
- 6.2. Where the building is less than 1.0 m from the Lot line, entrances must be recessed.
- 6.3. New building Facades must be strongly articulated to add variety, rhythm, and a human scaled dimension at ground level.
- 6.4. For the west building, blank walls must not be permitted facing Jasper Avenue, 121 Street or 100 Avenue. Elements such as, but not limited to, windows, changes in material, colour, or architectural treatments must be incorporated into the design.
- 6.5. For the west building, a minimum of 70% of the linear building frontage of the ground Storey Façades facing Jasper Avenue NW, 121 Street and 100 Avenue NW must have transparent glazing. Linear frontage must be measured as the horizontal plane at 1.5 m above Grade;
 - 6.5.1. the placement and type of windows must allow viewing into the building to promote a positive pedestrian-oriented street; and
 - 6.5.2. a maximum of 10% of the first Storey glazing may be covered by Signs. The remainder of the glazing must remain free from obstruction; and
- 6.6. The design of the west building must demonstrate the following:
 - 6.6.1. The north and south elevations of the building must feature design concepts that are distinct from one another; and
 - 6.6.2. One or more colours, aside from neutral colours, white or black, will be incorporated on limited portions of the facades and/or balconies.
 - 6.6.3. Below 14.0 meters in height, the predominant exterior building materials must be prefinished metal cladding, masonry cladding and glazing.

- 6.6.4. The Tower must employ an angled and recessed floor plate shape, to mitigate impacts to views from existing residential Towers to the east and west.
- 6.7. Exterior building materials must be durable and high quality, including, but not limited to: masonry, stone, brick, acrylic stucco, metal cladding/panelling and/or glazing. The use of vinyl is prohibited.
- 6.8. All mechanical equipment, including surface level venting systems and transformers, must be screened in a manner compatible with the architectural character of the building or be concealed by incorporating it within the building. Ground level vents must be oriented away from Abutting Sites and pedestrian circulations areas.

7. Parking, Loading, Storage and Access Regulations

- 7.1. Vehicular access and circulation must be developed in general accordance with Appendix 1
- 7.2. A maximum of four surface parking spaces must be provided in accordance with Appendix 1.
- 7.3. All other on-Site vehicular parking must be provided within the Underground Parkade.
- 7.4. The Underground Parkade is permitted to extend to all Lot Lines, provided there is sufficient soil capacity to support any required Landscaping, to the satisfaction of the Development Officer.
- 7.5. A bicycle wash, repair and maintenance station is required within or adjacent to the bike storage area within the Underground Parkade.
- 7.6. All waste collection, storage, or loading areas must be located in general accordance with Appendix 1 and designed to the satisfaction of the Development Planner in consultation with the City departments responsible for waste services and transportation services.
- 7.7. Pedestrian circulation must be clearly marked through paving and lighting treatments, including a pedestrian crossing light at the Underground Parkade entrance, in accordance with Appendix 1.
- 7.8. Accessible hard-surfaced pedestrian Pathways with a minimum width of 1.8 m must be provided from main building entrances to:
 - 7.8.1. Abutting public sidewalks, shared use paths, and transit stops;

7.8.2. Parking Areas; and

7.8.3. Public Amenity Areas.

8. Landscaping, Lighting and Amenity Area Regulations

- 8.1. Landscaping must be in general conformance with the Appendix 2 of this zone.
- 8.2. The required Landscape Plan submitted with a Development Permit application for new building construction must be prepared by a Landscape Architect registered with the Alberta Association of Landscape Architects (AALA) and must include:
 - 8.2.1. A combination of hard and Soft Landscaping around the perimeter of the site to the west and south of the site, providing comfortable areas for pedestrian circulation and seating;
 - 8.2.2. One (1) tree adjacent to Jasper Avenue;
 - 8.2.3. One (1) tree adjacent to 100 Avenue; and
 - 8.2.4. Four (4) trees between the west and east buildings.
- 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, and to accentuate architectural elements and roof tops. Exterior lighting associated with the development must be designed such that it has no negative impact on an adjacent property.

