

Charter Bylaw 19505

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 3130

WHEREAS a portion of NE-24-51-25-4 and SE-24-51-25-4; located at 1230 - 127 STREET SW, Heritage Valley Neighbourhood 14, 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 and (PU) Public Utility Zone;

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 a portion of NE-24-51-25-4 and SE-24-51-25-4; located at 1230 - 127 STREET SW, Heritage Valley Neighbourhood 14, Edmonton, Alberta, which lands are shown on the sketch plan attached as Schedule "A", from (AG) Agricultural Zone to (DC1) Direct Development Control Provision and (PU) Public Utility Zone.

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.

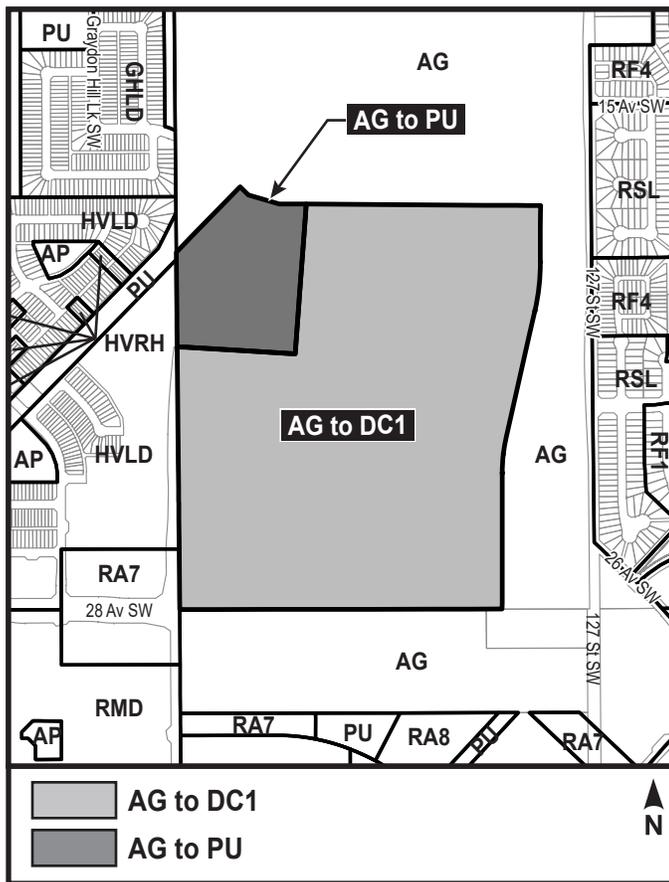
READ a first time this	day of	, A. D. 2021;
READ a second time this	day of	, A. D. 2021;
READ a third time this	day of	, A. D. 2021;
SIGNED and PASSED this	day of	, A. D. 2021.

THE CITY OF EDMONTON

MAYOR

CITY CLERK

CHARTER BYLAW 19505



(DC1) DIRECT DEVELOPMENT CONTROL PROVISION**1. General Purpose**

To accommodate the development of the Hospital and Health Campus in keeping with the policies outlined in the Heritage Valley Neighbourhood 14 Neighbourhood Area Structure Plan (NASP).

2. Area of Application

- a. This Provision shall apply to a portion of NE-24-51-25-4; SE-24-51-25-4 located west of 127 Street SW and north of 28 Avenue SW, as shown on Schedule "A" of the Bylaw adopting this Provision, Heritage Valley Neighbourhood 14
- b. This Provision establishes (6) Sub Areas (A - F) identified in Appendix 1 - Site Plan.

3. Uses**3.1 Sub Areas A, C, D, and E**

- a. Bars and Neighbourhood Pubs
- b. Cemeteries
- c. Child Care Services
- d. Commercial Schools
- e. Community Recreation Services
- f. Convenience Retail Stores
- g. Exhibition and Convention Facilities
- h. Extended Medical Treatment Services
- i. General Retail Stores
- j. Government Services
- k. Health Services
- l. Indoor Participant Recreation Services
- m. Lodging Houses
- n. Market
- o. Mobile Catering Food Services
- p. Natural Science Exhibits
- q. Vehicle Parking
- r. Outdoor Participant Recreation Services

