

Charter Bylaw 19630

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 3177

WHEREAS Lots 22 - 26, Block 6, Plan 2064S; located at 11323, 11325, 11329, 11333 and 11335 University Avenue NW, McKernan, Edmonton, Alberta, are specified on the Zoning Map as (RF3) Small Scale Infill Development Zone; and

WHEREAS an application was made to rezone the above described properties 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 22 - 26, Block 6, Plan 2064S; located at 11323, 11325, 11329, 11333 and 11335 University Avenue NW, McKernan, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (RF3) Small Scale Infill Development Zone 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.

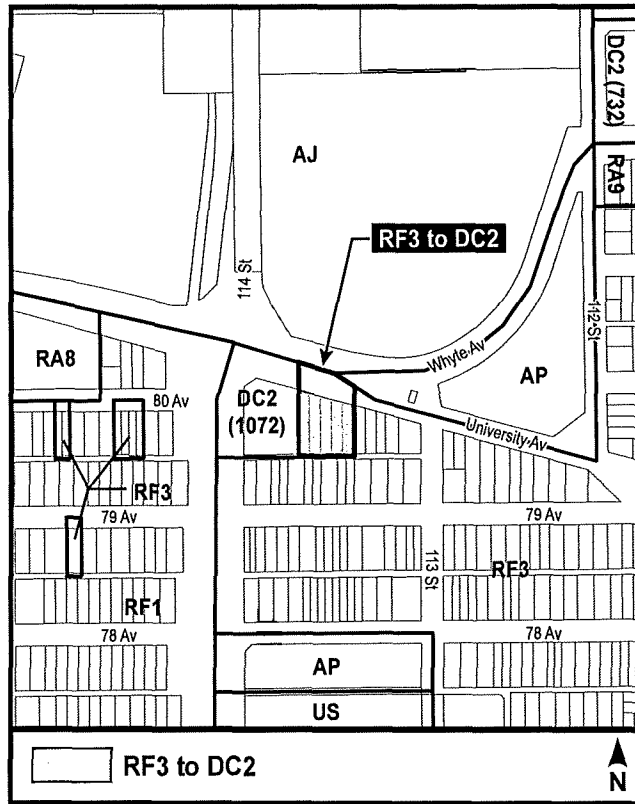
READ a first time this	7th	day of	April	, A. D. 2021;
READ a second time this	7th	day of	April	, A. D. 2021;
READ a third time this	7th	day of	April	, A. D. 2021;
SIGNED and PASSED this	7th	day of	April	, A. D. 2021.

THE CITY OF EDMONTON


MAYOR


A/ CITY CLERK

CHARTER BYLAW 19630



SCHEDULE "B"

(DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION

1. General Purpose

To allow for the development of a transit-oriented, mid-rise apartment building with street oriented residential uses and a pedestrian scale fronting onto University Avenue NW.

2. Area of Application

The provision shall apply to Lots 22 - 26, Block 6, Plan 2064S, located south of University Avenue NW and east of 114 Street NW, as shown on Schedule "A" of the Charter Bylaw adopting this Provision, McKernan.

3. Uses

1. Multi-unit Housing
2. Live Work Unit
3. Lodging Houses
4. Major Home Based Business
5. Minor Home Based Business
6. Residential Sales Centre
7. Supportive Housing
8. Fascia On-premises Signs
9. Projecting On-premises Signs
10. Temporary On-premises Signs

4. Development Regulations for Uses

1. All Signs shall comply with the General Provisions of Section 59 of the Zoning Bylaw and the regulations found in Schedule 59B of the Zoning Bylaw and the following:
 - a. Notwithstanding Schedule 59B, Temporary On-premises Signs shall be limited to on Site project advertising and residential sale/leasing purposes only; and
 - b. A Comprehensive Sign Design Plan in accordance with the Provisions of Section 59.3 of the Zoning Bylaw shall be submitted with a Development Permit Application for a Sign Use Class.

