

Charter Bylaw 19217

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 2983

WHEREAS portions of Lots 2-3, Block 10A, Plan 2109HW; located at 11009 and 11015 - 109A Avenue NW, Queen Mary Park, Edmonton, Alberta, are specified on the Zoning Map as (RA7) Low Rise Apartment Zone; and

WHEREAS an application was made to rezone the above described properties 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 hereby amended by rezoning the lands legally described as portions of Lots 2-3, Block 10A, Plan 2109HW; located at 11009 and 11015 - 109A Avenue NW, Queen Mary Park, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (RA7) Low Rise Apartment Zone to (DC2) Site Specific Development Control Provision.
2. The uses and regulations of the aforementioned DC2 Provision are annexed hereto as Schedule "B".

3. The sketch plan annexed hereto as Schedule "A" and the uses and regulations of the DC2 Provision shown on Schedule "B" annexed hereto 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. 2020;
READ a second time this	day of	, A. D. 2020;
READ a third time this	day of	, A. D. 2020;
SIGNED and PASSED this	day of	, A. D. 2020.

THE CITY OF EDMONTON

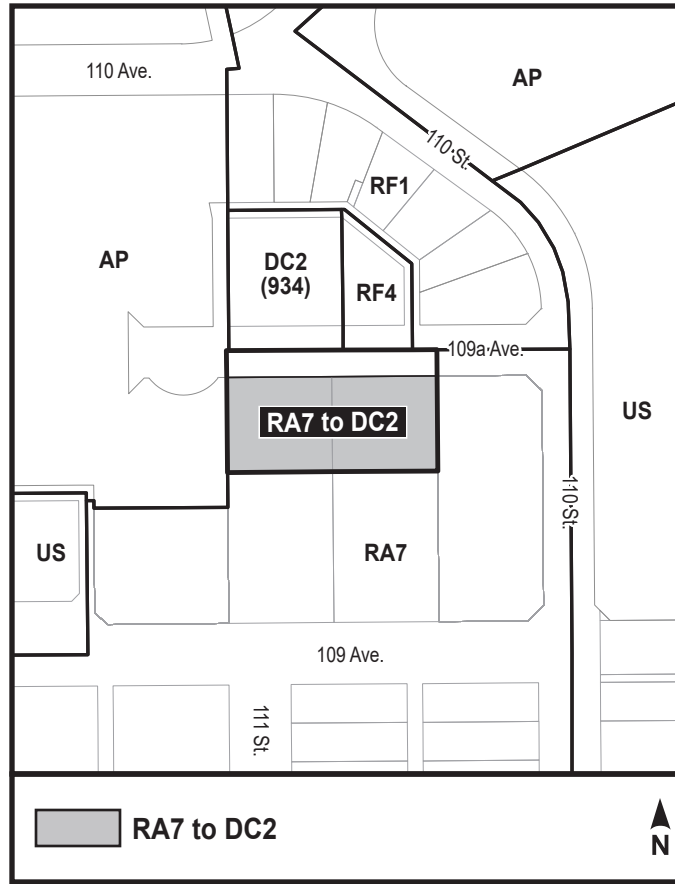
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MAYOR

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CITY CLERK

CHARTER BYLAW 19217



**(DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION****1. General Purpose**

To accommodate a mid-rise residential development with ground-oriented dwellings and the opportunity for limited neighbourhood commercial at the ground level, which supports a pedestrian-friendly streetscape.

**2. Area of Application**

This Provision shall apply to the north portion of Lots 2 and 3, Block 10A, Plan 2109HW, located to the west of 110 Street and south of 109A Avenue, as shown on Schedule "A" appended to the Charter Bylaw adopting this Provision, Queen Mary Park.

**3. Uses**

- a. Convenience Retail Stores
- b. Group Home
- c. Live Work Unit
- d. Limited Group Home
- e. Lodging Houses
- f. Major Home Based Business
- g. Minor Home Based Business
- h. Multi-unit Housing
- i. Non-accessory Parking
- j. Residential Sales Centre
- k. Specialty Food Services
- l. Fascia On-premises Signs
- m. Projecting On-premises Signs

**4. Development Regulations for Uses**

- a. Specialty Food Services shall not exceed 200 m<sup>2</sup> of Public Space indoors. Outdoor seating associated with Specialty Food Services shall be permitted within the west Setback. Outdoor speakers or amplification systems shall be allowed in the outdoor seating associated with Specialty Food Services.
- b. Signs shall comply with the regulations in Schedule 59B of the Zoning Bylaw.

