

Charter Bylaw 19481

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 3110

WHEREAS Lots 11A & 27U, Block 186, Plan 3749RS; Lots 9 - 11, Block 186, Plan 3901AJ; and Lot 7, Plan EDMONTO; located at 8630, 8632, 8634, 8638, and 8642 - 108A Street NW & 8715 - 109 Street NW, Garneau, Edmonton, Alberta, are specified on the Zoning Map as (DC2) Site Specific Development Control Provision and (RA7) Low Rise Apartment Zone; and

WHEREAS an application was made to rezone the above described properties to (CB1) Low Intensity Business Zone and (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 11A & 27U, Block 186, Plan 3749RS; Lots 9 - 11, Block 186, Plan 3901AJ; and Lot 7, Plan EDMONTO; located at 8630, 8632, 8634, 8638, and 8642 - 108A Street NW & 8715 - 109 Street NW, Garneau, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (DC2) Site Specific Development Control Provision and (RA7) Low Rise Apartment Zone to (CB1) Low Intensity Business Zone and (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

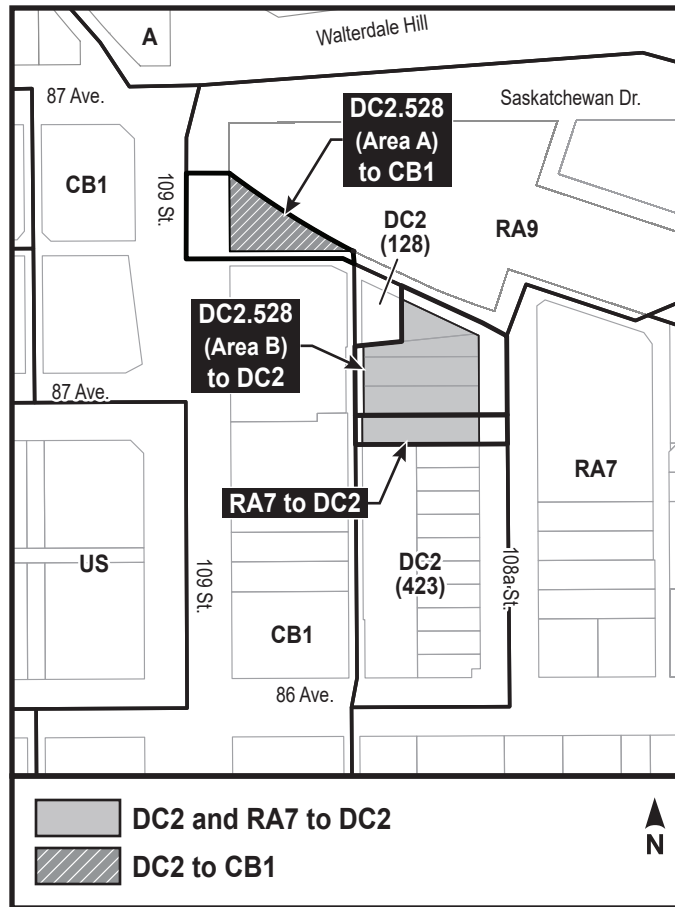
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MAYOR

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CITY CLERK

### CHARTER BYLAW 19481



**SCHEDULE “B”****(DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION****1. General Purpose**

To accommodate the development of a residential high-rise that provides an active streetscape and a high-quality pedestrian experience along 108A Street NW and the adjacent Lane to the north.

**2. Area of Application**

This DC2 Provision shall apply to Lots 9 - 11, Block 186, Plan 3901AJ; and Lots 11A and 27U, Block 186, Plan 3749RS; as shown on Schedule “A” of the Charter Bylaw adopting this Provision, Garneau.

**3. Uses**

1. Live Work Unit
2. Lodging Houses
3. Major Home-Based Business
4. Minor Home-Based Business
5. Multi-unit Housing
6. Residential Sales Centre
7. Supportive Housing
8. Urban Gardens
9. Urban Outdoor Farms
10. Vehicle Parking
11. Fascia On-premises Signs
12. Projecting On-premises Signs
13. Temporary On-premises Signs

**4. Development Regulations for Uses**

1. Live Work Units shall be limited to the ground-oriented Dwellings.
2. Residential Sales Centres shall be limited to the sale or lease of Dwellings on Site.
3. Signs shall comply with the regulations found in Schedule 59B of the Zoning Bylaw.

4. Temporary On-premises Signs shall be limited to project advertising associated with an on-Site Residential Sales Centre and shall not include trailer mounted or signs with changeable copy.

