

Charter Bylaw 19057

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 2908

WHEREAS Lot 31 - 35, Block 10, Plan NB; located at 10011, 10015 and 10023 - 111 Street NW, Oliver, Edmonton, Alberta, are specified on the Zoning Map as (RA9) High 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 Lot 31 - 35, Block 10, Plan NB; located at 10011, 10015 and 10023 - 111 Street NW, Oliver, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (RA9) High 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.

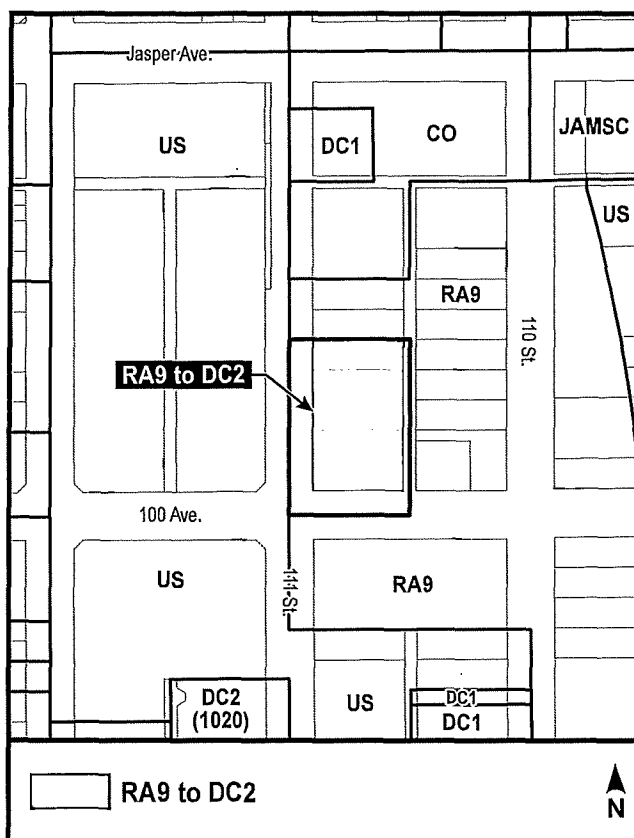
READ a first time this	4th	day of	November	, A. D. 2019;
READ a second time this	4th	day of	November	, A. D. 2019;
READ a third time this	4th	day of	November	, A. D. 2019;
SIGNED and PASSED this	4th	day of	November	, A. D. 2019.

THE CITY OF EDMONTON

  
MAYOR

  
CITY CLERK

## CHARTER BYLAW 19057



**SCHEDULE “B”**

**(DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION**

**1. General Purpose**

To accommodate a high-rise residential tower with street oriented commercial uses and street oriented residential uses in a pedestrian scaled podium fronting onto 111 Street and 100 Avenue.

**2. Area of Application**

This Provision shall apply to Lots 31 - 35, Block 10, Plan NB in the neighbourhood of Oliver, as shown on Schedule “A” of this Bylaw.

**3. Uses**

- a. Bars and Neighbourhood Pubs
- b. Breweries, Wineries and Distilleries
- c. Business Support Services
- d. Child Care Services
- e. Commercial Schools
- f. Convenience Retail Stores
- g. Creation and Production Establishments
- h. General Retail Stores
- i. Group Homes
- j. Health Services
- k. Indoor Participant Recreation Services
- l. Live Work Units
- m. Major Home Based Business
- n. Media Studios
- o. Multi-unit Dwellings
- p. Liquor Stores
- q. Lodging House
- r. Minor Home Based Business
- s. Minor Amusement Establishments
- t. Personal Service Shops

- u. Professional, Financial and Office Support Services
- v. Residential Sales Centre
- w. Restaurants
- x. Secondhand Stores
- y. Specialty Food Services
- z. Urban Gardens
- aa. Veterinary Services
- bb. Fascia On-premises Signs
- cc. Freestanding On-premises Signs
- dd. Minor Digital On-premises Signs
- ee. Projecting On-premises Signs
- ff. Temporary On-premises Signs

#### **4.0 Development Regulations for Uses**

- a. The maximum floor area for commercial uses shall be 1070 m<sup>2</sup>.
- b. Each Restaurant Use, Specialty Food Services Use, and Bars and Neighbourhood Pubs Use shall be limited to a maximum of 120 m<sup>2</sup> of Public Space, excluding exterior patio/deck space which can be to a maximum of 50% of the interior Public Space
- c. Breweries, Wineries and Distilleries shall only be developed in association with a Restaurant or a Bar and Neighbourhood Pub.
- d. Convenience Retail Stores, General Retail Stores, and Liquor Stores shall be limited to the first floor of development.
- e. Liquor Stores shall be limited to a maximum of 120 m<sup>2</sup> of Public Space.
- f. General Retail Stores shall be limited to a maximum Floor Area of 275 m<sup>2</sup>.
- g. Personal Service Shops shall not include Body Rub Centres.
- h. Residential Sales Centres shall be limited to the marketing of the on-Site condominium or rental Dwellings.
- i. All Signs shall comply with the General Provisions of Section 59 of the Zoning Bylaw and the regulations found in Schedule 59B of the Zoning Bylaw and the following:
  - a. Notwithstanding Schedule 59B, Temporary Signs shall be limited to project advertising and residential sale purposes only; and
  - b. A Comprehensive Sign Design Plan in accordance with the Provisions of 59.3 shall be submitted with a Development Permit Application for Sign Use Classes.

