

Bylaw 21007

A Bylaw to amend Charter Bylaw 20001, as amended,
The Edmonton Zoning Bylaw
Amendment No. 162

WHEREAS Plan 2528HW, Blk 5, Lots 1, 8 and a portion of Lot 7 & Plan 1663MC Blk 5 Lot 1A; located at 8720, 8722 & 8724 - 95 Avenue NW and 9508 & 9518 - 87 Street NW, Strathearn, Edmonton, Alberta, are specified on the Zoning Map as Direct Control Zone (DC2.1187); 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 Plan 2528HW, Blk 5, Lots 1, 8 and a portion of Lot 7 & Plan 1663MC Blk 5 Lot 1A; located at 8720, 8722 & 8724 - 95 Avenue NW and 9508 & 9518 - 87 Street NW, Strathearn, Edmonton, Alberta, which lands are shown on the sketch plan attached as Schedule "A", from Direct Control Zone (DC2.1187) 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.

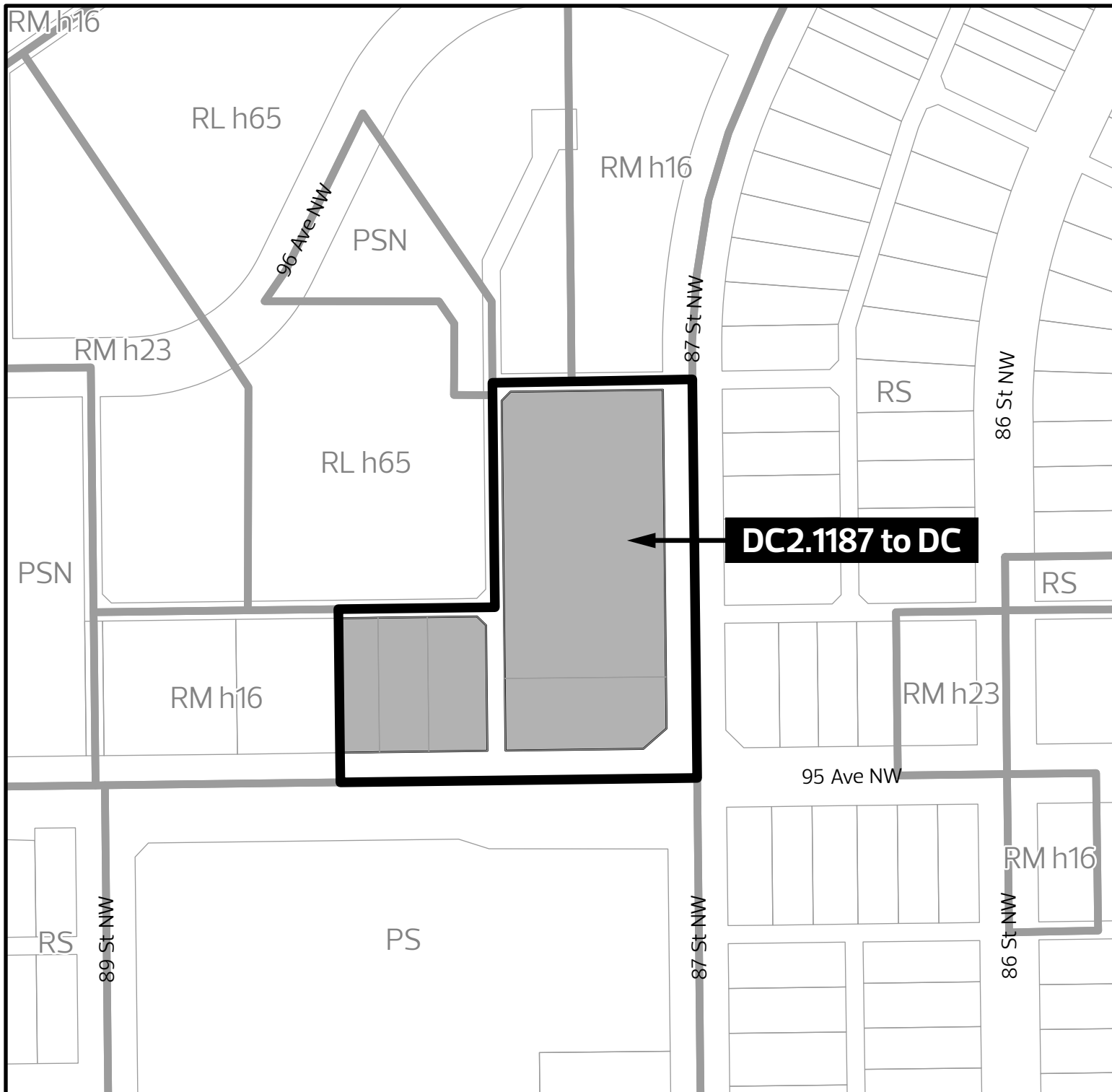
READ a first time this	day of	, A. D. 2024;
READ a second time this	day of	, A. D. 2024;
READ a third time this	day of	, A. D. 2024;
SIGNED and PASSED this	day of	, A. D. 2024.