9. Other Regulations

- 9.1. 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.
- 9.2. 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 existing boulevard trees along 121 Street and 100 Avenue. 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:

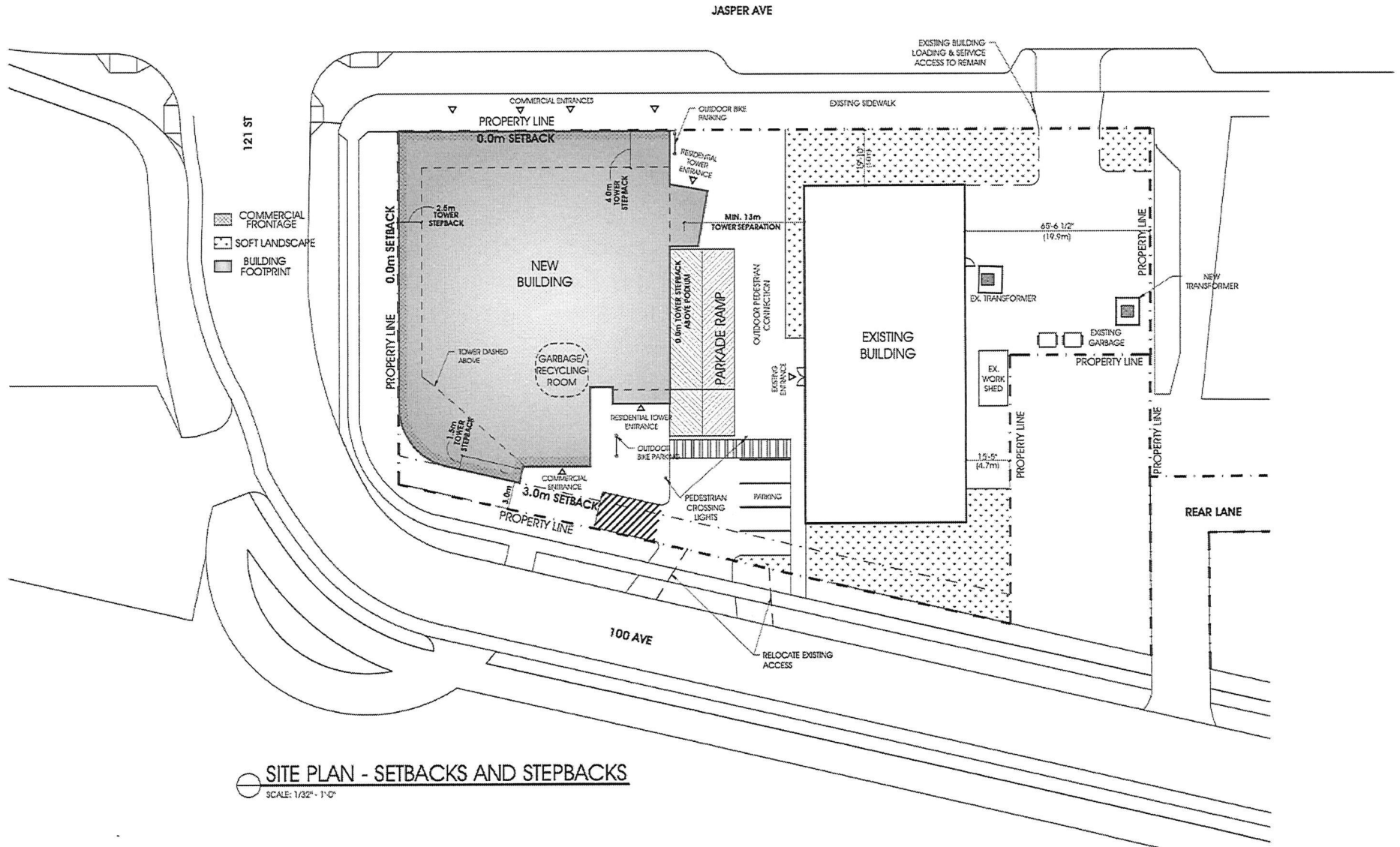
- 9.2.1. the arborist report indicates that the development will unduly compromise the ongoing viability and health of a tree or trees, each tree must be removed as part of the redevelopment of the site. The owner/developer must be responsible for the cost of removal as well as for compensating the City 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
- 9.2.2. 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.
- 9.3. Prior to the issuance of a Development Permit for any buildings greater than 20.0 m in Height, a Wind Impact Assessment must be submitted for review. The development must incorporate design features to minimize adverse microclimatic effects such as wind tunneling, snow drifting, rain sheeting both on and off Site, consistent with the recommendations of the Wind Impact Assessment.
- 9.4. Built form, public realm interfaces, streetscape elements and pedestrian connections must consider the City of Edmonton's Winter Design Guidelines in their design and implementation.
- 9.5. Notwithstanding the other Development Regulations and Appendices of this zone and Section 7.80.4.1.1.5 of the Zoning Bylaw, in the event that the owner/developer does not obtain a Development Permit and commence construction of the west building within seven years of the passage of the Bylaw adopting this zone, development must be in accordance with this zone, except that:
 - 9.5.1. The maximum height of the west building is 45 m; and
 - 9.5.2. The Floor Area Ratio is a maximum of 3.0.

