

Charter Bylaw 19421

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 3082

WHEREAS Lot 67, Block 11, Plan 1922216; located at 9922 - 111 Street NW, Oliver, Edmonton, Alberta, is specified on the Zoning Map as (DC2) Site Specific Development Control Provision; and

WHEREAS an application was made to rezone the above described property 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 67, Block 11, Plan 1922216; located at 9922 - 111 Street NW, Oliver, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (DC2) Site Specific Development Control Provision 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

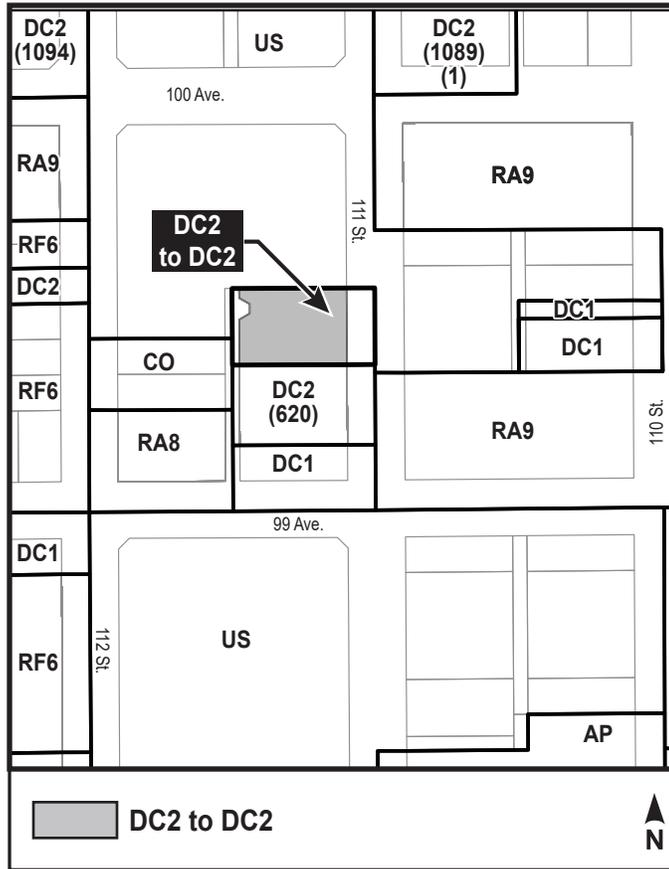
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MAYOR

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CITY CLERK

### CHARTER BYLAW 19421



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

To facilitate the development of a high-rise, high density residential Tower within 200 m of the Grandin LRT station.

**Area of Application**

The provision shall apply to Lot 67, Block 11, Plan 1922216; as shown on Schedule "A" of the Charter Bylaw adopting this DC2 provision.

**2. Uses**

- a. Apartment Housing
- b. Group Homes
- c. Limited Group Homes
- d. Lodging Houses
- e. Minor Home Based Business
- f. Residential Sales Centre
- g. Urban Gardens
- h. Fascia On-premises Signs
- i. Temporary On-premises Signs

**3. Development Regulations**

- a. The development shall be in general conformance with Appendices 1 to 6, to the satisfaction of the Development Officer.
- b. The maximum Floor Area Ratio (FAR) shall be 10.9.
- c. The maximum Height shall be 75.5 m.
- d. The maximum number of Dwellings shall be 178.
- e. The minimum Setbacks shall be:

- i. 7.5 m from the east Lot line;
  - ii. 1.5 m from the north Lot line;
  - iii. 1.8 m from the west Lot line; and
  - iv. 8.4 m from the south Lot line.
- f. Notwithstanding Section 4.1(f) of this Provision, the portions of the Parking Garage below Grade 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 above.
- g. Notwithstanding Section 44 of the Zoning Bylaw: Platform Structures including verandas, porches, unenclosed steps; balconies located above the podium; or any other architectural features which are of a similar character may project into the required Setbacks provided that the following minimum distances are maintained from the Lot Lines:
- i. 1.5 m from the east Lot line for the first Storey, in general accordance with Appendix 2;
  - ii. 5.5 m from the east Lot Line above the first Storey;
  - iii. 0.0 m from the north Lot line;
  - iv. 0.0 m from the west Lot line; and
  - v. 7.1 m from the south Lot line.
- h. A minimum Amenity Area of 7.5 m<sup>2</sup> per Dwelling shall be provided.
- i. A minimum communal Amenity Area of 50 m<sup>2</sup> shall be provided within the first Storey. The communal Amenity Area may be provided as indoor, outdoor, or a combination of indoor and outdoor space.
- j. Signs shall comply with the regulations found in Schedule 59B of the Zoning Bylaw.
- k. Temporary On-premises Signs shall be limited to project advertising associated with an on-Site Residential Sales Centre and shall not include trailer mounted or signs with changeable copy.

