

Charter Bylaw 18759

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 2756

WHEREAS Lots 8-9; Block 27; Plan 2611KS and Lot 7; Block 27; Plan 6530ET; located at 9504 - 153 Street NW, West Jasper Place, Edmonton, Alberta, are 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 Lots 8-9; Block 27; Plan 2611KS and Lot 7; Block 27; Plan 6530ET; located at 9504 - 153 Street NW, West Jasper Place, Edmonton, 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.

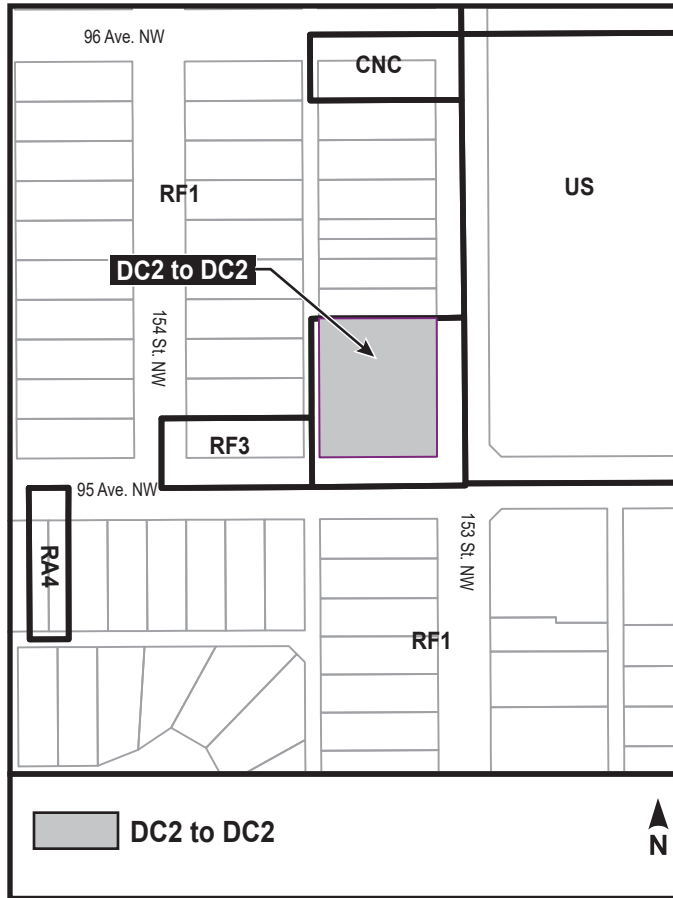
READ a first time this	day of	, A. D. 2019;
READ a second time this	day of	, A. D. 2019;
READ a third time this	day of	, A. D. 2019;
SIGNED and PASSED this	day of	, A. D. 2019.

THE CITY OF EDMONTON

MAYOR

CITY CLERK

CHARTER BYLAW 18759



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

To accommodate a street-oriented mixed-use development with both commercial and residential Uses on the ground floor, and with residential Uses above, developed in a manner that is compatible and sympathetic to the surrounding development.

2. Area of Application

This DC2 Provision shall apply to Lot 7, Block 27, Plan 6530ET and Lots 8 and 9, Block 27, Plan 2611 KS, located on the northwest corner of 153 Street NW and 95 Avenue NW, West Jasper Place, as shown on Schedule “A” of the Bylaw adopting this Provision.

3. Uses

- a. Apartment Housing
- b. Bars and Neighbourhood Pubs
- c. Breweries, Wineries and Distilleries
- 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. Lodging Houses
- m. Minor Home Based Business
- n. Personal Service Shops, excluding Body Rub Centres
- o. Private Education Services
- p. Professional, Financial and Office Support Services
- q. Restaurants
- r. Residential Sales Centres
- s. Specialty Food Services
- t. Veterinary Services
- u. Urban Gardens

