

Charter Bylaw 19266

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 3004

WHEREAS Lot 1, Plan 9220825; located at 16449 - 16 Avenue NW, Windermere, Edmonton, Alberta, is specified on the Zoning Map as (AG) Agricultural Zone; and

WHEREAS an application was made to rezone the above described property to (DC1) Direct 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 1, Plan 9220825; located at 16449 - 16 Avenue NW, Windermere, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (AG) Agricultural Zone to (DC1) Direct Development Control Provision.
2. The uses and regulations of the aforementioned DC1 Provision are attached as Schedule "B".

3. The sketch plan attached as Schedule "A" and the uses and regulations of the DC1 Provision shown on Schedule "B" attached are hereby incorporated into the Zoning Bylaw, being Part IV to Bylaw 12800, The Edmonton Zoning Bylaw.

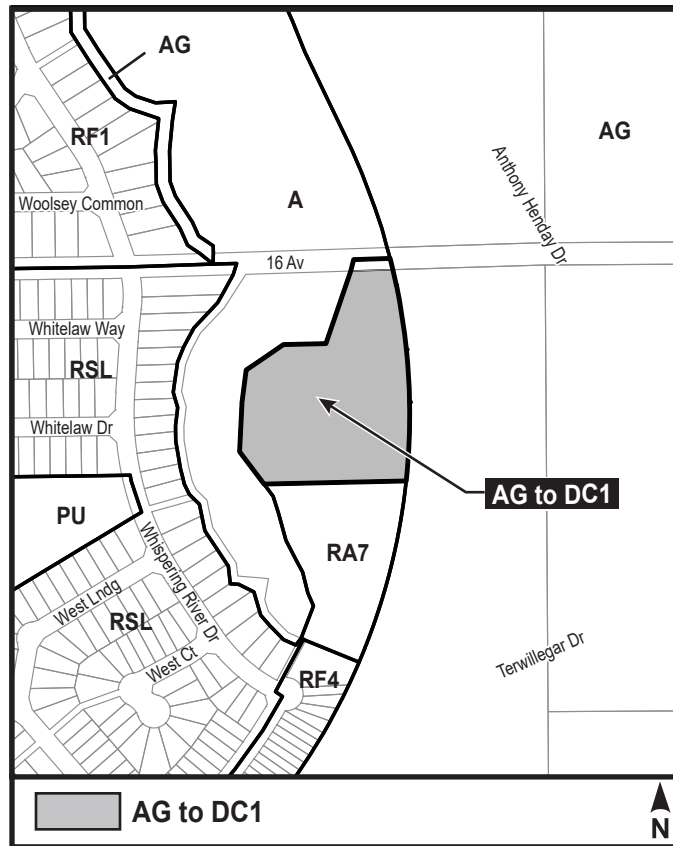
READ a first time this	day of,	A. D. 2020;
READ a second time this	day of	, A. D. 2020;
READ a third time this	day of	, A. D. 2020;
SIGNED and PASSED this	day of,	A. D. 2020.

THE CITY OF EDMONTON

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MAYOR

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CITY CLERK

## CHARTER BYLAW 19266



**SCHEDULE “B”****(DC1) DIRECT DEVELOPMENT CONTROL PROVISION****1. General Purpose**

To accommodate opportunities for the development of medium density residential uses on the Site. Prior to the issuance of a Development Permit an Environmental Impact Screening Report, in accordance with Schedule D of the North Saskatchewan River Valley Area Redevelopment Plan shall be submitted and approved by City Council for the construction of 16 Avenue, from Whispering River Drive to the Transportation Utility Corridor. City Council may require that any identified adverse impacts be eliminated, minimized or mitigated through design and landscaping measures.

**2. Area of Application**

This provision shall apply to Lot 1, Plan 9220825, located at 16449 – 16 Avenue NW, as shown in Appendix I of this DC1 Provision.

**3. Uses**

- a. Duplex Housing
- b. Limited Group Home
- c. Minor Home Based Business
- d. Multi-unit Housing
- e. Residential Sales Centre
- f. Semi-detached Housing
- g. Urban Gardens
- h. Fascia On-premises Signs
- i. Projecting On-premises Signs
- j. Temporary On-premises Signs

**4. Development Regulations**

- a. The Residential Sales Centre use shall be limited to the sale of units located on the Site.