5. Development Regulations For Site Layout and Built Form

1. The development shall be in general conformance with the attached appendices.
 2. The maximum Floor Area Ratio (FAR) shall be 3.4.
 3. The maximum number of Dwellings shall be 132.
 4. The maximum Height shall be 23.0 m.
 5. The minimum building Setbacks from the Lot lines shall be as follows:
 - a. From the north Lot line – 3.0 m
 - b. From the south Lot line – 4.0 m, except a minimum width of 10.0 m of the south Façade of the building shall have a minimum Setback of 17.0 m from the south Lot line.
 - i. A minimum distance of 1.0 m from the south Lot line shall be Hardsurfaced and incorporated with the Lane with no obstructions or parking spaces.
 - c. From the east Lot line – 3.0 m
 - d. From the west Lot line – 3.0 m
 6. The portions of the Underground Parkade below ground level shall not be subject to required Setbacks and can extend to all Lot lines provided:
 - a. there is sufficient soil capacity to support the required Landscaping above. This can be achieved by the use of planters and/or other acceptable green roof technologies; and
 - b. the excavation for the Underground Parkade does not encroach to within 5 metres of the centre of the trunks of the City’s boulevard trees.
 7. Notwithstanding Section 4.5 of this Provision, the portions of the Parking Garage above ground level may project into the required Setbacks on the north, east, and west, provided:
 - a. the height of the Parking Garage above ground level does not exceed 0.6 m;
 - b. the portion of the Parking Garage above ground level does not project more than:
 - i. 1.0 m into the north setback
 - ii. 1.6 m into the east setback
 - iii. 1.6 m into the west setback
 8. Platform Structures in the form of balconies may project a maximum of 1.5 m into Setbacks.
 9. Patios for Dwellings on the first storey shall not extend further into Setbacks than the portions of the Parking Garage above ground level.
- 6. Development Regulations for Building Design and Features**
1. The development shall incorporate design elements to reduce the perceived mass and add architectural interest, including articulation of Façades, using a defined pattern of projections and/or recessions and a variety of exterior building cladding materials and colours.
 2. The Building shall be designed and oriented to face University Avenue NW with

- entrances that are prominent, clearly visible and distinct.
3. Dwellings located on the ground floor facing University Avenue NW shall:
 - a. provide an individual external entrance, oriented towards and clearly visible from the public right of way using features such as, but not limited to, porches, staircases, and stoops. Sliding doors shall not serve as entrances.
 - b. provide a semi-private outdoor area that establishes a transition area between the Dwelling and publicly accessible land, using landscape features, such as decorative fencing, change in grade, shrub beds, planters, rock gardens and/or other built elements, to the satisfaction of the Development Officer;
 - c. have an elevation that shall be a maximum of 0.6 m above ground level measured at the midpoint of the north property line; and
 - d. no solid fences higher than 1.2 m above ground level measured at the midpoint of the north property line shall be allowed adjacent to University Avenue NW. Landscaping, retaining walls or other low height elements may be utilized to visually separate the semi-private yard facing the public streets or shared use path.
 4. All building Facades shall have consistent and harmonious finishing materials.
 5. Exterior finishing materials shall be durable, high-quality and appropriate for the development such as, but not limited to: painted Façade, masonry, stone, brick, concrete, cement board, metal cladding/panelling/screening, wood, stucco, and/or glazing.
 6. 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 and to highlight the architectural and landscape features at night.
 7. Night-time light pollution shall be reduced by avoiding over-illumination of the development with the use of low cut-off exterior lighting fixtures.
 8. All mechanical equipment, including roof mechanical units, surface level venting systems and transformers, 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.
 9. A minimum 1.83 m high wood screen fence shall be provided for the full length of the east Lot line except within the Setback from University Avenue NW and within 3.0 m of the rear Lane.