10. Public Improvements and Contributions

- 10.1. A minimum of 28 Dwellings must be developed with the following characteristics:
 - 10.1.1. the Dwellings must have a minimum of 3 bedrooms;

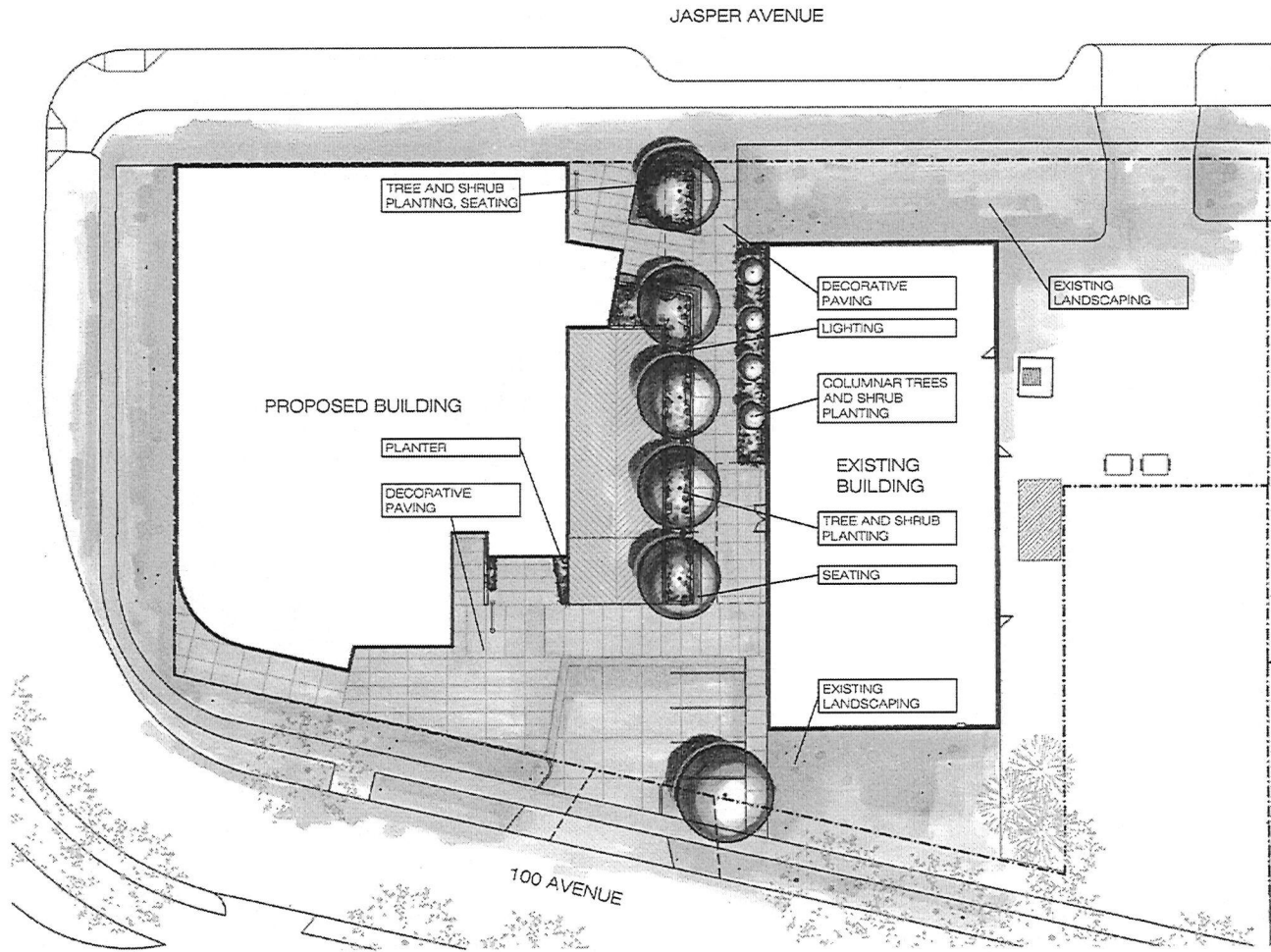
- 10.1.2. the Dwelling must have dedicated and enhanced bulk storage located within the building or the Parkade;
 - 10.1.3. the Dwelling must have access to a minimum of 2 bicycle parking spaces; and
 - 10.1.4. the Dwelling must have access to a child-oriented Common Amenity Area of at least 50.0 m².
- 10.2. Prior to the issuance of the Development Permit for new building construction, the owner must enter into an agreement with the City of Edmonton whereby the owner must provide a minimum contribution of \$135,051.11 toward the acquisition and placement of public art. Such agreement must require that:
- 10.2.1. Prior to the issuance of the Development Permit, a public art plan showing the general location(s) of art must be prepared and submitted to the City of Edmonton for review and approval by the Development Planner. The art will be acquired through an art procurement process administered by the owner(s) and all costs related to the procurement of the artworks, operation and future maintenance must be the responsibility of the owner;
 - 10.2.2. Artworks must be created by a professional artist;
 - 10.2.3. Artworks may be located on or within the public or private property and must be in locations that are publicly viewable to the satisfaction of the Development Planner;
 - 10.2.4. If located on public property or road right of way, the location must be to the satisfaction of the Development Planner in consultation with the City department responsible for mobility and right of way management; and
 - 10.2.5. The Public Art contribution amount must be increased every 5 years from the date of passage of the Charter Bylaw adopting this Zone according to the annual rate of national inflation as determined by Statistics Canada.
 - 10.2.6. Notwithstanding the above, if a Development Permit application has not been made within five (5) years of the date of approval of the Charter Bylaw adopting this zone, this contribution amount must be increased from that point forward according to the annual rate of national inflation as determined by Statistics Canada.

