

Charter Bylaw 19463

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 3101

WHEREAS Lots 21A & 21B, Block 164, Plan 8022425 and Lots 19-20 & 22-26, Block 164, Plan I23A; located at 11023, 11027, 11031, 11033, 11037, 11039, 11041, 11043, and 11045 86 Avenue NW, Garneau, Edmonton, Alberta are specified on the Zoning Map as (RF6) Medium Density Multiple Family Zone; 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 21A & 21B, Block 164, Plan 8022425 and Lots 19-20 & 22-26, Block 164, Plan I23A; located at 11023, 11027, 11031, 11033, 11037, 11039, 11041, 11043, and 11045 86 Avenue NW, Garneau, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (RF6) Medium Density Multiple Family 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                                    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

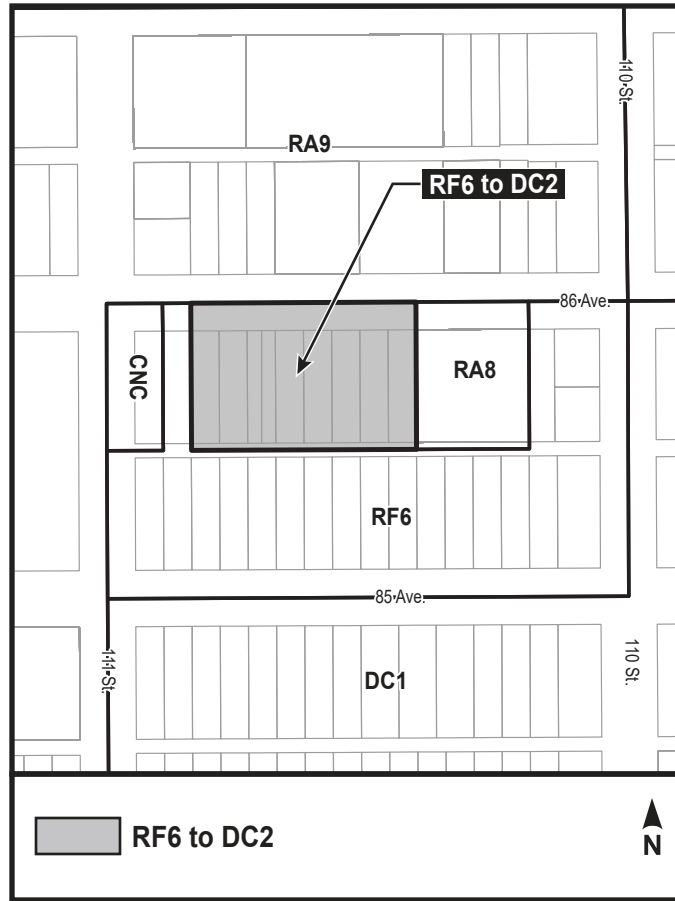
\_\_\_\_\_

MAYOR

\_\_\_\_\_

CITY CLERK

CHARTER BYLAW 19463



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

To facilitate the development of a mid-rise residential building with a variety of Dwelling types, including street-oriented Dwellings at ground level adjacent to 86 Avenue NW.

**2. Area of Application**

The provision shall apply to Lots 21A and 21B, Block 164, Plan 8022425 and Lots 19 – 20 and Lots 22 - 26, Block 164, Plan I23A; located on the south side of 86 Avenue NW between 110 Street NW and 111 Street NW, as shown in Schedule “A” of the Charter Bylaw adopting this Provision, Garneau.

**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. Urban Gardens
9. Facia On-premises Signs

**4. Development Regulations for Uses**

1. Notwithstanding Sign Schedule 59H of the Zoning Bylaw, Fascia On-premises Signs shall:

- a. only face 86 Avenue NW;
  - b. have a maximum Area of 3.0 m<sup>2</sup>;
  - c. not extend higher than 0.75 m above the floor of the second Storey; and
  - d. not extend more than 0.3 m above the building roof or parapet wall.
2. A Comprehensive Sign Design Plan, with a focus on pedestrian-oriented signs that are simple and easy to read following the principles found in the CNIB's Clear Print Accessibility Guidelines and promoting building identity, shall be submitted with a Development Permit application for the construction of the principal building.
  3. A minimum of 50% of Dwellings shall have 2 bedrooms.

