

Charter Bylaw 19135

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 2955

WHEREAS Lots 2, 3MR and 4ER, Block 1, Plan 0021114; Lots 1-2, Block 2, Plan 0021114; Lots 16-30, Block 7, Plan Q; Lots 14-15, Block 8, Plan Q; Lots 12-15, Block 15, Plan Q; Lot 31, Block 5, Plan 1920032; and road closed by Bylaw 19134; located at 9803, 9806, 9818, 9822, 9826, 9828, 9832, 9834, 9838, 9842, 9843, 9844, 9848, 9855 and 9856 - 100 Street NW; 9903 - Rossdale Road NW; 9803 - 101 Street NW; 10003 and 10075 - 98 Avenue NW, Rossdale, Edmonton, Alberta, are specified on the Zoning Map as (DC1) Direct Development Control Provision and (RF5) Row Housing Zone; and

WHEREAS an application was made to rezone the above described properties to (DC1) Direct Development Control Provision and (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 Lots 2, 3MR and 4ER, Block 1, Plan 0021114; Lots 1-2, Block 2, Plan 0021114; Lots 16-30, Block 7, Plan Q; Lots 14-15, Block 8, Plan Q; Lots 12-15, Block 15, Plan Q; Lot 31, Block 5, Plan 1920032; and road closed by Bylaw 19134; located at 9803, 9806, 9818, 9822, 9826, 9828, 9832, 9834, 9838, 9842, 9843, 9844, 9848, 9855 and 9856 - 100 Street NW; 9903 - Rossdale Road NW; 9803 - 101 Street NW; 10003 and 10075 - 98 Avenue NW, Rossdale, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (DC1) Direct Development Control Provision and (RF5) Row Housing Zone to (DC1) Direct Development Control Provision and (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;

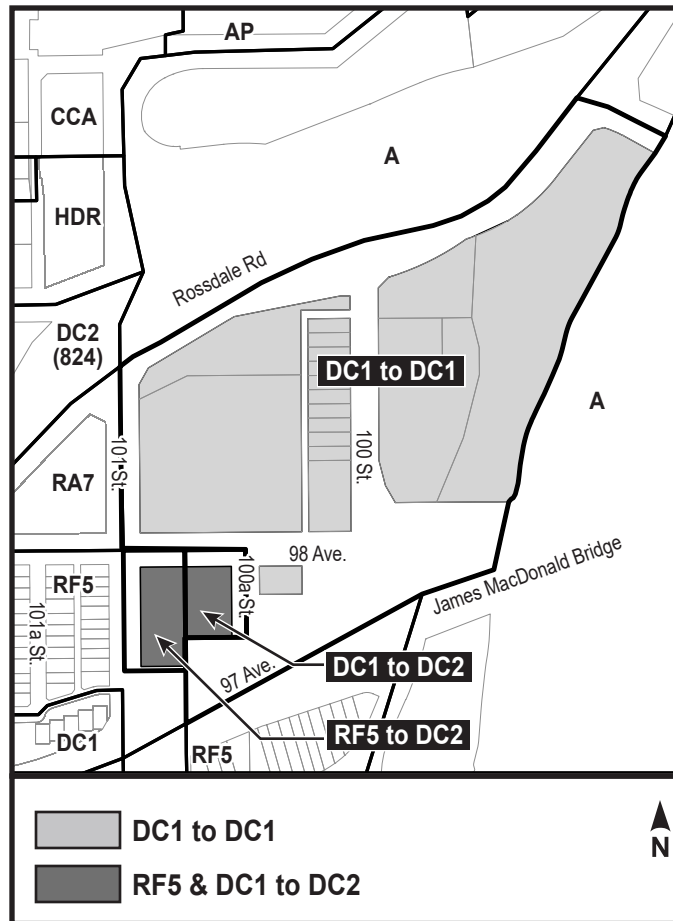
SIGNED and PASSED this _____ day of _____, A. D. 2020.

