

Bylaw 21393

A Bylaw to amend Charter Bylaw 20001, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 360

WHEREAS Plan 2520388 Blk 4 Lot 104A; located at 10406 - 97 Avenue NW, Downtown, Edmonton, Alberta, is specified on the Zoning Map as Direct Control Zone (DC2.744); 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 2520388 Blk 4 Lot 104A; located at 10406 - 97 Avenue NW, Downtown, Edmonton, Alberta, which lands are shown on the sketch plan attached as Schedule "A", from Direct Control Zone (DC2.744) 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. 2026;
READ a second time this	day of	, A. D. 2026;
READ a third time this	day of	, A. D. 2026;
SIGNED and PASSED this	day of	, A. D. 2026.

THE CITY OF EDMONTON

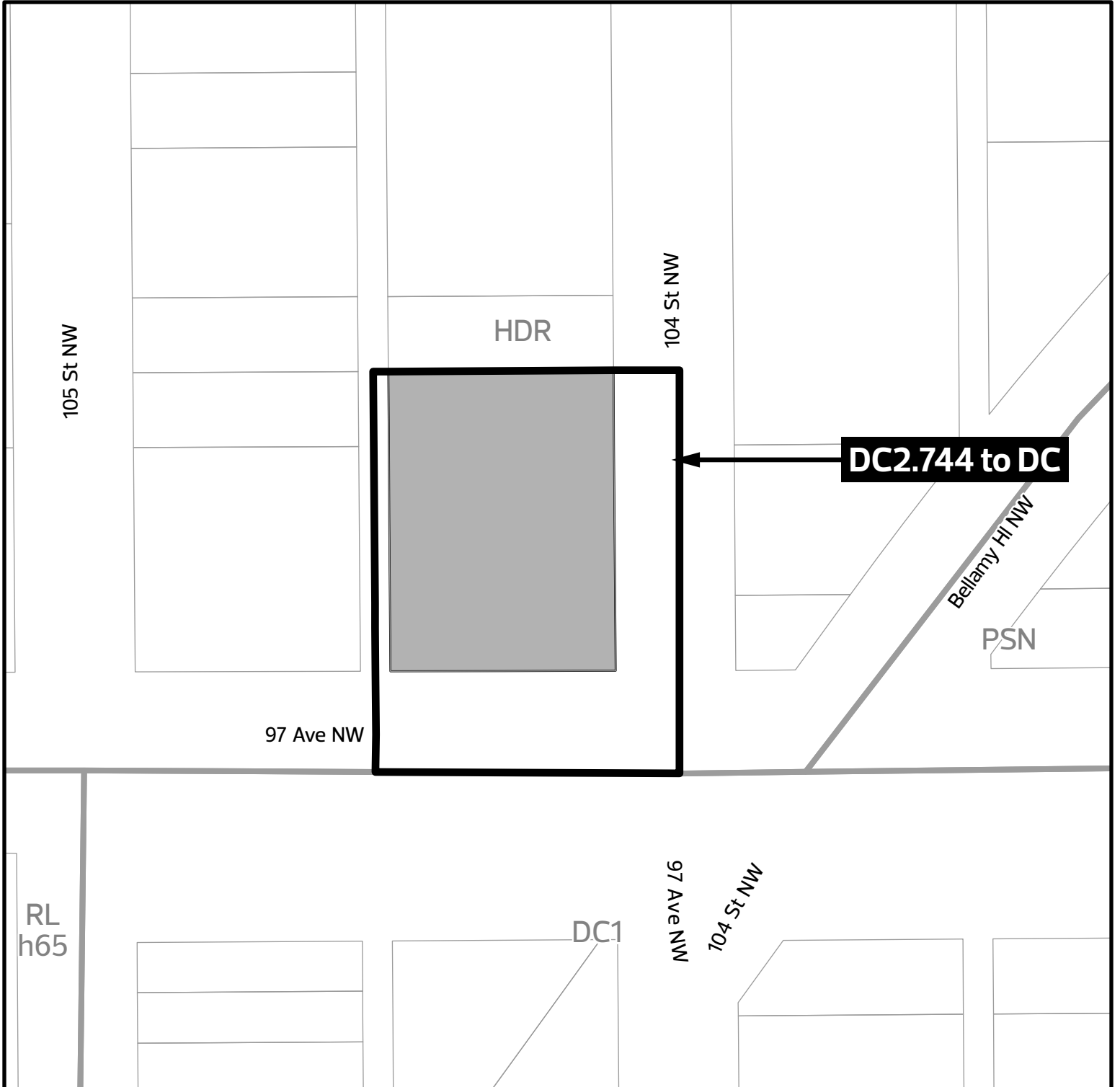
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MAYOR

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CITY CLERK

# BYLAW 21393



 DC2.744 to DC



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

- 1.1. To allow for mid-rise multi-unit Residential development, with limited commercial and community uses, with Site-specific regulations to ensure a pedestrian-oriented ground-level interface consistent with applicable statutory plans.