- c. A maximum of 10% of any glazing for Commercial Uses may be covered by Signs. The remainder of the glazing shall remain free from obstruction.

#### **5. Development Regulations for Site Layout and Built Form**

- a. The development shall be in general conformance with the attached Appendices.
- b. The maximum Floor Area Ratio (FAR) shall be 3.0.
- c. The maximum number of Dwellings shall be 115.
- d. The maximum building Height shall be 28.0 m.
- e. Minimum Setbacks shall be as follows:
  - i. 3.0 m from the north Lot line except that any portion of the building greater than 9.0 m in Height shall have a minimum Setback of 4.5 m from the Lot line.
  - ii. 12.0 m from the south Lot line;
  - iii. 4.0 m from the east Lot line; and
  - iv. 11.0 m from the west Lot line.
- f. The portions of the Parking Garage below ground level shall 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 Officer. This may be achieved by, but is not limited to, the use of planters and other acceptable green roof technologies.
- g. Building Stepbacks shall be as follows:
  - i. for the west Façade, the building shall have a minimum 4.0 m Stepback at a maximum Height of 15.5 m and an additional minimum 4.0 m Stepback at a maximum Height of 21.5 m; and
  - ii. for the east Façade, the building shall have a minimum 4.0 m Stepback at a maximum Height of 21.5 m.

#### **6. Development Regulations for Building Design and Features**

- a. Principal building entrances for any Use shall be designed for universal accessibility. Level changes from the sidewalk to entrances of buildings shall be minimized. Sidewalk furniture and other elements shall be located out of the travel path so as not to obstruct the access to the building.
- b. A minimum of five (5) Dwellings shall be located at ground level fronting onto 109A Avenue NW and have the following features:
  - i. Dwellings shall be articulated as individual units;

- ii. each Dwelling shall have individual and private entrance access to ground level. Sliding patio doors shall not serve as this entrance;
  - iii. masonry shall be used as the exterior cladding material for a minimum of 30% of the Façades of each Dwelling; and
  - iv. a private outdoor Amenity Area of at least 10 m<sup>2</sup> shall be provided in front of each Dwelling. Landscape features, such as decorative fencing, shrub beds, rock gardens and/or built elements such as private entrance features and verandas or porches, shall be incorporated.
- c. A minimum of four (4) Dwellings shall be located at ground level facing south and have the following features:
- i. Dwellings shall be articulated as individual units;
  - ii. each Dwelling shall have individual and private entrance access to ground level. Sliding patio doors shall not serve as this entrance; and
  - iii. a private outdoor Amenity Area shall be provided in front of each Dwelling. Landscape features, such as decorative fencing, shrub beds, rock gardens and/or built elements such as private entrance features and verandas or porches, shall be incorporated.
- d. Commercial Uses shall not be located above the ground floor and shall have an external entrance that is separate from any access to Residential Uses, is universally accessible, and is oriented to face 109A Avenue NW and / or the publicly accessible Amenity Area to the west of the building.
- e. Architectural treatment of all Façades of the building shall create a unified building exterior. The building shall incorporate design elements to reduce the perceived mass and add architectural interest, including but not limited to:
- i. clear articulation of the Façade, using a defined pattern of projections and recessions;
  - ii. a recession in the north Façade above 15.0 m in Height with a minimum 3.0 m depth and 10.0 m width;
  - iii. the use of a variety of exterior building cladding materials and colours;
  - iv. articulation of the two-storey ground oriented Dwellings along 109A Avenue; and
  - v. a prominent front entrance fronting a public roadway.
- f. All building Façades shall use high quality and durable exterior finishing materials. The use of vinyl siding is prohibited.