#### **4. Parking, Access, Loading, and Storage**

- a. 10 visitor parking spaces shall be required.
- b. A minimum of 1 parking space shall be provided to accommodate a vehicle from a car share program. Should this program be proven not to be implementable, the stall

shall be used for visitor parking.

- c. All vehicular parking shall be provided within an underground Parking Garage.
- d. Vehicular access and egress shall be provided from the Lane abutting the Site.
- e. The driveway ramp for the underground Parking Garage shall not exceed a slope of 10% for a minimum of 5 m inside the property line and the ramp must be at Grade at the property line.
- f. Retaining Walls bordering the underground driveway/Parking Garage ramp must not exceed a Height of 0.3 m for a distance of 3.0 m from the Lot line and no portion of the wall may encroach onto road right-of-way. Should the owner/applicant wish to increase this Height, adequate sight line data must be provided to ensure vehicles can exit safely to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination.
- g. A minimum of 30 Bicycle Parking spaces shall be provided within secured communal bicycle storage areas within the underground Parking Garage.
- h. A minimum of 175 vehicular parking stalls within the underground Parking Garage shall have a cage storage unit at the front of the parking stall and shall be located with racks or railings for Bicycle Parking at ground level within the storage cage or affixed to the Parking Garage wall. Notwithstanding Section 54.3 of the Zoning Bylaw Bicycle Parking spaces shall be incorporated into the vehicular parking space which shall comply with required vehicular parking space dimensions as specified in Section 54.2 of the Zoning Bylaw.
- i. A minimum of 10 Bicycle Parking spaces shall be provided at grade in general conformance with Appendix I.
- j. Loading, storage, and waste collection areas shall be located within the building. The waste collection area shall be accessed from the abutting Lane and be designed to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination and Waste Management Services.
- k. Any underground parking access card devices must be located on site, a minimum of 3.0 m inside the property line.

## **5. Landscaping**

- a. Notwithstanding Section 55.3(1)(a) of the Zoning Bylaw, the minimum number of trees shall be 13 and the minimum number of shrubs shall be 92, in general conformance with Appendix 2 to the satisfaction of the Development Officer.
- b. In addition to the requirements of the Zoning Bylaw, a detailed Landscape Plan prepared by a registered AALA Landscape Architect shall be submitted with an

- application for a Development Permit for the building, in general conformance with Appendix 2 and to the satisfaction of the Development Officer.
- c. The selection of plant materials shall consider plants and shrubs that provide colour throughout the year to enhance the appearance of the development.
  - d. The Landscaping Plan shall demonstrate:
    - i. entry transitions, including features such as steps, decorative fences, gates, hedges, low walls, and/or planting beds within the Setback from a public roadway, other than a Lane;
    - ii. Outdoor Common Amenity Area at Grade shall be landscaped with soft landscaping, garden boxes/planters, seating area or other complementary amenities;
    - iii. clear delineation of all Amenity Areas at Grade with vertical landscaping features (e.g. hedges, decorative fences, screens, low walls, shrubs, and other plant material); and
    - iv. that soil above the underground Parking Garage shall be of sufficient depth to accommodate required Landscaping, including trees, shrubs, flower beds, grass, and ground cover.
  - 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 89 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 parkade/foundation wall. If the arborist report indicates that the development will unduly compromise the ongoing viability and health of a tree or trees:
    - i. each tree shall be removed and replaced by a new tree within an enhanced growing medium at the cost of the owner; or
    - ii. 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.