THE CITY OF EDMONTON

MAYOR

CITY CLERK

CHARTER BYLAW 19135



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

To accommodate a mixed-use, primarily residential, development with limited Commercial Uses that support a pedestrian-friendly streetscape.

2. Area of Application

This Provision shall apply to Lot 31, Block 5, Plan 1920032 and road closed by Bylaw 19134, located east of 101 Street NW and south of 98 Avenue NW, as shown on Schedule “A” of the Charter Bylaw adopting this Provision, Rossdale.

This Provision establishes two development areas – Area A and Area B – as shown in Appendix 1.

3. Uses**Area A**

- a. Minor Home Based Business
- b. Multi-unit Housing
- c. Residential Sales Centre

Area B

- d. Child Care Services
- e. Convenience Retail Stores
- f. Live Work Unit
- g. General Retail Stores
- h. Group Home
- i. Health Services
- j. Limited Group Home
- k. Lodging Houses
- l. Major Home Based Business
- m. Minor Home Based Business
- n. Multi-unit Housing
- o. Personal Service Shops
- p. Professional, Financial and Office Support Services
- q. Residential Sales Centre
- r. Restaurants

- s. Specialty Food Services
- t. Fascia On-premises Signs
- u. Projecting On-premises Signs

4. Development Regulations for Uses

- a. Commercial Uses shall only be located in the ground floor, street-oriented units facing 98 Avenue NW.
- b. General Retail Stores shall not exceed a combined Floor Area of 200 m².
- c. Each Restaurants and Specialty Food Services Use shall not exceed 120 m² of Public Space for each business, excluding outdoor patio space which shall not exceed 50% of the interior Public Space.
- d. Residential Sales Centres shall be limited to the sale or leasing of on-site condominium or rental Dwellings.
- e. Signs shall be in accordance with Schedule 59B of the Zoning Bylaw.

5. Development Regulations for Site Layout and Built Form

- a. The development shall be in general conformance with the attached Appendices.
- b. The maximum combined Floor Area Ratio (FAR) for both Area A and Area B shall be 4.0.
- c. The maximum number of Dwellings shall be 118, including a maximum of 11 Dwellings in Area A that shall have direct and individual access to 101 Street NW and a maximum of 107 Dwellings in Area B.
- d. Building Height:
 - i. The maximum Height of the buildings in Area A shall be 14.0 m.
 - ii. The maximum Height of the building in Area B shall be 35.0 m.
- e. Minimum building Setbacks shall be as follows:
 - i. 2.0 m from the north Lot Line;
 - ii. 0.0m from the south Lot Line;

- iii. 1.5 m from the east Lot Line; and
 - iv. 4.0 m from the west Lot Line.
- f. Architectural features such as Platform Structures, Unenclosed Front Porches, and accessible patio roofs of below-grade parking structures may project from the first Storey of the buildings into a required Setback up to the Lot line.
- g. The north Façade of the building in Area B shall have minimum Stepbacks as follows:
- i. 2 m at the third Storey;
 - ii. 3 m at the seventh Storey;
 - iii. 4 m at the eighth Storey;
 - iv. 10 m at the ninth Storey; and
 - v. 10 m at the tenth Storey.

6. Development Regulations for Building Design and Features

- a. At Grade Commercial Uses fronting onto 98 Avenue NW shall contain a minimum of 70% transparent glazing along the linear Frontage to promote pedestrian interaction and safety. Linear Frontage shall be measured as the horizontal plane at 1.5 m above Grade.
- b. All ground floor Commercial Uses shall have separate access at Grade from Residential Uses. Entrances for Commercial Uses shall be clearly differentiated from entrances to Residential Uses on 98 Avenue NW to the satisfaction of the Development Officer.
- c. All ground-oriented Dwellings fronting 98 Avenue and 101 Street NW shall provide an individual external entrance that is oriented and clearly visible to be readable from, and lend a sense of occupancy to, the public roadway using features such as, but not limited to, porches, staircases, and stoops. Sliding glass doors shall not serve as entrances.
- d. The Dwellings located in Area A shall contain prominent front entrances facing 101 Street NW.