- g. All mechanical equipment, including roof mechanical units, surface level venting systems, and transformers, where permitted, shall be properly barricaded and concealed by screening in a manner compatible with the architectural character of the building or by incorporating it within the building.
- h. Waste collection, storage areas, and loading shall be located within the building, screened from view from the Abutting public roadway and shall be designed to the satisfaction of the Development Officer in consultation with Waste Management Services, Subdivision, Development Coordination (Transportation) and City Operations.

**7. Development Regulations for Parking, Loading, Storage, and Access**

- a. Vehicular access to the Site shall be from 109A Avenue NW.
- b. Vehicular parking shall be provided as per Section 54 Schedule 1(C) Transit Oriented Development and Main Streets Overlay of the Zoning Bylaw.
- c. Vehicular parking spaces shall be provided in an underground Parking Garage.
- d. A reduction in the number of off-street vehicular parking spaces may be considered if the owner can demonstrate through a Parking Impact Assessment or Parking Justification that a different number is appropriate, to the satisfaction of the Development Officer in consultation with Parking Management Services.
- e. No off-street loading spaces shall be required.
- f. Bicycle Parking shall be provided at a rate of 0.5 Bicycle Parking spaces per Dwelling, including:
  - i. a minimum of 30 long-term Bicycle Parking spaces shall be provided in a safe and secure location within the building that is easily accessible to cyclists via access ramps or a route through the building which facilitates easy and efficient transportation of bicycles;
  - ii. a minimum of 5 short-term Bicycle Parking spaces shall be provided in a visible and well-lit location within the public realm, either on or off-Site, and be developed to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation); and

- iii. vertical or stacked racks may be used to satisfy Bicycle Parking requirements if it can be demonstrated that they can be safely and efficiently used, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation). If vertical racks are used, each Bicycle Parking space shall be a minimum of 0.6 m wide, 1.1 m deep and have a vertical clearance of at least 2.3 m, with a minimum 1.5 m wide aisle to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation).

## **8. Development Regulations for Landscaping, Lighting, and Amenity Area**

- a. A Landscape plan shall be provided by a registered AALA landscape architect and shall include:
  - i. a plant material palette that provides a variety of colors and textures to create seasonal interest particularly during the winter months; and
  - ii. a mix of hard and soft landscaping elements.
- b. A minimum 100 m<sup>2</sup> publicly accessible garden or plaza shall be developed on the west side of the building. The plaza shall be allowed in the applicable Setbacks and include seating and lighting and be Landscaped with a mix of coniferous and deciduous shrubs and trees where possible given the underground Parking Garage, in addition to annuals and/or perennials.
- c. An Amenity Area shall be provided above the fourth Storey of the west end of the building for the active or passive recreation and enjoyment of the residents.
- d. Landscaping that extends onto or over City-owned lands shall be developed in accordance with the Traffic Bylaw 5590 and the City Design and Construction Standards to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation).
- e. An arborist report and tree preservation plan to the satisfaction of the Development Officer in consultation with Urban Forestry, shall be submitted with the Development Permit application to determine the impact of the proposed development, including excavation and construction, on the existing boulevard trees along 109A Avenue NW. If required by the Development Officer, an air spading tool shall be used to determine the amount and size of roots that may need to be cut for the foundation wall. If:
  - i. the arborist report indicates that the development will unduly compromise the ongoing viability and health of a tree or trees, each tree shall be removed as part of the redevelopment of the site. The owner/developer shall be responsible for the cost of removal as well as compensating the City for the value of the tree being removed. If required by the Development Officer, each tree removed shall 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

- ii. the arborist report indicates that the development will not unduly compromise the ongoing viability and health of a tree or trees, each tree shall be retained and protected as per the City's Corporate Tree Management Policy C45B6.
- f. An exterior lighting plan shall be required as part of the Development Permit application. Decorative and security lighting shall be designed and finished in a manner consistent with the architectural theme of the development and shall be provided to ensure a well-lit and safe environment for pedestrians.
- g. All exterior lighting of the Site shall be designed so that the lighting is directed away from adjacent residential development and illumination shall not extend beyond the boundaries of the Site. Night-time light pollution shall be reduced by avoiding over-illumination of the development and by using exterior lighting fixtures that are full cut-off in design to direct light downward.