THE CITY OF EDMONTON

MAYOR

CITY CLERK

BYLAW 21007



 DC2.1187 to DC



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

To accommodate a pedestrian-friendly, mixed-use, transit-oriented development adjacent to the Strathearn LRT Stop integrated with ground floor commercial uses, and transit plaza to create a walkable and pedestrian friendly environment.

2. Area of Application

This Zone applies to Lots 1, 8, and a portion of Lot 7, Block 5, Plan 2528HW and Lot 1A, Block 5, Plan 1663MC; located north of 95 Avenue NW and west of 87 Street NW, as shown in Schedule “A” of the Bylaw adopting this Zone, Strathearn.

3. Uses

Residential Uses

- 3.1. Home Based Business
- 3.2. Residential, limited to
 - 3.2.1. Lodging Houses
 - 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. Hotel
- 3.9. Indoor Sales and Service
- 3.10. Liquor Store
- 3.11. Minor Indoor Entertainment
- 3.12. Office
- 3.13. Parking Facility
- 3.14. Residential Sales Centre

Community Uses

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

Agricultural Uses

- 3.21. Urban Agriculture

Sign Uses

- 3.22. Fascia Sign
- 3.23. Portable Sign
- 3.24. Projecting Sign

3. Additional Regulations for Specific Uses

- 3.1. The maximum gross Floor Area for non-Residential Uses is 6,505.0 m².
- 3.2. Non-Residential Uses must not be developed on floor levels above 15.0 m.
- 3.3. A minimum of 300 m² of Non-Residential Uses must be provided fronting 95 Avenue.
- 3.4. A minimum of 300 m² of Non-Residential Uses must be provided fronting 87 Street.
- 3.5. A Parking Facility Use must not be the sole Use of a Development Permit application.
- 3.6. Custom Manufacturing that involves breweries, wineries or distilleries must only be developed in conjunction with a Bar or Food and Drink Service Use.
- 3.7. Indoor Sales Service for the purpose of convenience retail, Cannabis Retail Store or Liquor Store must be limited to the ground level Storey of the development.
- 3.8. Each Bar must be limited to 300 m² of Public Space, excluding exterior patio/deck space
- 3.9. Despite Section 6.70 of the Zoning Bylaw, Liquor Stores may be located within 100 meters of any Site being used for Schools, and from sites zoned PS, PSN, or A at the time of the application for the Development Permit.
- 3.10. Signs:
 - 3.10.1. Signs must comply with the General Sign Regulations of Subsection 9 of Section 6.90 of the Zoning Bylaw.
 - 3.10.2. Portable Signs must be limited to project advertising associated with a Residential Sales Centre and must not include trailer mounted signs.

- 3.10.3. A Comprehensive Sign Design Plan in accordance with the Provisions of Section 6.90 of the Zoning Bylaw must be submitted with the Development Permit application for the principal buildings to the satisfaction of the Development Planner.
- 3.10.4. The Development Planner must have regard for visual harmony and the compatibility of the proposed Sign with the architectural character and finish of the development and with the design, location and appearance of other Signs on the development.
- 3.10.5. Any Outdoor Space for Custom Manufacturing that involves breweries, wineries or distilleries is permitted to Abut or be across an Alley from a Site with a Residential development provided it is designed to accommodate seating or gathering and exhibits design techniques to mitigate the effects of noise and light, to the satisfaction of the Development Planner.