APPENDIX 1 - SITE PLAN

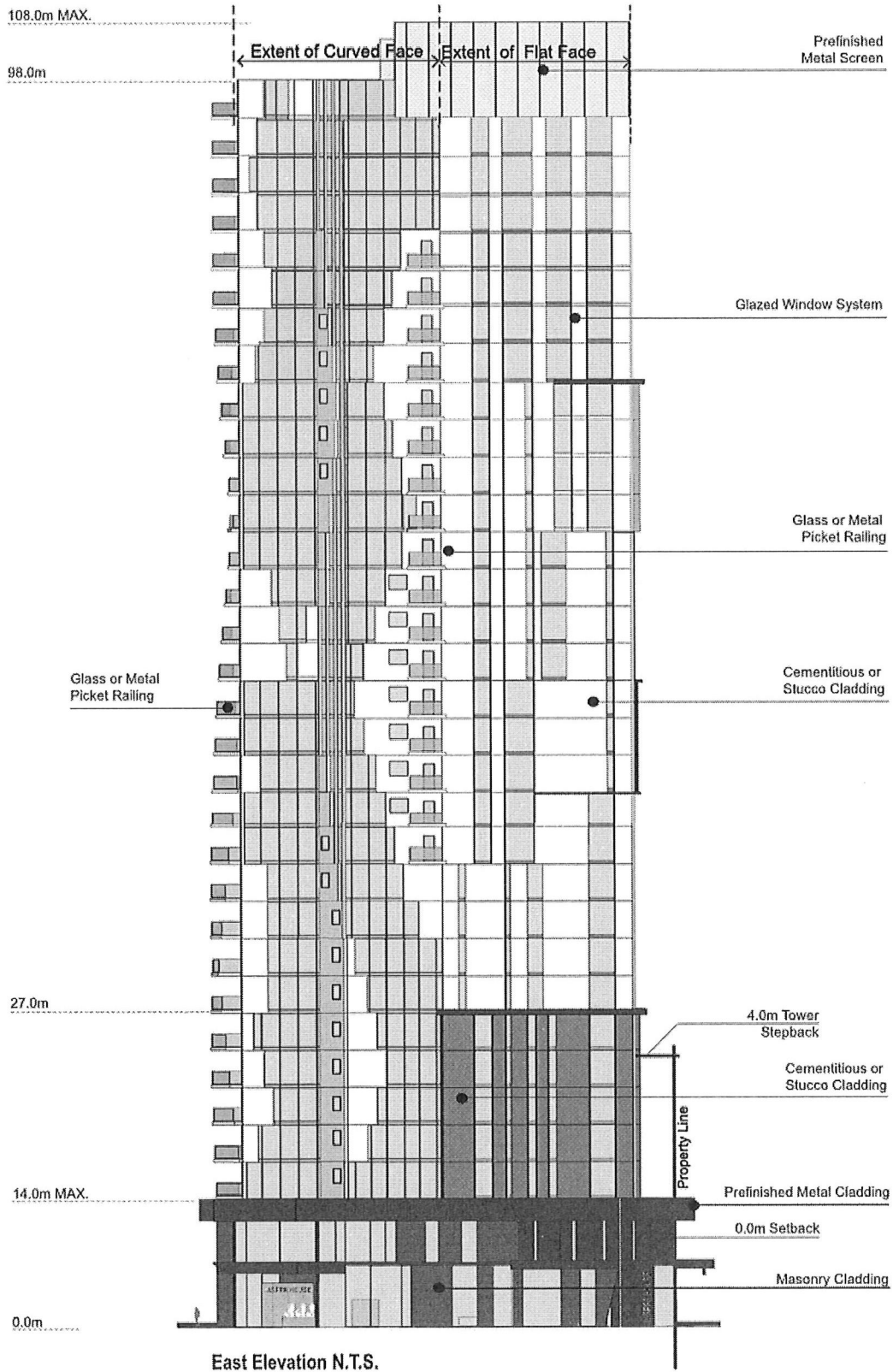