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

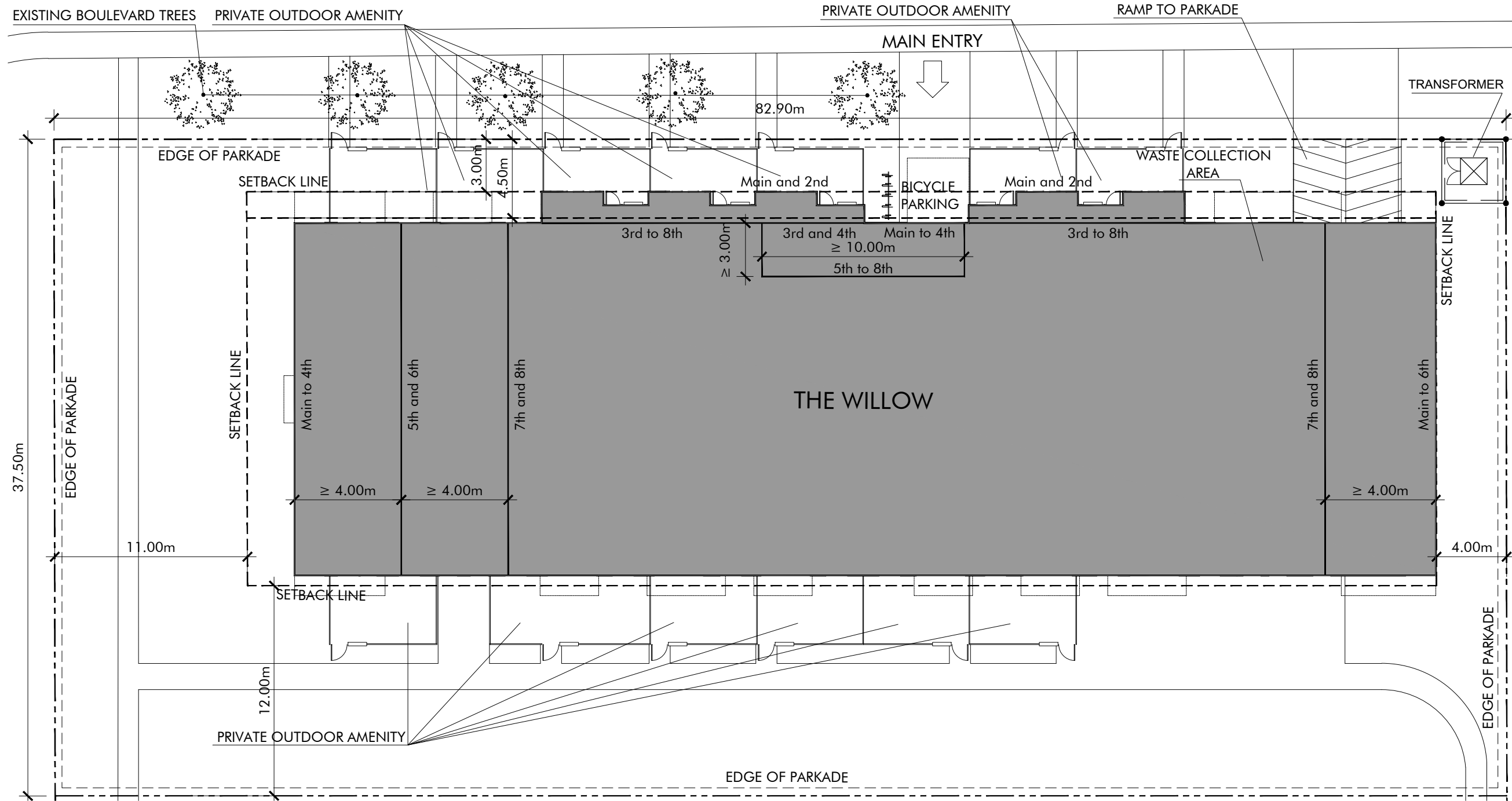
- a. Prior to the issuance of a Development Permit for:
  - i. a building that contains 12 or more Dwellings; or
  - ii. a building that contains less than 12 Dwellings, but is part of a Site with 12 or more Dwellings in total;

the Development Officer shall ensure a signed agreement has been executed between the City and the owner, requiring the owner to provide the City, at the time of each Development Permit approval, the option to purchase up to 5% of the proposed number of Dwellings (rounded to the nearest Dwelling) in each building with Dwellings, at 85% of market value or the equivalent value as cash in lieu (at the discretion of the owner) to the City. The City may exercise its option to purchase only in respect of Dwellings that are individually titled.