- v. Fascia On-premises Signs
- w. Projecting On-premises Signs

4. Development Regulations

- a. Development within this Provision shall be in general accordance with the appendices to the satisfaction of the Development Officer.
- b. The maximum Floor Area Ratio shall be 1.5.
- c. The maximum Height shall be 14.5 m, except:
 - i. the maximum Height of the portion of the building extending 21.6 m from the north Lot line shall be 8.9 m.
- d. The maximum number of Dwelling units shall be 37.
- e. The minimum Setbacks shall be as follows:
 - i. 7.5 m from the west Lot line;
 - ii. 3.0 m from the east Lot line, except the portion of the building facing 153 Street NW extending 6.0 m from the north Lot line shall be 4.0 m from the east Lot line;
 - iii. 0.0 m from the south Lot line, except the first Storey shall be 1.5 m from the south Lot line;
 - iv. 3.0 m from the north Lot line.
- f. The north Façade shall have a 1.7 m Stepback above the third Storey.
- g. All non-Residential and non-Residential Related Uses shall be located in the first Storey and have an external entrance that shall be universally accessible and oriented to face 95 Avenue NW.
- h. Apartment Housing shall have access at ground level, which is separate from the access for the non-Residential and non-Residential Related Uses.
- i. A minimum Amenity Area of 8.5 m² per Dwelling shall be provided on the Site.
- j. A minimum of 135 m² of outdoor Common Amenity Area shall be provided as a Rooftop Terrace, which shall include, but not be limited to, a deck, Landscaping planters, communal barbeque facilities and a children's play area.
- k. The rooftop Amenity Area shall incorporate design features such as fencing, planters, seating, lighting, screening and properly barricaded mechanical equipment that is designed to limit overlook, protect the privacy of residents in adjacent developments and to ensure illumination does not extend beyond the boundaries of the Site.
- l. A minimum of five (5) Dwellings shall be located at Grade and have the following features:
 - i. a minimum of 3 bedrooms;

- ii. direct individual access to the public sidewalk; and
 - iii. a minimum Outdoor Amenity Area of 14 m² which shall be clearly delineated to maintain reasonable privacy through the use of hard and/or soft Landscaping.
- m. There shall be a minimum of fifteen (15) two-bedroom Dwellings.
- n. A Crime Prevention Through Environmental Design Assessment shall be provided to the satisfaction of the Development Officer.

5. Parking, Loading and Access

- a. Off-street vehicular parking is to be provided as per the Zoning Bylaw, except:
 - i. a Parking Management Plan to allow shared-use parking between visitor parking and commercial Uses shall be submitted to the satisfaction of the Development Officer, in consultation with Subdivision and Development Coordination.
- b. Vehicular access shall be from the Abutting Lane.
- c. Vehicular parking, loading, storage and waste collection areas shall be located to the rear of the building, entirely on private property, and shall be screened from view from any adjacent Sites or public roadways, other than a Lane, to the satisfaction of the Development Officer, in consultation with Waste Management Services.
- d. Bicycle Parking shall be provided in accordance with the Zoning Bylaw, except that:
 - i. a minimum of 20 long term Bicycle Parking spaces shall be provided in a secure facility within the building on the main floor to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination; and
 - ii. a minimum of 12 short term Bicycle Parking spaces for visitors shall be provided in an easily accessible location and available for public use.

6. Landscaping

- a. The required Landscape Plan shall be prepared by a registered AALA landscape architect.
- b. Landscaping on the Site shall include the use of plant materials that provide colour throughout the year to enhance the appearance of the development during the cold weather months.
- c. A 1.83 m high screen Fence shall be provided along the north Lot line to the satisfaction of the Development Officer. This Fence shall not extend into the Setback from 153 Street NW.

- d. Additional Landscaping shall be provided within the north Setback and shall include, but not be limited to, coniferous planting (a minimum of 3.0 m in Height) to provide a landscaped buffer for privacy for the adjacent residential property, to the satisfaction of the Development Officer.
- 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 153 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.