- s. Private Clubs
- t. Protective and Emergency Services
- u. Public Education Services
- v. Private Education Services
- w. Public Park
- x. Public Libraries and Cultural Exhibits
- y. Recycled Materials Drop-off Centre
- z. Religious Assembly
- aa. Restaurants
- bb. Special Event
- cc. Speciality Food Services
- dd. Spectator Entertainment Establishments
- ee. Supportive Housing
- ff. Urban Gardens
- gg. Urban Indoor Farms
- hh. Urban Outdoor Farms
- ii. Fascia On-premises Signs
- jj. Freestanding On-premises Signs
- kk. Projecting On-premises Signs
- ll. Minor Digital On-premises Signs
- mm. Temporary On-premises Signs

3.2 Additional Uses for Sub Area A:

- a. Major Impact Utility Services
- b. Minor Impact Utility Services

3.3 Additional Uses for Sub Areas C, D, and E

- a. Apartment Hotels
- b. Mobile Catering Food Services
- c. Multi-unit Housing
- d. Personal Service Shops

- e. Professional, Financial, and Office Support Services

3.4 Uses for Sub Areas B and F

- a. Bars and Neighbourhood Pubs
- b. Cemeteries
- c. Extended Medical Treatment Services
- d. Fleet Services
- e. General Retail Stores
- f. Greenhouses, Plant Nurseries, and Garden Centres
- g. Health Services
- h. Market
- i. Mobile Catering Food Services
- j. Natural Science Exhibits
- k. Vehicle Parking
- l. Outdoor Participant Recreation Services
- m. Personal Service Shops
- n. Professional, Financial, and Office Support Services
- o. Public Park
- p. Recycled Materials Drop-off Centre
- q. Restaurants
- r. Special Event
- s. Speciality Food Services
- t. Urban Gardens
- u. Urban Indoor Farms
- v. Urban Outdoor Farms
- w. Fascia On-premises Signs
- x. Freestanding On-premises Signs
- y. Projecting On-premises Signs
- z. Minor Digital On-premises Signs
- aa. Temporary On-premises Signs

4. Definitions

- a. For the purpose of this Direct Development Control Provision, the following terms shall be defined as follows:
- i. "Pipeline Separation Distance(s)" means the distance that any Building or structure or specified portion of it must be from the nearest edge of:
 - A. the boundary of the West Pipelines Right-of-Way shown on the Appendix 1 - Site Plan; or
 - B. the boundary of the 127 Street Pipeline Right-of-Way shown on the Appendix 1 - Site Plan.
 - ii. "Internal Roadway(s)" means all privately owned and maintained roadways and associated pedestrian and bicycle infrastructure contained within the lands within this Provision.
 - iii. "Sensitive Use(s)" means a use that may be negatively impacted due to its proximity to the Pipeline Right-of-Way as shown on Appendix 1 - Site Plan, which includes: Medical Treatment Services, Protective and Emergency Services, Outdoor Participant Recreation Services, Religious Assembly, Spectator Entertainment Establishments, Public Libraries and Cultural Exhibits, Private Education Services, Indoor Participant Recreation Services, Community Recreation Services, Commercial Schools, and Child Care Services.
 - iv. "Health Campus" means a comprehensive mix of acute and ambulatory services and shall be in accordance with the approved Heritage Valley Neighbourhood 14 Neighbourhood Area Structure Plan (NASP).
 - v. "Mid Rise(s)" development means a structure not exceeding 23.0 meters in Height.
 - vi. "High Rise(s)" development means a structure exceeding 23.0 meters, but not exceeding 60.0 m in Height.
 - vii. "Publicly Accessible Open Space" means pocket Parks, linear Parks, plazas, and Walkways.
 - viii. "Sub Area" means the area of land that is formed by surrounding Private Internal Roadways or public roadways on all sides in general conformance with Appendix 1.
 - ix. If no Subdivision Plan is provided at the time of a Development Permit application, and lot lines cannot be fully factored into the Setbacks as defined in the Zoning Bylaw, the following alternative terms are defined and shall apply:
 - A. "Front Setback" means the distance that a development or a specified portion of it, must be set back from the nearest edge of:
 - I. a property line or abutting sidewalk of an Internal Roadway; or
 - II. if there is not an abutting Internal Roadway, an abutting Publicly Accessible Open Space.
 - B. "Rear Setback" means the distance that a development or a specified portion of it must be set back from the nearest edge of:
 - I. a property line or abutting Walkway along an Internal Roadway; or