- e. The above Grade portion of the Parking Garage shall be wrapped with active Residential or Commercial Uses with a minimum depth of 6.0 m where abutting 100 A Street NW and 98 Avenue NW.
- f. All building Facades shall be constructed of high quality and durable finishing materials. The use of vinyl siding is prohibited.
- g. Architectural treatment of all Façades shall create a unified building exterior. The development shall incorporate design elements to reduce the perceived mass and add architectural interest, including:
 - i. articulation of the Façade, using a pattern of projections, recessions, and Stepbacks;
 - ii. the use of a variety of exterior building cladding materials and colours; and
 - iii. prominent front entrances on 98 Avenue NW and 100 A Street NW.
- h. All mechanical equipment, including ground level Parking Garage vents, shall be concealed by screening in a manner compatible with the architectural character of the building to the satisfaction of the Development Officer. Ground level vents shall be oriented away from adjacent Sites or any on-Site Amenity Area or pedestrian circulation areas.
- i. An exterior lighting plan shall be provided to the satisfaction of the Development Officer. 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, and to accentuate architectural elements and/or public art.
- j. Any exterior lighting of the Site shall be designed so that the lighting is directed away from an adjacent residential development and illumination does 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.

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

- a. A private one-way northbound drive aisle with a minimum width of 4.0 m shall be provided between the buildings located in Area A and Area B.

- b. Vehicular access to the Site shall be via 98 Avenue NW and 101 Street NW.
- c. Additional onsite parking shall not be required to support the additional seating as part of the outdoor patios for the Restaurant and Specialty Food Services Uses.
- d. Required off-street vehicular parking shall be provided as follows:

Area A

- i. Vehicular parking will be provided in rear attached Garages accessible from the private drive aisle.
- ii. No off-street vehicular parking spaces shall be required for Residential-Related Uses.

Area B

- i. A minimum of 129 off-street vehicular parking spaces shall be provided in the underground Parking Garage and a minimum of four residential visitor parking spaces shall be provided at ground level and accessible from the abutting private drive aisle.
- ii. No off-street vehicular parking spaces shall be required for Commercial Uses or Residential-Related Uses.
- iii. Accessory vehicular parking for Non-Residential and Non-Residential-Related Uses may share parking spaces with residential visitor parking through an owner operated parking management program.
- iv. A variance to the number of off-street vehicular parking spaces may be considered if supported by a parking impact assessment to the satisfaction of the Development Officer in consultation with Parking Management Services.
- v. The portions of the underground Parking Garage shall not be subject to required Setbacks and can extend to all Lot lines provided there is sufficient soil depth maintained to support any required Landscaping or to enable the above grade portion of the garage roof to be treated as occupied patio area with architectural (paver) finish.

- vi. The portions of the Parking Garage above ground level shall be screened and shall not exceed 9.0 m in Height. Screening may include, but is not limited to, Residential or Commercial Uses, Landscaping, public art, or decorative walls.
 - vii. Loading and storage areas shall be located within the Parking Garage.
 - viii. Long-term Bicycle Parking shall be provided at a minimum rate of 0.5 spaces per Dwelling in a safe and secure location in 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.
 - ix. 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. The size of vertical bike parking stalls shall be a minimum of 0.60 m wide, 2.3 m high, and 1.1 m deep, with a minimum 1.5 m wide aisle.
 - x. A minimum of ten short-term Bicycle Parking spaces shall be provided in locations that are easily accessible and available for public use.
- e. Waste collection areas shall be secured and screened from view from adjacent Sites and public roadways. The waste collection area shall be designed to the satisfaction of the Development Officer in consultation with Waste Management Services.

8. Development Regulations for Landscaping, Lighting, and Amenity Areas

- a. The following shall be shown on the required landscape plan:
 - i. a plant material palette that provides a variety of colors and textures to create seasonal interest, particularly during the winter months; and
 - ii. pavement materials, exterior lighting, street furniture elements, pedestrian seating area, sizes and species of new and existing tree plantings, and other landscaping elements as applicable.
- b. Landscaping adjacent to exterior walls shall be used to minimize the perceived mass of the building and to create visual interest.
- c. 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).