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

1. Vehicular access and egress to an Underground Parkade may only be provided:
 - a. From the Lane abutting the development; or
 - b. From a ramp to an Underground Parkade that is located within the abutting lot to the west to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation). The Development Officer shall ensure that a legal agreement, such as an access easement, that permits access in perpetuity has been executed prior to the issuance of the Development Permit.
2. A minimum of one parking space shall be provided for a car-sharing program.
3. Loading, storage, and waste collection shall be located within the building and screened from view of the adjacent Lane and shall be designed to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation) and City Operations (Waste Management).
4. Bicycle Parking spaces shall be provided in accordance with the Zoning Bylaw, and the following:
 - a. Long term Bicycle Parking for Multi-unit Housing shall be provided in a safe and secure location in the Underground Parkade or in another secure location within the first floor, that is easily accessible to cyclists via access ramps, or a route through the building which facilitates easy and efficient transportation of bicycles.
 - b. A minimum of 10 short term Bicycle Parking spaces shall be provided for visitors, a minimum of 5 of which shall be provided at ground level in a highly visible location, and be to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation).
 - c. Vertical or stacked racks may be used to satisfy bicycle parking requirements if it can be demonstrated that they can be safely and efficiently used to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation). The minimum size of vertical bike parking stalls shall be a minimum of 0.60 m wide, 2.3 m high, and 1.0 m deep, with a minimum 1.5 m wide aisle.
 - d. A minimum of 20% of the bicycle stalls shall be in a horizontal format.

8. Development Regulations for Landscaping, Lighting and Amenity Areas

1. Notwithstanding Landscaping Regulations of the Zoning Bylaw, Landscaping shall be in general conformance with the following:
 - a. 10 deciduous trees shall be required; and
 - b. At least 100 shrubs shall be required. This may be achieved through the use of permanent or moveable planters.

2. The required Landscape Plan submitted with a Development Permit application for new building construction shall be prepared by a Landscape Architect registered with the Alberta Association of Landscape Architects (AALA).
3. Landscaping shall use plant materials that provide colour throughout the year to enhance the appearance of the development during cold weather months.
4. 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 University 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:
 - a. 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 as part of the redevelopment of the site. The owner/developer shall be responsible for the cost of removal as well as for compensating the City for the value of the tree being removed. If required by the Development Officer, each tree removed shall be replaced by a new tree in an enhanced growing soil medium in the form of soil cells or continuous trenches, at the cost of the owner; or
 - b. 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 C456B.
5. A minimum total Amenity Area of 7.5 m² per Dwelling shall be provided through a combination of the following:
 - a. A minimum of 75.0 m² of Indoor Common Amenity Area;
 - b. Balconies with a minimum depth of 1.5 m;
 - c. Ground level outdoor Common Amenity Area. The area shall incorporate features such as planters, seating, and lighting;
 - d. Ground level Private Outdoor Amenity Area. Each ground level Dwelling adjacent to University Avenue NW shall have direct access to a minimum of 10.0 m² of Private Outdoor Amenity Area; and/or
 - e. Rooftop Terrace Common Amenity Area may be provided. The area shall incorporate features such as fencing, planters, seating, lighting, Green Roofs, screening, and shall be designed to limit overlook into, and protect the privacy of, residents in adjacent properties, to the satisfaction of the Development Officer.

9. Other Regulations

1. Prior to the issuance of the Development Permit for construction of the principal building, a Wind Impact Study shall be submitted for review. The development shall incorporate design features to minimize adverse microclimatic effects such as wind tunneling, snow drifting, rain sheeting both on and off Site, consistent with the recommendations of the Wind Impact Study.
2. Site and building layouts shall include design elements that take the principles of Crime Prevention Through Environmental Design (CPTED) into consideration. These elements may include, but are not limited to, elements that allow for natural surveillance, increase sightlines and use; and high quality interior and exterior lighting. The physical layout and landscaping shall reduce the vulnerability of pedestrians by avoiding areas of concealment or entrapment such as: long public corridor spaces, stairwells, or other movement predictors; avoiding landscaping hazards such as: unpruned trees, rocks that can be thrown, or blind corners; and by locating parking areas close to building access points and using wayfinding mechanisms. The Development Officer may require a Crime Prevention Through Environmental Design assessment prepared by a qualified security consultant, and may apply conditions to the approval of the Development Permit based on the recommendations of the CPTED assessment to promote a safe physical environment.
3. Prior to the issuance of a Development Permit, except for Development Permits for demolition, excavation, shoring or signage, the applicant shall submit documentation that demonstrates, to the satisfaction of the Development Officer in consultation with Fire Rescue Services and EPCOR Water Services, that the fire flows and water servicing to the Site will be adequate for the proposed building and construction type, and be in accordance with the City of Edmonton Design and Construction Standards. The Development Officer shall verify that any infrastructure upgrades or systems required to ensure these standards are met shall be implemented in the design of the building and/or through off-site improvements.
4. Notwithstanding the other Development Regulations of this Provision, the Appendices of this Provision and Section 720.3(2) of the Zoning Bylaw, in the event that the owner/developer does not obtain a Building Permit and commence construction of the principal building under a valid Development Permit within 7 years of the passage of the Bylaw adopting this Provision, development of the Site shall be in accordance with this Provision, except that:
 - a. the maximum Height shall be 8.9 m; and
 - b. the maximum Floor Area Ratio shall be 1.0.

