

Bylaw 15275

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 1094

WHEREAS Lots 101 - 103, Block 5, Plan B, located at 9724 - 105 Street NW, Downtown, Edmonton, Alberta, are specified on the Zoning Map as (HDR) High Density Residential 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 101 - 103, Block 5, Plan B, located at 9724 - 105 Street NW, Downtown, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (HDR) High Density Residential 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.

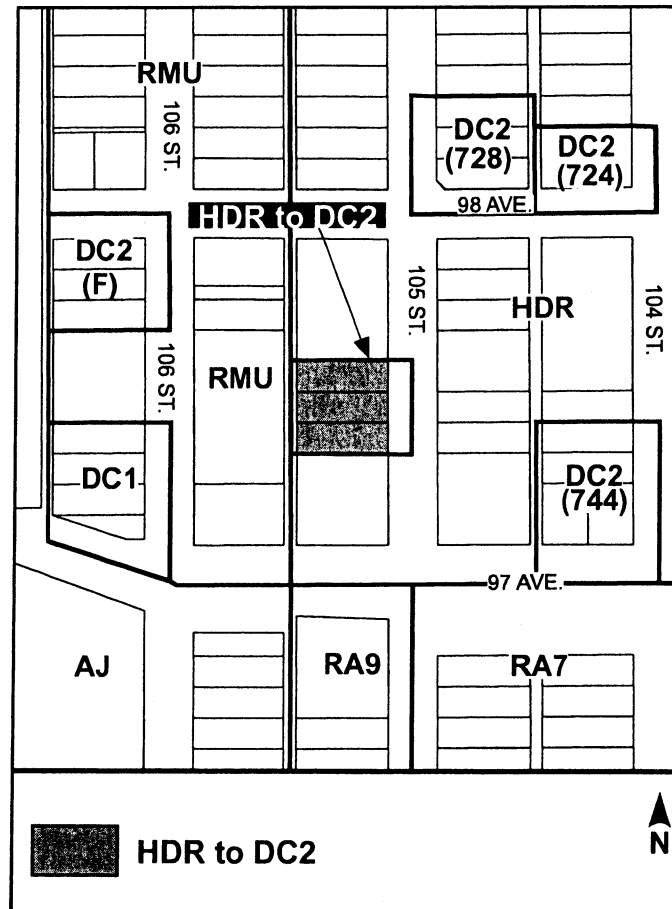
READ a first time this	29th	day of	September	, A. D. 2009;
READ a second time this	29th	day of	September	, A. D. 2009;
READ a third time this	29th	day of	September	, A. D. 2009;
SIGNED and PASSED this	29th	day of	September	, A. D. 2009.

THE CITY OF EDMONTON

  
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 MAYOR

  
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 A/CITY CLERK

## BYLAW 15275



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

To accommodate a 26 storey high-rise apartment building with grade accessible family oriented dwellings and live work units, with regulations to ensure a sustainable development that is compatible with the McKay Avenue area, minimizes sun shadow and view impacts, and provides a vibrant pedestrian realm.

**2. Area of Application**

Lots 101, 102, and 103, Block 5, Plan B containing approximately 0.21 ha, located north of 97 Avenue and west of 105 Street, Downtown Neighbourhood, as shown on Schedule "A" of this Provision.

**3. Uses**

- a. Apartment Housing
- b. Live Work Units, limited to units with individual at-grade access fronting onto 105 Street
- c. Minor Home Based Business
- d. Residential Sales Centre
- e. Freestanding On-premises Sign
- f. Temporary Signs, limited to project advertising and residential sale purposes only, and excluding trailer mounted signs and/or signs with changeable copy
- g. Fascia On-premises Signs

**4. Development Regulations**

- a. Development shall be in general accordance with Appendix I: Site Plan; Appendix II: Street Landscape Concept; Appendix III: Podium Landscape Concept; Appendix IV: East Elevation; Appendix V: West Elevation; Appendix VI: South Elevation; Appendix VII: North Elevation; Appendix VIII: East Podium Elevation; Appendix IX: North Podium Elevation; Appendix X: West Podium Elevation; and Appendix XI: South Podium Elevation.
- b. The maximum number of dwelling units shall be 169.
- c. The maximum Height shall not exceed 26 storeys nor 77.5 m, in accordance with Appendix IV: East Elevation; Appendix V: West Elevation; Appendix VI: South Elevation; and Appendix VII: North Elevation.

- d. The maximum podium height on the north face shall be 10.7 m, and on the south face shall be 11.2 m.
- e. The maximum floor plate sizes shall be:
  - i. 1,050.2 m<sup>2</sup> (floor 2);
  - ii. 791.2 m<sup>2</sup> (floor 3);
  - iii. 615.5 m<sup>2</sup> (floors 4 - 17);
  - iv. 577.5 m<sup>2</sup> (floors 18 - 24);
  - v. 498.9 m<sup>2</sup> (floor 25); and
  - vi. 478.5 m<sup>2</sup> (floor 26).
- f. The maximum Floor Area Ratio shall be 7.83.
- g. The development shall provide a minimum yard of:
  - i. 1.2 m on the north;
  - ii. 3.0 m on the east;
  - iii. 1.2 m on the south; and
  - iv. 10.9 m on the west.
- h. Live Work Units, Minor Home Based Businesses and Residential Sales Centres shall be developed in accordance with the relevant sections of the Zoning Bylaw.
- i. Sign types permitted by this provision may be allowed in accordance with Schedule 59B of the Zoning Bylaw as well as 4(j) and 4(k) of this provision.
- j. One on-premises freestanding sign may be allowed in the location shown in Appendix I: Site Plan to the satisfaction of the Development Officer. The sign shall not exceed a maximum sign area of 2.7 m<sup>2</sup> and a maximum height of 1.32 m. Sign content shall be restricted to the marketing name of the development and shall not exceed 25% of the total sign area.
- k. The applicant shall submit a comprehensive sign design plan upon submission of a Development Permit application pursuant to Section 59.3 of the Zoning Bylaw.
- l. The owner shall enter into an Encroachment Agreement for any portions of the development that are to be located on road right-of-way, including but not limited to the following: steps, porches, walkways, planters, fencing, footings and any shoring to remain under the road right-of-way after construction is complete. These features must be to the satisfaction of the Transportation Department.
- m. Prior to issuance of a Development Permit, the owner shall enter into an Agreement with the City of Edmonton for off-site improvements necessary to serve the development. The Agreement shall include an engineering drawing review and approval process, as well as an irrevocable Letter of Credit to cover 100% of construction costs. Improvements to be addressed in the Agreement shall include but are not limited to the following:

