

Bylaw 17047

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 1971

WHEREAS Lots 21 and 22, Block 57, Plan RN39B; located north of 109 Avenue NW and east of 124 Street NW, Westmount, Edmonton, Alberta, is specified on the Zoning Map as (CB1) Low Intensity Business Zone; and

WHEREAS an application was made to rezone the above described property to (DC2) Site Specific Development Control Provision;

NOW THEREFORE after due compliance with the relevant provisions of the Municipal Government Act RSA 2000, ch. M-26, as amended, the Municipal Council of the City of Edmonton duly assembled enacts as follows:

1. The Zoning Map, being Part III to Bylaw 12800 The Edmonton Zoning Bylaw is amended by rezoning the lands legally described as Lots 21 and 22, Block 57, Plan RN39B; located north of 109 Avenue NW and east of 124 Street NW, Westmount, Edmonton, Alberta, which lands are shown on the sketch plan annexed as Schedule "A", from (CB1) Low Intensity Business Zone to (DC2) Site Specific Development Control Provision.
  
2. The uses and regulations of the DC2 Provision are attached as Schedule "B".

3. The sketch plan attached as Schedule "A" and the uses and regulations of the DC2 Provision shown on Schedule "B" attached are incorporated into the Zoning Bylaw, being Part IV to Bylaw 12800, The Edmonton Zoning Bylaw.

READ a first time this	day of	, A. D. 2015;
READ a second time this	day of	, A. D. 2015;
READ a third time this	day of	, A. D. 2015;
SIGNED and PASSED this	day of	, A. D. 2015.

THE CITY OF EDMONTON

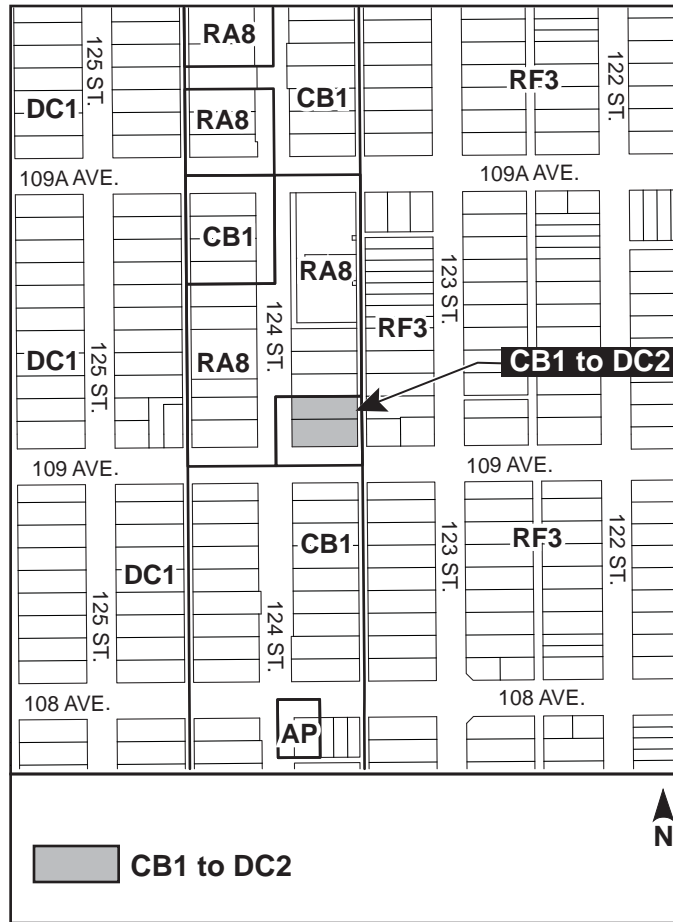
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MAYOR

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CITY CLERK

BYLAW 17047



**SCHEDULE “B”****(DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION****1. General Purpose**

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

**2. Area of Application**

This Provision shall apply to Lots 21 and 22, Block 57, Plan RN39B; located on the northeast corner of 124 Street and 109 Avenue, as shown on Schedule “A” of this Bylaw adopting this Provision, Westmount.

**3. Uses**

- a. Apartment Housing
- b. Business Support Services
- c. Child Care Services
- d. Commercial Schools
- e. General Retail Stores
- f. Health Services
- g. Live Work Units
- h. Minor Home Based Businesses
- i. Personal Service Shops
- j. Professional, Financial and Office Support Services
- k. Residential Sales Centre
- l. Restaurants
- m. Secondhand Stores
- n. Specialty Food Services-
- o. Veterinary Services
- p. Fascia On-premises Signs
- q. Projecting On-premises Signs
- r. Temporary Sign, other than portable signs