- b. As a condition of the 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, such improvements to be constructed at the owner's cost. The agreement process includes an engineering drawing review and approval process. Improvements to address in the agreement include, but are not limited to:
  - i. the addition of a minimum of four (4) new boulevard trees along 109A Avenue NW, to the satisfaction of the Development Officer in consultation with Urban Forestry;

- ii. removal of the existing two accesses on 109A Avenue NW to the site and construction of sidewalk and restoration of the boulevard, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation);
  - iii. construction of a new access to 109A Avenue NW, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation); and
  - iv. the repair of any damage to the abutting roadways, sidewalks and/or boulevard resulting from construction of the development, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation). The Site must be inspected by Subdivision and Development Coordination (Transportation) prior to the start of the construction and once again when construction is complete.
- c. A minimum of four (4) Dwellings shall be suitable for families by meeting the following criteria:
- i. have a minimum of 3 bedrooms;
  - ii. have direct individual access at ground level; and
  - iii. be supported by a minimum of two of the following amenities:
    - A. have access to a communal Amenity Area of at least 50.0 m<sup>2</sup> that is specifically designed for children;
    - B. have dedicated and enhanced bulk storage located within the Dwelling or on the same floor as the Dwelling; or
    - C. have access to a minimum of 2 Bicycle Parking spaces in addition to those required for the remainder of the Dwellings in the development.

# 109A AVENUE





**KEY NOTES**

1	ALUMINUM RAILING BLACK
2	ALUMINUM RAILING WHITE
3	PVC WINDOWS BLACK
4	BRICK
5	METAL SIDING (ACCENT 1)
6	METAL SIDING (ACCENT 2)

7	STUCCO (DARK GREY)
8	STUCCO (OFF WHITE COLOURED)
9	STUCCO (EARTH COLOURED)
10	STUCCO (SAND COLOURED)

\*\*\*\* COLOURS SHOWN ARE CONCEPTUAL ONLY AND WILL BE FINALIZED AT THE DEVELOPMENT PERMIT SUBMISSION

APPENDIX II: NORTH ELEVATION 1/16" = 1'-0"

THE WILLOW



KEY NOTES	
①	ALUMINUM RAILING BLACK
②	ALUMINUM RAILING WHITE
③	PVC WINDOWS BLACK
④	BRICK
⑤	METAL SIDING (ACCENT 1)
⑥	METAL SIDING (ACCENT 2)

⑦	STUCCO (DARK GREY)
⑧	STUCCO (OFF WHITE COLOURED)
⑨	STUCCO (EARTH COLOURED)
⑩	STUCCO (SAND COLOURED)

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APPENDIX III: EAST ELEVATION 1/16" = 1'-0"



**KEY NOTES**

①	ALUMINUM RAILING BLACK
②	ALUMINUM RAILING WHITE
③	PVC WINDOWS BLACK
④	BRICK
⑤	METAL SIDING (ACCENT 1)
⑥	METAL SIDING (ACCENT 2)

⑦	STUCCO (DARK GREY)
⑧	STUCCO (OFF WHITE COLOURED)
⑨	STUCCO (EARTH COLOURED)
⑩	STUCCO (SAND COLOURED)

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APPENDIX IV: SOUTH ELEVATION 1/16" = 1'-0"