- II. if there is not an abutting Internal Roadway, an abutting Publicly Accessible Open Space.
- C. "Side Setback" means the distance that a development or a specified portion of it, must be set back from the outermost sideline of the Sub Area where the development is located.
- D. "127 Street SW Pipeline" means ATCO's new high vapour pressure natural gas pipeline that will be contained within a 10 m right-of-way on the eastern boundary of the Heritage Valley Neighbourhood 14 NASP area.
- E. "West Pipelines" means the six operational pipelines, three abandoned pipelines, and one discontinued pipeline that runs diagonally (southwest to northeast) and bisects the Heritage Valley Neighbourhood 14 NASP area.
- F. "Pipeline Right(s)-of-Way" means those corridors with pipelines that carry oil, low vapour pressure (LVP) and high vapour pressure (HVP) products, and natural gas.

5. Variance and Interpretation

- a. The Development Officer may vary the following regulations in accordance with the General Purpose of this Direct Control Provision:
 - i. Minimum Setbacks for any development:
 - A. to mitigate sun shadow or wind impacts, enhanced architectural interest, or accommodate structural engineering requirements; and
 - B. to accommodate principles of Crime Prevention Through Environmental Design (CPTED)
 - ii. Due to the characteristics of the Health Campus development, the Maximum Height may be varied by 25% for the following Uses:
 - A. Extended Medical Treatment Services
 - B. Health Services
 - C. Government Services
 - D. Protective and Emergency Services
 - iii. Minimum separation distance between individual High-Rise developments provided consideration is given to the built form, shadow, and other microclimatic impacts on adjacent development.

- b. In considering a variance under 5(a)(ii) the Development Office must give regard to:
- i. that taller buildings and/or higher intensity uses shall be prioritized within 200 m of the Provincial lands LRT station to support the LRT;
 - ii. that buildings along the edge of the Hospital and Health Campus shall provide for appropriate transitions such as but not limited to setbacks and stepbacks to ensure compatibility;
 - iii. the location and integration of the building into the Health Campus and its visual, shadow, and other microclimatic impacts on the adjacent developments within the neighbourhood; and
 - iv. the need to accommodate responsible infrastructure development within the building envelope in general conformance with the general purpose of this Direct Control Provision.

6. Development Regulations for Uses

- a. Uses within buildings shall be designed to respect the Pipeline Separation Distances for each of the Pipeline Rights-of-Way as shown on Appendix 1. Mitigation measures shall be incorporated into buildings such that both Sensitive Uses and non-sensitive Uses can co-exist.
- b. Multi-unit Housing in the form of Row Housing shall comply with the regulations of the (RF5) Row Housing Zone of the Zoning Bylaw.
- c. Personal Service Shops shall not be developed as Body Rub Centres.
- d. Restaurants shall be limited to 240 m² of Public Space excluding exterior patio/deck space.
- e. Speciality Food Services shall be limited to 120 m² of Public Space excluding exterior patio/deck space.
- f. Signs shall comply with Schedule 59B of the Zoning Bylaw. The Development Officer shall have regard for visual harmony and the compatibility of the proposed Sign with the architectural character and finish of the development and with the design, location, and appearance of other Signs on the development.

7. Development Regulations for Site Layout and Built Form

- a. The development shall be in general conformance with the attached Appendix 1.

b. Sub Area Plan:

- i. If no Subdivision Plan is provided at the time of a Development Permit application for a principal building, the application shall include a Sub Area Plan identifying the following:
 - A. The Direct Development Control Provision plan boundary of the entire Site as illustrated in Appendix 1;
 - B. The Sub Area where the subject application is located;
 - C. Boundary dimensions and Site Area for the Sub Area;
 - D. Setbacks of the subject application in relation to the proposed Sub Area boundary; and
 - E. Existing and proposed buildings and Publicly Accessible Private Open Spaces in the Sub Area, if applicable.

c. Site Layout:

- i. Subject to 7(c), (iii), (iv), and (v), Mid Rise development shall be provided as follows:
 - A. The minimum Front Setback shall be 4.5 m;
 - B. The minimum Side Setback shall be 3.0 m, except that the minimum Side Setback shall be 4.0 m Abutting a flanking public roadway other than a Lane;
 - C. The minimum Rear Setback shall be 7.5 m.
- ii. Subject to 7(c), (iii), (iv), and (v), High Rise development Setbacks shall be provided as follows:
 - A. The minimum Front Setback shall be 6.0 m;
 - B. The minimum Side Setback shall be 7.5 m, except that the minimum Side Setback shall be 6.0 m Abutting a flanking public roadway other than a Lane;
 - C. The minimum Rear Setback shall be 7.5 m.
- iii. Side Setback may not be required at the discretion of the Development Officer where the side walls of adjacent buildings face each other and windows of

habitable rooms are not located directly opposite each other, such that privacy is not impacted.