4. Site and Building Regulations

- 4.1. The development must be in general conformance with the attached appendices.
- 4.2. Despite the definition of Tower in the Zoning Bylaw, for the purpose of this DC Zone, “Tower” refers to a building greater than 23.0 m in Height, with special design constraints applying to lifesafety measures, structural support, wind, sunlight, and skyline impacts.
- 4.3. Despite regulation 4.1, in the case of a conflict between a development application and the appendices, the text regulations of this bylaw take precedence.
- 4.4. The maximum number of Dwellings is 500.
 - 4.4.1. A minimum of 25% of the Dwellings must have two or more bedrooms.
- 4.5. The maximum Floor Area Ratio is 5.0.
- 4.6. The building Height must be:
 - 4.6.1. A minimum of 6.0 m and a maximum of 15.0 m for a Podium.
 - 4.6.2. A maximum of 40.0 m for a medium rise building.
 - 4.6.3. A maximum of 81.0 m for a Tower.
- 4.7. The maximum Floor Plate above 23.0 metres in Height must be 850 m²:
- 4.8. The minimum distance between Towers is 25.0 m.
- 4.9. The minimum distance between buildings is 10.0 m.
- 4.10. Despite regulation 4.3, the minimum building Setbacks must be in accordance with Appendix 2.
- 4.11. Despite regulation 4.3, the minimum building Setbacks for any portions of a building greater than 23.0 metres in Height must be in accordance with Appendix 3.
- 4.12. The minimum Stepback from a Podium to a Tower is 3.0m

- 4.13. Despite regulation 4.12, the Development Planner may, for a portion(s) of the building no greater than 12 m in length per Facade, decrease the Tower Stepback requirement to 0m for the purposes of architectural expression or building entrance definition.
 - 4.13.1. Where no Tower Stepback is provided, a design element sufficient to reduce the down washing effect wind has on all pedestrian walkways and Amenity Areas at ground level must be provided as established by any required Wind Impact Assessment, in accordance with Section 7.140.10 of the Zoning Bylaw.
- 4.14. The portions of the Parkade below ground level must not be subject to required Setbacks and may extend to all Lot lines provided there is sufficient soil capacity to support any required Landscaping, to the satisfaction of the Development Planner. This may be achieved by, but is not limited to, the use of planters and other acceptable green roof technologies.
- 4.15. Platform Structures in the form of balconies must be allowed to project a maximum of 1.8m into the Tower Setbacks

5. Design Regulations

- 5.1. The exterior of the building must be finished with high quality, durable materials such as, but not limited to masonry, stone, brick, acrylic stucco, metal cladding or panelling or glazing.
- 5.2. The Podium or portions of a building less than 23 metres in Height must include the use of different architectural elements and treatments, such as variation in materials and colour, to provide articulation of Facades and add visual interest, variety, rhythm, and break up the massing to the satisfaction of the Development Planner.
- 5.3. Towers above 60.0 m in Height must include Tower tops that contribute to the 'signature' of the building and the City's skyline through a combination of, but not limited to: sculpting, a Step back, reduced floorplate size, variations of material, colour, providing a reduced height on a portion of the Tower or other design methods that improve the visual interest of the buildings.
- 5.4. Towers above 40.0 m in Height must be developed to provide variation in massing and Height from adjacent towers developed within the same Site.
- 5.5. Medium rise building Façades Abutting an adjacent roadway must include design techniques including, but not limited to, the use of varied rooflines, variations in building Setbacks or articulation of building Façades, in order to minimize the perception of massing, eliminate large uninterrupted expanses of wall and provide visual interest when the structure is.
- 5.6. The buildings must be developed using a cohesive architectural language, consistent in concept, detail and material, which demonstrates attention to the design of all building faces.

- 5.7. Residential Uses must have a separate Ground Floor entrance from Non-Residential Uses. Entrances must be differentiated through distinct architectural treatment.
- 5.8. Ground Floor non-Residential Uses must be designed and oriented to face a Street, other than an Alley, the transit plaza or the pedestrian mews with entrances that are clearly visible.
- 5.9. A weather protection element in the form of a canopy or other architectural element must be provided for entry ways for Residential uses and Facades fronting pedestrian walkways.
 - 5.9.1. Canopies above non-Residential Uses along the 95th Avenue must be allowed to project a maximum of 1.0 m over the south Lot Line to promote pedestrian friendly development to the satisfaction of the Development Planner in consultation with the City department responsible for transportation.
- 5.10. Ground Floor non-Residential Uses must provide a minimum of 50 % of the linear building Façades as transparent, non-reflective, non-tinted, unobscured glazing, where fronting a Street. Linear Frontage must be measured at 1.5 m above the finished Grade.
- 5.11. All Ground Floor Dwellings fronting onto a Street, or onto an internal circulation network in general accordance with Appendix 1 must have:
 - 5.11.1. hinged doorways;
 - 5.11.2. built elements such as verandas, porches, patios, or building articulation, which feature or act as a Privacy Screen between each unit; and
 - 5.11.3. lighting scaled and directed towards pedestrian areas.
- 5.12. All mechanical equipment, including roof mechanical units, must be concealed by screening in a manner compatible with the architectural character of the building or concealed by incorporating it within the building.
- 5.13. Waste collection, storage areas, and loading must be located within the building or be screened from adjacent views to the satisfaction of the Development Planner in consultation with the City department responsible for waste management.