7. Signage

- a. Signs shall comply with the General Provisions of Section 59D of the Zoning Bylaw.
- b. A maximum of 10% of the first Storey glazing may be covered by Signs. The remainder of the glazing shall remain free from obstruction.

8. Development Regulations for Specific Uses

- a. Residential Sales Centres shall be limited to the marketing of the on-Site Dwellings.
- b. There shall be a limit of one (1) Bars and Neighbourhood Pubs, Restaurants or Specialty Foods Use, limited to a total 150 m² of Public Space or 125 Occupants.
- c. Breweries, Wineries and Distilleries must be developed in combination with a Bar and Neighbourhood Pub or Restaurant.

9. Urban Design Regulations

- a. 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 colours to add variety;

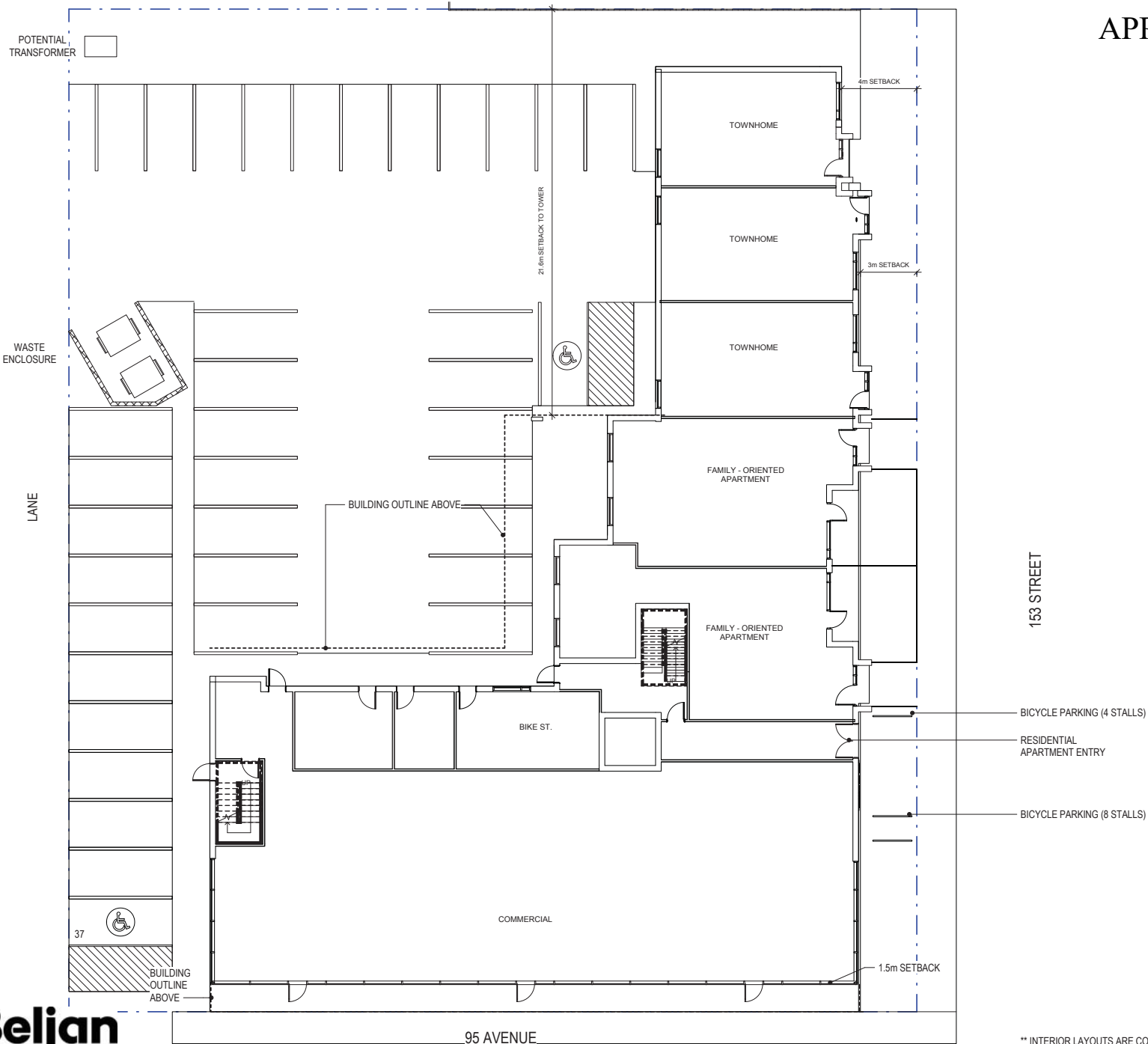
- ii. the use of a variety of exterior building cladding materials;
 - iii. pedestrian-scaled architecture; and,
 - iv. a prominent front entrance.
- b. The south Façade of the building shall be designed to break the appearance into 11.0 m sections or less to the satisfaction of the Development Officer.
- c. Weather protection in the form of a canopy or other architectural element shall be provided above ground floor entrances on 153 Street NW and 95 Avenue NW to create a comfortable environment for pedestrians.
- d. The development shall address, and have entrances on both 153 Street NW and 95 Avenue NW and shall provide distinctive architectural features consistent with the style of the building to enhance the corner.
- e. Winter design elements such as the use of colour and functional and decorative lighting to enhance the appearance of the building while minimizing light pollution during the winter months shall be incorporated.
- f. All ground floor window glazing for non-Residential and non-Residential Related Uses shall be transparent and shall be placed to allow viewing into the building to promote a positive interface with 153 Street NW and 95 Avenue NW to the satisfaction of the Development Officer. Tinted, reflective or opaque treatments shall be prohibited.
- g. 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, to the satisfaction of the Development Officer.
- h. Prior to the issuance of the Development Permit, a detailed 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 design and finishing of the development and shall be provided to ensure a safe well-lit environment. All exterior lighting of the Site shall be designed to ensure that it is directed away from the adjacent residential development and that illumination shall not extend beyond the boundaries of the site nor upwards into the sky.