- i. Planting of trees in the city boulevard along the 105 Street frontage to continue the line of boulevard trees along 105 Street in general conformance with Appendix II: Street Landscape Concept and to the satisfaction of Asset Management and Public Works;
  - ii. New sidewalk and curb along the 105 Street frontage of the subject property to the satisfaction of the Transportation Department;
  - iii. Installation of new decorative medium height street lighting compatible with that of other new development in McKay Avenue along 105 Street to the satisfaction of the Development Officer;
  - iv. Removal of all existing accesses to 105 Street, construction of the new curb and gutter to the satisfaction of the Transportation Department and Asset Management and Public Works;
  - v. Details of any structures and pavement treatment to be located on road right-of-way must be included on the engineering drawings.
  - vi. Repair of any damage to the abutting roadways, lane and sidewalks resulting from construction of the development, to the satisfaction of the Transportation Department;
  - vii. The owner is responsible for the location of all underground and above ground utilities and maintaining required clearances as specified by the utility companies. Any costs associated with relocations and/or removals shall be at the expense of the owner;
  - viii. The installation of a hydrant meeting City standards for fire flow to the satisfaction of EPCOR; and
  - ix. All roadway modifications required to facilitate access.
- n. Separation Space shall be provided in accordance with Section 48 of the Edmonton Zoning Bylaw.
  - o. Outdoor parking, loading, storage, and waste bin storage and collection areas shall be permitted within the Yard along the west property line which shall be developed as illustrated in Appendix I: Site Plan.
  - p. The waste bin storage area and pathway to the alley for waste collection shall be designed to the satisfaction of Asset Management and Public Works and the Transportation Department. Grade details for the adjacent lane must be included in the engineering drawings for construction.
  - q. Vehicular access to the site shall be provided off the adjacent lane as illustrated in Appendix I: Site Plan.
  - r. A geotechnical survey, including a stability assessment to assess the impact this development and construction in the adjacent lane will have at this location, shall be provided prior to the Development Permit being issued. The assessment must be reviewed by the Transportation Department. Any required stability measures shall be undertaken prior to excavation or Building Permits being issued.
  - s. Prior to the issuance of a Development Permit, the applicant shall submit a site

construction plan to minimize the noise and vibration impacts to adjacent properties. This plan shall be to the satisfaction of the Development Officer and the Transportation Department, and shall address items such as construction hours, duration and access routing for construction vehicles.

- t. Vehicle and bicycle parking shall be provided in accordance with Section 54 of the Zoning Bylaw. Vehicular parking shall be located in surface stalls provided off the adjacent lane and in the parkade, to the satisfaction of the Development Officer and the Transportation Department.
- u. Visitor parking shall be provided in eight surface stalls as illustrated in Appendix I: Site Plan and in seventeen stalls on the main floor level of the parkade. Two of the eight surface stalls shall be provided as visitor/commercial stalls to accommodate the parking needs of potential live work units.
- v. Handicap parking shall be provided in accordance with the Alberta Building Code Section 3.8.2.2 in four parking stalls in the parkade.
- w. The retaining walls at the sides of the parkade ramp must be constructed so as not to obstruct sight lines into the adjacent lane for vehicles exiting the ramp. Any retaining walls must not exceed a height of 0.3 m for a distance of 3.0 m from the property line, and no portion of the wall may encroach onto the road right-of-way. Should the owner/applicant wish to increase this height, adequate sight line data must be provided to the satisfaction of the Transportation Department.

## **5. Urban Design Regulations**

- a. Development shall include articulation in the building façades utilizing a podium that steps down from three storeys to two storeys down the hill toward 97 Avenue, and shall incorporate six ground floor residential dwelling units with direct grade access onto 105 Street and four second storey units with direct grade access to the adjacent lane.
- b. The west façade of the tower shall be a stepped geometric design and the east façade of the tower shall be curved in such a way as to maximize views from adjacent properties to the southeast and southwest as illustrated in Appendix I, Site Plan.
- c. The bottom of the tower shall step back above the podium by 5.1 m from the east, 6.2 m from the south, 1.3 m from the west, and 6.3 m from the north and include further stepping back of the upper floors, to minimize the perception of building massing and to add architectural interest.
- d. All exterior finishing material shall be of a high quality, durable, and attractive in appearance; and all exposed building faces shall have consistent and harmonious exterior finishing materials and textures, which shall include:
  - i. elements of acrylic stucco;
  - ii. concrete block;

- iii. Sungate 500 (3) Gray on the south west facing walls of the tower to minimize solar gain and provide reflectance of 8% , shading coefficient of 0.45, solar heat gain coefficient of 0.39, and light solar gain of 0.95;
  - iv. precast concrete architectural lintel; cultured stone, platinum pro-fit; painted flashing, wolf white; and stained wood trellis, windsor on the podium as illustrated in Appendix IV through Appendix XI;
  - v. ambient acrylic stucco, stark white; accent acrylic stucco, charcoal grey; and punched window and glass railing, ultra clear on both the podium and the tower as illustrated in Appendix IV through Appendix XI; and
  - vi. curtain wall glazing, solar grey on the tower as illustrated in Appendix IV through Appendix XI.
- e. To ensure a high standard of development, building design plans shall be submitted with the Development Permit application. Such plans shall be to the satisfaction of the Development Officer and include details of overall site layout, exterior building treatment and colour scheme, street level perimeter and podium rooftop landscaping, parking layout, and signage plans.
- f. Building entrances shall feature designs that enhance their prominence, incorporate weather protection features, and provide lighting adequate to identify these areas at night.
- g. Dwellings located on the first storey shall be accessed by individual entrances onto 105 Street and west-facing dwellings on the second storey shall be accessed by individual entrances onto the adjacent lane. These dwellings shall feature hard and soft landscaping with features comprised of high quality concrete, stone, wood, metal and other sustainable materials to the satisfaction of the Development Officer.
- h. A Crime Prevention Through Environmental Design (CPTED) Assessment shall be submitted and be reviewed and accepted by the Development Officer prior to the issuance of a Development Permit to ensure that development on the Site provides a safe urban environment in accordance with the guidelines and principles established in the Design Guide for a Safer City.
- i. The transformer pad and the waste bin storage area located adjacent to adjacent lane as shown in Appendix II: Street Landscape Concept, shall be screened from view in an enclosure designed to screen the transformer and waste bins from pedestrian and adjacent residential views.
- j. All mechanical equipment on the roof shall be completely screened within the building roof.
- k. All exterior lighting of the site shall be designed to prevent light pollution by ensuring that lighting 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.



- l. Architectural medium level street lighting shall be installed on-site along 105 Street. The number of light standards and placement of each light standard shall be to the satisfaction of the Development Officer in consultation with EPCOR. The applicant shall be responsible for all costs associated with acquisition and installation of the lighting as well as the removal of existing light standards.
- m. A minimum Amenity Area of 7.5m<sup>2</sup> per dwelling shall be provided in the form of balconies or common accessible space.
- n. Outdoor amenity space in the amount of approximately 189 m<sup>2</sup> shall be provided on the 3<sup>rd</sup> floor terrace, atop the podium, and shall be accessible to all residents of the building via an indoor amenity space on the 3<sup>rd</sup> floor in the amount of approximately 73 m<sup>2</sup>.

## **6. Landscaping Regulations**

- a. Landscaping shall be generally in accordance with the Appendix II: Street Landscape Concept.
- b. Landscaping on the podium roof shall be generally in accordance with Appendix III: Podium Landscape Concept.
- c. Detailed landscaping plans, including all existing and proposed utilities within the road right-of-way must be submitted with the Development Permit application for review and approval by the Planning and Development Department, Asset Management & Public Works and the Transportation Department.