## 5. **Development Regulations For Site Layout and Built Form**

1. The development shall be in general conformance with the attached Appendices.
2. Building Height:
  - a. The maximum Height of the Tower shall vary between 70.0 m and 80.0 m, as shown on Appendix 1; and
  - b. The maximum Height of the Tower podium shall vary between 5.0 m and 14.0 m, as shown on Appendix 1.
3. The maximum Floor Area Ratio (FAR) shall be 8.5.
4. The maximum number of Dwelling units shall be 245.
  - a. A minimum of 20% of Dwellings shall have 2 bedrooms or more.
5. The minimum podium Setbacks shall be as follows:
  - a. 1.7 m from the east Lot line up to a Height of 8.0 m and then 2.7 m for the portion above 8.0 m. Canopies and vertical architectural wall features shall not be subject to this required Setback.
  - b. 0.0 m from the south Lot line, except:
    - i. the most easterly 15.0 m of the podium shall have a minimum Setback of 1.4 m; and
    - ii. above a Height of 8.0 m, the minimum setback shall be 2.4 m.
  - c. 0.0 m from the west and north Lot Lines.
6. The minimum Tower Setbacks shall be as follows:
  - a. 9.6 m from the north Lot line abutting the Lane to the north;
  - b. 3.0 m from the north Lot line abutting the adjacent Site shown on Appendix 1 – Site Plan;
  - c. 6.0 m from the east Lot line;
  - d. 5.3 m from the south Lot line: and
  - e. 0.0 m from the west Lot line.
7. The Underground Parkade below ground level shall not be subject to required Setbacks and can extend to all Lot lines.
8. The maximum Tower Floor Plate shall be 800 m<sup>2</sup>.

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

1. The building shall be comprised of a podium and Tower configuration.
2. Each facade of the Tower shall provide visual interest through the use of physical breaks and colour.
3. The exterior of the building shall be finished with high quality, durable materials such as, but not limited to, stone, brick, metal, wood, concrete, architectural panels, and/or glass. The use of vinyl siding is prohibited.
4. Ground-oriented Dwellings shall be required on the first Storey facing 108A Street NW and shall:
  - a. provide an individual private exterior entrance at ground level, oriented and clearly visible to be readable from, and lend a sense of occupancy to, the public roadway and Lane using features such as, but not limited to, porches, staircases and stoops. Sliding patio doors shall not serve as this entrance;
  - b. provide a semi-private outdoor area that is provided in a manner that establishes a transition area between the Dwelling and the publicly accessible land using landscape features, such as change in grade, shrub/tree beds, different paving materials and/or decorative fencing/screening;
  - c. not have solid fences higher than 1.2 m in Height. Landscaping retaining walls or other low height elements may be utilized to visually separate the semi-private outdoor space and public roadways and Lane; and
  - d. A minimum of 65% of the linear building frontage of the ground Storey Façades shall have transparent glazing. Linear frontage shall be measured as the horizontal plane at 1.5 m above Grade.
5. The interface along the south Lot line shall be developed to maximize privacy and minimize overlook onto the adjacent residential property through the use of features such as, but not limited to, privacy screens, frosted glazing, or location and placement of windows.
6. Podium rooftops shall provide enhancements to improve rooftop aesthetics from adjacent residential buildings, enhancements shall include, but not limited to, decorative hardscaping, gardens or green roofs.
7. 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 or pedestrian circulation areas.
8. The top levels of the Tower shall contribute to the 'signature' of the building and the City's skyline through sculpting of the upper floors and the roof.
9. Architectural features such as balconies and roof projections may project into required Setbacks to a maximum of 0.5 m, except to the north and south.

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

1. Bicycle Parking shall be provided in accordance with the Zoning Bylaw to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation), except that:
  - a. A minimum of 185 long term Bicycle Parking spaces shall be provided in a secure facility within the building that is easily accessible to cyclists via access ramps, or a route through the building that facilitates easy and efficient transportation of bicycles;
  - b. A minimum of 14 short term Bicycle Parking spaces for visitors shall be provided in an easily accessible location and available for public use; and
  - 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 0.60 m wide, 2.3 m high, and 1.1 m deep, with a minimum 1.5 m wide aisle.
2. Vehicular access and egress shall be provided from the west Lane abutting the Site.
3. All Vehicle Parking shall be provided within an Underground Parkade and/or Surface Parking.
4. Notwithstanding the Zoning Bylaw, one on-Site vehicle loading space shall be required.
5. All waste collection and storage areas shall be located within the building, not visible from public roadways, 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 Area**

1. Landscaping shall be in general conformance with the Appendix 6.
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. The following shall apply and be shown on the required Landscape Plan:
  - a. Landscaping shall use plant materials that provide colour throughout the year to enhance appearance during winter months;
  - b. Landscaping Plans shall incorporate native and/or drought tolerant species into the Landscaping design;