THE WILLOW



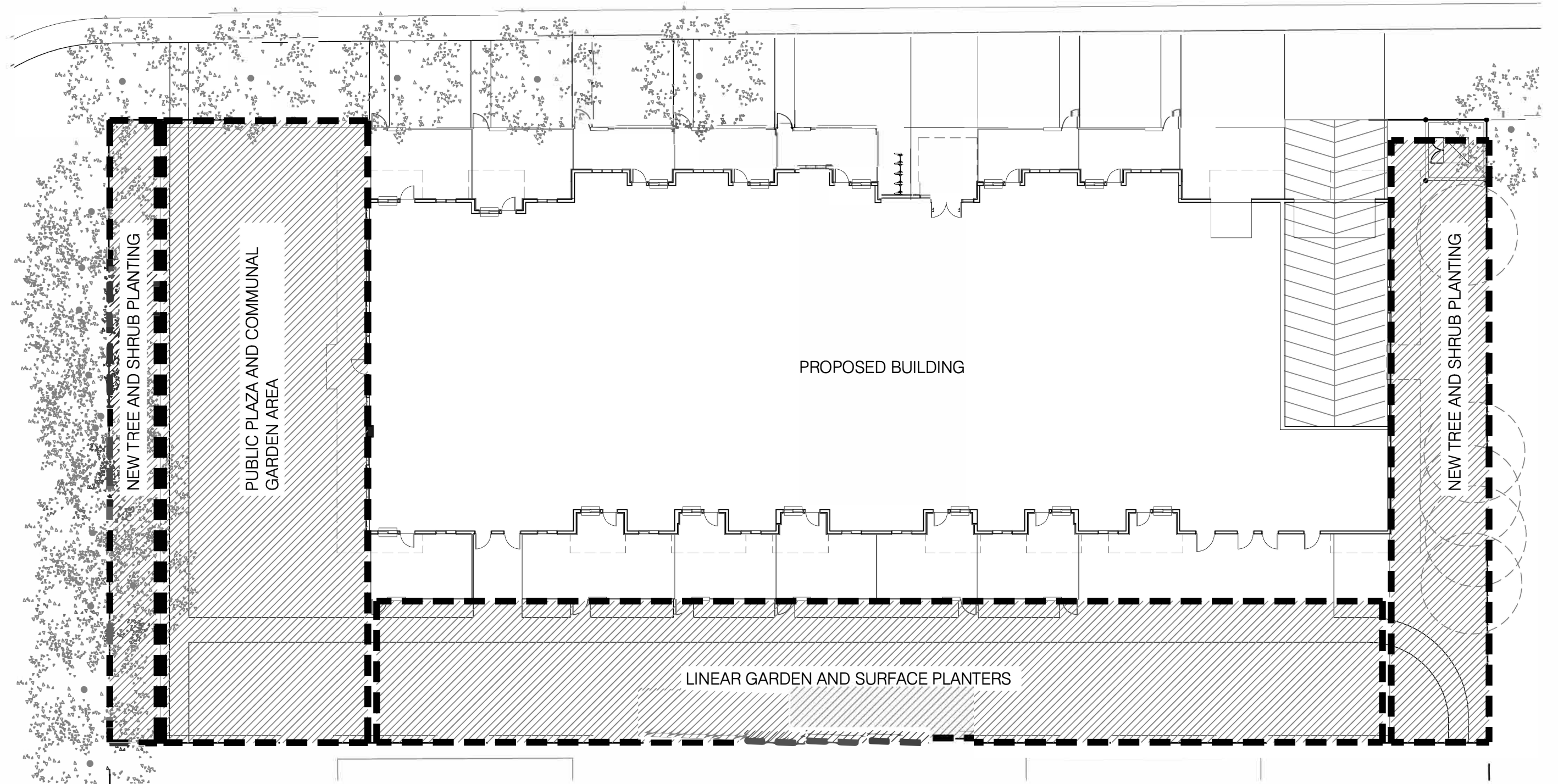
KEY NOTES	
①	ALUMINUM RAILING BLACK
②	ALUMINUM RAILING WHITE
③	PVC WINDOWS BLACK
④	BRICK
⑤	METAL SIDING (ACCENT 1)
⑥	METAL SIDING (ACCENT 2)

⑦	STUCCO (DARK GREY)
⑧	STUCCO (OFF WHITE COLOURED)
⑨	STUCCO (EARTH COLOURED)
⑩	STUCCO (SAND COLOURED)

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APPENDIX V: WEST ELEVATION 1/16" = 1'-0"

THE WILLOW



APPENDIX VI: LANDSCAPE CONCEPT