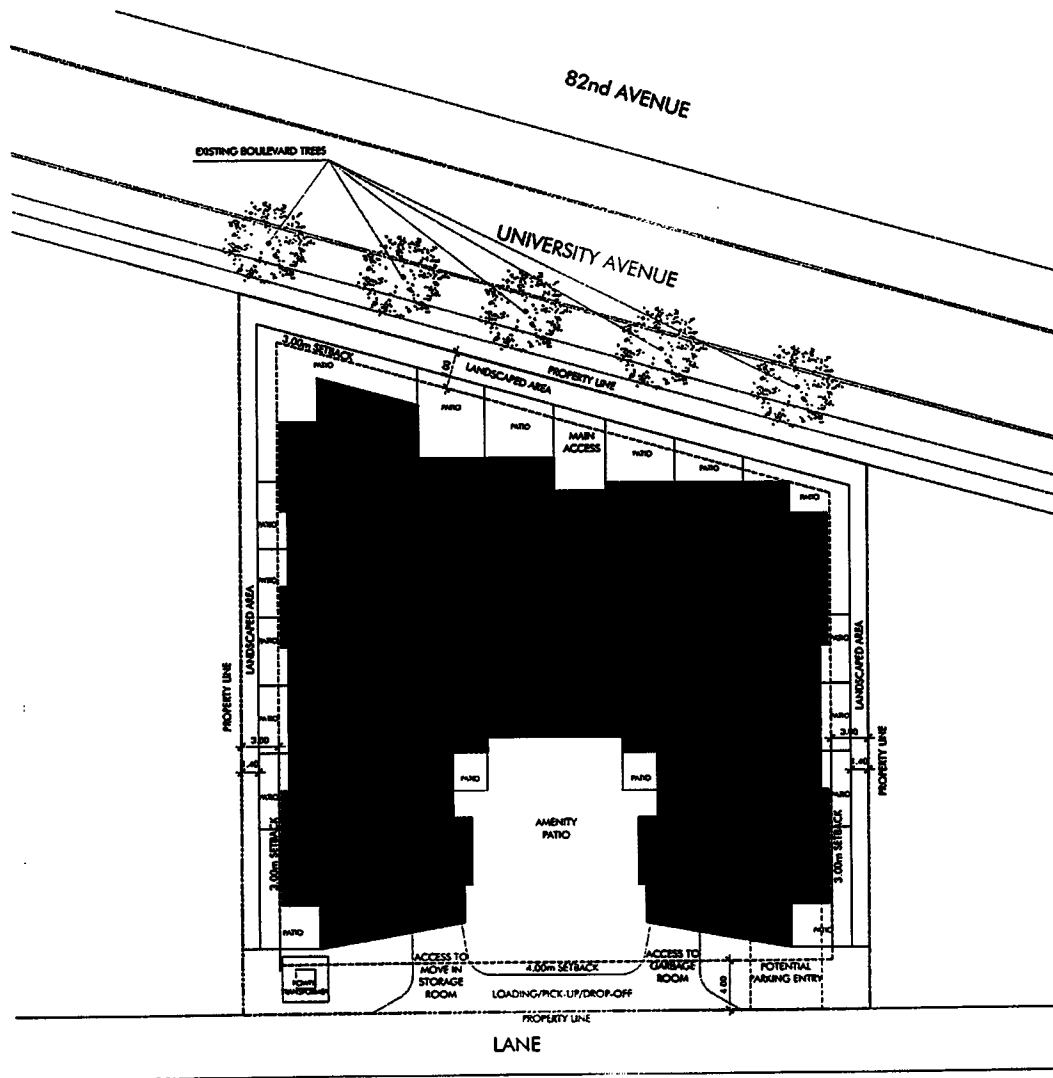
10. Public Improvements and Contributions