6. Parking, Loading, Storage and Access Regulations

- 6.1. Parking Areas shall be provided in a combination of surface parking, underground Parkades or above grade Parking Areas which must be part of the Podium.
- 6.2. Vehicular access to Parkades must be in general conformance to Appendix 1, or to the satisfaction of the Development Planner in consultation with the City department responsible for transportation.
- 6.3. The Surface Parking Lot shall be permitted along the east Lot line as generally shown in Appendix 1 and must:
 - 6.3.1. Incorporate landscape improvements to improve the aesthetics of the parking area.

- 6.3.2. Incorporate design details that promote aesthetic integration with the public realm.
- 6.4. To avoid a monolithic slab from Parkades that are not wholly underground, massing must be modulated using a variety of design techniques including elevation changes, terraces, step backs, and architectural features and a variety of plantings or other landscape features.
- 6.5. A minimum of two loading spaces must be provided and accessed from the rear Lane Abutting the Site.
- 6.6. Vehicular Site egress from Surface Parking Lot to 87 Street must be located a minimum of 50 meters north of 95 Avenue, as shown in Appendix 1.

7. Landscaping, Lighting, and Amenity Regulations

7.1. Landscaping

- 7.1.1. A detailed 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 within the road right-of-way must be submitted as part of a Development Permit application for review by the Development Planner.
- 7.1.2. The Landscape Plan must demonstrate:
 - 7.1.2.1. Plant material palette that includes native and drought tolerant species that provide colour throughout the year to enhance the appearance of the development during winter months.
 - 7.1.2.2. Pavement materials, exterior lighting, street furniture elements, pedestrian seating area, size and species of new tree plantings, and other landscaping elements as applicable.
 - 7.1.2.3. Definition of private amenity space through design features such as, but not limited to vertical landscaping features, change in elevation, or decorative fencing.
- 7.1.3. Soil depth for landscaping in outdoor Amenity Areas must be of a sufficient depth to contribute to healthy root development for the tree or shrub species specified in the landscape plan and may be accommodated through raised planters.

7.2. Lighting

- 7.2.1. As part of a Development Permit application, a detailed exterior lighting plan must be provided, which shows the location, orientation, and style of decorative and security lighting.
- 7.2.2. 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, roof tops, and public art. Exterior lighting associated with the development must be designed such that it has no negative impact on an adjacent property. An exterior lighting plan must be provided to the satisfaction of the Development Planner.

- 7.2.3. Lights on Pathways may be oriented in a direction other than downwards if the purpose is to highlight architectural features or building elements, and does not illuminate beyond the Site boundary.