#### **5.0 Development Regulations for Site Layout and Built Form**

- a. Development within this Provision shall be in general accordance with the appendices.
- b. The maximum Floor Area Ratio (FAR) shall be 9.5.
- c. The maximum number of Dwelling units shall be 399.
- d. The maximum Height of the podium shall be 12.0 m.
- e. The maximum Height of the Tower shall be 130 m.
- f. The minimum building Setbacks from the Lot lines shall be as follows:

Podium	<p>From the north Lot line – 3.0 m except the setback shall be a minimum of 0.0 metres for a maximum distance of 6.2 metres from the east lot line.</p> <p>From the south Lot line – 2.5 m</p> <p>From the east Lot line – 5.5 m except the setback shall be a minimum of 0.0 metres for a maximum distance of 4.1 metres from the north lot line.</p> <p>From the west Lot line – 4.2 m</p>
Tower and Mid-Rise	<p>From the north Lot line - 12.0 m</p> <p>From the south Lot line – 20.0 m except the setback shall be a minimum of 14.0 m below 45.0 meters in height.</p> <p>From the east Lot line – 8.0 m</p> <p>From the west Lot line – 7.5 m</p>

- g. Minimum Setbacks for parkades developed below Grade shall be 0 m.
- h. All mechanical equipment, including roof mechanical units but excluding solar panels, shall be concealed by screening in a manner compatible with the architectural character of the building or concealed by incorporating it within the building.

## 6.0 Development Regulations for Building Design and Features

- a. The Podium and Tower, shall be differentiated through architectural treatment of the Facades, including reductions in massing with stepbacks and recesses, as generally shown in Appendices of this Provision and to the satisfaction of the Development Officer.
- b. The maximum Tower floor plate above 45.0 m shall be 775 m<sup>2</sup>.
- c. The Façade of the ground floor shall be architecturally treated to contribute to a visually interesting streetscape with undulations, projections, variety and rhythm that enhance the human-scaled podium.
- d. The Building shall be designed and oriented to face and front 111 Street NW and 100 Avenue NW with entrances that are prominent, clearly visible and distinct.

- e. The ground storey architectural treatment of the podium shall ensure that there are windows on the south and west façade of the building to reinforce the residential and commercial uses, and that the placement and type of windows shall allow viewing into the building to promote a positive pedestrian-oriented street.
- f. All ground floor Commercial Uses shall have separate access at grade from Residential Uses.
- g. All ground-oriented dwellings shall provide an individual external entrance at Grade, 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 doors shall not serve as entrances. Each ground-oriented dwelling shall:
  - a. provide a semi-private outdoor area for street facing ground-oriented Dwellings that is provided in a manner that establishes a transition area between the Dwelling and publicly accessible land using landscape features, such as decorative fencing, change in Grade, shrub beds, planters, rock gardens and/or other built elements, to the satisfaction of the Development Officer and
  - b. have an elevation for the Ground-oriented Dwellings that shall be a maximum 1.0 m above the adjoining and/or abutting ground level and
  - c. no solid fences higher than 1.2 m shall be allowed adjacent to 111 Street NW. Landscaping, retaining walls or other low height elements may be utilized to visually separate the semi-private yard facing the public streets.
- h. The architectural treatment of the podium Facades containing Non-Residential and Non-Residential Related Uses shall strengthen the pedestrian-oriented experience by incorporating:
  - a. Building entrances, and windows shall be oriented to front a public roadway;
  - b. The placement and type of windows shall allow viewing into the building to promote a positive pedestrian-oriented street;
  - c. façades designed to break the appearance into 11.0 m sections or less using a combination of recesses, projections, change in building materials, colours, and/or a physical breaks in building mass;
  - d. a maximum of 10% of the first Storey glazing covered by Signs. The remainder of the glazing shall remain free from obstruction; and
  - e. A minimum of 70% of the linear frontage shall consist of transparent glazing. Linear Frontage shall be measured as the horizontal plane at 1.5 m above Grade
- i. Weather protection in the form of a canopy or any other projecting architectural element shall be provided above entrances to create a comfortable environment for pedestrians.
- j. Exterior building materials shall be sustainable, durable, high quality and appropriate for the development.