- c. Setbacks from the east shall provide entry transitions including features such as steps, gates, hedges, low walls, for Dwellings fronting 108A Street NW;
  - d. Setbacks from the east shall provide a 1.5 m wide concrete walkway adjacent to Ground-oriented Dwellings fronting 108A Street NW; and
  - e. At ground level, the east and north Setback shall be Hardsurfaced and visually incorporated into the streetscape of 108A Street NW and the north Lane by providing paving materials, shrub beds, and/or planters to accommodate Landscaping that contributes to a high quality pedestrian oriented public realm.
4. 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 impacts on adjacent properties. A detailed exterior lighting plan shall be provided to the satisfaction of the Development Officer.
  5. A minimum Amenity Area of 8.5 m<sup>2</sup> per Dwelling shall be provided and can be private and/or communal. This may be achieved using balconies, terraces/patios on top of the podium base, Rooftop Terraces, and indoor Common Amenity Areas such as communal lounges, entertainment rooms, fitness areas and bicycle rooms.
  6. Of the total Amenity Area requirement, a minimum of 180 m<sup>2</sup> shall be in the form of a Common Amenity Area specifically designed for children located in the podium, of which a minimum of 80 m<sup>2</sup> shall be indoor space and minimum of 100 m<sup>2</sup> shall be outdoor space.
  7. Common Amenity Areas shall be located at the top of the Tower in the form of a Rooftop Terrace, and at the midpoint of the south-facing Tower Facade.
9. **Other Regulations**
1. Prior to the issuance of the Development Permit for construction of the principal buildings, 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, to the satisfaction of the Development Officer.
  2. 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 in accordance with the Zoning Bylaw.



3. 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 Development Services (Drainage). Such improvements are to be constructed at the owner's cost.
4. 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.
5. 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 108A 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 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.
6. 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 10 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 14.5 m; and
- b. the maximum Floor Area Ratio shall be 1.4.

## 10. Public Improvements and Contributions

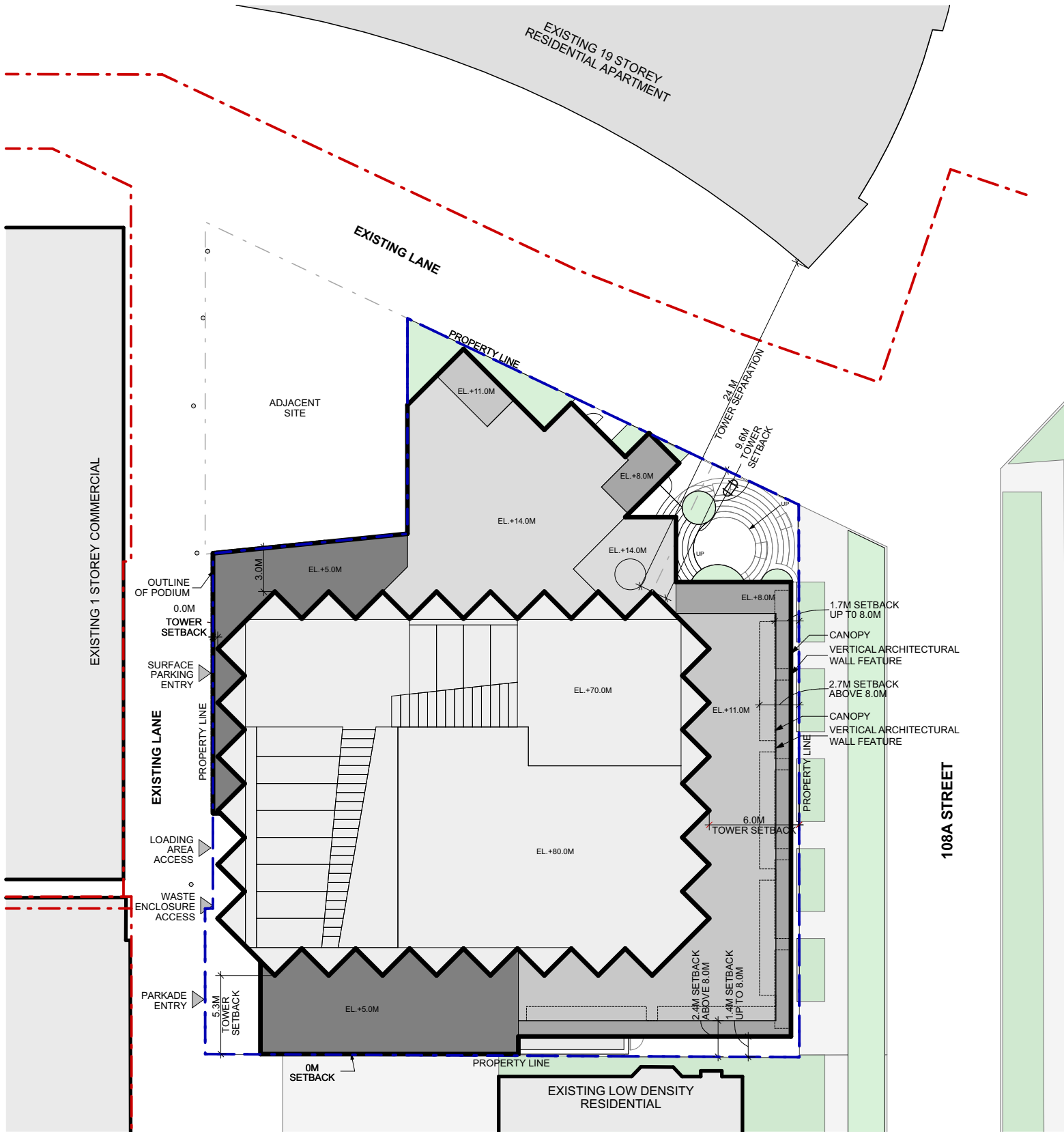
1. Prior to the issuance of a development permit for:
  - a. a building that contains 12 or more Dwelling units; or
  - b. a building that contains less than 12 Dwelling units, but is part of a Site with 12 or more Dwelling units in total;