- iv. Underground Parking shall not be subject to any Setbacks and may extend to all Lot lines provided there is sufficient soil capacity to support any required Landscaping.
- v. Overhangs, canopies, balconies, and other similar architectural projections may be permitted to project into Development Setbacks and above Walkways to the satisfaction of the Development Officer.

d. Pipeline Separation Distance:

- i. A Pipeline Separation Distance of 350 m for Sensitive Uses shall be required from the boundary of the West Pipelines Right-of-Way, as shown on the Appendix 1 - Site Plan.
- ii. A Pipeline Separation Distance of 150 m for Sensitive Uses shall be required from the boundary of the 127 Street SW Pipeline Right-of-Way, as shown on the Appendix 1 - Site Plan.
- iii. The Development Officer shall have regard for the nature of the Sensitive Uses, building materials, and risk mitigation measures when evaluating developments within Sub Areas A, B, and F with respect to required Pipeline Separation Distance. Reduced Pipeline Separation Distances shall be granted to the satisfaction of the Development Officer if:
 - A. The owner can demonstrate through the provision of an updated Risk Assessment based on the West Pipelines Right-of-Way and the 127 Street SW Pipeline Right-of-Way that the Pipeline Separation Distance required is less than the minimum required in this DC1 Provision;
 - B. Development and/or pipeline mitigation measures are designed and implemented as part of a Risk Mitigation Plan to reduce the risk factors set out in the updated Risk Assessment; or
 - C. The owner provides evidence that a pipeline is abandoned, or the pipeline right-of-way is adjusted to accommodate a development proposal.

e. Building Height:

- i. The maximum Height for a Mid Rise development shall be 23.0 m.

- ii. The maximum Height for a High Rise development shall be 60.0 m.

f. Built Form:

- i. The massing of Mid Rise and High Rise developments shall be minimized through a combination of building orientation, Stepbacks, roof treatment, and/or the variation of exterior materials and colours.
- ii. High Rise development shall be designed, oriented, and constructed to add visual interest and variation to the skyline and maximize views and sunlight penetration to Amenity Areas.

8. Development Regulations for Building Design and Features

a. Building Facade, Materials, and Exterior Finishing:

- i. Mid Rise and High Rise developments shall incorporate design elements to reduce the perceived mass and add architectural interest, including articulation of the Facades, using a defined pattern of projections and/or recessions and a variety of exterior building cladding materials and colours.
- ii. All building Facades shall have consistent and harmonious, high quality, durable exterior finishing materials.

b. Street Interface:

- i. Development which accommodate Non-Residential Uses on the ground level shall strengthen the pedestrian-oriented Health Campus experience by:
 - A. Requiring that large-format stores that are over 3,000 m² provide articulation and variation suggestive of small scale retail spaces with more fine-grained ground level street frontage;
 - B. Requiring that large format businesses over 3,000 m² be an integral part of a phased comprehensive design and not developed as a standalone building; and
 - C. Requiring that Residential and Residential-Related Uses above Non-Residential Uses at ground level have access at ground level that is separate and distinct from the Non-Residential Uses.

c. Building Design:

- i. All building Façades shall be designed with detail and articulation to create a pedestrian friendly streetscape and interface and include elements such as entrance features and variation in rooflines, recesses, windows, projections, exterior finishing materials, colours, textures, cladding, and/or varied architectural design.
- ii. Buildings shall be designed and oriented to face the LRT Station at 20 Avenue SW, Internal Roadways, or public roadways other than a Lane with primary entrances that are clearly visible.
- iii. On corners facing the intersections of public roadways, the corner shall be distinguished from the rest of the Façade to enhance the block corners using methods such as variation in entrance features, curved Façade, or other architectural articulation.
- iv. All mechanical equipment, including roof mechanical units, and surface level venting systems 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 amenities or pedestrian circulation areas.
- v. Waste collection, storage areas, and loading shall be enclosed within the building or site with consistent materials and screened from view from the abutting roadway and shall be designed in conformance Alberta Health Services specifications in consultation with Waste Management Services, Subdivision and Development Coordination (Transportation) and City Operations.