**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 shall be 3.9
3. The maximum number of Dwellings shall be 159.
4. The maximum building Height shall be 22.0 m.
5. The minimum building Setbacks from all lot lines shall be 3.0 m.
  - a. A minimum of 25% of the south Façade of the building shall have a minimum Setback of 10.0 m from the south Lot line.
6. The building shall have a minimum Setback of 3.9 m from the north Lot line at a maximum Height of 7.6 m for a distance of 6.7 m from the east Lot line.
7. The Underground Parkade shall not be subject to required Setbacks and can extend to all Lot lines. The Underground Parkade shall be located entirely below ground level except for the portion of the Underground Parkade adjacent to the northeast Lot line. This portion of the Underground Parkade shall be permitted to project a maximum of 0.3 m above the ground level for a maximum distance of 25.0 m adjacent to the north Lot line. Sufficient soil capacity shall be maintained above the Underground Parkade to support any required Landscaping. This can be achieved by the use of planters and other acceptable landscape technologies.

8. Unenclosed steps, patios, raised terraces; or any other architectural features which are of a similar character may project into required Setbacks provided that the following minimum distances are maintained from Lot Lines:
  - a. 0.0 m from the north Lot Line; and
  - b. 1.0 m from the south, east and west Lot Lines.
9. The area between the architectural features referenced in Section 5.7 of this Provision and the Lot lines shall contain Landscaping, which may be achieved by the use of planters and other acceptable landscape technologies.
10. Balconies may project a maximum of 1.0 m from the building Façade into Setbacks.
11. Balconies and glazing along the south, east and west Facades of the principal building shall provide adequate screening and be located to maximize privacy and minimize overlook to the adjacent residential properties to the south, east and west. This may include, but not be limited to privacy screens, louvers, frosted glass and/or glass block.

## **6. Development Regulations for Building Design and Features**

1. Facing 86 Avenue NW, the building shall have ground level Dwellings with separate, individual entrances with direct access to the public sidewalk, featuring visible individual doorways, landscaped terraces, pedestrian lighting, and patios. Sliding patio doors shall not serve as the entrance.
2. The building exterior shall be finished with quality, durable building materials that may include, but are not limited to, stone, brick, metal, wood, concrete, exterior insulation & finishing system panels, and/or glass.
3. The first two storeys on the north side of the building and the first storey on the east, west, and south sides of the building shall include the use of different architectural elements and treatments, such as variation in material and colour, to distinguish the base of the building from the upper storeys.
4. To provide building articulation on the western portion of the north building Façade, there shall be architectural projections that project a maximum of 1.5 m from the building Façade.
5. The canopy above the main building entrance shall be permitted to project a

maximum of 2.8 m.

6. To provide building articulation on the eastern portion of the north building Façade, there shall be architectural projections that project a maximum of 1.0 m from the building Façade.
7. The building Façades shall be designed to break their appearance into 9.0 m sections or less, using a combination of recesses, projections, changes in building materials, colours, and/or physical breaks in building mass.
8. The north building Façade shall be designed to provide two distinct Façade designs with the eastern portion a maximum of 30.0 m in length and the western portion being a maximum of 45.0 m in length.
9. All ground oriented Dwellings shall provide a semi-private outdoor Amenity Area in front of each exterior entry that establishes a transition area between the public roadway, using landscape features such as decorative fencing, change in Grade, shrub beds or rock gardens.
10. Weather protection in the form of a canopy or other architectural element that is visible from the rest of the Façade shall be provided above the main residential entrance on 86 Avenue NW and shall not be subject to Projection regulations of the Zoning Bylaw.
11. 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 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 any adjacent property.
12. All mechanical equipment, including roof mechanical units and Underground Parkade 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. Ground level vents shall be oriented away from adjacent Sites or on-Site amenity areas.

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

1. All vehicular parking shall be provided within the Underground Parkade with vehicular access and egress provided from the Lane abutting the Site.

2. Long term Bicycle parking spaces shall be provided in a safe and secure location in the Underground Parkade or in another secure locations within the building that are easily accessible to cyclists via a route through the building which facilitates easy and efficient transportation of bicycles.
3. Vertical racks may be used to satisfy Bicycle Parking requirements. The minimum size of vertical bike parking spaces shall be a minimum of 0.60 m wide, 2.3 m high, and 1.1 m deep, with a minimum 1.5 m wide aisle.
4. A minimum of 7 short term Bicycle Parking spaces shall be located at ground level in a highly visible location and easily accessible to 86 Avenue NW.
5. Loading, storage, and waste collection areas shall be located within the building, accessed from the abutting Lane and be designed to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation) and Waste Management Services.

