

Charter Bylaw 18811

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 2781

WHEREAS Lots 21 - 22, Block 19, Plan RN23; located at 10767 - 95 Street NW, McCauley, 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 21 - 22, Block 19, Plan RN23; located at 10767 - 95 Street NW, McCauley, 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.

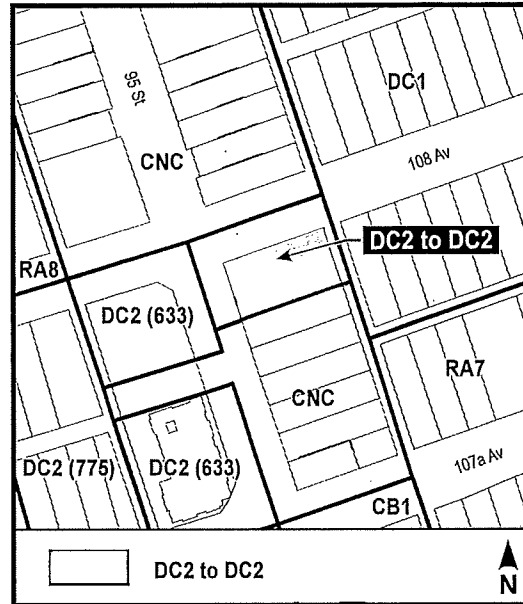
READ a first time this	29th	day of	April	, A. D. 2019;
READ a second time this	29th	day of	April	, A. D. 2019;
READ a third time this	29th	day of	April	, A. D. 2019;
SIGNED and PASSED this	29th	day of	April	, A. D. 2019.

THE CITY OF EDMONTON

MAYOR

CITY CLERK

CHARTER BYLAW 18811



(DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION

1. General Purpose

To accommodate a five storey mixed use commercial/residential development with opportunity for a limited range of commercial uses on the ground floor, residential use on next three floors and limited green space amenities on the fifth floor, with site specific development controls to achieve a pedestrian friendly environment and the development objectives in the Italian Village Commercial Sub-area.

2. Area of Application

This Provision shall apply to Lots 21 and 22 of Block 19, Plan RN23, as shown on Schedule "A" of the Bylaw adopting this Provision, McCauley.

3. Uses

- a. Apartment Housing
- b. Bars and Neighbourhood Pubs, for less 93 m² of Public Space
- c. Cannabis Retail Sales
- d. Child Care Services
- e. Commercial Schools
- f. Convenience Retail Stores
- g. General Retail Stores
- h. Health Services
- i. Minor Alcohol Sales
- j. Major Amusement Establishments, limited to a maximum of two electronic and two table games
- k. Minor Amusement Establishments
- l. Personal Service Shops
- m. Professional, Financial and Office Support Services
- n. Public Libraries and Cultural Exhibits
- o. Restaurants, for less than 93 m² of Public Space
- p. Secondhand Stores with a Floor Area less than 275 m²
- q. Fascia On-premises Signs
- r. Freestanding On-premises Signs
- s. Projecting On-premises Signs
- t. Temporary On-premises Signs

4. Development Regulations

- a. Development shall be in general accordance with the Site Plan and Elevations illustrated in Appendix 1, and the following regulations.
- b. The maximum Floor Area Ratio shall be 3.0.
- c. The maximum number of Dwellings shall be twenty one (21).
- d. Bed-sitting Rooms shall be 37 m² (400 ft²) +/- 10% in size.
- e. Commercial and non-residential uses shall only be permitted on the first floor.
- f. Apartment Housing shall only be permitted above the first floor.
- g. Apartment Housing shall have access provided at grade separate from access for commercial purposes.
- h. The maximum Height shall not exceed 18m or 5 stories. The fifth floor is limited to the development of roof top gardens and Greenhouses. If a Greenhouse is not constructed, then the roof of the 4th floor must still be developed as additional landscaped amenities for building occupants.
- i. Yards shall be provided as shown on the Site Plan, except that the minimum building setback on the first storey (west elevation) adjacent to 95 Street shall be 0.61 m, as shown on the Site Plan.
- j. Building Setback for development on the fifth storey, if constructed, shall be a minimum of 4.5m from the building faces along 95 Street, 108 Avenue and the Abutting lane.
- k. The maximum Public Space associated with any combination of Restaurant, Bars and Neighbourhood Pubs and Specialty Food Service shall not exceed 93 m² of Public Space.
- l. Vehicular Parking shall be provided in accordance with Section 54 of the Zoning Bylaw to the satisfaction of the Development Officer, the Transportation Department and the following:
 - i. The minimum number of parking spaces per Dwelling shall be 0.33.
 - ii. Visitor parking shall be provided at grade, at the rear of the building. All onsite surface parking shall be screened with landscaping and/or fencing along 108 Avenue and the south property line, to the satisfaction of the Development Officer.
 - iii. Vehicular access to the Site shall be determined at the Development Permit stage.
 - iv. For underground parking, the driveway ramp must be at grade at the property line and must not exceed a slope of 6% for a distance of 4.5 m inside the property line.
 - v. Loading, recycling and garbage collection areas shall be located