- k. The north Façade of the podium shall have consistent and harmonious materials with the west Façade of the podium and have architectural design details or features that lend to visual interest, to the satisfaction of the Development Officer. Exterior finishing materials may include, but are not limited to: painted Façade, masonry, stone, brick, or metal cladding/panelling.
- l. Wherever podium roofs are visible from existing adjacent developments, the development shall provide enhancements to improve rooftop aesthetics to the satisfaction of the Development Officer. Enhancements may include patios, gardens, green roofs, decorative pavers or other material combinations to create visual interest, or additional Amenity Area.
- m. The Tower top shall contribute to the 'signature' of the building and the City's skyline through architectural treatment of the top five storeys and roof. The Tower shall provide articulation, visual interest and reduced massing effects by combination of sculpting of the building, variation of materials / colour, architectural features, or other means and shall be to the satisfaction of the Development Officer.
- n. Decorative and security lighting shall be designed and finished in a manner consistent with the design and finishing of the development and shall be provided to ensure a well-lit environment for pedestrians and to highlight the architectural and landscape features at night.
- o. Night-time light pollution shall be reduced by avoiding over-illumination of the development with the use of low cut-off exterior lighting fixtures.
- p. 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, or concealed by incorporating it within the building. Ground level vents shall be oriented away from adjacent Sites or on-Site amenity or pedestrian circulation areas.

## **7.0 Development Regulations for Parking, Loading Storage and Access**

- a. Variances to the number of vehicular parking spaces may be granted if the owner can demonstrate, to the satisfaction of the Development Officer, on consultation with subdivision and Development Coordination (Transportation), through the provision of a Parking Impact Assessment that the parking required for a Use is less than the minimum or more than the maximum requirements of the Zoning Bylaw.
- b. All vehicular parking shall be accommodated in the underground Parking Garage except that a maximum of 5 surface parking spaces may be permitted within the east setback as generally shown in the appendices of this provision.
- c. Vehicular access and egress shall be provided off the Lane abutting the development in general accordance with Appendix 1.
- d. Loading, storage, compactors and waste collection shall be located within the building and screened from view of the adjacent Lane and shall be designed to the satisfaction



of the Development Officer in consultation with Subdivision and Development Coordination and City Operations.

- e. Bicycle Parking spaces shall be provided in accordance with the Zoning Bylaw, and the following:
  - i. Bicycle Parking Facilities for residential uses shall be provided at a rate of 0.5 spaces per Dwelling, in a safe and secure location in the underground Parking Garage or in another secure location within the podium 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 20 bicycle parking spaces shall be provided for commercial uses and visitors, a minimum of which 10 shall be provided at ground level in a highly visible location, in general accordance with Appendix I, and be to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation). Notwithstanding the Zoning Bylaw, Bicycle Parking may be located more than 15.0 m from a building's principal entrance.
  - 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). The minimum 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.

## **8.0 Development Regulations for Landscaping, Lighting and Amenity Areas**

- a. Landscaping for the Site shall be in general accordance with Appendix 2.
- b. A detailed Landscape Plan, prepared by a registered AALA landscape architect, for the Site, shall be submitted for review and approval by the Development Officer, prior to the issuance of any Development Permit, except for a permit for excavation or shoring.
- c. Landscaping shall use of plant materials that provide colour throughout the year to enhance the appearance of the development during cold weather months.
- d. 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 100 Avenue NW and 111 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 parkade/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.

## 9.0 Other Regulations

- a. A Wind Impact Study shall be prepared by a qualified, registered Professional Engineer and submitted with the Development Permit application for the principal building. Prior to the issuance of the Development Permit, any mitigation measures recommended by the study shall be incorporated into the design of the building, to the satisfaction of the Development Officer, to ensure the space around the building is fit for the intended Uses and that the balconies and terraces of the adjacent building to the south are anticipated to be comfortable for sitting relative to expected wind levels.
- b. A Sun Shadow Study shall be prepared and submitted for review by the Development Officer and prior to the issuance of the Development Permit. Any mitigation measures recommended by the study shall be incorporated into the design of the building, to the satisfaction of the Development Officer to ensure the shadow impacts are adequately mitigated.
- c. Prior to the issuance of any Development Permit, except for the purpose of excavation only, a Crime Prevention Through Environmental Design (CPTED) Assessment shall be provided to the satisfaction of the Development Officer to ensure that 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).
- d. 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.

- e. Prior to the issuance of a Development Permit, except for Development Permits for demolition, excavation, shoring or signage, the applicant shall submit documentation that demonstrates, to the satisfaction of the Development Officer in consultation with Fire Rescue Services and EPCOR Water Services, that the fire flows and 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 Officer shall verify that any infrastructure upgrades or systems

required to ensure these standards are met shall be implemented in the design of the building and/or through off-site improvements.