- d. If required by the Development Officer in consultation with Urban Forestry, an arborist report and tree preservation plan, 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 101 Street 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 and replaced by a new tree within an enhanced growing medium 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 C456A to the satisfaction of the Development Officer in consultation with Urban Forestry.

9. Other Regulations

- a. The development shall incorporate design features to minimize adverse microclimatic effects such as wind tunneling, snow drifting, and rain sheeting both on and off Site, consistent with the recommendations of a Wind Impact Study if required by the Development Office.
- b. Prior to the issuance of a Development Permit, except for the purpose of demolition and excavation, a Crime Prevention Through Environmental Design (CPTED) Assessment shall be provided to the satisfaction of the Development Officer to ensure the development provides a safe urban environment in accordance with the guidelines and principles established in the Design Guidelines for a Safer City (City of Edmonton 1995).

10. Public Improvements and Contributions

- a. As a condition of the Development Permit for the construction of a principal building, the Owner shall enter into an agreement with the City of Edmonton for off-Site improvements necessary to serve the development, such improvements to be constructed at the owner's cost, and be designed to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation). The agreement shall include an engineering drawing review and approval process that will address the extent of off-Site improvements including access, servicing, and related street improvements required as a result of the development. Improvements to address in the agreement include but are not limited to:

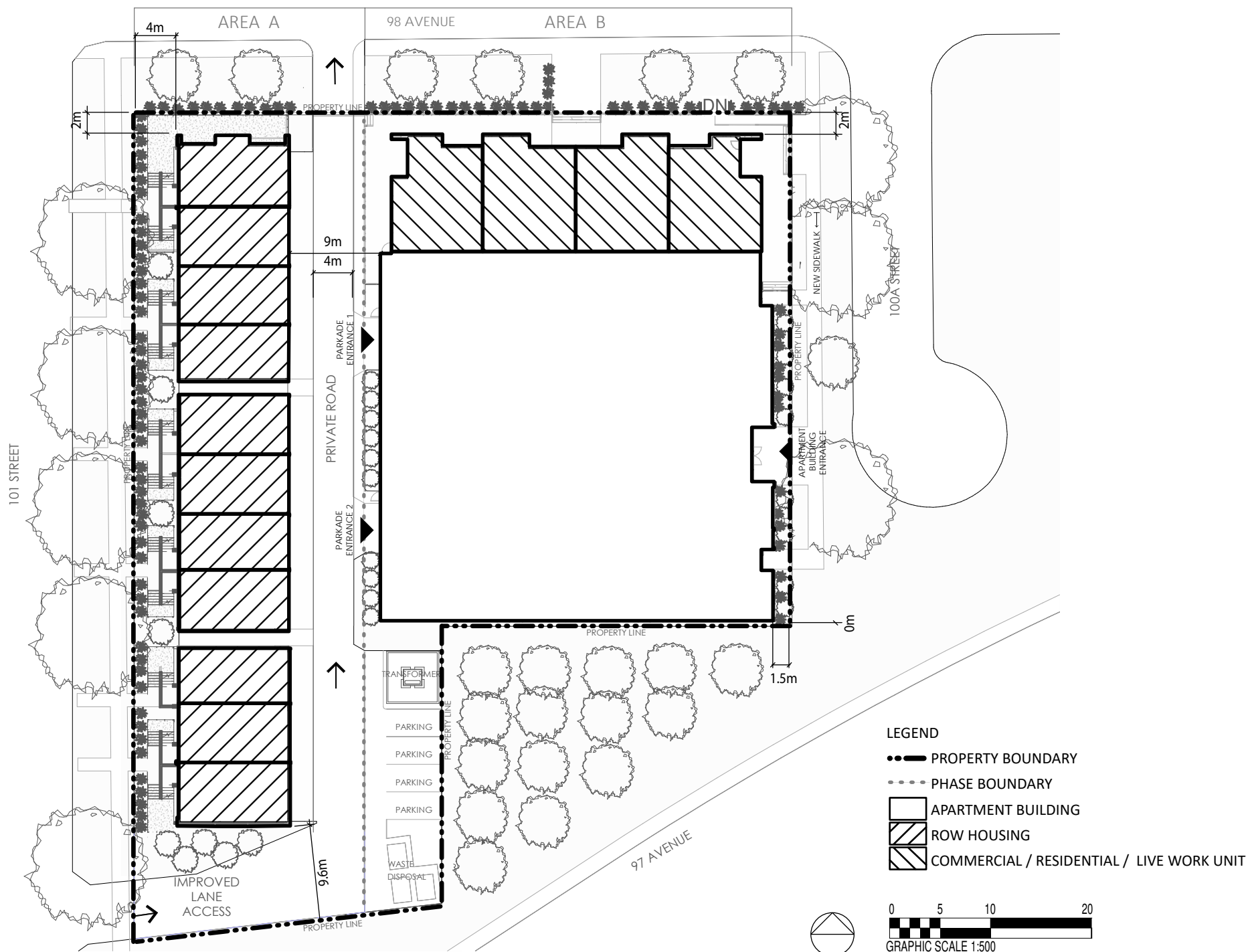
- i. Repair of any damage to the abutting roadways, sidewalks and/or boulevard resulting from construction of the development to the satisfaction of Subdivision and Development Coordination (Transportation). The site must be inspected by Subdivision and Development Coordination (Transportation) prior to the start of the construction and once again when construction is complete;
 - ii. Construction of a new sidewalk on 98 Avenue NW between 101 Street NW and 100A Street NW, to a minimum width of 1.8m and including curb ramps at the adjacent intersections; and
 - iii. Construction of the extension of the sidewalk on the west side of 100A Street NW to the south Lot line to provide a Walkway connection to the entrance(s) fronting onto 100A Street NW.