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. There shall be a minimum of 7 Dwellings with the following characteristics:
  - a. have a minimum of three bedrooms;
  - b. have access to dedicated and enhanced bulk storage located within the Dwelling, on the same Storey as the Dwelling, or in the Underground Parkade;
  - c. have access to a dedicated and secured family bicycle parking room or cage which shall have racks or railings for a minimum of two bicycles per Dwelling allocated to use the parking room. This family bicycle parking room may be located within the Dwelling, on the same Storey as the Dwelling, or within the Bicycle Storage Facility; and
  - d. have access to the Common Amenity Area designed for children, as described in Section 8.6 of this Provision.
3. Prior to the issuance of a Development Permit for the principal building, the owner shall enter into an agreement between the City and the owner to contribute \$109,557.31 to the creation of, or improvement to, an off-Site Public Amenity such as the Rail Trail (identified in Building Great Neighbourhoods – Garneau), High Level Line, or parks, gardens or open spaces within the boundaries of the Garneau neighbourhood. The funds shall be submitted to the City prior to the issuance of the Development Permit and be disbursed by the City according to a separate agreement between the City and the Community League. More specific agreement details shall be determined at the Development Permit stage between the owner and the City, in consultation with the Garneau Community League.

- a. Notwithstanding the above, if a Development Permit application has not been made within five (5) years of the date of approval of the Charter Bylaw adopting this Provision, this contribution amount 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 a Development Permit, the owner shall enter into a Servicing Agreement with the City of Edmonton for all off-Site improvements necessary to serve the development, such improvements to be constructed at the owner's cost. The Agreement process includes an engineering drawing review and 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. Repaving of the north-south Lane to the west of the Site from 86 Avenue NW north to the intersection with the east-west Lane north of the Site and removing/relocating any existing utilities as required to facilitate access to parking and waste collection areas; and
  - b. 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).