## **6. Other Regulations**

- a. A Crime Prevention through Environmental Design Assessment shall be prepared and submitted with the Development Permit application. Prior to the issuance of the Development Permit, recommendations of the assessment shall be incorporated into the design of the building 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 Guide for a Safer City (City of Edmonton, 1995).

- b. 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.
- c. 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.
- d. Notwithstanding the other Development Regulations and Appendices of this Provision and Section 720.3(2) of the Zoning Bylaw, in the event that the owner/developer does not obtain a Development Permit and commence construction of the building within 10 years of the passage of the Bylaw adopting this Provision, development shall be in accordance with this Provision, except that:
  - i. the maximum Height shall be 14.5 m; and
  - ii. the maximum Floor Area Ratio shall be 1.4.

## **7. Urban Design Regulations**

- a. The building shall be oriented to 111 Street NW.
- b. Dwellings in the ground floor facing 111 Street NW shall have individual private exterior entrances facing 111 Street NW. Sliding patio doors shall not serve as this entrance.
- c. The Setback area in front of each at Grade Dwelling shall be designed such that it establishes a transition area from the public roadway and shall include a change from Grade of at least 0.5 m to the entrance and Landscaping such as shrub/tree beds, different paving materials and/or decorative fencing/screening.
- d. Each at Grade Dwellings shall have direct access to a minimum of 25 m<sup>2</sup> outdoor Amenity Area.
- e. Weather protection in the form of a canopy or other architectural element that is visible and distinct from the rest of the Façade shall be provided above the main residential entrance on 111 Street NW and shall not be subject to Section 44 of the Zoning Bylaw

- f. The maximum Floor Plate of the Tower shall be 700 m<sup>2</sup>.
- g. The exterior of the building shall be finished with high quality, durable materials such as, but not limited to, stone, brick, metal, wood, concrete, architectural panels, and/or glass.
- h. Interface along the south Lot Line shall be developed to maximize privacy and minimize overlook to the adjacent residential property through the following:
  - i. A 0.6 m setback from the property line shall be provided for the length of the parkade ramp in general conformance with Appendix 2;
  - ii. A landscaped screen of a minimum of 2.0 m in width shall be provided from the point of termination of the parkade ramp to the east property line, comprised of planting materials in general conformance with Appendix 2 (notwithstanding areas used for required venting or hardscape features);
  - iii. The windows of Dwellings contained within a Height of 13.5 m from Grade shall be offset or oriented away from the windows of the existing building; and
  - iv. Where possible, Privacy Screening shall be used for additional screening of windows and balconies within a Height of 13.5 m from Grade.
- i. Balconies located on the west side of the building shall be located a minimum of 7.0 m in Height from Grade.
- j. Balconies located on the north side of the building shall be located a minimum of 13.0m in Height from Grade to ensure the safety and privacy of Dwelling units.
- k. The base of the Tower shall include the use of different architectural elements and treatments, such as variation in materials and colour, to provide articulation of Facades and break up the massing, in general conformance to Appendices 3 to 6, to the satisfaction of the Development Officer.
- l. To reduce the visual impacts of massing of the building, balconies of the Tower, except for instances described in Section 5(h)(iii) of this Provision, shall maintain transparency through provision of metal railings with tempered glass panels or other durable transparent panels at the discretion of the Development Officer.
- m. 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, to accentuate artwork and building elements, and to highlight the development at night time and in winter months. Exterior lighting associated with the development shall be designed to minimize impact on an adjacent property. Particular attention shall be given to minimizing light trespass into the property immediately south of the Site. A detailed exterior lighting plan shall be

provided to the satisfaction of the Development Officer.

- n. All mechanical equipment, including roof mechanical units and Parking Garage intake/exhaust 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.
- o. Any portion of a Parking Garage entrance that is exposed shall be designed and articulated to the satisfaction of the Development Officer.