- b. Prior to the issuance of a Development Permit, the owner shall enter into an agreement with EPCOR Water Services for off-site improvements necessary to serve the development. The Agreement process included an engineering drawing review and approval process. Improvements to be addressed in the Agreement include, but are not limited to the removal and replacement of existing water mains adjacent to the development site as well as the repair of any damage to the abutting roadways, sidewalks, and/or boulevards resulting from construction of the development, to the satisfaction of the Development Officer in consultation with Urban Transportation. The costs for replacements will be borne by both the developer and EPCOR Water.
- c. A minimum of 11 Dwellings shall have a minimum of 3 bedrooms and be designed with at least three of the following features:
 - i. direct individual access to the public sidewalk;
 - ii. have access to a common Amenity Area specifically designed for children of at least 50.0 m², or have access to a private Amenity Area of at least 12.0 m²;
 - iii. dedicated and enhanced bulk storage located within the Dwelling or on the same Storey as the Dwelling; or
 - iv. dedicated and enhanced bicycle storage which shall accommodate a minimum of two bicycles.
- d. Prior to the issuance of a Development Permit for the construction of the principal building, the owner shall enter into an agreement with the City of Edmonton whereby the owner shall provide a minimum of \$58,000.00 toward improvements to the public realm along the streets and/or avenue and/or road right-of-way abutting the Site, which may include additional trees with enhanced growing mediums, pedestrian scaled lighting,

continuous decorative pavement treatment that extends into the pedestrian realm, and quality, durable street furnishings.

- i. To support the verification of a minimum contribution of \$58,000.00 towards public realm improvements, an illustrative plan and cost estimate for streetscape improvements from a professional landscape architect shall be submitted
- e. Prior to the issuance of a development permit for:
 - i. a building that contains 12 or more Dwelling units; or
 - ii. a building that contains less than 12 Dwelling units, but is part of a Site with 12 or more Dwelling units 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 Dwelling units (rounded to the nearest Dwelling unit) in each building with Dwelling units, at 85% of market value or the equivalent value as cash in lieu (at the discretion of the owner) to the City.