#### **8. Development Regulations for Landscaping, Lighting and Amenity Areas**

1. The required detailed Landscape Plan shall be prepared by a registered Alberta Associate of Landscape Architects (AALA) Landscape Architect.
2. The selection of plant materials shall consider plants and shrubs that provide colour throughout the year to enhance the appearance of the development.
3. In addition to the requirements in the Zoning Bylaw, the Landscaping Plan shall demonstrate:
  - a. entry transitions, including features such as steps, decorative fences, gates, hedges, low walls, and/or planting beds within the Setback from 86 Avenue NW;
  - b. a minimum 1.8 m high decorative screen fence provided for the full length of the west and east Lot lines except within the Setback from 86 Avenue NW. This fence shall include ornamental vines.
  - c. in the landscaped area of the south Setback privacy screening shall be provided in the form of trees and shrubs.
  - d. Outdoor Common Amenity Area at ground level being landscaped with soft landscaping, garden boxes/planters, seating areas or other



complementary amenities;

- e. clear delineation of all Amenity Areas at ground level with vertical landscaping features (e.g. hedges, decorative fences, screens, low walls, shrubs, and other plant material); and
  - f. that soil above the Underground Parkade shall be of sufficient capacity to accommodate required Landscaping, including trees, shrubs, flower beds, grass, and ground cover.
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 86 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
  - a. 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 of 7.5 m<sup>2</sup> of Amenity Area shall be provided on Site per Dwelling. Of the total required amount:
- a. a minimum of 60 m<sup>2</sup> shall be provided as Common Amenity Area outdoors at ground level; and
  - b. a minimum of 80.0 m<sup>2</sup> shall be provided as Common indoor Amenity Area.

6. Each Dwelling on the ground level shall have direct access to a minimum of 7.5 m<sup>2</sup> of Private Outdoor Amenity Area.

## **9. Other Regulations**

1. 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.
2. A Wind Impact Study shall be prepared by a qualified, registered Professional Engineer and submitted with the Development Permit application for construction of the principal building. Prior to the issuance of the Development Permit, any mitigation measures to minimize adverse microclimatic effects, such as wind tunneling, snow drifting and rain sheeting, recommended by the study shall be incorporated into the design of the building, to the satisfaction of the Development Officer, to ensure on and off Site pedestrian circulation areas, Amenity Areas and open spaces are fit for the intended activities in the space.
3. Built form, public realm interfaces, streetscape elements and pedestrian connections shall consider the City of Edmonton's Winter Design Guidelines in their design and implementation. A report outlining how the development conforms to these guidelines shall be submitted with the Development Permit for construction of a principal building.
4. 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 5 years of the passage of the Bylaw adopting this Provision, development shall be in accordance with this Provision, except that:
  - a. the maximum Height shall be 16.0 m; and
  - b. the maximum Floor Area Ratio shall be 1.5.

## **10. Public Improvements and Contributions**

1. 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;