8. Other Regulations

- 8.1. Prior to the issuance of a Development Permit for any buildings greater than 20.0 m in Height, a Wind Impact Assessment must be prepared and submitted with a Development Permit application for review, in accordance with Section 7.140.10 of the Zoning Bylaw. The development must incorporate design features to minimize adverse microclimatic effects such as wind tunnelling, snow drifting, and rain sheeting, both on and off Site, consistent with the recommendations of the Wind Impact Assessment.
- 8.2. A Sun Shadow Study prepared by a qualified, registered Professional Engineer or Architect, to professional standards to the satisfaction of the Development Planner, must be submitted with a Development Permit application
- 8.3. The storm and sanitary drainage systems required to service the development, including off-site improvements and on-site stormwater management, must be in general conformance with the Drainage Servicing Report or alternatives to the satisfaction of the Development Planner in consultation with the City department responsible for drainage.
- 8.4. As a condition of the Development Permit at the corner of 95 Avenue and 87 Street and prior to the release of drawings for Building Permit review, other than a Building Permit for excavation and foundation, the applicant or owner shall provide proof satisfactory to the Development Planner in consultation with the City department responsible for environmental remediation that, if necessary, the lands have been remediated to a level suitable for the allowable uses. The Development Planner shall not physically release the Development Permit for the purposes of a Building Permit, other than an excavation and Foundation Permit, until this condition has been adequately satisfied.
- 8.5. 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.
- 8.6. Prior to the issuance of a Development Permit, except for Development Permits for demolition, excavation, shoring or signage, the applicant must submit documentation that demonstrates that the water servicing to the Site will be adequate for the proposed building and construction type, and be in accordance with the City of Edmonton Design and Construction Standards. The Development Planner must verify that any infrastructure upgrades or systems required to ensure these standards are met shall be implemented in the design of the building and through off-site improvements.
- 8.7. Development Permit applications must be permitted for development of the entire Site or for a portion of the Site as part of a phased development strategy. A minimum of 250m² of the development of the Transit Plaza must be part of the first Development Permit application, to the satisfaction of the Development Planner.
- 8.8. 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, in the event that the owner or 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:
- 8.8.1. the maximum Height is 23.0 m; and
 - 8.8.2. the maximum Floor Area Ratio is 3.0.

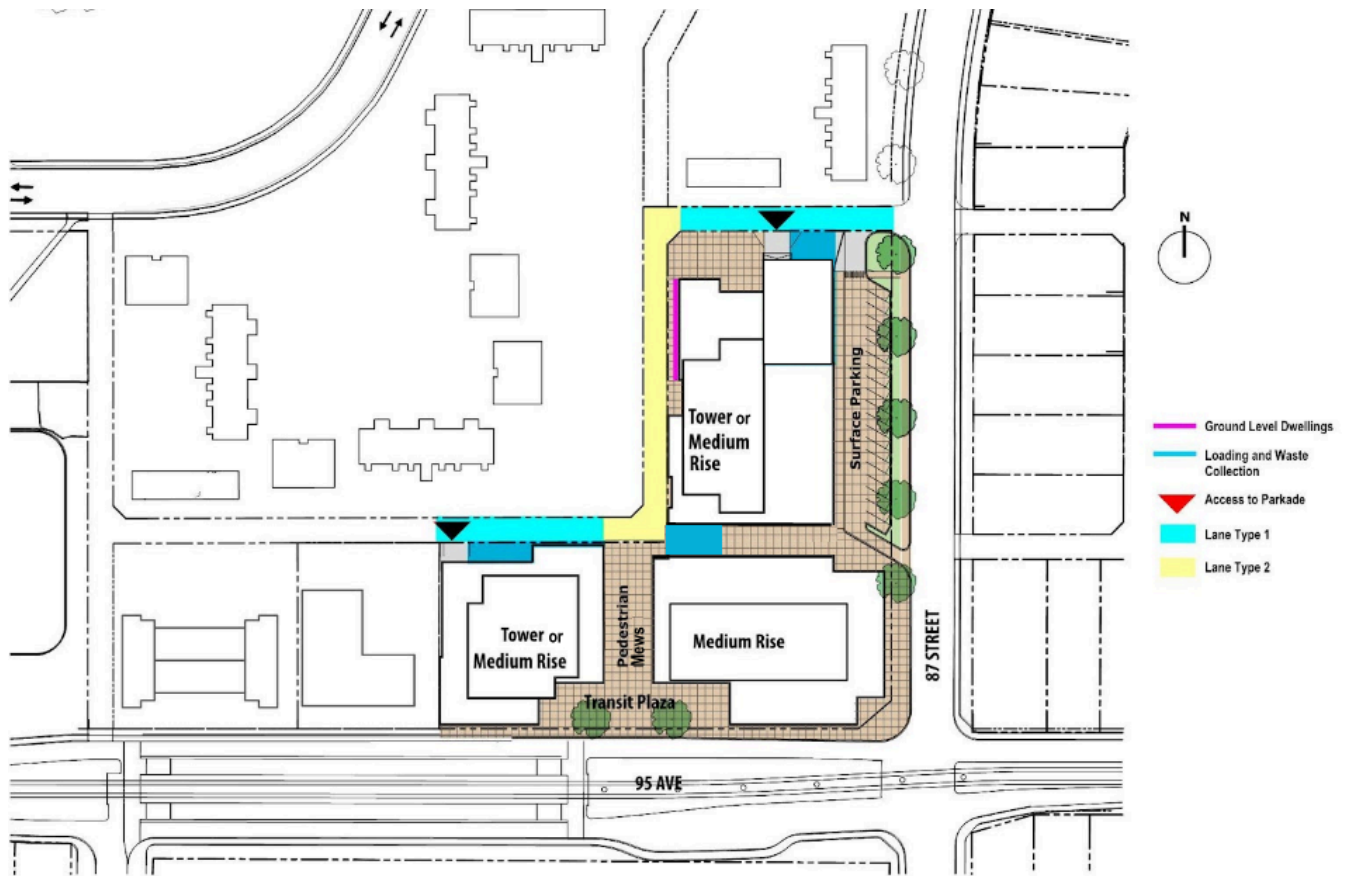
9. Public Improvements and Contributions