## 4. Development Regulations

### 4.1 General

- a. Development shall be in general conformance with Appendix I, Illustrative Site Plan.
- b. The maximum Floor Area Ratio shall be 2.7.
- c. The maximum Site coverage shall be 65%
- d. The maximum number of Dwelling Units including Live Work units shall be 35.
- e. The maximum building Height shall not exceed 23.0 m.
- f. The Front Setback from 124 Street NW shall be 0.0 m. The Development Officer may allow building Setback up to 2.5 m to accommodate street related activities, such as sidewalk cafes, architectural features and Landscaping that contributes to the pedestrian-oriented shopping character of the area, to the satisfaction of the Development Officer.
- g. The Setback from the south property line shall be a maximum of 3.0 m.
- h. The north Setback shall be a minimum of 0.0 m, however the building shall be built to the north property line at 124 Street NW.
- i. The Rear Setback shall be a minimum of 7.5 m.
- j. Commercial Uses shall be located on the ground floor and oriented towards 124 Street. The Commercial uses shall wrap around the southwest corner of the building at the ground level for a minimum of 10.0 m, as per Appendix I of this Bylaw.
- k. Apartment Housing shall be permitted only in buildings where the first Storey contains Commercial Uses fronting 124 Street; with residential and/or Live Work Units on the ground floor with individual entrances on the street, facing 109 Avenue.
- l. Separation Space shall be provided in accordance with Section 48.
- m. A minimum of 7.5 m<sup>2</sup> of Amenity Area per Dwelling shall be provided in accordance with Section 46.
- n. Signs shall comply with Schedule 59B and Section. A Comprehensive Sign Design Plan and Schedule, consistent with the overall intent of subsection 59.3, shall be prepared for the development and submitted, with the Development Application, to be approved by the Development Officer.
- o. Each Commercial Uses shall have a maximum frontage of 11 m abutting 124 Street NW.
- p. Each Commercial Use, except for Restaurant and Specialty Food Services Uses, shall have a maximum Floor area of 300 m<sup>2</sup>.
- q. Each Restaurant Use shall be limited to 200 seats and 240 m<sup>2</sup>. of Public Space.

- r. Individual Specialty Food Services Use shall be limited to 100 seats and 120 m<sup>2</sup> of Public Space.
- s. Residential Sales Centre Use shall be limited to the sale of on-Site condominium or leasing of rental units.

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

- a. Vehicular access shall be from the Abutting Lane, as generally shown on Appendix I, to the satisfaction of the Development Officer in consultation with Transportation Services.
- b. The development shall provide parking in accordance with Section 54 except that:
  - i. Professional, Financial and Office Support Services shall provide parking calculated on 1 parking space per 90.9 m<sup>2</sup> of Floor Area;
  - ii. Specialty Food Services, Restaurants shall provide parking calculated on 1 parking space per 4.8 m<sup>2</sup> of Public Space; and
  - iii. all other Commercial Uses parking shall be provided on the basis of 1 parking space per 90.9 m<sup>2</sup> of Floor Area.
- c. The Development Officer may consider a variance if a Parking Demand Study is submitted in conjunction with an application for Development Permit to justify any variance in parking requirements.
- d. With the exception of the rear Setback, no parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a Setback. Vehicular parking, loading, storage and trash collection areas shall be located to the rear of the principal building and shall be screened from view from any adjacent Sites or public roadways.
- e. Bicycle Parking spaces shall be provided within the building and in accordance with Section 54.3.
- f. One (1) loading space shall be provided at a minimum of 3.0 m in width and 6.0 m in length.

#### **4.3 Landscaping**

- a. Landscaping shall be provided in accordance with Section 55.
- b. A detailed Landscape Plan for the Site, including all existing and proposed utilities within the road right-of-way must be submitted for review and approval by the City of Edmonton, prior to the issuance of any Development Permit.
- c. The Landscape Plan shall include pavement materials, sizes and species of new tree plantings and other Landscaping elements as applicable.
- d. Landscaping on the Site shall consider the use of plant materials that provide colour throughout the year to enhance the appearance of the development during the cold weather months.

## 5. Urban Design Regulations

- a. All mechanical equipment, including roof mechanical units, shall be concealed by screening in a manner compatible with the architectural character of the building or concealed by incorporating it within the building.
- b. The development shall create a pedestrian-friendly environment on 124 Street NW, which may include such things as entrance features, outdoor sitting areas, canopies, Landscaping and other features that lend visual interest and a human scale to the development along the street.
- c. Architectural treatment of new developments shall ensure that Commercial units at grade have windows on the 124 Street NW Façade of the building, and that the placement and type of windows shall allow viewing into the building to promote a positive pedestrian-oriented shopping street.
- d. Active commercial Frontages shall be developed in accordance with Appendix I as well as the following, to the satisfaction of the Development Officer
  - i. A minimum of 70% of the ground floor commercial Façade fronting 124 Street NW shall have clear glazing; and
  - ii. The front façade of the building shall be designed to break the appearance into 11 m sections or modules along 124 Street NW.
- e. Building materials must be durable, of high quality and appropriate for the development within the urban context. The contextual fit, design, proportion, quality, texture and application of various finishing materials shall be to the satisfaction of the Development Officer.
- f. Articulation details of the surface of decorative screen wall and exposed retaining walls bordering the underground driveway/parkade ramp shall be provided and be to the satisfaction of the Development Officer.