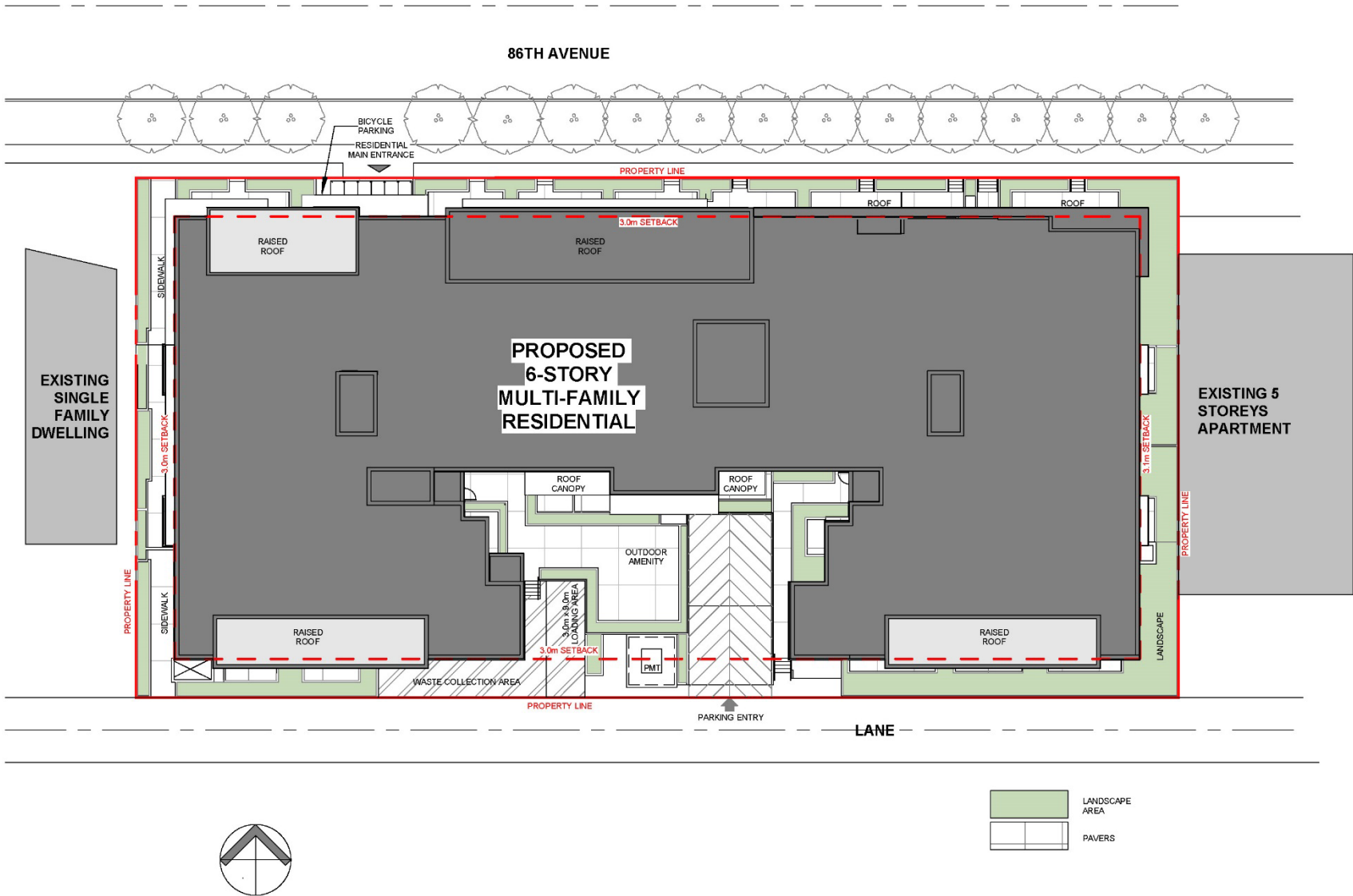
the Development Officer shall ensure a signed agreement has been executed between the City and the owner, requiring the owner to provide the City, at the time of each development permit approval, the option to purchase up to 5% of the proposed number of Dwelling units (rounded to the nearest Dwelling 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.