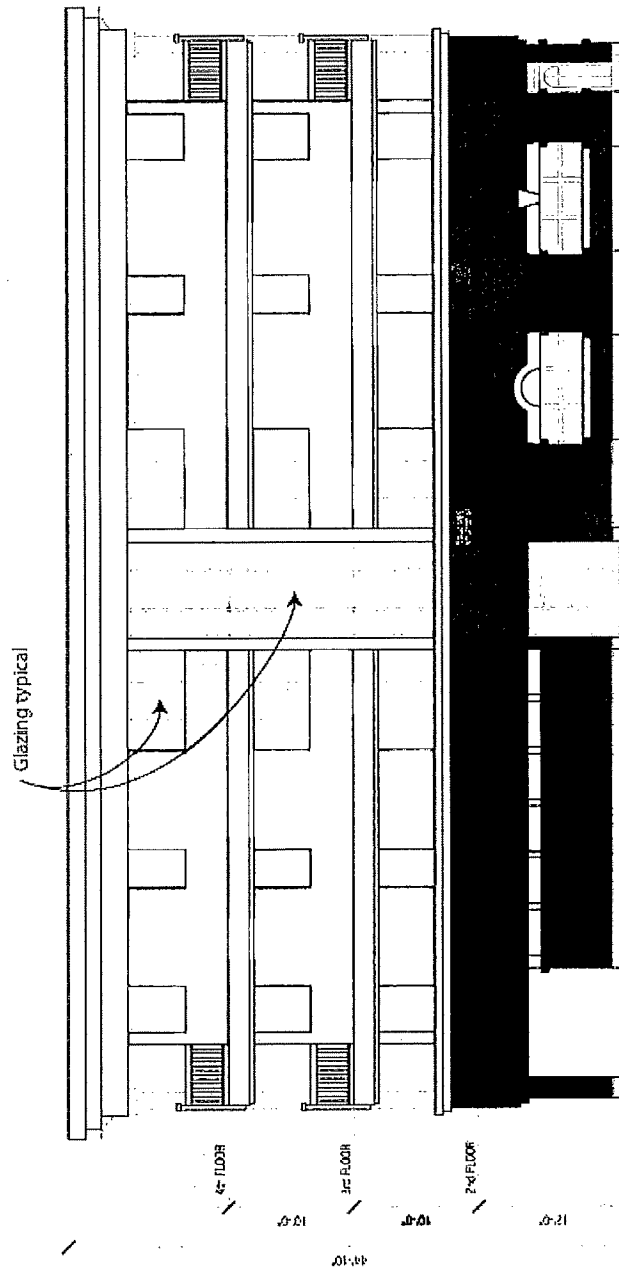
at the rear of the building, as illustrated in Appendix 1. Recycling and Garbage collection areas shall be screened from view from adjacent sites and 108th Avenue in accordance with the provisions of Section 55 of the Zoning Bylaw.