## **7. Other Regulations**

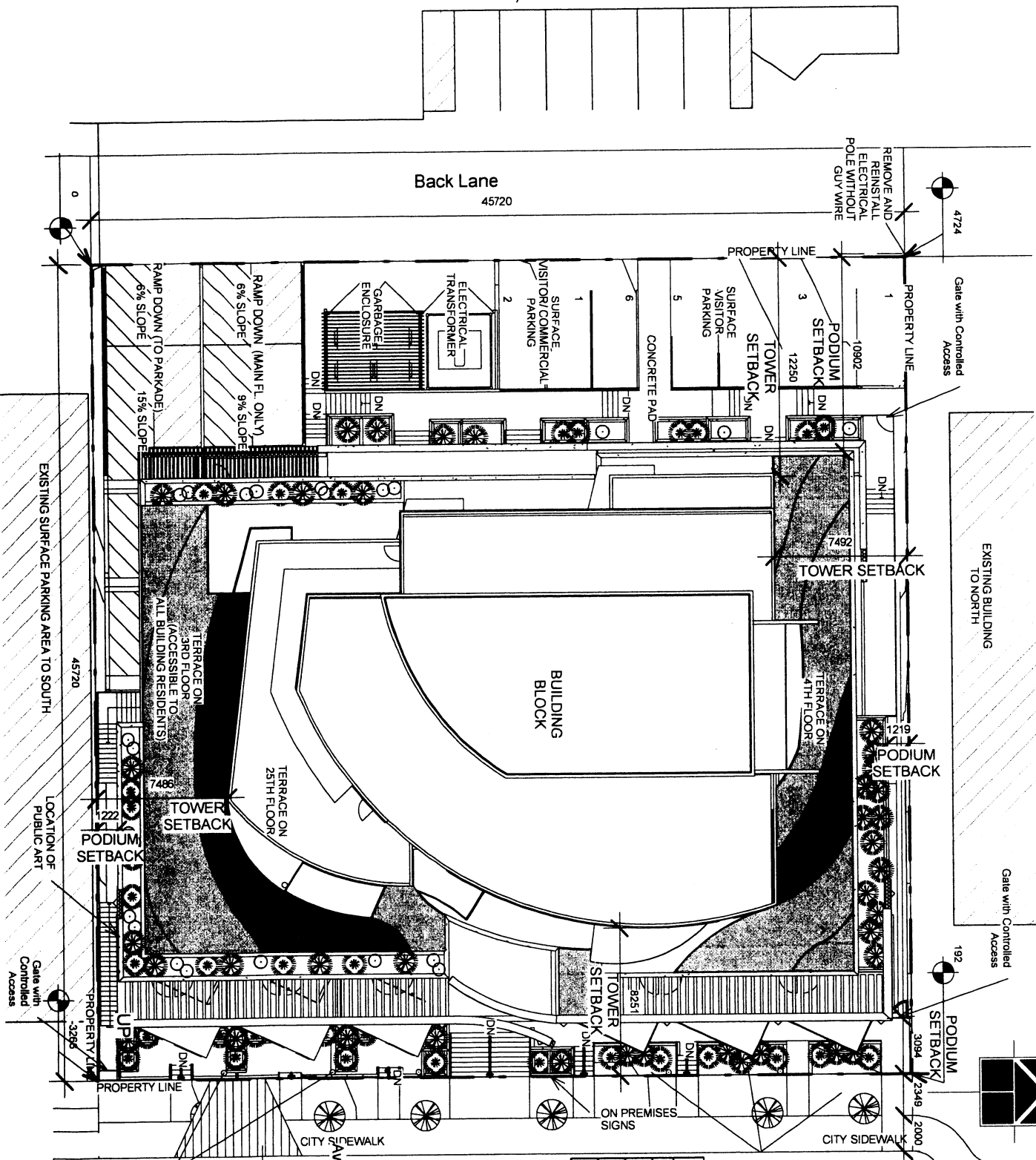
- a. Prior to the issuance of any Development Permit, the Development Officer shall ensure that a signed agreement has been executed between the City and the Owner, requiring the owner to provide the City at the time of Development Permit approval, the option to purchase 5% of the proposed number of residential units at 85% of the list price or to provide the equivalent value as cash in lieu to the City, or as prescribed in any future City of Edmonton's Affordable Housing Policy initiatives.
- b. There shall be ten (10) dwellings developed as either family-oriented dwellings or Live Work Units, as defined in the Zoning Bylaw.
- c. There shall be at least two (2) dwellings developed as units for the disabled, to the satisfaction of the Development Officer.
- d. Prior to the issuance of a Development Permit, the applicant shall contribute \$150,000 to the City in trust for the acquisition or commissioning of public art and \$10,000 to the City in trust for public art lighting. The artwork will be located on-site and mounted on the building wall in the southeast corner of the site, and illuminated at night. The artwork will be acquired through a process administered

by the Edmonton Art Council (EAC), or alternatively by an independent consultant with a public art plan reviewed and approved by the EAC's Public Art Committee.

- e. The public art and public art lighting will be owned and maintained by the Condominium Association.
- f. The building shall at minimum achieve the minimum of the LEED Canada-NC 1.0 LEED Silver certification. Upon submission of a Development Permit application, the applicant must submit a detailed report, endorsed by a third-party registered professional engineer or architect, indicating how the LEED Silver points will be achieved upon construction completion. This report must be approved by the Development Officer prior to the issuance of the Development Permit.

This Provision encourages that the following Sustainability Targets be included in the LEED Silver checklist and integrated into the building design to the satisfaction of the Development Officer:

- i. Sustainable Sites, a total of 5 points, for site selection, development density, alternate transportation for public transportation access, bicycle storage and changing room, and stormwater management;
- ii. Water Efficiency, 4 points, for water efficiency landscaping by limiting or eliminating the use of potable water for landscape irrigation, maximizing water efficiency within the building with high efficiency fixtures and employing wastewater technology;
- iii. Energy and Atmosphere, 4 points, for using increasing levels of energy performance in energy consumption and cost in regulated and non-regulated uses, and employing best practice commissioning to verify that the entire building is designed, constructed and calibrated to operate as designed, in compliance with the Montreal Protocol;
- iv. Material and Resources, 5 points for including a construction waste management plan to divert waste up to 75% from the landfill, and using building materials that incorporate recycled contents. At least 10% of building material and products used will be extracted and manufactured regionally. In addition, a building durability plan will be developed and implemented in accordance with the principles of CSA S478-95 (2001).
- v. Indoor Environmental Quality, a total of 12 points, for providing effective delivery of supply air to support the safety, comfort and well being of building occupants, and together with this, preparing a construction IAQ management plan for construction and before occupancy. Construction specifications will indicate the use of low volatile organic compounds (VOC) for adhesives, sealants, paints and coatings, and carpets, and show controllability of systems in both perimeter spaces and non-perimeter spaces to achieve a daylight and view factor of 95%; and
- vi. Innovation and Design Process, 3 points, for the placement of signage in different parts of the building to educate occupants and visitors to the benefits of Green Buildings.



# APPENDIX I

## PARKWOOD TOWER

### Site Plan

Scale 1:300

#### Land Use Statistics

Site Area : 2071.23 sqm  
 Proposed Number of Units : 169  
 Density : 815.94 units/ha

#### Residential Units

REFER TO LANDSCAPE DETAILS

Main Floor	2nd Floor	3rd Floor	4-17/18-24/25-28 Floor	Total
1 Bed Room	0	2	1 x 14 1 x 7	0 24
2 Bed Room	0	7	6 x 14 6 x 7	0 139
3 Bed Room	0	2	0 0 0 2 x 2	6
TOTAL	0	11	7 98 49	4 169

TOTAL FLOOR AREA: =16,232.18 sq. m.  
 TOTAL FAR = 7.83  
 Proposed Density = 169 units/site area 2071.23 sq.m.  
 = 815.94 units/ha

Parking Provided:  
 Surface Parking = 8  
 Parking Stalls = 191  
 Total Stalls Provided = 199

Average Grade Height = 644.77 m (2115.4 ft)  
 Height Above Grade = 77.419 m (254.0 ft)