- 9.1. As a condition of a Development Permit for construction of 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, to the satisfaction of the Development Planner in consultation with the department responsible for transportation services and development coordination. Such improvements shall be constructed at the owner's cost. The Agreement process must include an engineering drawing review and approval. Improvements to address in the Agreement include, but are not limited to:
- 9.1.1. Improvements to the public realm directly abutting the site and within the general area. These improvements must be designed to the satisfaction of the Development Planner in consultation with the department responsible for transportation services and development coordination. Such improvements must include, but are not limited to:
 - 9.1.1.1. sidewalk upgrades, planting boulevard trees, benches, lights or bike racks;

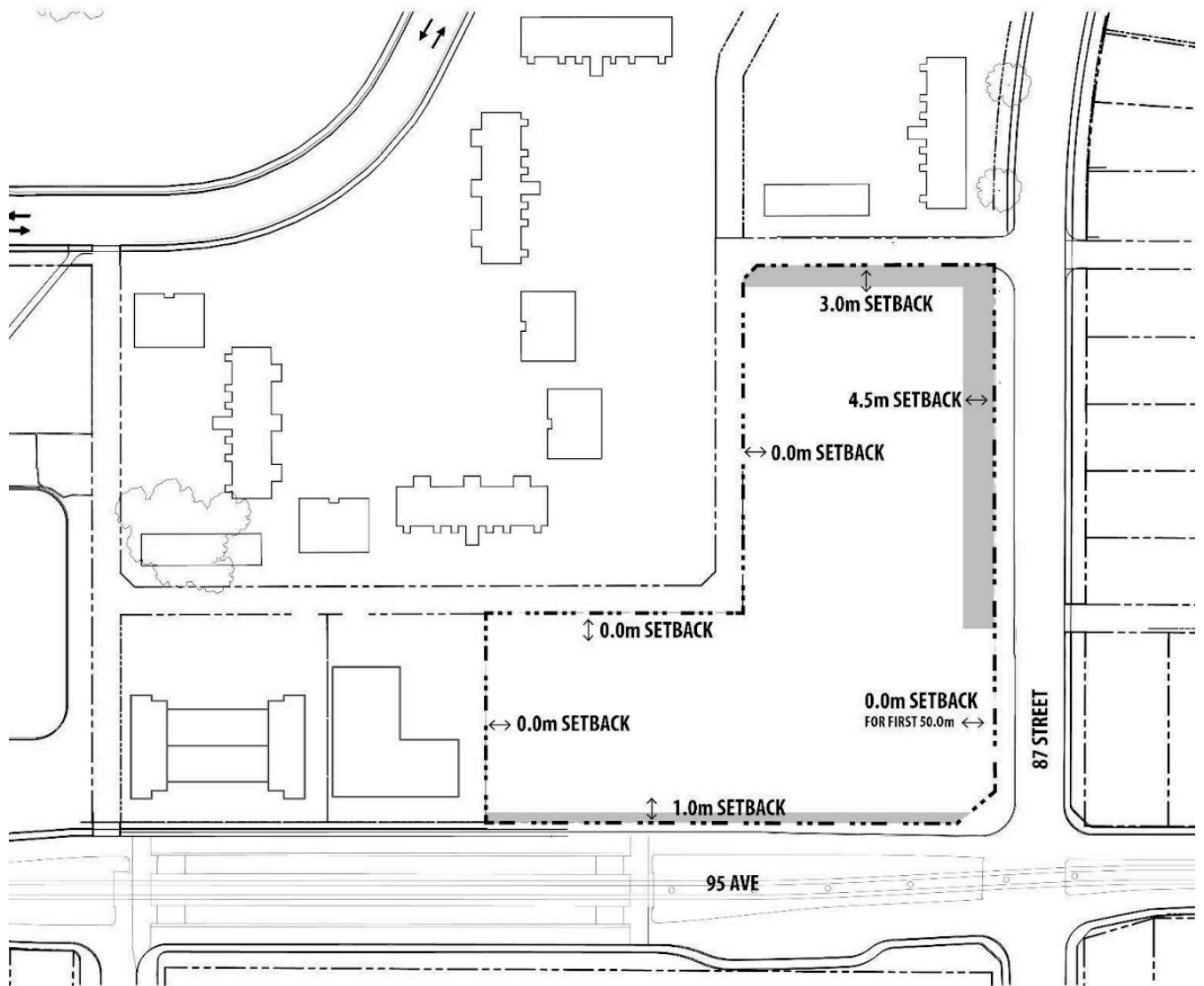
- 9.1.1.2. upgrading the east-west lanes Abutting the north Lot Line to a commercial standard within the available right-of-way and as illustrated as lane type 1 in Appendix 1; and
 - 9.1.1.3. upgrading of the north south Lane Abutting the Site within the available right-of-way and as illustrated as lane type 2 in Appendix 1, to be a shared street and create visual and aesthetic continuity with the transit plaza.
- 9.2. Shared streets are streets which significantly limit motor vehicle traffic, and limit drivers to speeds that are no faster than a person can walk. Design elements like pavement material and entry features define the space and make it clear that shared streets are primarily designed for people walking, wheeling, and cycling.
- 9.3. As a condition of the first Development Permit for new building construction, the owner(s) shall enter into an Agreement with the City of Edmonton, for the provision of a transit plaza and pedestrian mews located adjacent to the south Lot Line in general conformance with Appendix 1 and must:
 - 9.3.1. be a minimum area of 1,200 m²;
 - 9.3.2. be openly accessible to the Public through the registration of a Public Access Easement in favour of the City of Edmonton;
 - 9.3.3. incorporate hard and soft landscaping to integrate with the LRT station;
 - 9.3.4. provide age-friendly facilities for seating with a mix of bench types armrests / armless, backrests / backless);
 - 9.3.5. provide minimum of 25 Short Term Bike Parking Spaces; and