# APPENDIX 1: Site Plan

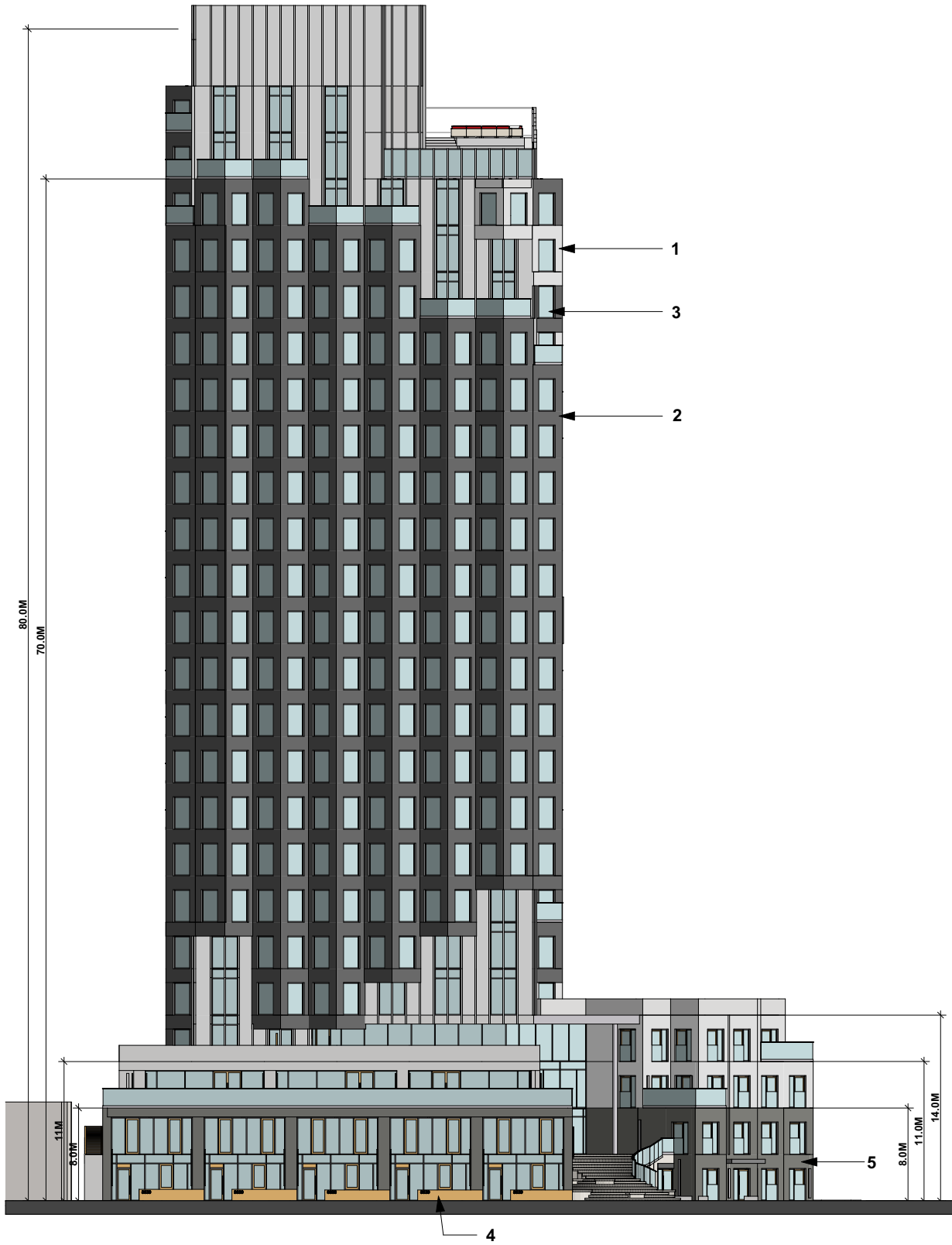


## SITE PLAN

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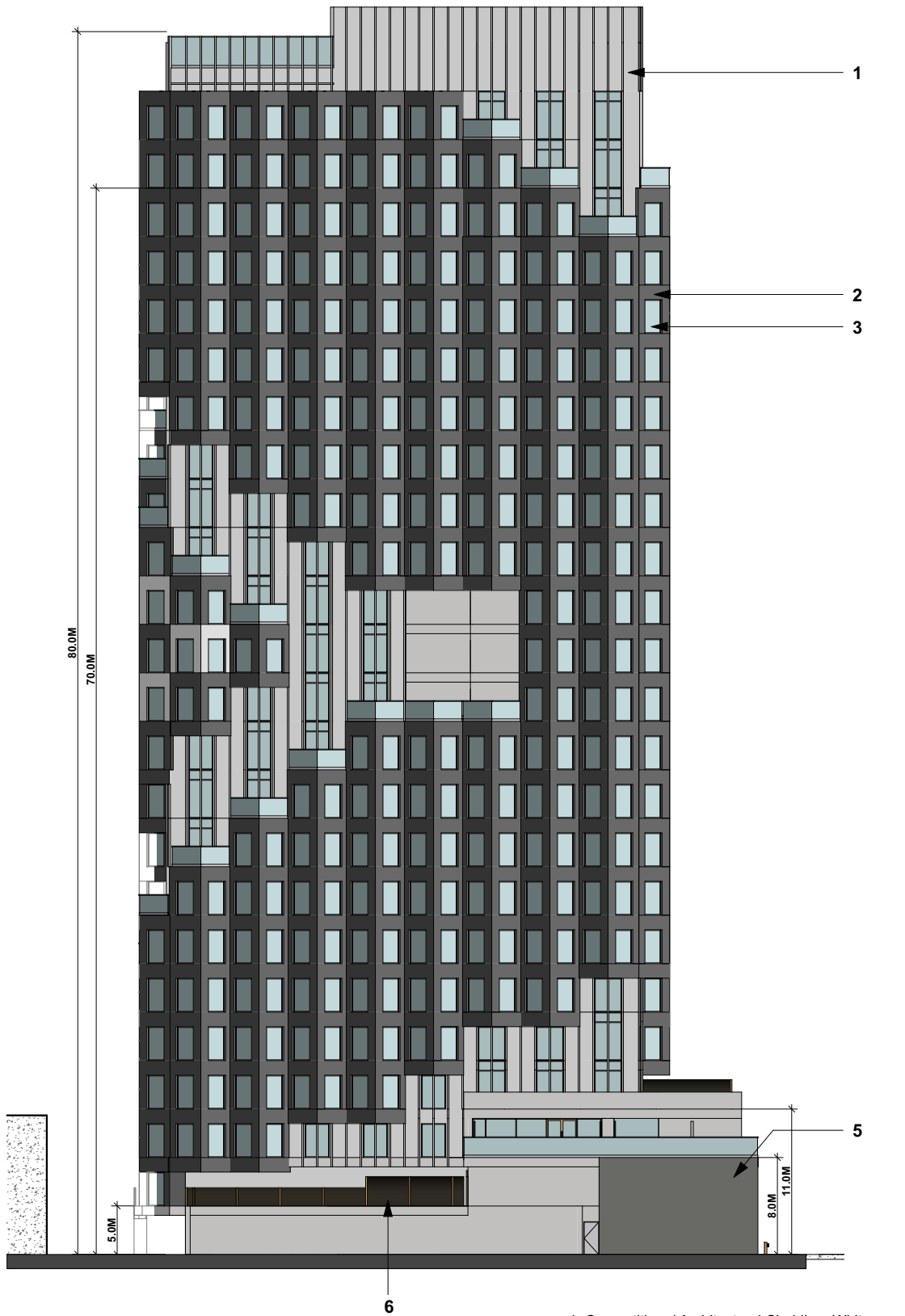