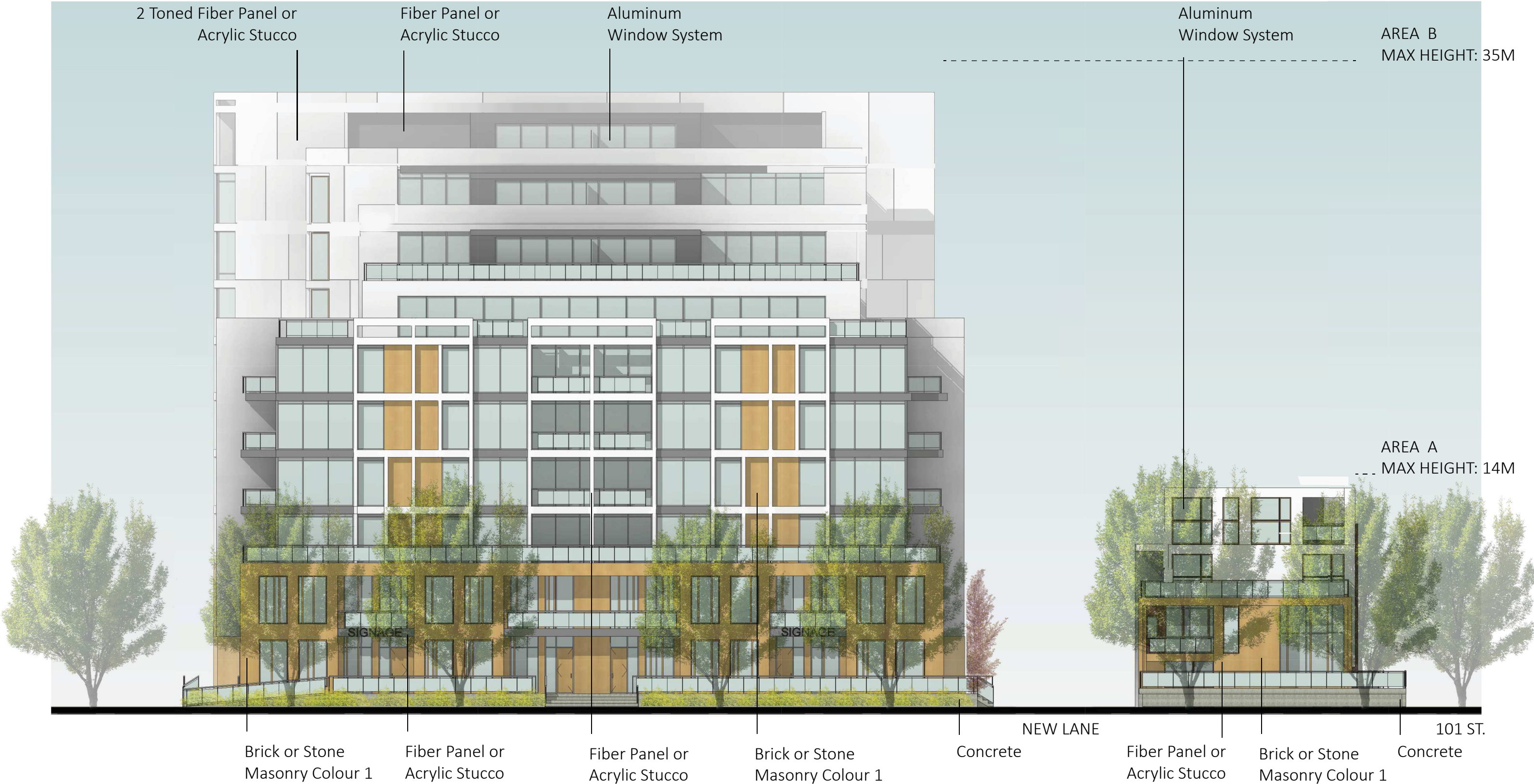
APPENDIX 1: SITE PLAN



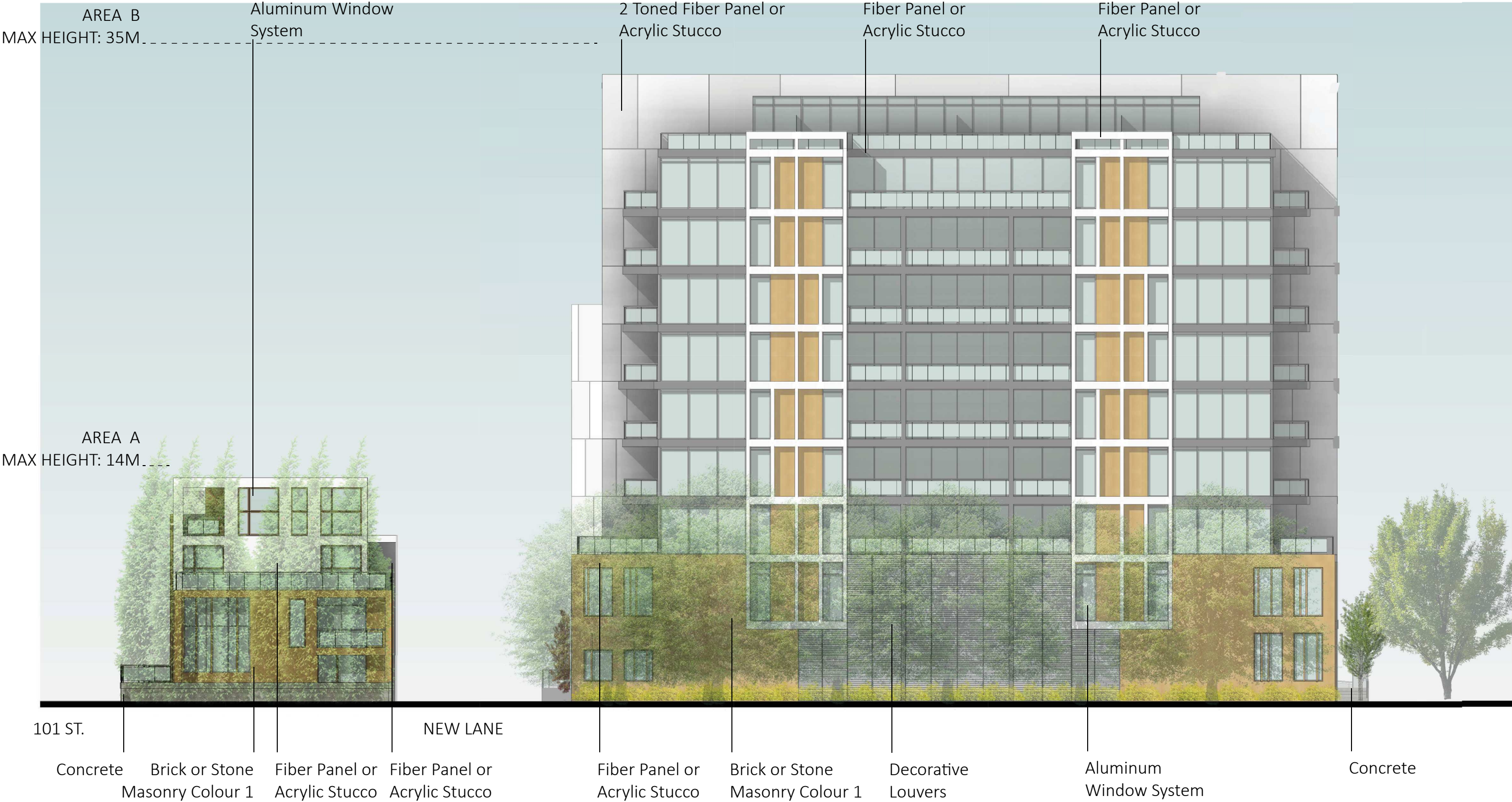