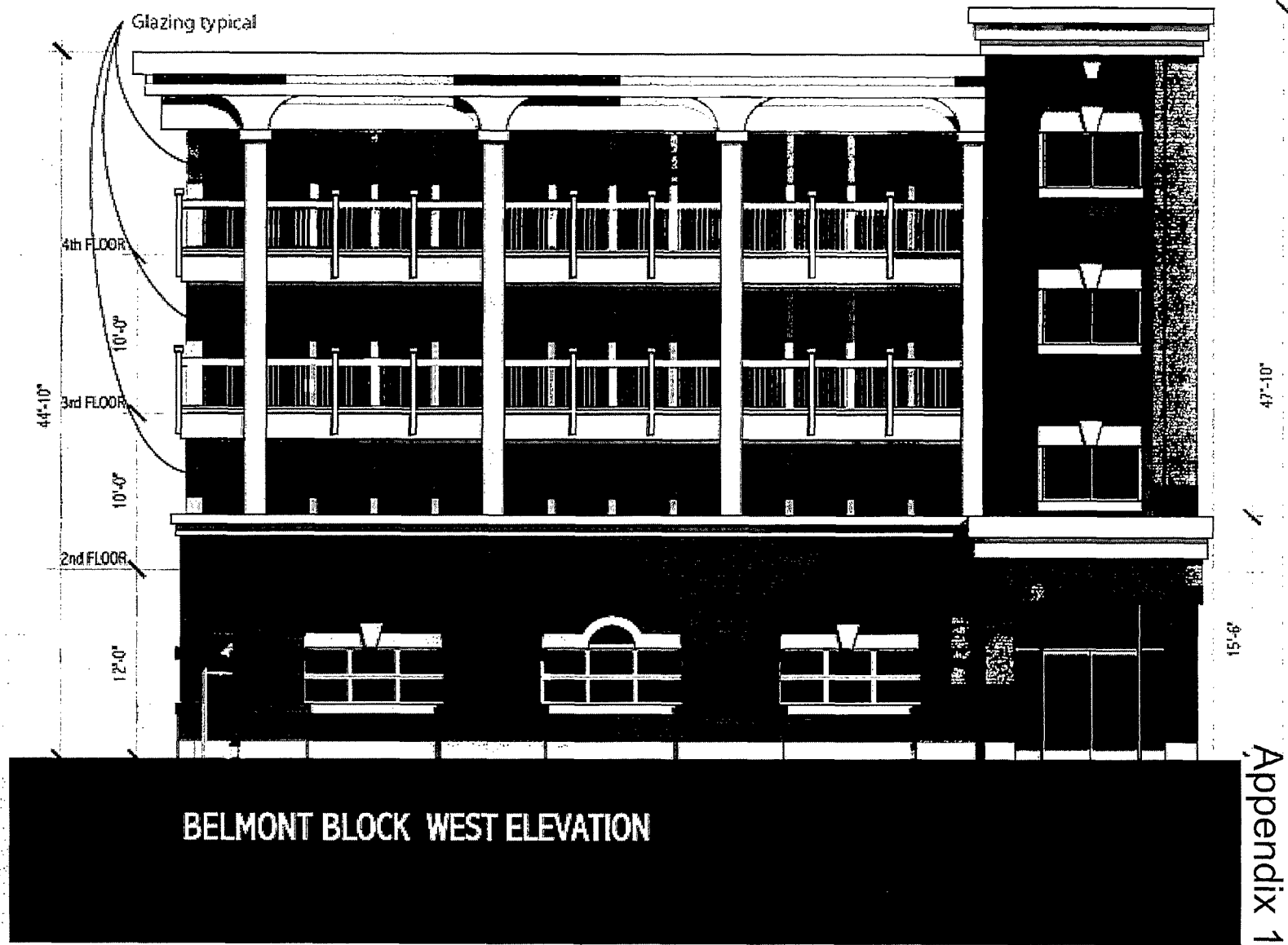
- m. A detailed Landscaping Plan shall be prepared in accordance with the landscape concept shown on the Site Plan and the requirements of Section 55 of the Zoning Bylaw, and shall be submitted to and approved by the Development Officer prior to the approval of any development Permit. The Plan shall include details of the landscaped amenity area on the fifth floor, other amenity areas, pavement materials in the building Setback area along 95 Street, exterior lighting, pedestrian seating areas and sizes and species of new planting for the entire Site, to the satisfaction of the River Valley, Forestry and Environmental Services Branch, Asset Management and Public Works Department and the Development Officer.
- n. A Crime Prevention Through Environmental Design Assessment shall be provided to the Development Officer and approved prior to development approval to ensure that development provides a safe urban environment in accordance with the guidelines and principles established in the Design Guide for a Safer City.
- o. A minimum Amenity Area of 7.0 m² per Dwelling unit shall be provided in the form of balconies, accessed directly from each individual unit. Additional Amenity Areas may be provided on the fifth floor or at the main level as part of common Amenity Areas.
- p. Signs shall comply with the regulations in Section 59D of the Zoning Bylaw, except that Freestanding On-premises Sign shall be limited to one sign with a maximum height of 3.0m and a sign face 6m², designed to reflect the Italian Village theme. Backlit or neon signs are prohibited. Identification Signage for the Restaurant may be placed on the south façade of the Building, to the satisfaction of the Development Officer.
- q. Development on this Site must reflect elements and materials associated with the Italian Village theme, designed in accordance with the following architectural guidelines, to the satisfaction of the Development Officer:
 - i. The overall development must be designed to reduce the perceived mass of the building, add architectural interest and promote the pedestrian scale of the abutting streets using such design techniques as articulation of façades, recessions, projections such as canopies, bay windows, entrance features cornices, pilasters and sign bands.
 - ii. The development shall address 95th Street with individual entrances that are clearly visible and provide direct access to the sidewalk to lend a sense of occupancy and pedestrian scale to the street. In this regard, the primary entrance to the