# APPENDIX 2: East Elevation



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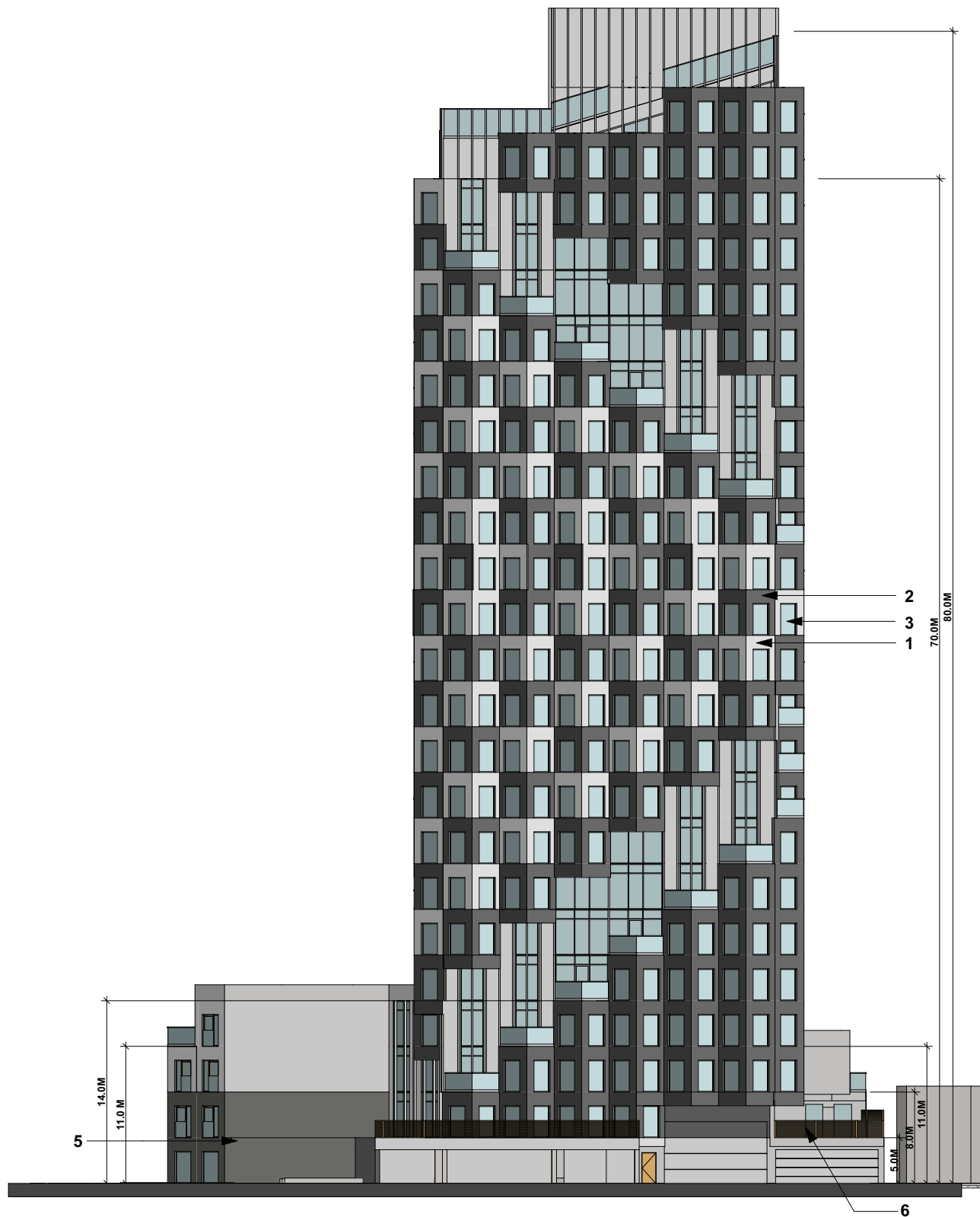
APPENDIX 3: South Elevation