- b. The maximum Density shall be 81 Dwellings/ha and the maximum number of Dwelling units shall be 175 units.
- c. The maximum Height shall not exceed 14.5 m for flat, mansard, and gambrel roofs, or 16.0 m for a roof type with a pitch of 4/12 (18.4 degrees) or greater.
- d. The maximum Floor Area Ratio shall be 2.3. The maximum Floor Area Ratio may be increased to 2.5 where:
  - i. a minimum of 10 percent of Dwellings have a Floor Area greater than 100m<sup>2</sup>; and
  - ii. the average number of bedrooms in the Dwellings is at least 3.
- e. The minimum Front Setback shall be 4.5 m.
- f. The minimum Rear Setback shall be 7.5 m.
- g. The minimum Side Setback shall be 1.2 m, except:
  - i. for buildings over 10.0 m in Height, the portion of the building above this Height shall require a minimum Side Setback of 3.0 m; and
  - ii. for all buildings, the minimum Side Setback shall be 3.0 m Abutting a flanking public roadway other than a Lane.
- h. Surface parking is not permitted to be located between any building and a public roadway.
- i. Side, front, and rear Facades shall include design techniques including, but not limited to, the use of varied rooflines, variations in building Setbacks, and articulation of building Facades, in order to minimize the perception of massing, eliminate large uninterrupted expanses of wall, and provide visual interest when the structure is viewed from an adjacent Lot or roadway.
- j. Soil above underground parking facilities shall be sufficient depth to accommodate required landscaping, including trees, shrubs, flower beds, grass, and ground cover.
- k. Separation Space shall be provided in accordance with Section 48 of the Zoning Bylaw as amended.
- l. Amenity Area shall be provided in accordance with Section 46 of the Zoning Bylaw as amended.
- m. The Development Officer may require information regarding the location of windows and Amenity Areas on adjacent properties to ensure the windows or Amenity Areas of the proposed development are placed to minimize overlook into adjacent properties.
- n. Signs shall comply with the regulations found in Schedule 59B of the Zoning Bylaw.
- o. Vehicular access to the Site shall be in general accordance with Appendix I. The exact location of the access shall be determined at the time of Development

Permit application, to the satisfaction of the Development Officer in Consultation with Subdivision and Development Coordination, and in consideration of the finding in the Environmental Impact Assessment for the 16 Avenue corridor and ravine.

- p. The Owner shall register an emergency access easement through the site and the southern lot (Lot 1, Block A, Plan 1125801) to accommodate the secondary emergency access through Whispering River Drive. The exact location and configuration of the emergency access shall be determined at the Development Application stage prior to the issuance of a Development Permit Application, to the satisfaction of Planning Coordination and Fire Rescue Services.
- q. The Owner shall register a drainage and utilities easement, as generally shown in Appendix I, to ensure servicing to the development through the lot to the south legally described as Lot 1, Block A, Plan 1125801.
- r. The site and development-specific geotechnical recommendations for design, construction, top of bank setbacks and building setbacks are contained within the Slope Stability Analysis report dated May 1, 2017 and subsequent memorandums dated November 22, 2017, December 5, 2018, and April 5, 2019, prepared by Alpha Androit Engineering retained by DGE Civil Consultants, and the memorandum dated April 20, 2020 prepared by Englobe retained by DGE Civil Consultants. The development and site restriction guidelines shall be met as a condition of issuance of Development Permit, to the satisfaction of the Development Officer. The recommended top of bank and building setback are illustrated in Appendix II.
- s. The owner shall enter into a Servicing Agreement with the City of Edmonton for off-site work associated with the development, which includes but is not limited to the following:
  - i. Construction of 16 Avenue to the City of Edmonton's Complete Streets Design and Construction Standards, from Whispering River Drive to the east limit of the site. The roadway construction is to include a 3.0 m shared use path along one side of the roadway and a turnaround at the east terminus of the roadway.
  - ii. Payment for any required modifications to the existing zebra marked crosswalk and signage along Whispering Rive Drive at 16 Avenue.
  - iii. Construction of the top-of-bank shared use path, and landscaping, along the west side of the site.
  - iv. Upgrading of public pedestrian Walkway systems, roads, or Lanes adjacent to the Site may be required to the satisfaction of the Development Officer and the applicable City department.
  - v. The agreement process, which includes an Engineering Drawing review and approval process, must be signed prior to the release of the drawings for Building Permit review.

- vi. Urban Growth and Open Space Strategy shall be circulated at Engineering Drawing Review to confirm top of bank adherence to the Environmental Impact Screening Report. A note must be added on the grading and landscape drawings that “Urban Growth and Open Space Strategy shall review top of bank development and Environmental Impact Screening Report requirements as per the DC1 requirements.
- t. The owner shall register a public access easement on the Certificate of Title for the property to allow for public use of the portion of the turnaround located on private property at the east terminus of 16 Avenue. The City of Edmonton will be a party to this easement and the easement must stipulate that the owners may not discharge the easement without the express written consent of the City of Edmonton. The City of Edmonton, Law Branch, will prepare the easement document. The owner must complete the easement document details and return the signed easement to the Law Branch. The City will review and execute the agreement, and the fully executed easement will then be returned to the owner who is required to register the easement on all affected Certificate of Title and provide proof of the easement registration to the Development Officer prior to the release of the drawings for the Building Permit.
- u. 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.
- v. Prior to the issuance of a Development Permit an Environmental Impact Screening Report, in accordance with Schedule D of the North Saskatchewan River Valley Area Redevelopment Plan shall be submitted and approved by City Council for the construction of 16 Avenue, from Whispering River Drive to the Transportation Utility Corridor. City Council may require that any identified adverse impacts be eliminated, minimized or mitigated through design and landscaping measures.

**Appendix I: Site Location**



## Appendix II: Top of Bank Setbacks

### DC1 - TOP OF BANK SETBACKS



#### Legend

- Subject Boundary
- Urban Development Line/Viewing Areas Setback Line
- Top of Bank As Defined By City of Edmonton
- Building Setback Line
- Water Retention Structures Setback Line (50m)