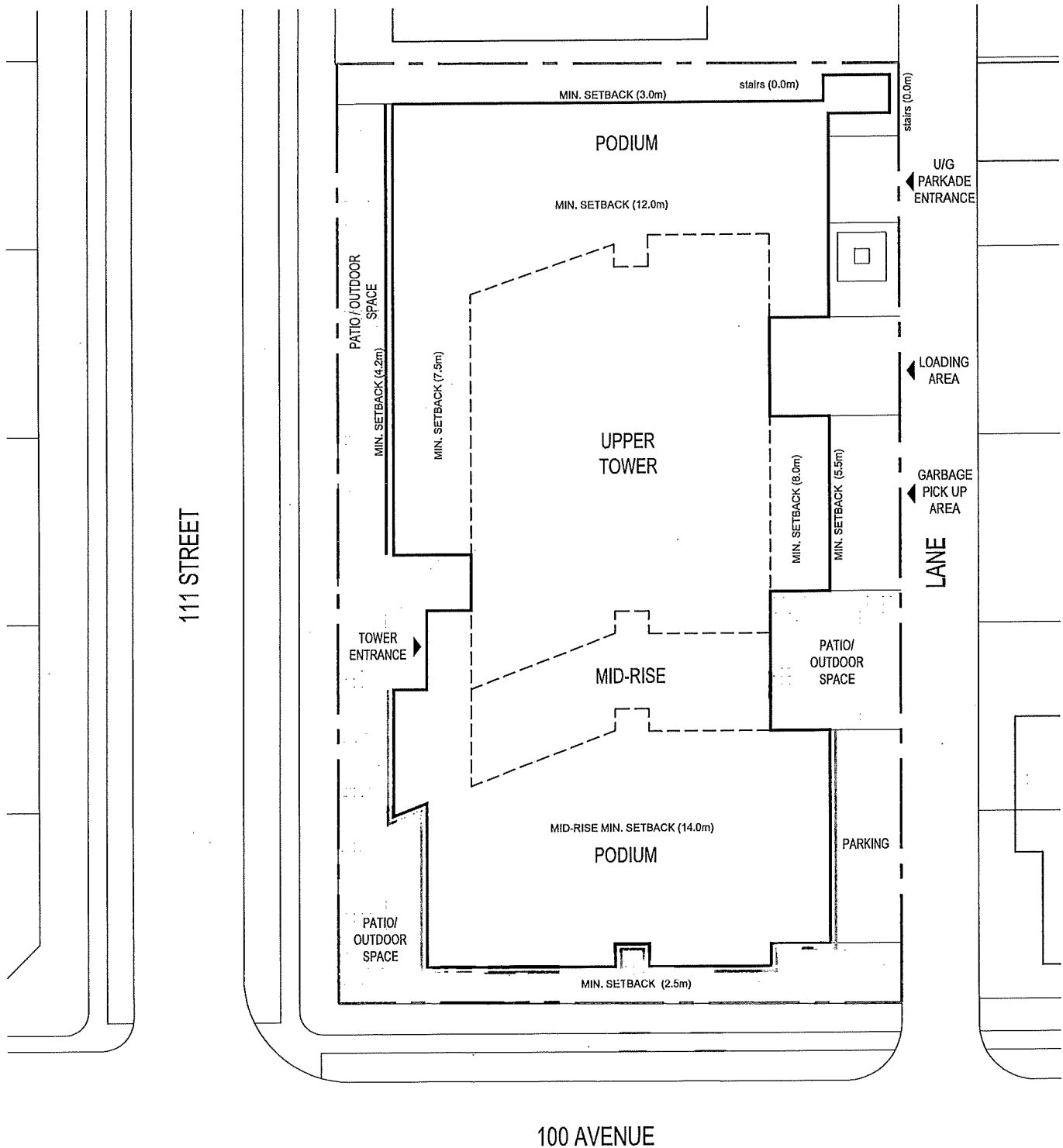
- f. Storm and sanitary drainage systems required to service the development, including on-site stormwater management, shall be in general conformance with the Drainage Servicing Report or alternatives to the satisfaction of the Development Officer in consultation with City Planning (Drainage).
- g. Notwithstanding the other Development Regulations of this Provision, the Appendices of the Provision, and Section 720.3(2) of the Zoning Bylaw, in the event that the owner or applicant does not obtain a Building Permit and commence construction under a valid Development Permit for a principal structure within 5 years of the passage of the Bylaw adopting this Provision, development shall be in accordance with this Provision except that:
  - i. the maximum height of any building shall be 60.0 metres;
  - ii. the maximum floor Area Ratio shall be 5.2; and
  - iii. the maximum number of Dwellings shall be 228.