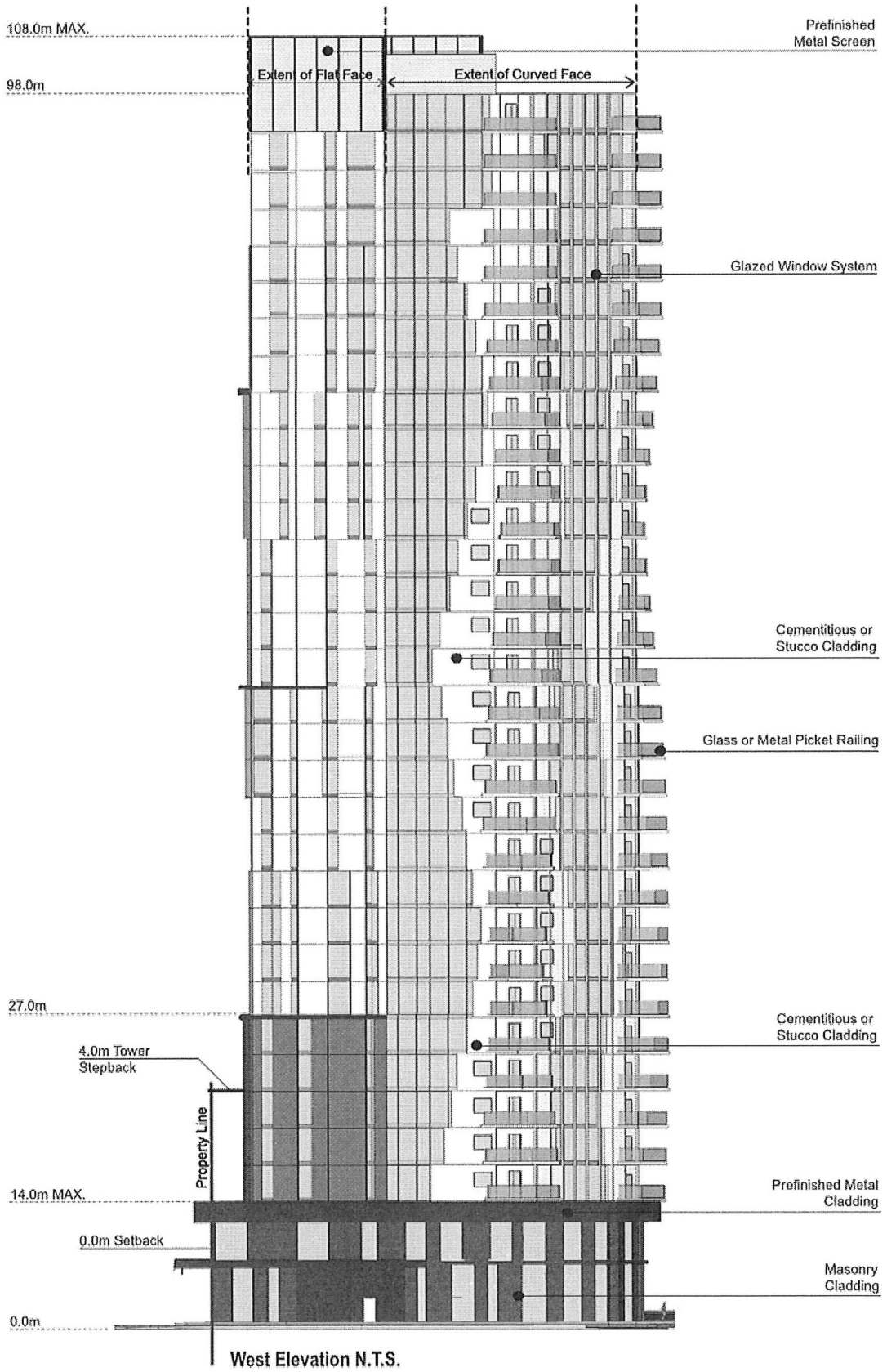
SITE PLAN - SETBACKS AND STEPBACKS
SCALE: 1/32" = 1'-0"