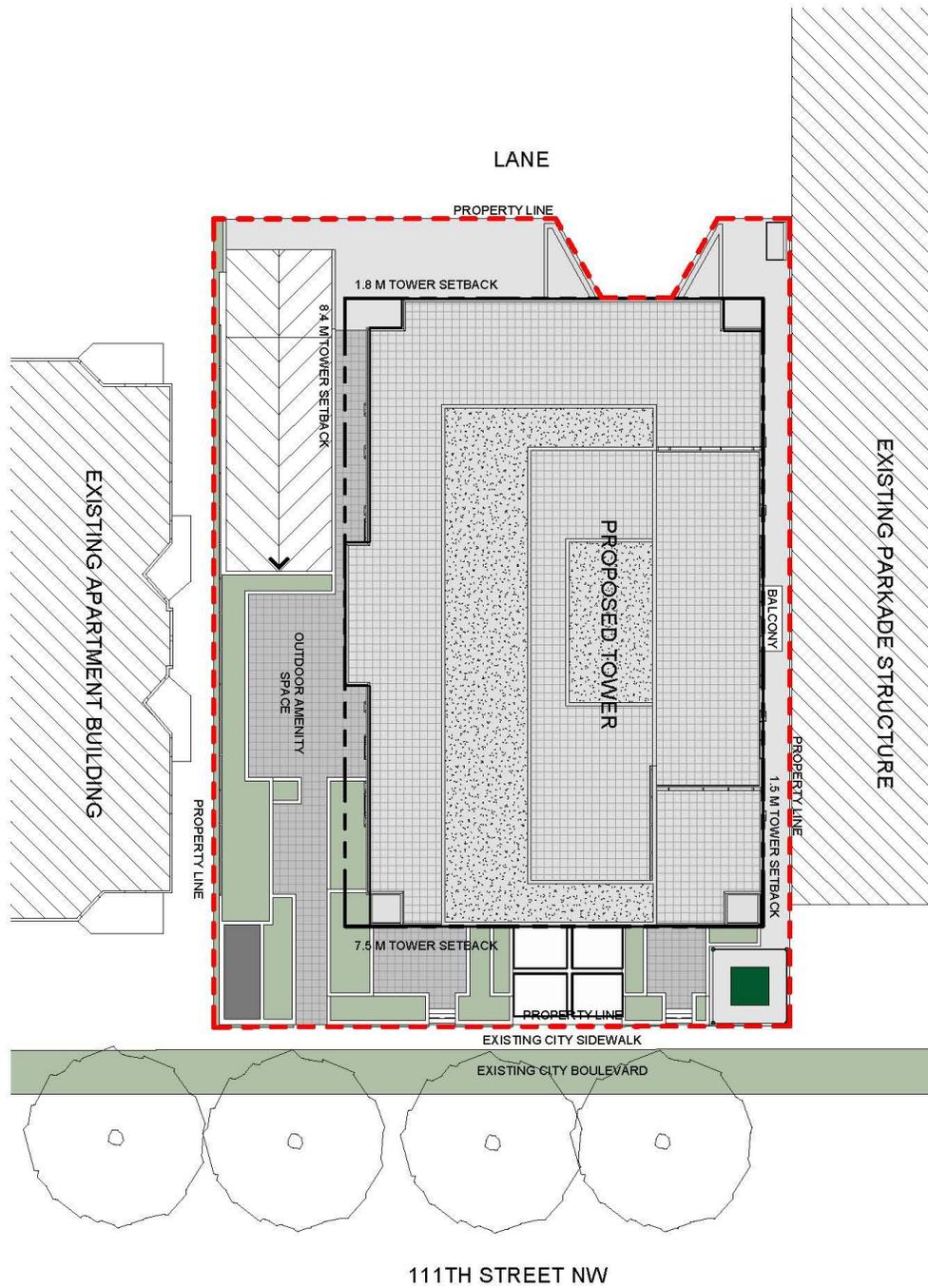
## **8. Contributions**

- a. The Development shall include a minimum of eleven, three bedroom, Family Oriented Dwellings.
- b. Family Oriented Dwellings shall meet the definition of the Zoning Bylaw except that Amenity Area may be provided by direct access to balconies, patios and/or through the provision of a minimum of 27 m<sup>2</sup> of indoor Common Amenity Area designed for children.
- c. Prior to the issuance of a Development Permit for the construction of a principal building within this Provision, the Development Officer shall ensure that a signed agreement has been executed between the City and the Owner, requiring the Owner to provide to the City, the option to purchase 5% of the proposed number of residential Dwellings at 85% of the market price or pay the equivalent cash in lieu to the City.
- d. Prior to the issuance of the Development Permit, the developer shall enter into an agreement to contribute a minimum of \$100,000 to the Oliver Community League for the creation of a community hall, community garden, and/or another amenity within the Oliver Neighbourhood, with specific details to be determined at the Development Permit stage between the Owner and City Administration in consultation with the Oliver Community League.
- e. Prior to the issuance of the Development Permit, details shall be provided to the satisfaction of the Development Officer that a minimum of \$54,800 shall be provided towards the acquisition of public art. The following shall apply to this contribution:
  - i. 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.
  - ii. Artworks may be located on or within private property and shall be in locations that are publicly visible to the satisfaction of the Development Officer.
  - iii. 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).