**2. Area of Application**

- 2.1. This Zone applies to Lot 104A, Block 4, Plan 2520388, located on the North of 97 Ave NW, west of 104 St NW, as shown on Schedule “A” of the Bylaw adopting this Zone, Downtown.

**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. Cannabis Retail Store
- 3.4. Custom Manufacturing
- 3.5. Food and Drink Service
- 3.6. Health Service
- 3.7. Hotel
- 3.8. Indoor Sale and Service
- 3.9. Liquor Store
- 3.10. Minor Indoor Entertainment

- 3.11. Office
- 3.12. Residential Sales Centre

**Community Uses**

- 3.13. Child Care Service
- 3.14. Community Service
- 3.15. Library
- 3.16. Park
- 3.17. Special Events

**Sign Uses**

- 3.18. Fascia Sign
- 3.19. Freestanding Sign
- 3.20. Portable Sign
- 3.21. Projecting Sign

**4. Additional Regulations for Specific Uses**

**Residential Uses**

- 4.1. Home Based Business must comply with Section 6.60.

**Commercial Uses**

- 4.2. Cannabis Retail Stores must comply with Section 6.30.

**4.3. Custom Manufacturing**

- 4.3.1. The maximum Floor Area is 600 m<sup>2</sup> per individual establishment.
- 4.3.2. Manufacturing activities and storage must be located with an enclosed building.

- 4.4. Food and Drink Services, Health Services, Indoor Sales and Services, Minor Indoor Entertainment and Offices must only be located on the Ground Floor of the building.

- 4.5. Liquor Stores must comply with Section 6.70

- 4.6. Residential Sales Centres may be approved for a maximum of 5 years. Subsequent Development Permits for Residential Sales Centres on the same Site may only be issued as a Discretionary Development.

#### **Community Uses**

- 4.7. Child Care Service must comply with Section 6.40.
- 4.8. Special Event must comply with Section 6.100.

#### **Agricultural Uses**

- 4.9. Urban Agriculture must not be the only Use in a principal building.

#### **Sign Uses**

- 4.10. Signs are limited to On-premises Advertising.
- 4.11. Signs must comply with Section 6.90 of the Zoning Bylaw, including Subsection 4 of Section 6.90.

### **5. Site and Building Regulations**

- 5.1. The development must be in general conformance with Appendix 1.
- 5.2. The maximum Height is 28.0 m.
- 5.3. The minimum number of Dwellings is 25.
- 5.4. The maximum number of Dwellings is 139.
- 5.5. The maximum Floor Area Ratio is 4.0.
- 5.6. The maximum Floor Area Ratio is increased by 0.7 where a minimum of 10% of all Dwellings:
  - 5.6.1. comply with the inclusive design requirements of Section 5.50 of the Zoning Bylaw;
  - 5.6.2. have a Floor Area greater than 100 m<sup>2</sup>, a minimum of 3 bedrooms; and
    - 5.6.2.1. access to an outdoor Common Amenity Area designed for children that is at least 50.0 m<sup>2</sup>; and
    - 5.6.2.2. access to dedicated and enhanced bulk storage within the Dwelling or within the building; or

- 5.6.3. comply with any combination of Subsections 5.6.1 and 5.6.2 of this Provision.
- 5.7. The maximum Floor Area Ratio is increased by 0.7 where a minimum of 30% of all Supportive Housing Sleeping Units comply with the inclusive design requirements of Section 5.50 of the Zoning Bylaw.
- 5.8. The Minimum Setbacks are:
  - 5.8.1. 3.0 m from the the north Lot Line;
  - 5.8.2. 3.0 m from 104 Street NW;
  - 5.8.3. 4.5 m from 97 Avenue NW; and
  - 5.8.4. 3.0 m from the Alley.
- 5.9. Despite Section 5.90 (6) of the Zoning Bylaw, Platform Structures may project a maximum of 1.2 m into the Setback from the abutting Site to the North.