APPENDIX 2 - LANDSCAPE PLAN

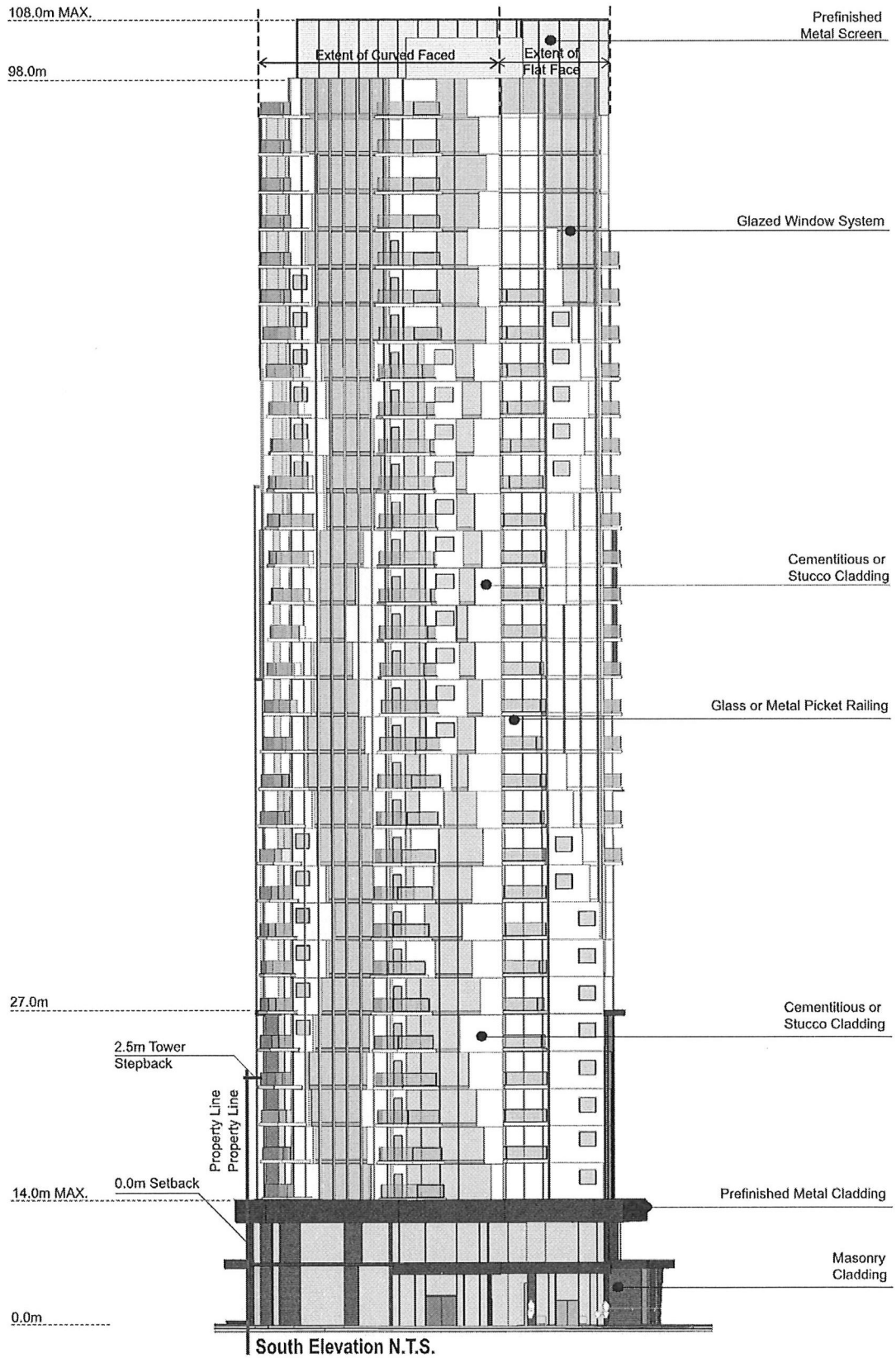


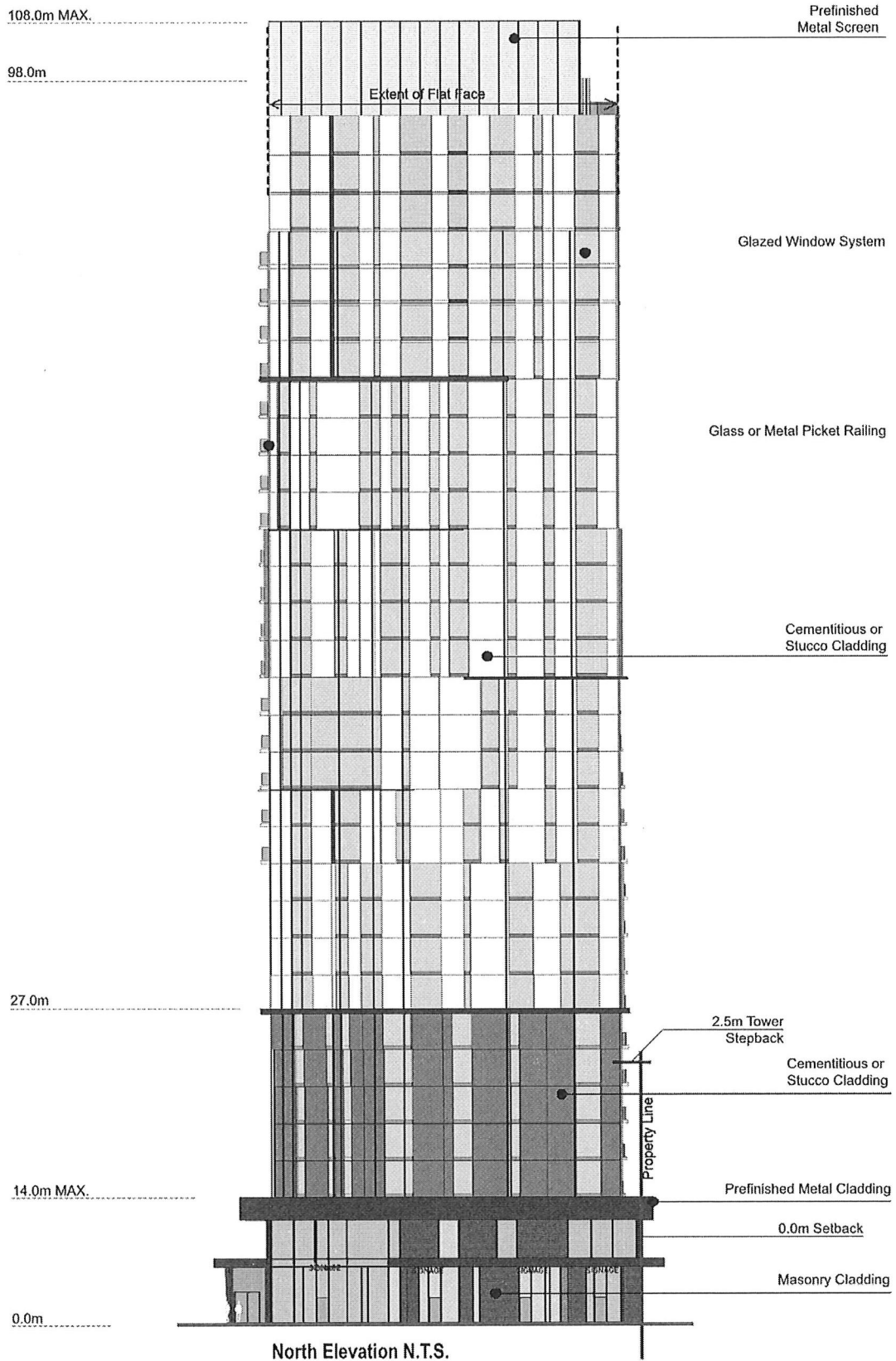
APPENDIX 3 - ELEVATIONS





West Elevation N.T.S.





DIRECT CONTROL ZONE (DC)**1. Purpose**

- 1.1. To provide an area for high rise residential uses with design requirements to ensure that the siting and design of buildings does not unduly interfere with adjacent properties' views of the River Valley; and to provide opportunity for the conversion of existing low density residences to small scale, low impact commercial uses.

2. Area of Application

- 2.1. Between Jasper Avenue and the River Valley, from 124 Street to 116 Street.

3. Uses

- 3.1. Body Rub Centre
- 3.2. Child Care Services
- 3.3. Health Services
- 3.4. Home Based Business
- 3.5. Indoor Sales and Service
- 3.6. Minor Utility
- 3.7. Office
- 3.8. Residential
- 3.9. Fascia Sign
- 3.10. Freestanding Sign
- 3.11. Portable Sign
- 3.12. Projecting Sign