- 1. Cementitious/ Architectural Cladding- White
- 2. Cementitious/ Architectural Cladding- Dark Grey
- 3. Glazing
- 4. Woodgrain Cladding
- 5. Brick Cladding
- 6. Screening

1:350

# APPENDIX 4: West Elevation



- 1. Cementitious/ Architectural Cladding- White
- 2. Cementitious/ Architectural Cladding- Dark Grey
- 3. Glazing
- 4. Woodgrain Cladding
- 5. Brick Cladding
- 6. Screening

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APPENDIX 5: North Elevation



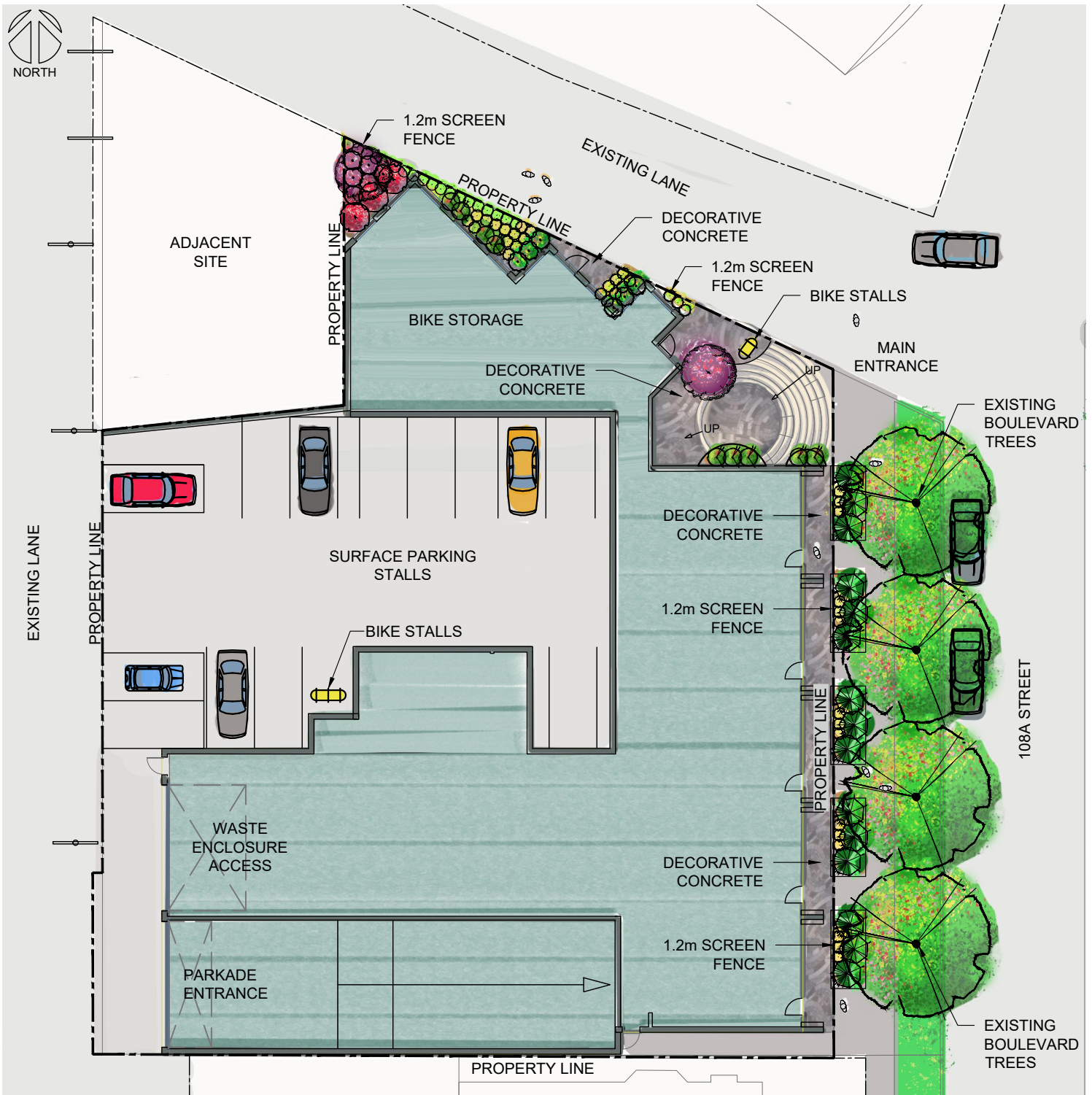
- 1. Cementitious/ Architectural Cladding- White
- 2. Cementitious/ Architectural Cladding- Dark Grey
- 3. Glazing
- 4. Woodgrain Cladding
- 5. Brick Cladding
- 6. Screening