APPENDIX 2: EAST ELEVATION



APPENDIX 2: NORTH ELEVATION



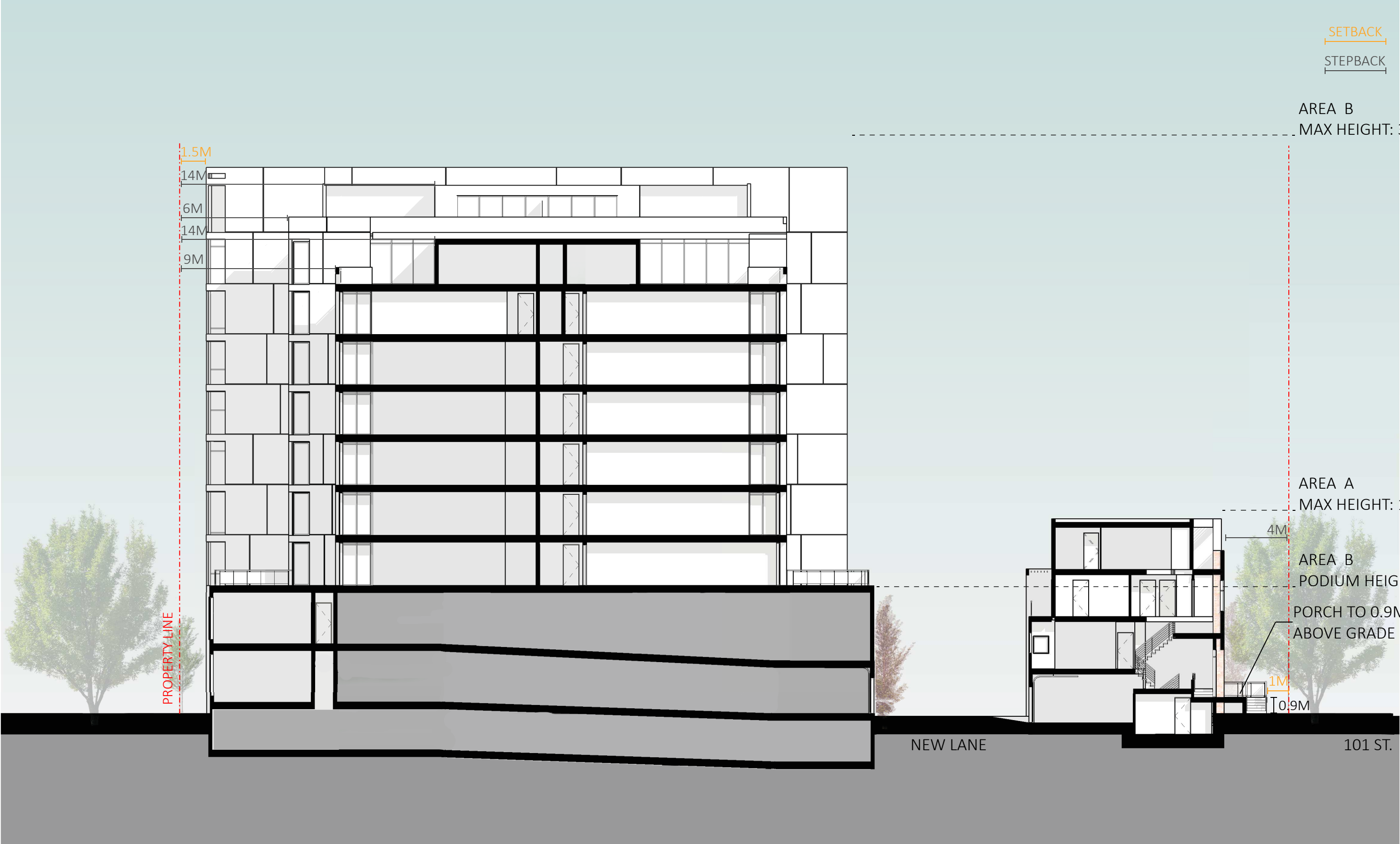
APPENDIX 2: SOUTH ELEVATION



APPENDIX 2: WEST ELEVATION



APPENDIX 2: EAST - WEST SECTION



APPENDIX 2: NORTH - SOUTH SECTION