**9. Off-Site Improvements**

- a. As a condition of Development Permit, the owner shall enter into an Agreement with the City of Edmonton for off-site improvements necessary to service the development. The off-site improvements shall include, but not be limited to:
  - i. Installation of signage and/or pavement markings necessary to distinguish the right-of-way of the publicly accessible turnaround from the area within the private property that only waste vehicles are permitted.
  - ii. The installation of signs banning parking on 99 Avenue in the vicinity of the north-south alley serving the development.
- b. The drainage systems required to service the development, including off-site improvements and 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 Development Services (Drainage). Such improvements are to be constructed at the owner's cost.

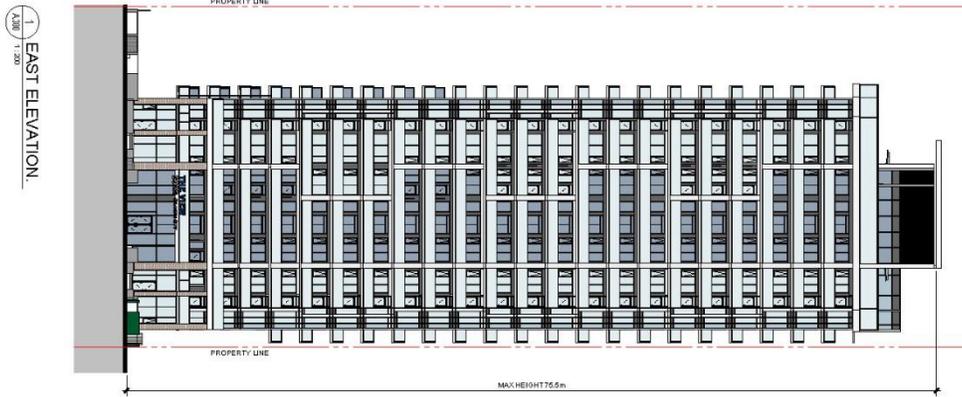


APPENDIX 1: SITE PLAN



APPENDIX 2: LANDSCAPE PLAN

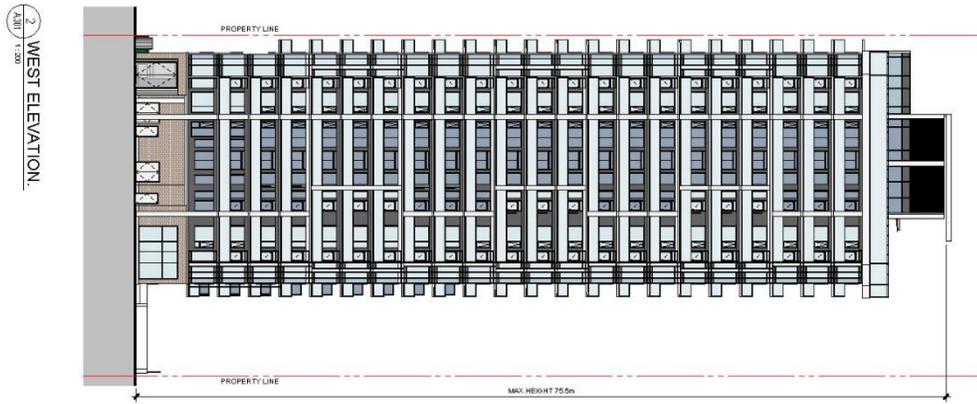
APPENDIX 3: EAST ELEVATION



APPENDIX 4: SOUTH ELEVATION



APPENDIX 5: WEST ELEVATION



APPENDIX 6: NORTH ELEVATION