commercial space must address both 95 Street and 108 Avenue in a prominent manner, and the façade treatment shall wrap around the side of the building to provide a consistent profile facing both public roadways in accordance with the Main Streets Overlay of the Zoning Bylaw.

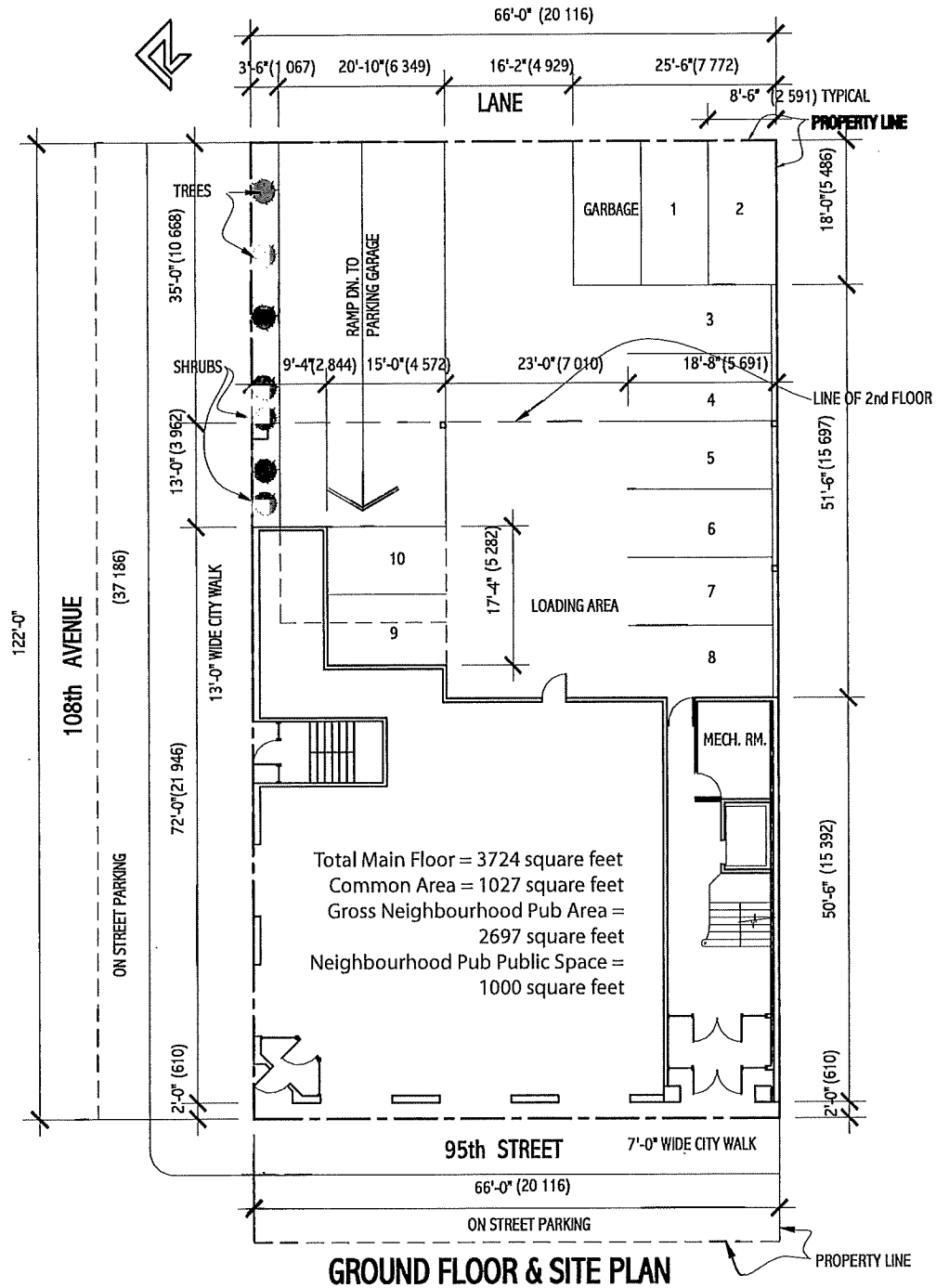
- iii. Architectural treatment of all facades of the building must create a unified building exterior. The exterior finishes shall be based on the elevations shown and will generally consist of materials such as glass and glazed window wall systems, brick, concrete block and cement or acrylic stucco. The use vinyl siding is not permitted.
- iv. Main building entrances for any Use shall be designed for universal accessibility. Level changes from the sidewalk to entrances of buildings shall be minimized.
- v. The west elevation on the main floor Commercial (bar/restaurant) may have roll-up windows in support of a pedestrian oriented shopping street.