## **6. Design Regulations**

- 6.1. Where a building wall faces 97 Avenue NW, 104 Street NW, or the abutting Site, the Facade must be articulated using 2 or more design techniques or features to minimize the perception of massing, eliminate large blank walls, and provide visual interest. Design techniques or features may include: variations in rooflines; vertical or horizontal building wall projection or recessions; visual breaks of building Facades into smaller sections; features such as windows, balconies, or porches; use of a combination of finishing materials; or other similar techniques or features.
- 6.2. Where a Ground Floor non-Residential Facade faces 97 Avenue NW or 104 Street NW, a minimum of 50% of the Facade area between 1.0 m and 2.0 m above ground level must consist of windows. A maximum of 10% of these windows may be covered by non-transparent material and the remainder must be clear, non-reflective and free from obstruction.
- 6.3. The Facades facing 97 Avenue NW and 104 Street NW must use consistent exterior finishing materials and architectural features, and include features such as windows, doors, or porches.
- 6.4. The building must have at least one main Residential entrance facing 104 Street NW.

- 6.5. Ground Floor non-Residential Uses must have external entrances that face 97 Avenue NW or 104 Street NW and are separate from Residential entrances.
- 6.6. Entrances that provide access to Residential or non-Residential Uses from 97 Avenue NW or 104 Street NW must incorporate weather protection features such as canopies, awnings, overhangs, vestibules, recessed entrances, or similar architectural elements to provide all-season weather protection to pedestrians and enhance visibility.

### **Ground-Oriented Residential Units and Transition Areas**

- 6.7. Each Dwelling must include an entrance that provides a pedestrian connection directly to the public sidewalk where:
  - 6.7.1. The Dwelling faces 97 Avenue NW or 104 Street NW; and
  - 6.7.2. The Dwelling is within the first Storey or above the Parkade.
- 6.8. Despite Subsection 6.7 of this Provision:
  - 6.8.1. This connection may include features such as stairs or ramps to accommodate elevation differences between each entrance and the ground level.
  - 6.8.2. Entrances to Dwellings may share stairs, patios, terraces, or other features that form part of the landscaped transition area described in Subsection 7.2, provided that each Dwelling has a clearly identifiable private entrance visible from the public sidewalk.
- 6.9. Sliding patio doors must not serve as the individual entrance required under Subsection 6.7.
- 6.10. The transition area between the entrance and public sidewalk must include design features and architectural treatments that screen above ground Parkade and building foundation walls, and that enhance the streetscape, including Landscaping, terraced landscape planters, or architectural materials (See Appendix 1).

## **7. Landscaping, Lighting, and Amenity Area Regulations**

- 7.1. Landscaping must be provided in accordance with Section 5.60 of the Zoning Bylaw, except:
  - 7.1.1. The Development Planner may allow up to 10 trees to be substituted with shrubs at a rate of 15 shrubs for each tree;