105th Street

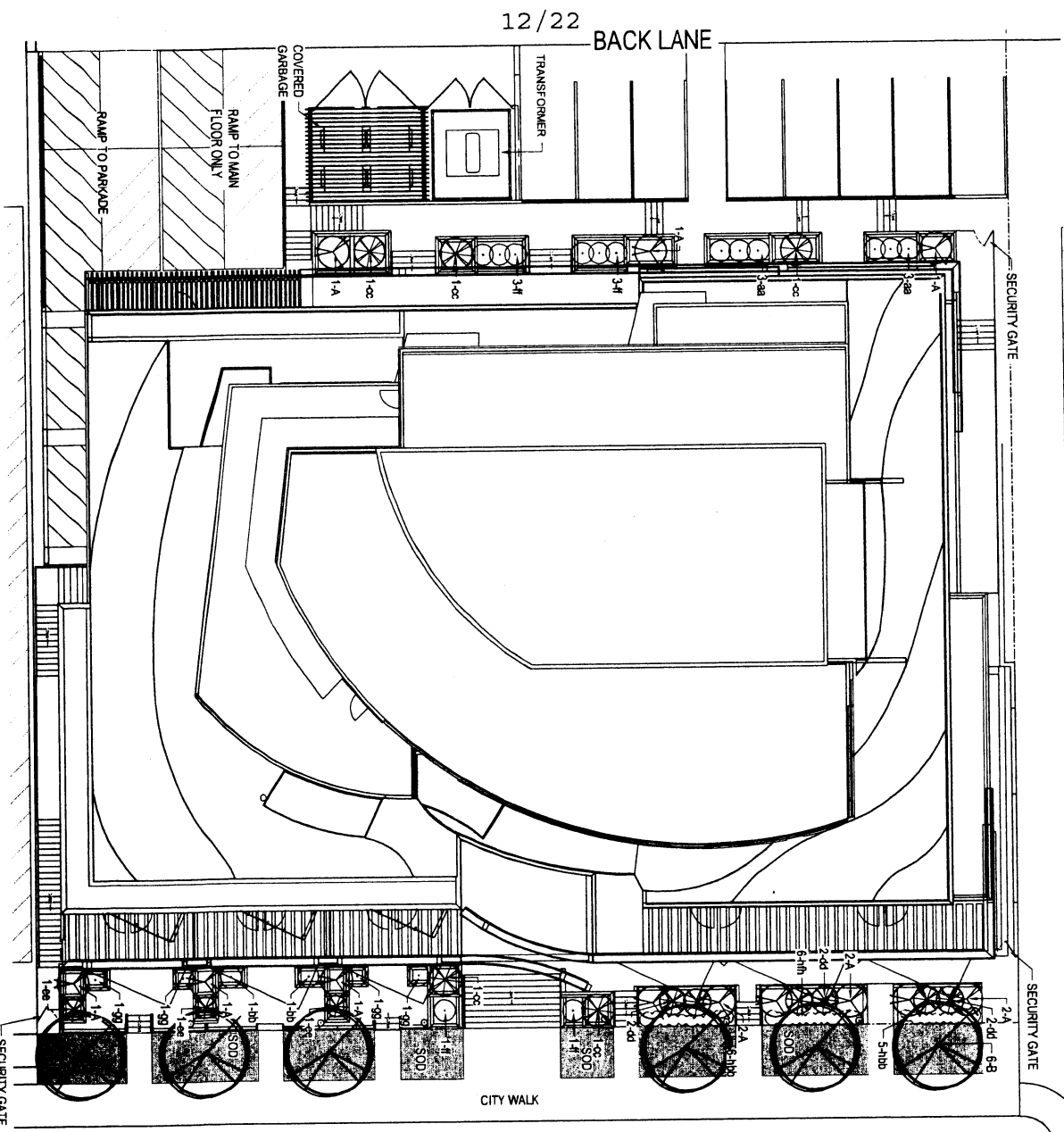


# APPENDIX II

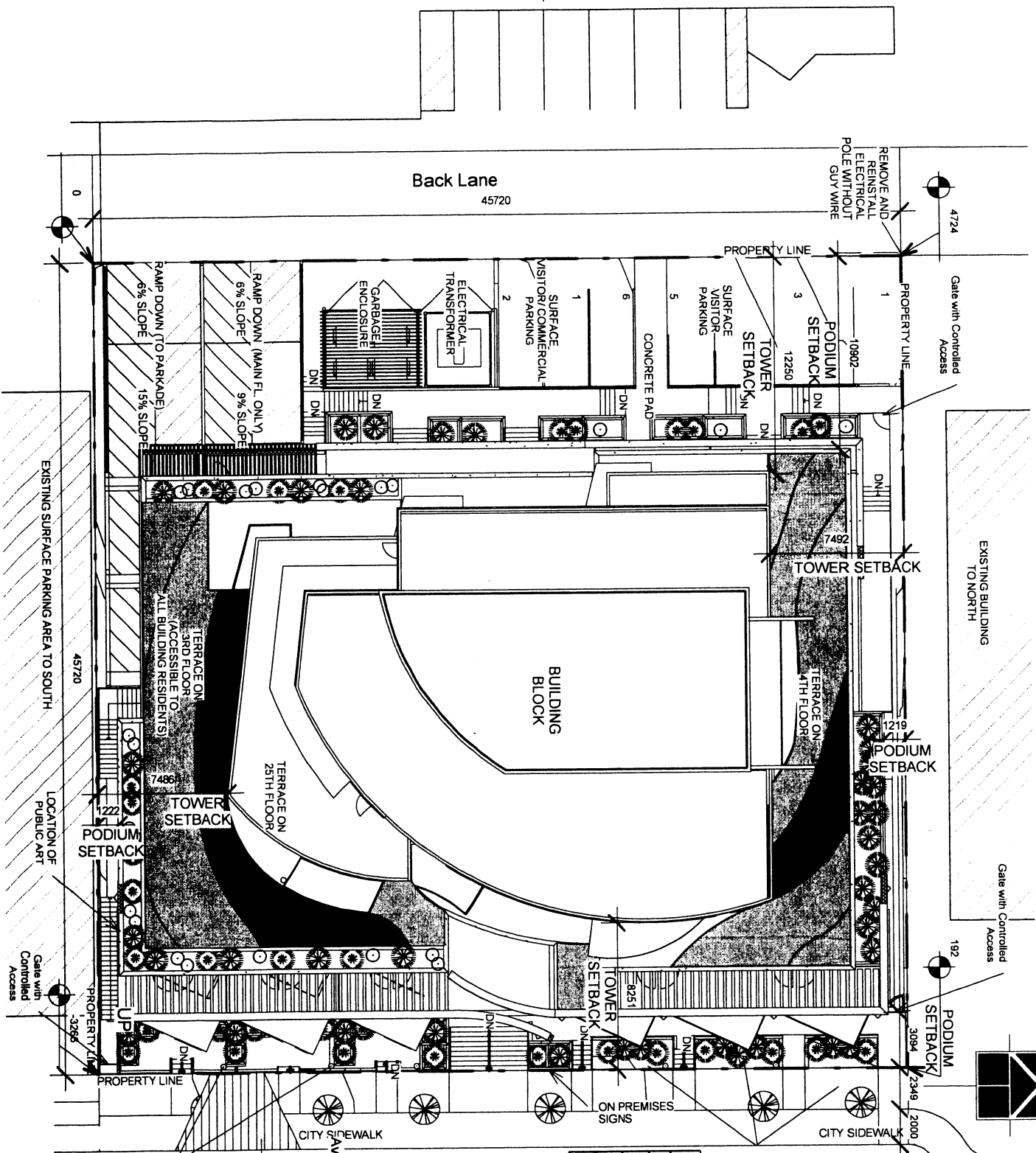
## PARKWOOD TOWER

### Street Landscape Concept

SCALE 1:300



PLANT LIST			
KEY	QTY	BOTANICAL NAME	COMMON NAME
TREES			
A	12	POPULUS TREMULA ERECTA	SWEDISH COLUMNAR ASPEN
B	6	PRUNUS VIRGINIANA 'SPUR	SPUR SCHUBERT CHOKECHERRY
SHRUBS			
aa	6	BERBERIS THUNBERGII CHERRY BOMB	CHERRY BOMB BARBERRY
bb	2	HYDRANGEA A.G. 'ANNABELLE'	ANNABELLE HYDRANGEA
cc	5	JUNIPERUS VIRGINIANA 'SNY ROCKET'	SNY ROCKET JUNIPER
dd	6	PRUNUS VIRGINIANA 'GAUCHA GLOBOSA'	GLOBE BLUE SPRUCE
ee	3	PRUNUS MUGO MOPS	MOPS MUGO PINE
ff	6	ROSA 'FRONTENAC'	FRONTENAC ROSE
gg	4	SPIRAEA BUMALDA 'GOLDFLAME'	GOLDFLAME SPIREA
PERENNIALS			
hh	6	HEMEROCALLIS FRANS HALL	FRANS HALL DAYLILY
i	11	HEUCHERA X BLACK BEAUTY	BLACK BEAUTY CORALBELLS
LAY-BY			
105 STREET			
2 YEAR			