## **10.0 Public Improvements and Contributions**

- a. As a condition of any Development Permit, 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 to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation). The agreement process includes an engineering drawing review and approval process. Improvements to address in the agreement include, but are not limited to:
  - i. Repair of any damage resulting from construction of the development to the Abutting roadways, sidewalks, street furniture, street trees, and/or boulevard, including Lanes not directly adjacent to the Site but which may be used for construction purposes, 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; and
  - ii. Upgrading the north-south Lane abutting the Site to a commercial alley standard.
- b. A minimum of 10 Dwellings shall be developed to be suitable for families with the following characteristics:
  - i. the Dwellings shall have 3 bedrooms;
  - ii. the Dwellings shall be located no higher than the third Storey of the building;
  - iii. be supported by a minimum of three of the following amenities:
    - a. individual access to a private outdoor Amenity Area of at least 12.0 m<sup>2</sup> ;

- b. access to a common Amenity Area specifically designed for children of at least 50.0 m<sup>2</sup>;
  - c. dedicated and enhanced bulk storage located within the Dwelling or on the same Storey as the Dwelling; and
  - d. dedicated and enhanced bicycle storage which shall accommodate a minimum of three bicycles in addition to the requirements of Section 7(e). This Bicycle Parking may be located within the Dwelling or on the same Storey as the Dwelling.
- c. Prior to the issuance of the Development Permit, the developer shall enter into an agreement to contribute a minimum of \$150,000 to the Grandin School, Edmonton Catholic Schools, located at 9844 – 110 Street NW, for improvements to outdoor areas that will benefit the school and community. The improvements may include accessible walkways, play areas, play structures, gardening plots, decorative and safety lighting, or other improvements that are suitable for a publicly accessible school park to the satisfaction of the Development Officer.
- d. Prior to the issuance of the Development Permit, the owner shall enter into an agreement between the City of Edmonton and the owner to contribute a minimum of \$65,700, which amount shall be increased every 5 years from the date of passage of the Bylaw adopting this provision according to the annual rate of inflation as determined by Statistics Canada, towards one of the following:
  - i. the acquisition of public art in the following manner:
    - a. Artworks shall be created by a professional artist,
    - b. The owner shall enter into an agreement with the City of Edmonton detailing the requirements of this provision of artwork, to the satisfaction of the Development Officer,
    - c. Artworks may be located on or within private property of the development and shall be in locations that are publicly visible to the satisfaction of the Development Officer, and
    - d. Artworks shall be commissioned or purchased by the owner(s) and all costs and procedures related to the procurement of the artworks, operation and future maintenance shall be the responsibility of the owner(s); or
  - ii. the High Level Line project or to the redevelopment or new development of other parks, gardens or open spaces within the boundaries of the Oliver neighbourhood, to the satisfaction of the Development Officer.