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

- a. The Maximum number of Vehicle Parking spaces to be provided on a Site for Non-Residential Uses, within the defined radius of the Provincial Lands LRT station shall not apply to:
 - i. Underground Parkades; and
 - ii. Above Ground Parkades where the ground level of the parkade fronts onto a street or open space and shall contribute to activating the LRT station with retail and commercial uses, public art, landscaping, or architectural screening.

10. Development Regulations for Landscaping, Lighting and Amenity Areas

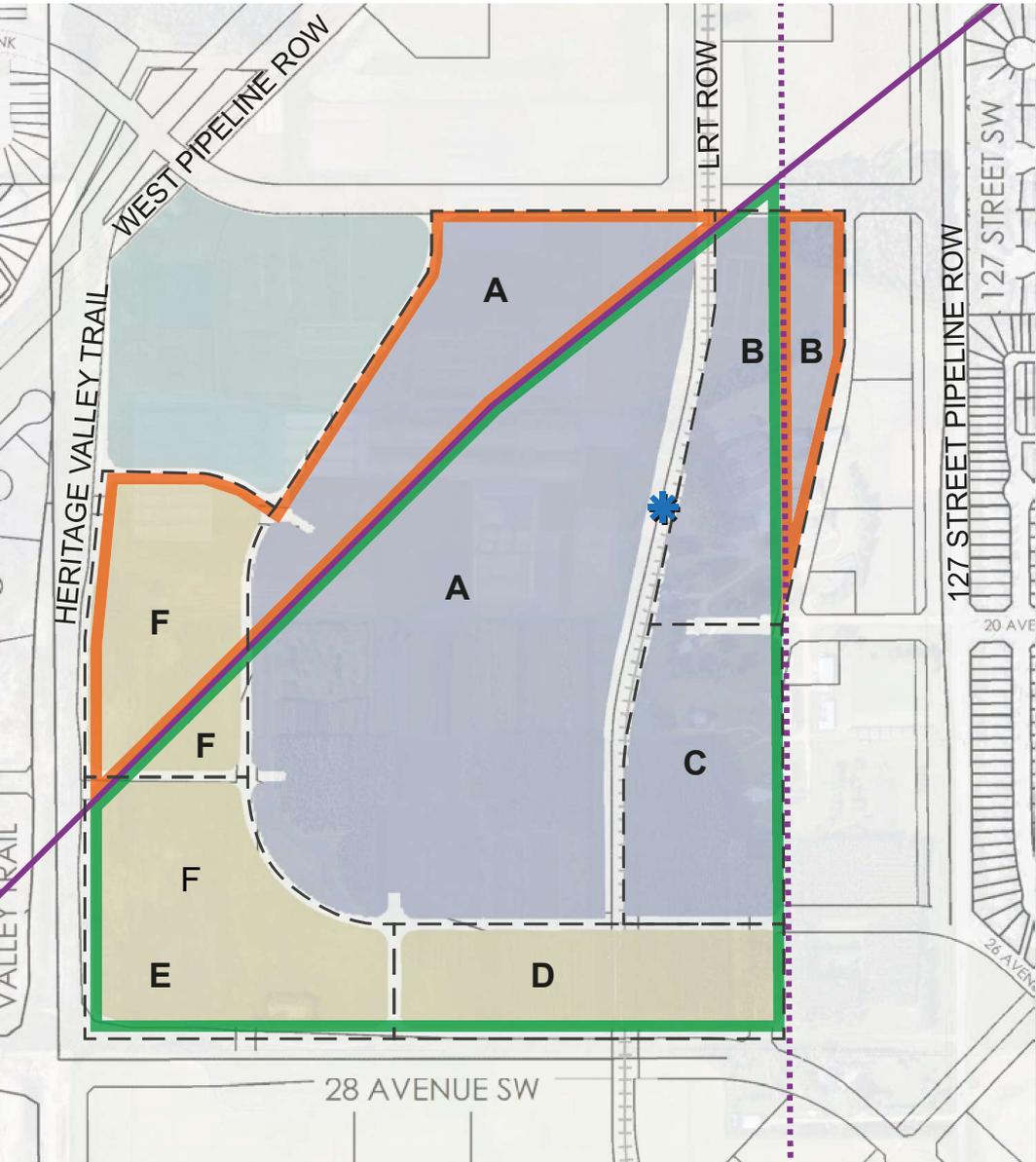
- a. A detailed Landscape Plan for the Site, prepared by a Landscape Architect registered with the Alberta Association of Landscape Architects (AALA), including all existing and proposed utilities and off-Site streetscape improvements within the road right-of-way shall be submitted as part of a Development Permit application for review and approval by the Development Officer.
- b. The following shall apply and be shown on the required Landscape Plan:
 - i. Landscaping shall use plant materials that provide colour throughout the year to enhance appearance during winter months;
 - ii. Landscaping Plans shall incorporate native and/or drought tolerant species into the Landscaping design.
- c. At ground level, where Setbacks are provided in front of Residential Uses fronting onto a public roadway, a transition area shall be provided from public to private property using landscape features such as decorative fencing, change in grade, shrub beds, planters, rock gardens and/or other built elements.
- d. Decorative and security lighting associated with the development shall be designed to minimize negative impacts on an adjacent property and shall be provided to ensure a well-lit environment for pedestrians and to accentuate architectural elements.
- e. The Development Officer may require detailed exterior lighting plans for Development Permits for new building construction and associated site development when there are potential issues with safety, security, or creating a nuisance on a nearby Use.