# APPENDIX I

## PARKWOOD TOWER

### Site Plan

Scale 1:300

#### Land Use Statistics

Site Area : 2071.23 sq.m  
 Proposed Number of Units : 169  
 Density : 815.94 units/ha

#### Residential Units

REFER TO LANDSCAPE DETAILS

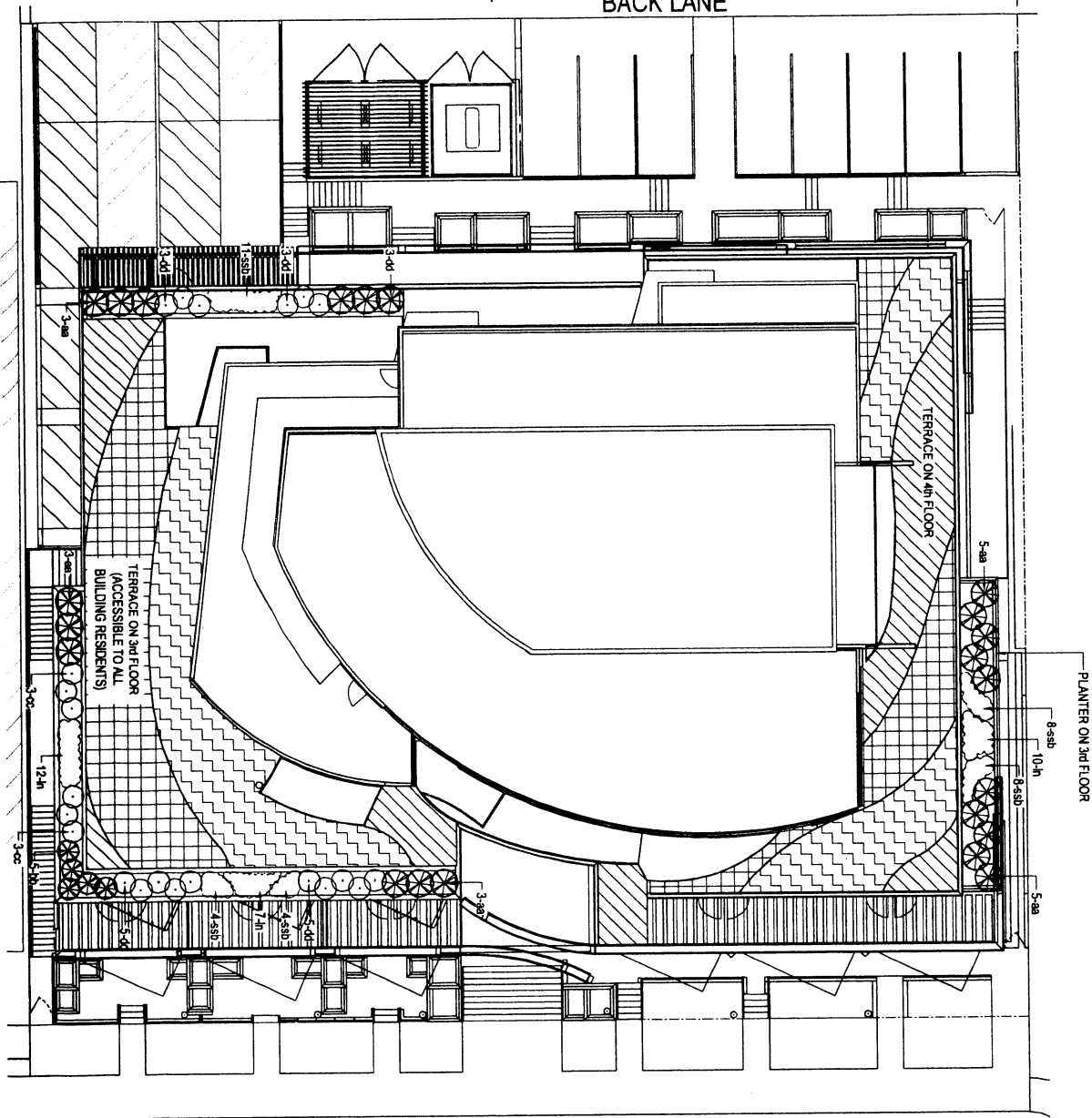
Main Floor	2nd Floor	3rd Floor	4-17/18-24/25-26
1 Bed Room: 0	2	1	1 x14 1 x7 0
2 Bed Room: 0	7	6	6 x14 6 x7 0
3 Bed Room: 0	2	0	0 2 x2 6
TOTAL	0	11	7 98 49 4 169

TOTAL FLOOR AREA: =16,232.18 sq. m.  
 TOTAL FAR = 7.83  
 Proposed Density = 169 units/site area 2071.23 sq.m.  
 = 815.94 units/ha

Parking Provided:  
 Surface Parking = 8  
 Parking Stalls = 191  
 Total Stalls Provided = 199

Average Grade Height = 644.77 m (2115.4 ft)  
 Height Above Grade = 77.419 m (254.0 ft)

105th Street



105 STREET

**LEGEND**

- 25-50 mm DIA. RED SHALE
- 25-50 mm DIA. RAINBOW RIVER ROCK
- 25-50 mm DIA. LIMESTONE

PLANT LIST				
KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE
SHRUBS				
aa	22	JUNIPERUS SABINA 'BUFFALO'	BUFFALO JUNIPER	450-600 mm SP.
bb	5	PINUS MUGO 'MOPS'	MOPS MUGO PINE	450-600 mm SP.
cc	6	POTENTILLA FRUTICOSA 'TANGERINE'	TANGERINE POTENTILLA	450-600 mm HT.
dd	16	SPIRAEA BUNALDA 'GOLDFLAME'	GOLDFLAME SPIREA	450-600 mm HT.
PERENNIALS				
in	29	LYSIMACHIA NUMMULARIA	CREeping JENNY	2 YEAR
ssb	24	SEDUM SPECTABILE 'BRILLIANT'	BRILLIANT STONECROP	2 YEAR