4. Development Regulations

- 4.1. The maximum Floor Area Ratio is 3.0.
- 4.2. The maximum Height is 45 m or 15 storeys.
- 4.3. Where the Site Abuts an Alley, vehicular access to a garage or parking area must be from an abutting Lane.
- 4.4. Commercial uses must not be in any freestanding structure separate from a structure containing Residential uses, and must not be developed above the lowest storey, except in the case of the conversion of the area's existing older Residential structures.
- 4.5. All other standards for siting, Setbacks, Landscaping, Amenity Areas and building design will be determined for individual applications on the basis of an evaluation of the following development criteria by the Development Planner. Specifically, individual developments must:
 - 4.5.1. prevent, as much as possible, the blocking of views of the River Valley for the surrounding existing developments; a view impact study must be submitted with the application;

- 4.5.2. indicate the shadowing impact of the proposed buildings on sunlight penetration for surrounding existing developments in accordance with of Section 7.140 Subsection 9 of the Zoning Bylaw;
 - 4.5.3. ensure articulation of design elements, especially on the lower floors in keeping with an environment that is more closely related to pedestrian protection and pedestrian scale;
 - 4.5.4. be physically compatible with adjacent developments with respect to finish, texture and building design treatment; and
 - 4.5.5. indicate the impact of the proposal on soil stability and drainage where development is adjacent to the River Valley.
- 4.6. All exterior trash collection areas must be screened from view in accordance with Section 5.120 Subsection 4 of the Zoning Bylaw.
 - 4.7. Signs must comply with Section 6.90 of the Zoning Bylaw, including Subsection 5 of Section 6.90.