10. Public Improvements and Contribution

- a. Prior to the issuance of a Development Permit, the Development Officer shall ensure a signed agreement has been executed between The City of Edmonton and the owner, requiring the owner to provide The City of Edmonton at the time of the Development Permit approval, the option to purchase up to five percent of the proposed number of units (rounded to the nearest unit) at 85 percent of market value, or the equivalent value as cash-in-lieu (at the discretion of the owner) to The City of Edmonton.

- b. The owner shall enter into an Agreement with The City of Edmonton, as a condition of any Development Permit(s) for the repair of any damage to the Abutting roadways, and/or sidewalks resulting from construction of the development to the satisfaction of Subdivision and Development Coordination. The Site shall be inspected by Subdivision and Development Coordination prior to the start of construction and when construction is complete.
- c. As a condition of any Development Permit, the owner shall enter into an Agreement with The City of Edmonton for the off-site improvements necessary to serve the development. The Agreement shall include engineering drawing review and approval process. Improvements to be addressed in the Agreement include, but are not limited to:
 - i. upgrade of the north-south alley, west of the Site, from 95 Avenue NW to the northern limit of the property to a commercial standard.
 - ii. installation and maintenance of the expanded sidewalk on 95 Avenue NW.

APPENDIX 1: SITE PLAN



APPENDIX 2: ELEVATIONS



EAST ELEVATION



SOUTH ELEVATION











APPENDIX 3: LANDSCAPE PLAN

PLAN



LEGEND

-  EXISTING CITY OF EDMONTON TREE
-  PROPOSED GREEN-LEAFED DECIDUOUS TREE
-  PROPOSED RED-LEAFED DECIDUOUS TREE
-  PROPOSED CONIFEROUS TREE
-  PROPOSED DECIDUOUS SHRUBS
-  PROPOSED CONIFEROUS SHRUBS
-  PROPOSED ORNAMENTAL GRASSES
-  PROPOSED GRASS AREA