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# APPENDIX 6: LANDSCAPE / AMENITY AREA CONCEPT - GROUND

SCALE 1:300

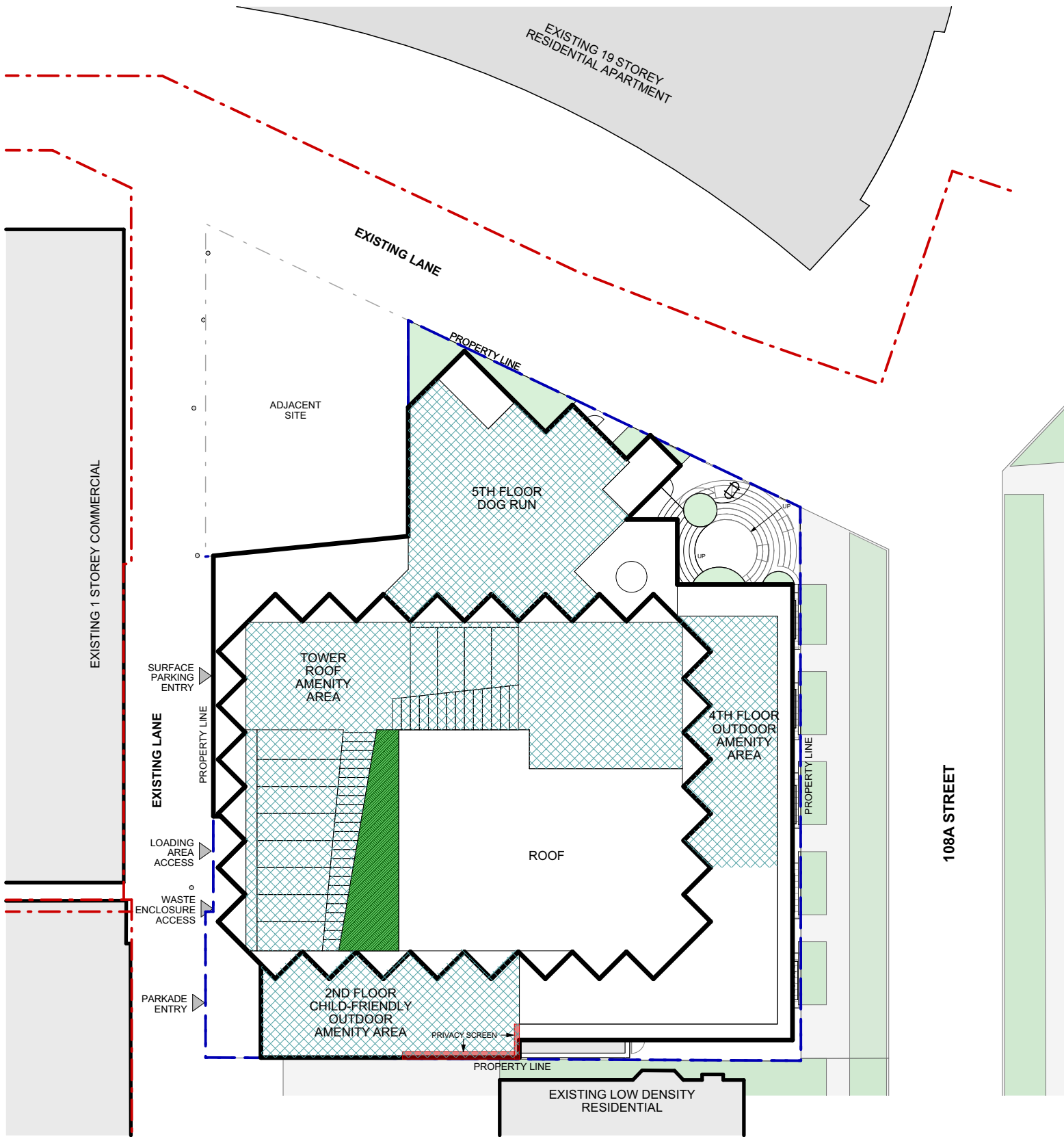


## LEGEND

-  EXISTING BOULEVARD TREES
-  PROPOSED DECIDUOUS TREE PLANTINGS
-  PROPOSED DECIDUOUS & CONIFEROUS SHRUB PLANTINGS



-  PROPOSED PERENNIAL & DECORATIVE GRASS PLANTINGS
-  DECORATIVE HARD SURFACING - (TO BE DETERMINED)
-  BOULEVARD SOD
-  STANDARD CONCRETE

# APPENDIX 7: Landscape/ Amenity Area Concept- Podium



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-  DECORATIVE SHRUBS & GRASSES
-  COMMON OUTDOOR AMENITY AREAS