## APPENDIX 1 - SITE PLAN

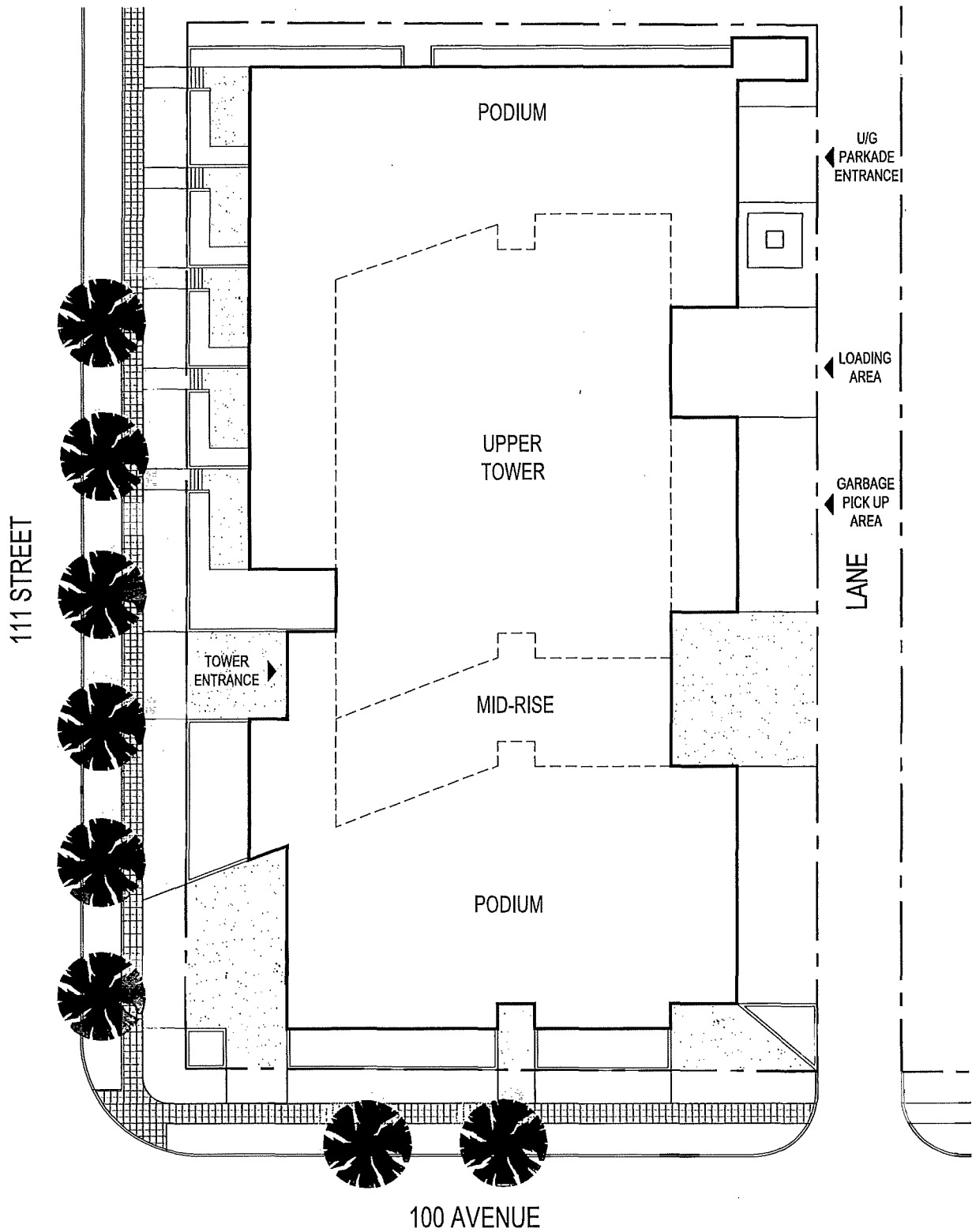


- SITE BOUNDARY
- COMMERCIAL EDGE
- RESIDENTIAL EDGE
- TOWER AREA

 HARDSCAPED / SOFT LANDSCAPED AREA



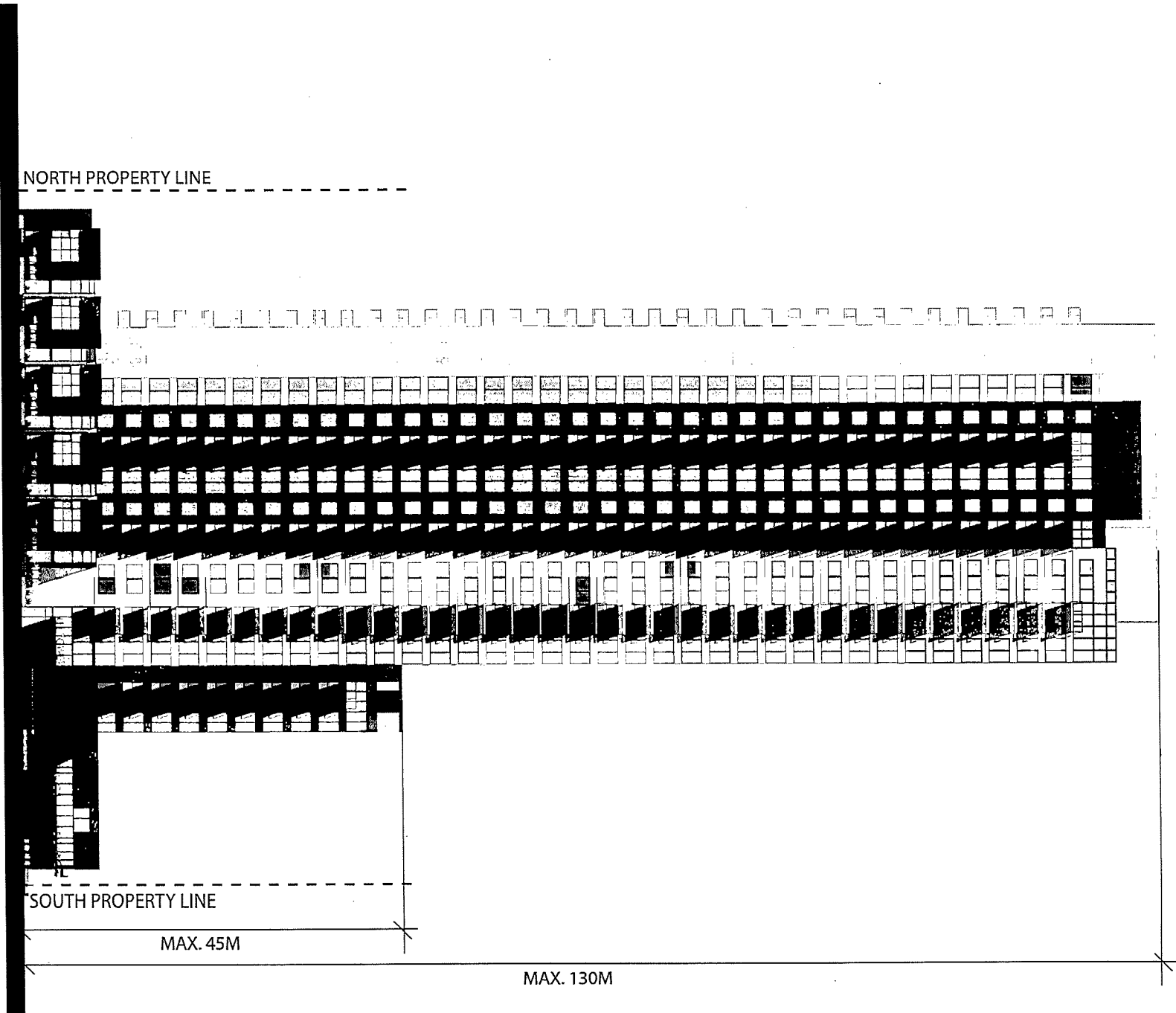
# APPENDIX 2 - CONCEPTUAL LANDSCAPE PLAN