- vi. Development on the Site shall incorporate functional and decorative lighting to enhance the appearance of the building during winter months.
- vii. The roof of the fourth storey must be developed as green spaces to include such features as landscaped gardens or patios to improve rooftop aesthetics and provide additional amenity space for building occupants. Greenhouses may be developed, in which case the Roof will be considered a storey.
- viii. A decorative mural reflecting the history of the area or Italian Village theme for the Restaurant may cover approximately 30% on the south blank party wall of the development, at the discretion of the Development Officer.
- ix. 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.

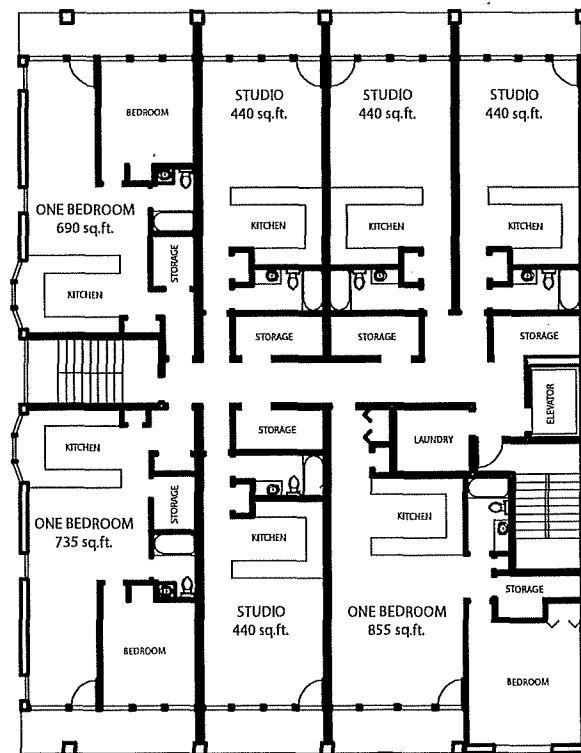
Appendix 1





APPENDIX 1





TYPICAL 2nd TO 4th

Scale: 1/16" = 1'