 - 9.3.6. have regard for Crime Prevention Through Environmental Design principles to provide safe and defensible space, clear sightlines into and through the site, adequate lighting, and provision of multiple access points.
- 9.4. A minimum of 10 Dwellings must be developed with the following characteristics:
 - 9.4.1.1. the Dwellings have a minimum of three bedrooms;
 - 9.4.1.2. the Dwellings have access to a private Amenity Area of at least 12.0 m².
 - 9.4.1.3. the Dwellings be located below the seventh storey of a building;
 - 9.4.1.4. the Dwellings have dedicated bulk storage located within the building; and
 - 9.4.1.5. the Dwellings have enhanced bicycle storage and shall have access to a minimum of 2 Bike Parking Spaces in addition to those required for the remainder of the Dwellings in the development.
- 9.5. Prior to the issuance of the first Development Permit for a new building construction, the owners must enter into an agreement with the City of Edmonton whereby the owner must provide a minimum contribution of \$200,567.65 towards the acquisition and placement of public art. Such agreement must require that:

- 9.5.1. Prior to the issuance of the Development Permit, a public art plan showing the general location of the art shall 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 cost related to the procurement of the artwork, operation and future maintenance shall be the responsibility of the owner;
 - 9.5.2. Artworks must be created by a professional artist;
 - 9.5.3. Artworks may be located on or within private property and must be in locations that are publicly visible to the satisfaction of the Development Planner;
 - 9.5.4. 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
 - 9.5.5. The public Art contribution amount shall be increased every 5 years from the date of passage of the Bylaw adopting this Zone according to the annual rate of national inflation as determined by Statistics Canada.
- 9.6. Despite, Section 10.5 of this Zone, the minimum art contribution amount of \$200,567.65 may be reduced down to a minimum amount of \$125,000.00, in the event that the owner exceeds the number of Dwellings set out in Section 10.4 of this Zone. For each additional Dwelling above the stated minimum, the minimum art contribution amount is lowered at a rate of \$35,000/additional Dwelling.

Appendix 1 – Site Plan



Appendix 2 – Setbacks



Appendix 3 – Tower Setbacks