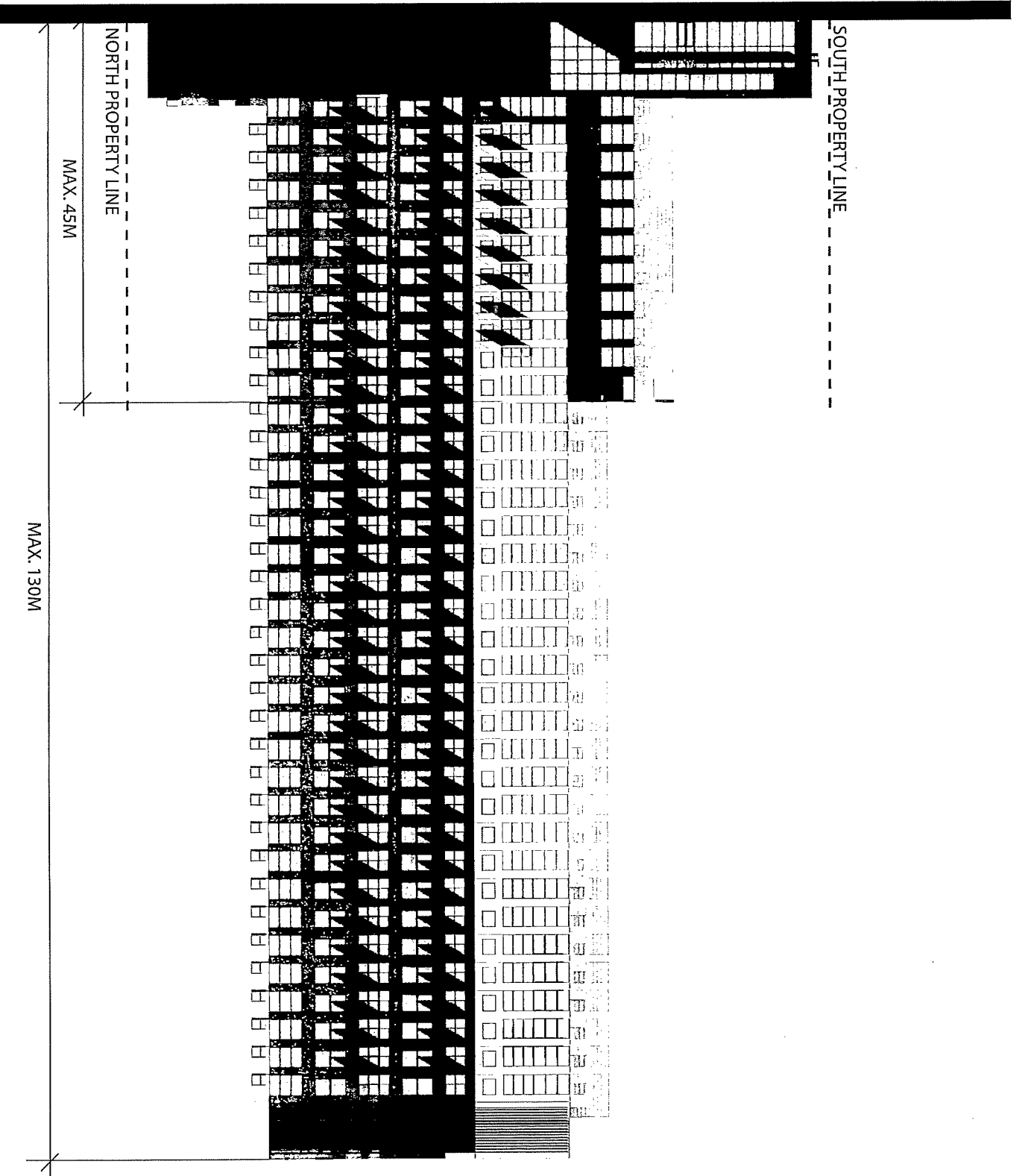


- SITE BOUNDARY
- - - TOWER AREA
- [Grid Pattern] EXISTING SIDEWALK
- [Stippled Pattern] DECORATIVE PAVING
- [Solid White] ASPHALT
- [Tree Symbol] EXISTING TREE