11. Other Regulations

- a. Buildings shall be designed through their massing and location, reduce adverse microclimatic effects such as wind tunneling, snow drifting, rain sheeting, shadowing, and loss of sunlight, both on and off-site. The Development Officer may require the submission of a Wind Impact Statement or Study, and/or a Sun Shadow Impact Study with a Development Permit application for any building or portion of a building above a Height of 23.0 m to determine that proposed development achieves these objectives.
- b. For Major Development Permit applications adjacent to the Provincial LRT Station Lands, the Development Officer shall have regard to transitioning in built form, pedestrian-oriented urban design, and multi-modal connectivity to the Provincial LRT Lands, in general conformance with the intent of Sections 5.2 and 5.3 of the Heritage Valley Neighbourhood 14 NASP.

12. Public Improvements

- a. Subdivision or development:
 - i. Where a subdivision or development is proposed that does not require municipal approval due to jurisdiction, but does include future municipal infrastructure, the City of Edmonton may require, if necessary, an agreement between the City and the developer for any off-site improvements as recommended by the most recently updated and accepted Transportation Impact Assessment - New Edmonton Hospital Project. The agreement, among other things, will outline a process for engineering drawing review and approval as well as City inspections to confirm the infrastructure has been built to the City's satisfaction and in accordance with its design and construction standards.
 - ii. Where a subdivision or development permit is proposed that does require municipal approval, the Development Officer may, as a condition of subdivision or development permit, require the applicant to enter into an agreement to construct, or pay for the construction of, municipal improvements necessary to serve the subdivision or development.
- b. In addition to the requirements outlined in section 12(a)(ii), as a condition of the first Development Permit for a principal building in Area C, D, or E, or any connection from the subject land to 28 Avenue SW, the owner(s) shall enter into an Agreement(s) with the City of Edmonton for off-site improvements necessary to serve the development, at the owner(s) expense, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation). The Agreement process may include an engineering drawing review and approval. Improvements to address in the Agreement include, but are not limited to construction of two lanes of 28 Avenue which shall comply with the follow criteria:
 - i. The segment of the road shall be contained within the final arterial road right-of-way between Heritage Valley Trail (135 Street SW) and 122 Street SW.
 - ii. The cost of construction shall be borne in accordance with the Arterial Roads Assessment Bylaw 14380 (50% cost share with the Heritage Valley ARA and private development).



- Hospital
- PU - Public Utility Zone
- Health Campus
- Development restrictions
- No development restrictions
- 150m setback from the 127 Street pipeline*
- 350m setback from the west pipelines**
- Future LRT Station

**127 Street SW Pipeline* means ATCO's new high vapour pressure natural gas pipeline that will be contained within a 10 m right-of-way on the eastern boundary of the Heritage Valley Neighbourhood 14 NASP area.

West Pipelines means the six operational pipelines, three abandoned pipelines, and one discontinued pipeline that runs diagonally (southwest to northeast) and bisects the Heritage Valley Neighbourhood 14 NASP area.

The Site Plan is conceptual only and the exact location of internal roadways, etc. is subject to change.