1. As a condition of a Development Permit for construction of a principal building,

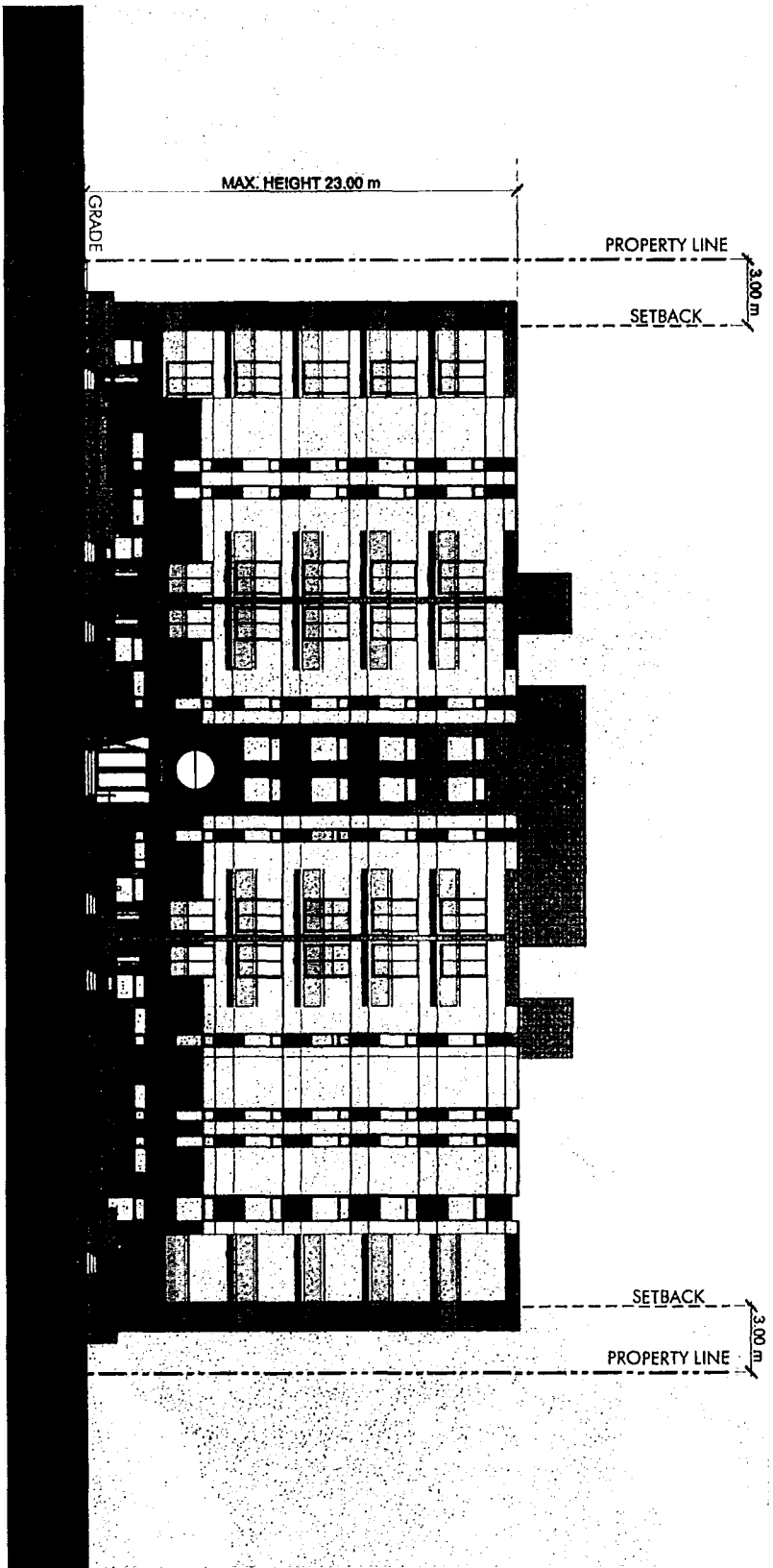
the owner shall enter into an agreement with the City of Edmonton for off-Site improvements necessary to serve the development, such improvements to be constructed at the owner's cost, and be to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation). The agreement process includes an engineering drawing review and approval process. Improvements to address in the agreement include, but are not limited to:

- a. Reconstruction of the east-west Lane between 113 Street NW and 114 Street NW to a commercial alley standard, where possible (as determined by the City), including paving the Lane to the south Lot Line for the entire length of the Site; and
 - b. Repair of any damage resulting from construction of the development to the Abutting roadways, sidewalks, street furniture, street trees, and/or boulevard, including Lanes not directly adjacent to the Site but which may be used for construction purposes, to the satisfaction of Subdivision and Development Coordination (Transportation).
2. Prior to the issuance of a development permit for:
- a. a building that contains 12 or more Dwelling units; or
 - b. a building that contains less than 12 Dwelling units, but is part of a Site with 12 or more Dwelling units in total;
the Development Officer shall ensure a signed agreement has been executed between the City and the owner, requiring the owner to provide the City, at the time of each development permit approval, the option to purchase up to 5% of the proposed number of Dwelling units (rounded to the nearest Dwelling unit) in each building with Dwelling units, at 85% of market value or the equivalent value as cash in lieu (at the discretion of the owner) to the City.
3. 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.

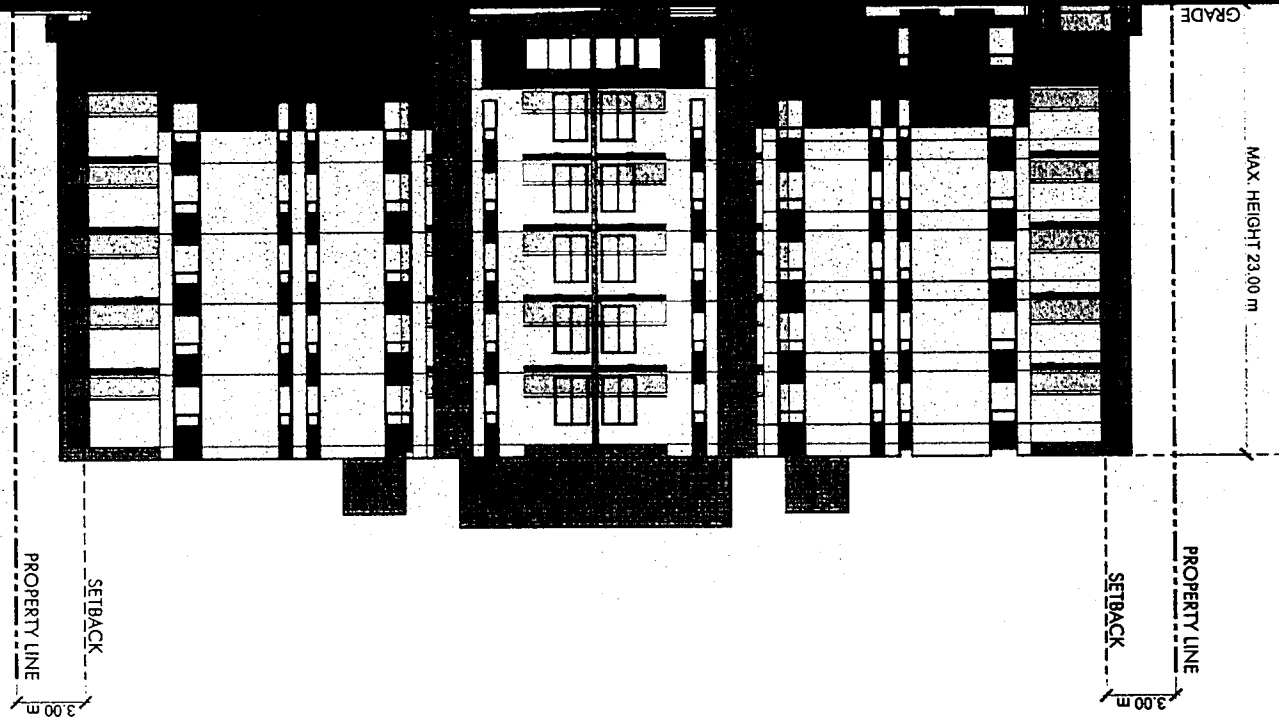
Appendix 1, Illustrative Site Plan



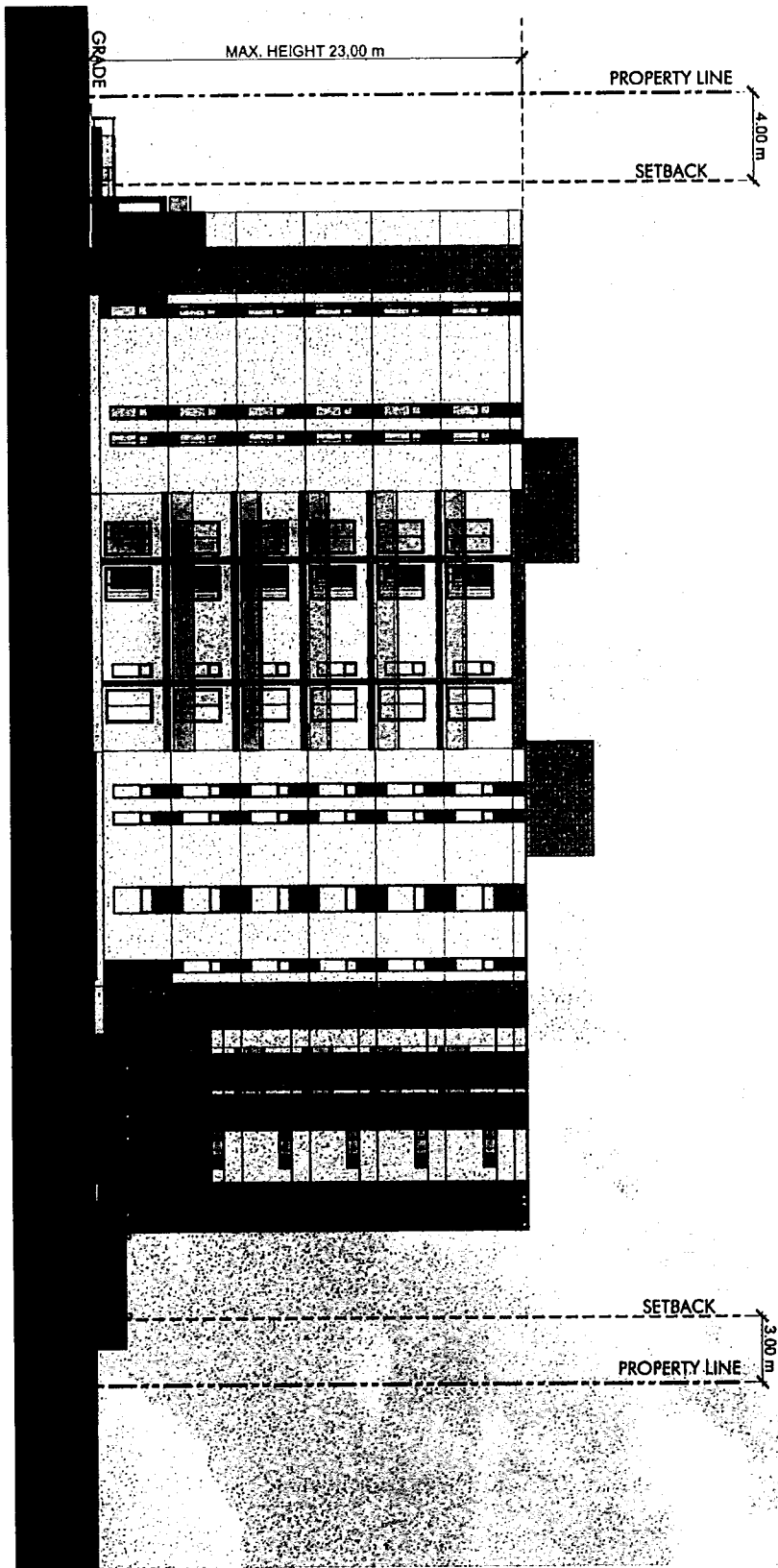
Appendix 2, North Elevation



Appendix 3, South Elevation



Appendix 4, East Elevation



Appendix 5, West Elevation