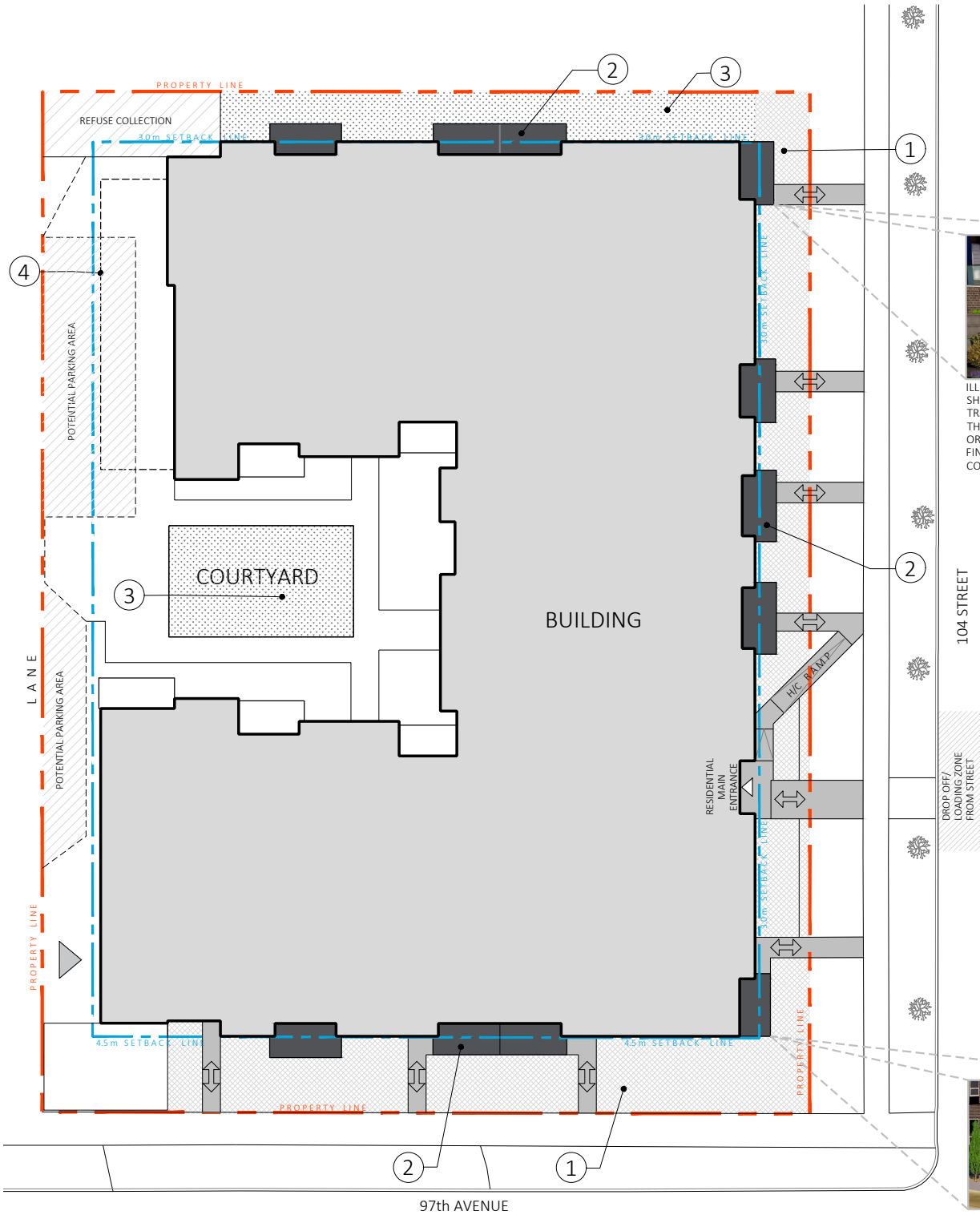
- 7.1.2. Shrubs may be substituted with perennials at a rate of one square metre of perennials (including ornamental grasses) for each shrub.
- 7.1.3. These substitutions must only be applied where a registered Landscape Architect demonstrates that on-Site conditions such as utilities, grade changes, structural limitations, or pedestrian access requirements, prevent full tree planting while maintaining overall landscape quality.
- 7.1.4. Where viable, Landscaping should prioritize native species or naturalized species to the satisfaction of the Development Planner in consultation with the City department responsible for Ecology Planning.
- 7.2. The landscaped transition area (see Appendix 1) fronting 97 Avenue NW and 104 Street NW must include features that support a pedestrian-oriented interface and include decorative fencing, pedestrian seating, exterior lighting, shrub beds, planters, retaining walls, or other soft and hard landscaping elements.

## **8. Parking, Loading, Storage and Access Regulations**

- 8.1. Vehicle access must be from the Alley.
- 8.2. The waste collection and loading area must be screened from view from the abutting property to the north by a Fence with a minimum height of 1.8 m.

## **9. Public Improvements and Contributions**

- 9.1. As a condition of a Development Permit for construction of a principal building, the owner shall 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 City department responsible for transportation planning. Such improvements must 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. Removal of the existing accesses to 104 Street NW and 97 Avenue NW, and reconstruction of the adjacent sidewalk and alley flare as required.



ILLUSTRATIVE CONCEPT SHOWING THE LANDSCAPED TRANSITION AREA BETWEEN THE SIDEWALK AND GROUND ORIENTED DWELLINGS. FINAL DESIGN & CONFIGURATIONS MAY VARY



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104 STREET

DROP OFF/LOADING ZONE FROM STREET

97th AVENUE



1 SITE PLAN  
SCALE: N.T.S.

LEGEND

- ▲ PARKADE ENTRANCE
- ▲ RESIDENTIAL MAIN ENTRY
- ↕ PEDESTRIAN CONNECTION TO SIDEWALK
- ① LANDSCAPE TRANSITION AREA
- ② PATIO
- ③ GENERAL SITE LANDSCAPING
- ④ BUILDING LINE ABOVE

APPENDIX 1 - CONCEPTUAL SITE PLAN