**APPENDIX III**

**PARKWOOD TOWER**

**Podium Landscape Concept**

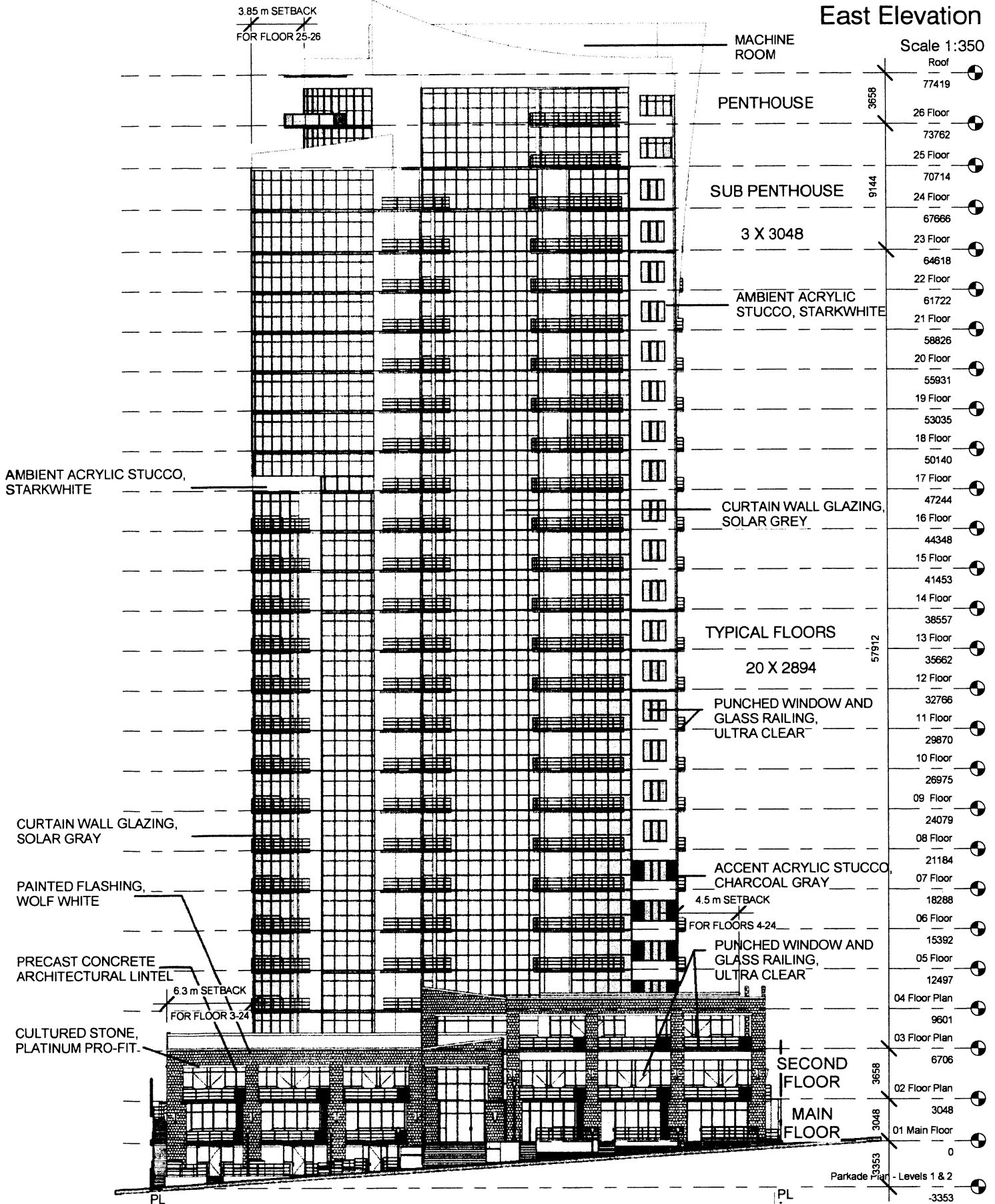
SCALE 1:300

# APPENDIX IV

## PARKWOOD TOWER

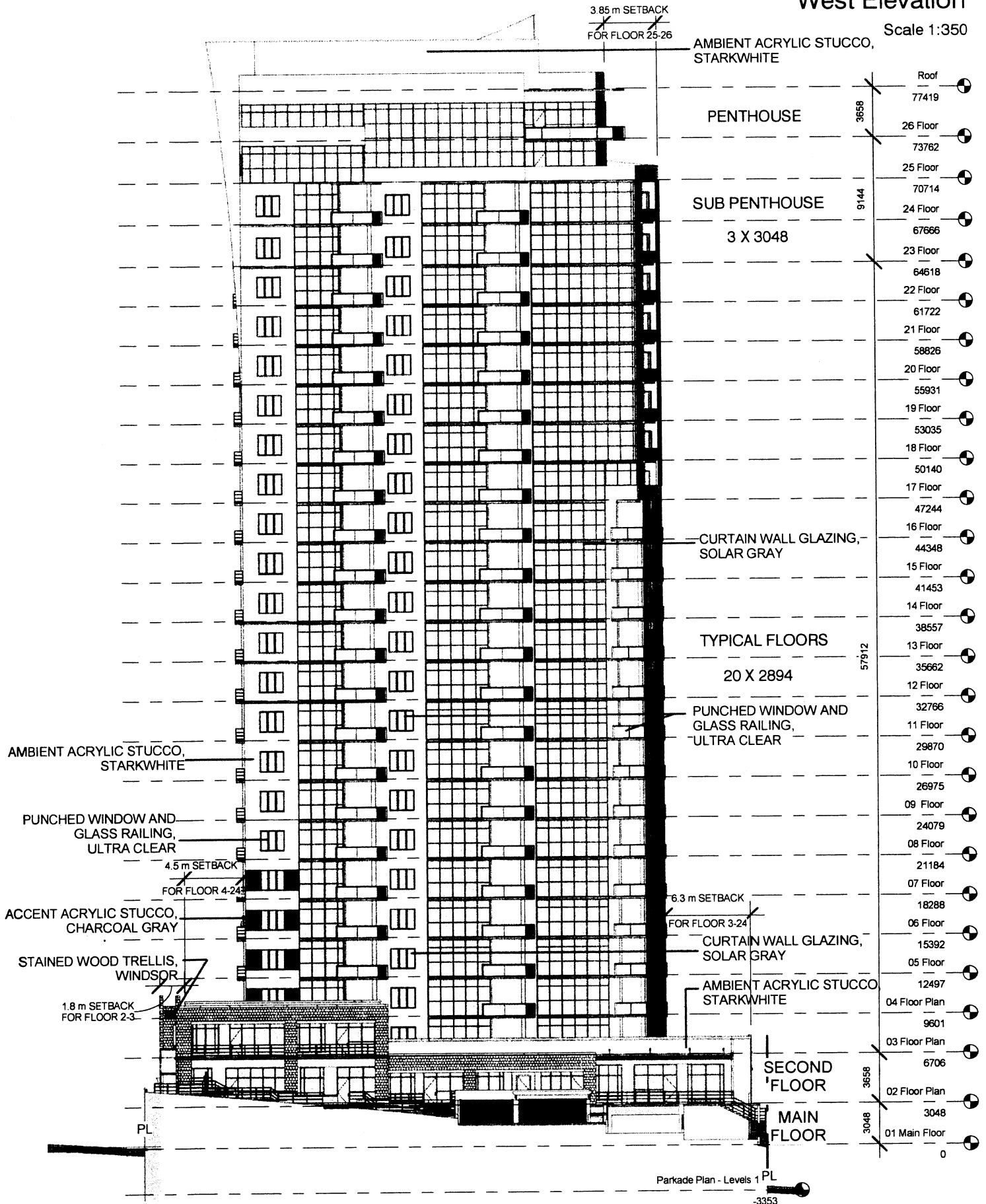
### East Elevation

Scale 1:350



**APPENDIX V****PARKWOOD TOWER****West Elevation**

Scale 1:350