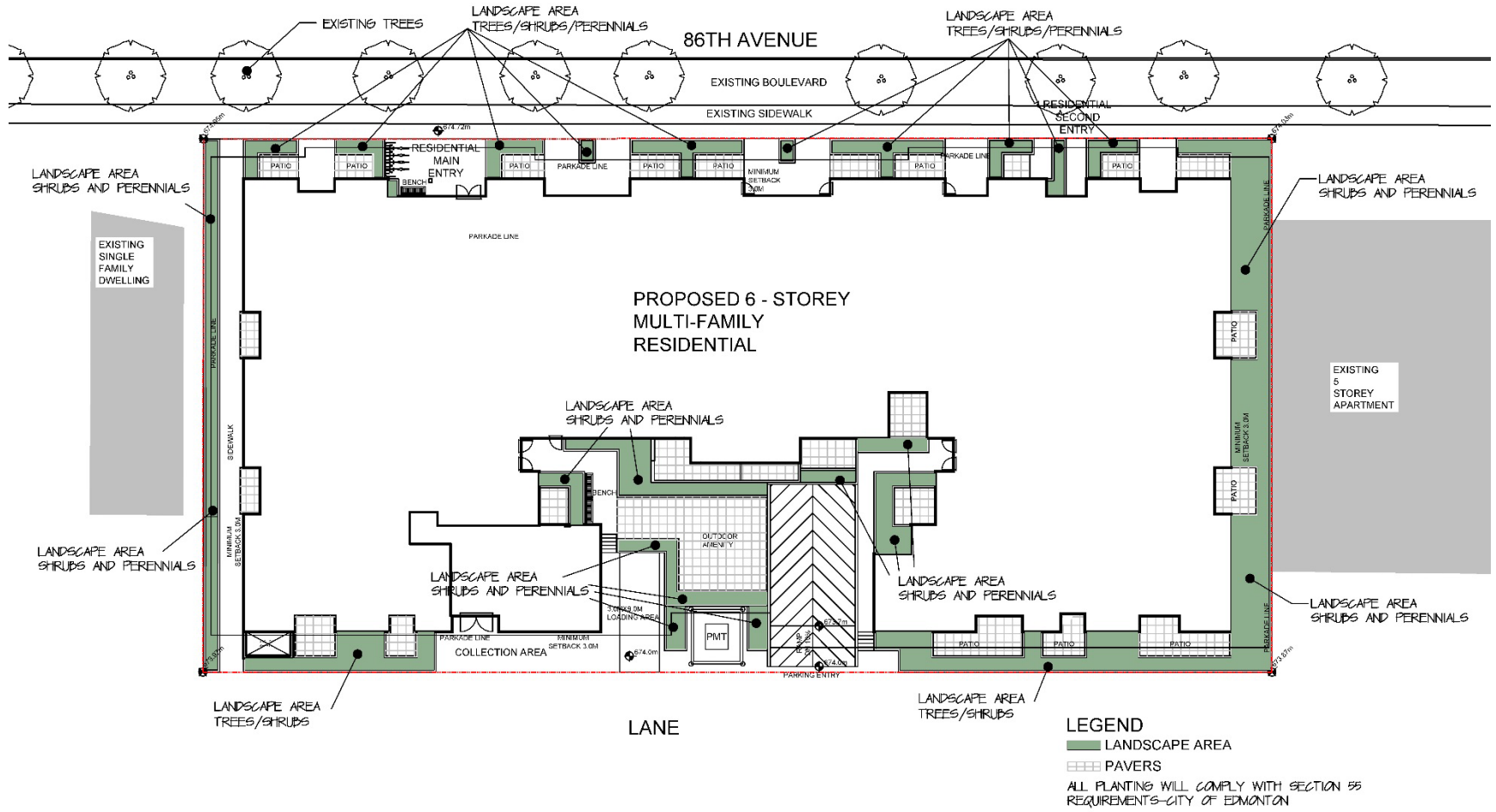
2. A minimum of 10 Dwellings shall be designed with the following characteristics:
  - a. have a minimum of three bedrooms;
  - b. have direct access to a Private Outdoor Amenity Area which can include balconies or patios;
  - c. have dedicated and enhanced bulk storage located within the Dwelling, or on the same Storey as the Dwelling;
  - d. have access to a minimum of three secure bicycle parking spaces. This allocation of spaces for these Dwellings shall not infringe on the ability for all remaining Dwellings in the development to have access to 0.5 bicycle parking spaces per Dwelling; and
  - e. at least 2 of these Dwellings shall be located in the first Storey and have a Private Outdoor Amenity Area of at least 10 m<sup>2</sup>.
3. Prior to the issuance of the Development Permit for construction of the principal building, the developer shall enter into an agreement to contribute a minimum of \$15,738.00 as a community amenity contribution towards the upgrading of public parks located within the Garneau neighbourhood, with specific details to be determined at the Development Permit stage between the Owner and City Administration in consultation with the Garneau Community League. Notwithstanding the above, if a Development Permit application has not been made within five (5) years of the date of this Charter Bylaw approval, this contribution shall be increased from that point forward according to the annual rate of national inflation as determined by Statistics Canada.
4. As a condition of any Development Permit, the owner shall enter into an

Agreement with the City of Edmonton for off-site improvements to support and enhance the development and surrounding streetscape as generally shown on the Appendices of this Provision. The Agreement shall include an engineering drawing review and approval process. Improvements shall be constructed at the owner's cost, and be designed to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation) and shall include, but may not be limited to, the following:

- a. Reconstruction of the east-west Lane between 110 Street NW and 111 Street NW to a commercial alley standard including paving the Lane to the south Lot Line for the entire length of the Site, and removing/relocating of any existing utilities as required to facilitate access to parking and waste collection areas;
  - b. Any enhancements to the signage and pavement markings in the vicinity of the 110 Street NW Lane crossing and the adjacent protected bicycle lanes on 110 Street NW, deemed necessary by and to the satisfaction of the Development Officer, in consultation with Building Great Neighbourhoods and Traffic Operations, and;
  - c. Repair of any damage resulting from construction of the development to the abutting roadways, sidewalks, street furniture, and/or boulevard, including Lanes not directly adjacent to the Site but which may be used for construction purposes, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation).
5. The storm and sanitary 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 City Planning (drainage). Such improvements are to be constructed at the owner's cost.

Appendix 1: Site Plan





Appendix 2: Landscape Plan

Appendix 3: North Elevation



Appendix 4: South Elevation





Appendix 5: East Elevation



Appendix 6: West Elevation