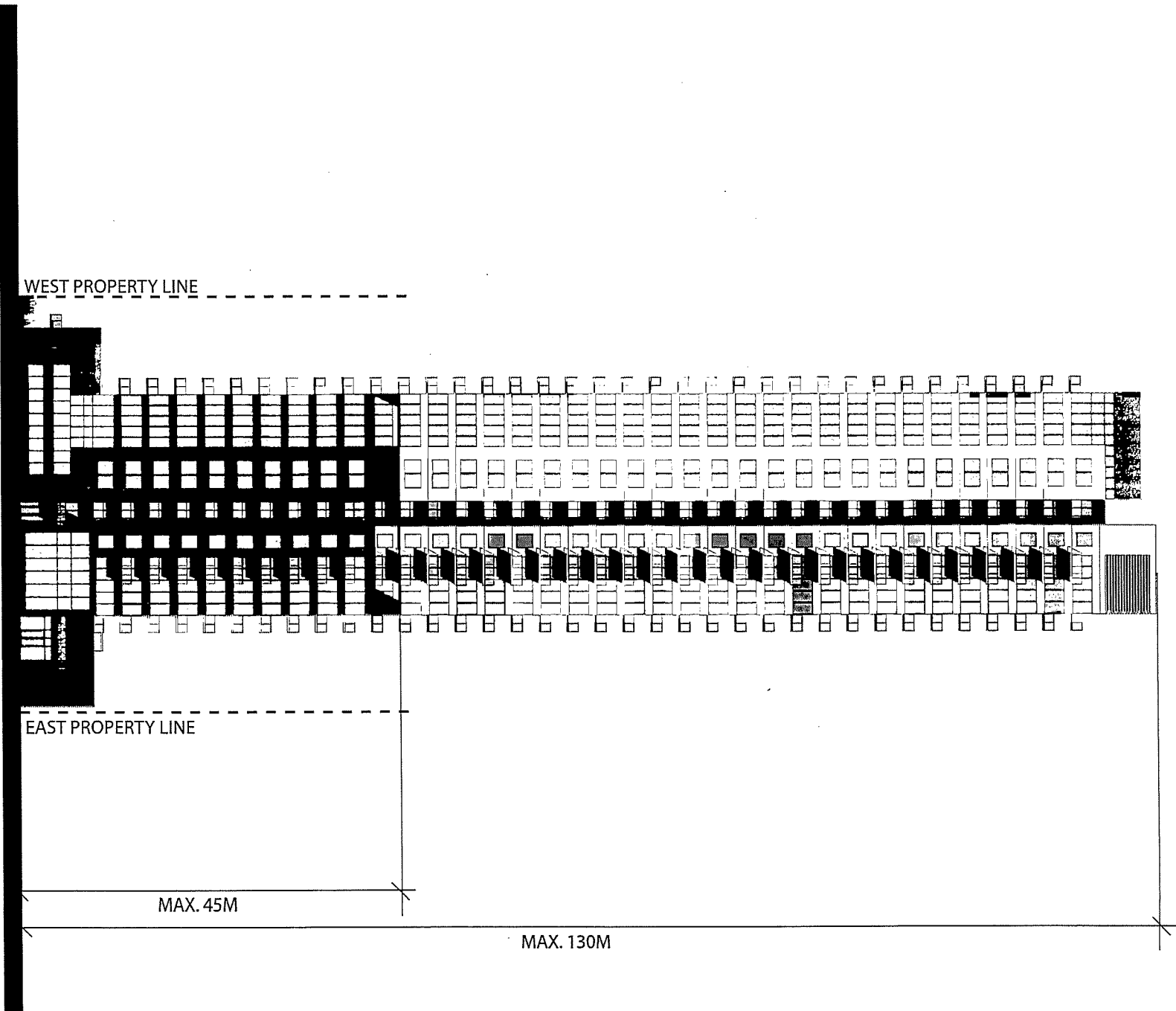
APPENDIX 3 - WEST ELEVATION







APPENDIX 5 - SOUTH ELEVATION



APPENDIX 6 - NORTH ELEVATION