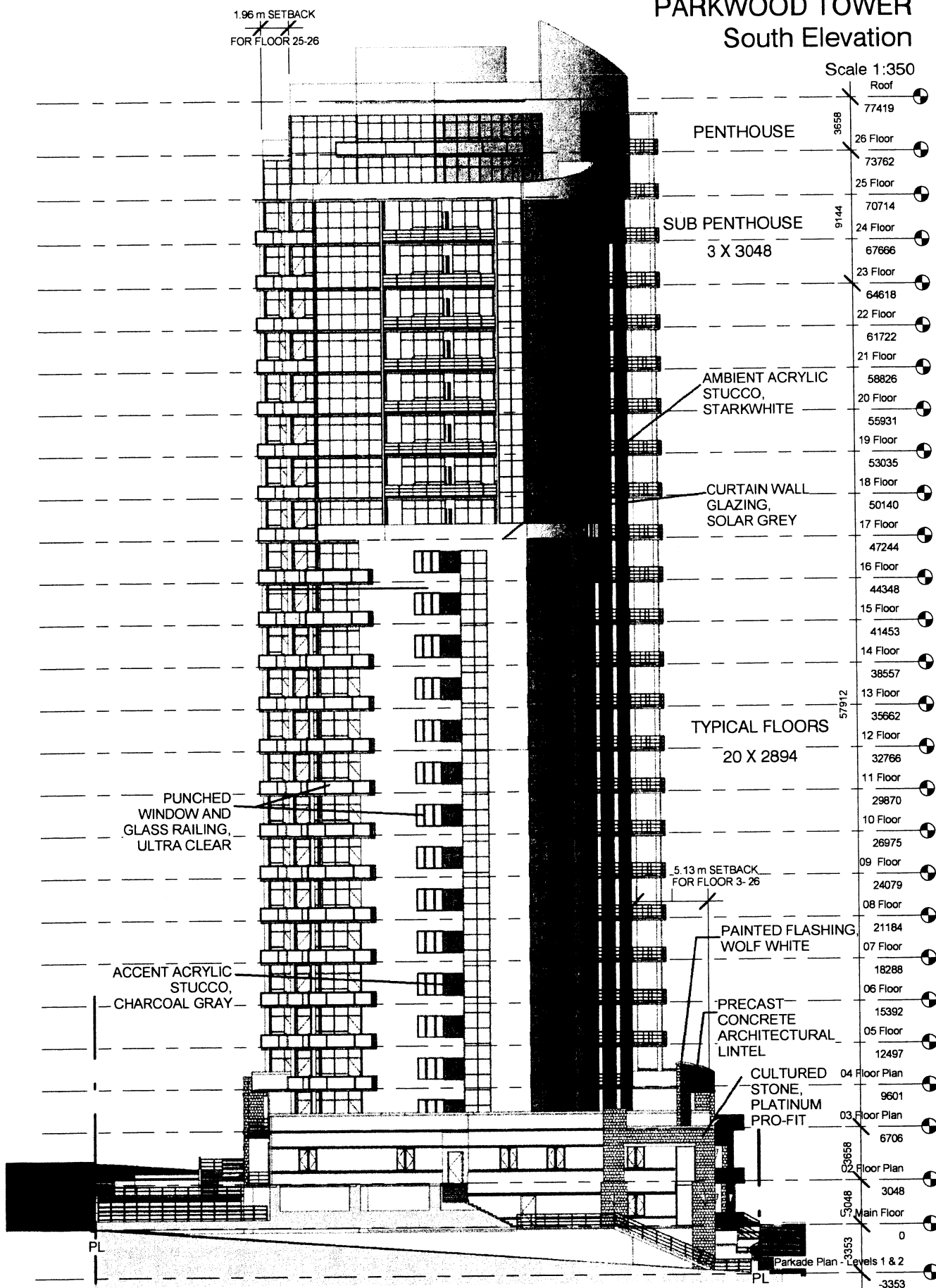




# APPENDIX VI

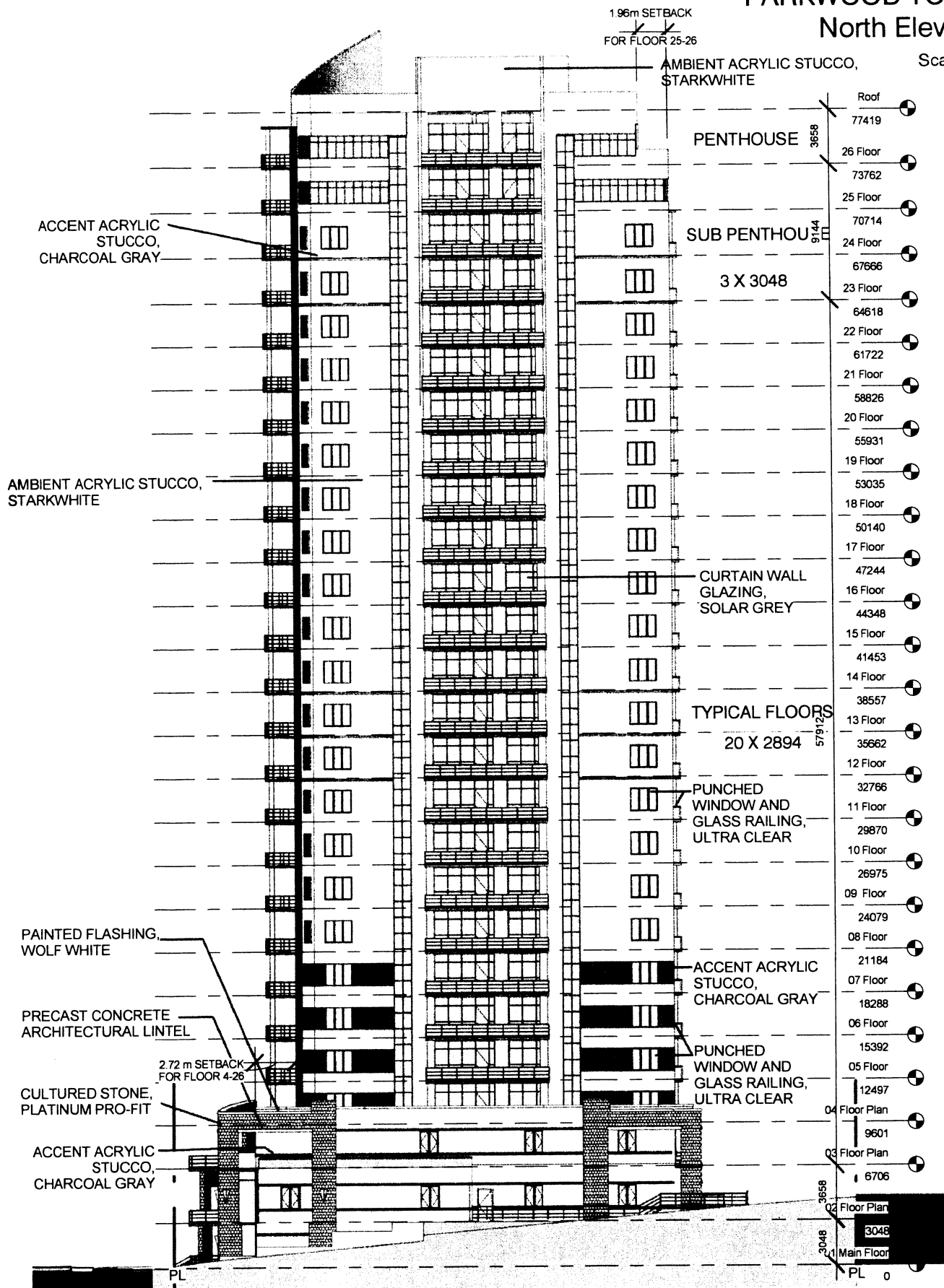
## PARKWOOD TOWER

### South Elevation



**APPENDIX VII****PARKWOOD TOWER****North Elevation**

Scale 1:350

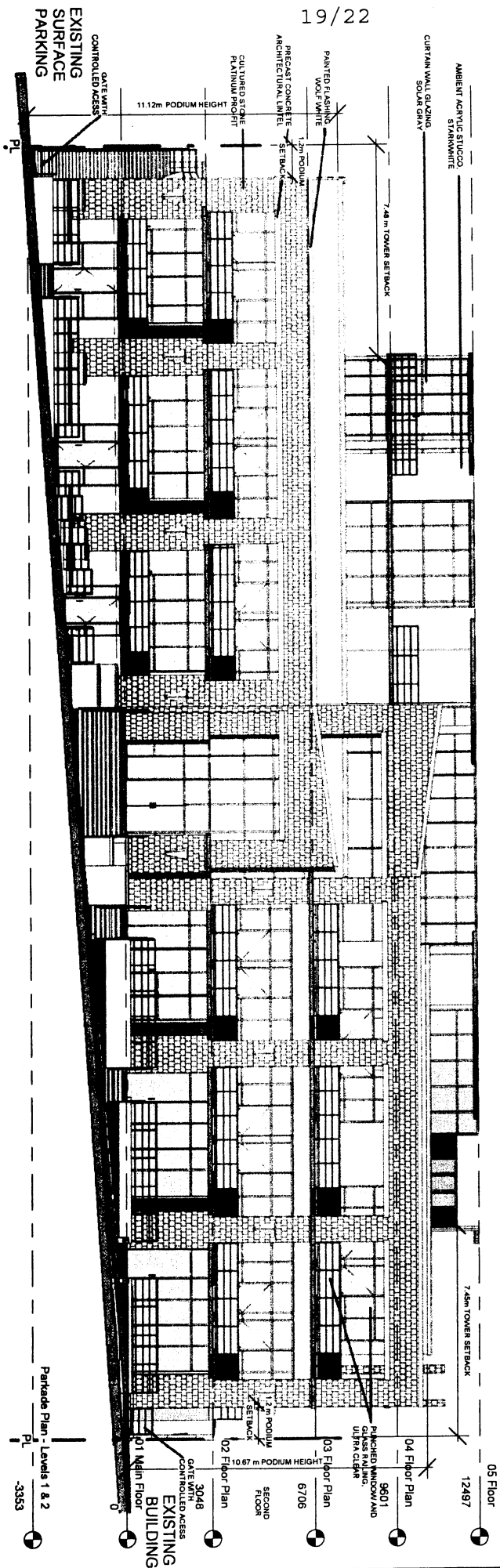


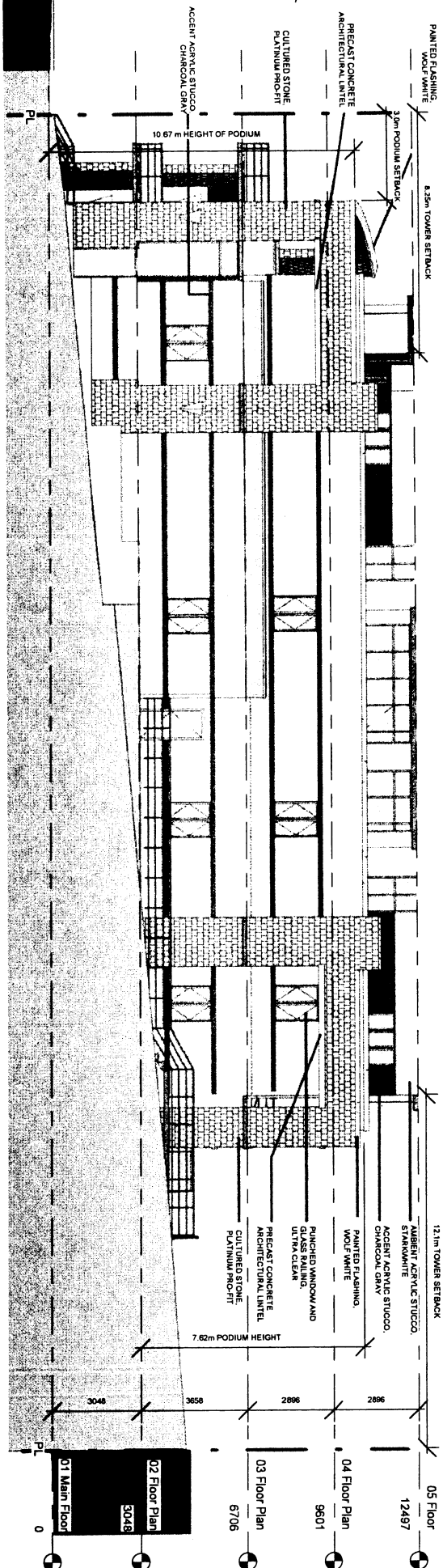
# APPENDIX VIII

## PARKWOOD TOWER East Podium Elevation

Scale 1:200

19/22





# APPENDIX IX

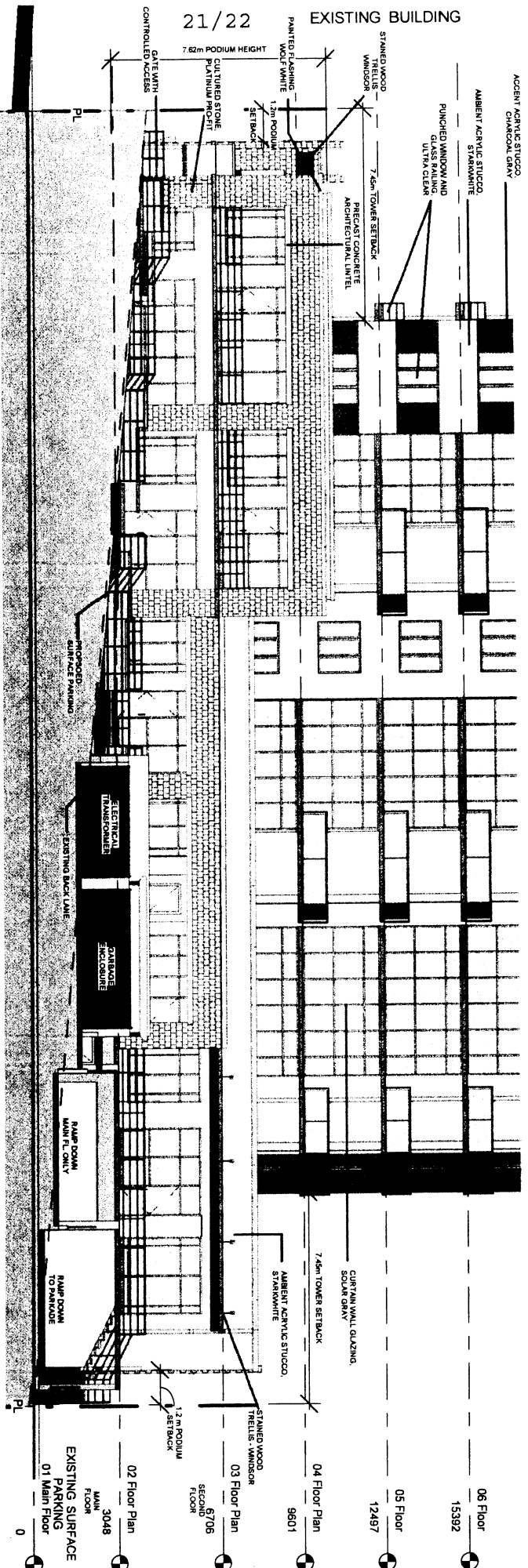
# PARKWOOD TOWER North Podium Elevation

Scale 1:200

# APPENDIX X

## PARKWOOD TOWER West Podium Elevation

Scale 1:200



# APPENDIX XI

## PARKWOOD TOWER South Podium Elevation

Scale 1:200

