

Charter Bylaw 19884

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 3332

WHEREAS Lots 1, 3, and 4, Block 3, Plan 1123619; Lot 1, Block 1, Plan 1521404; Lot 3, Block 1, Plan 1521893; Lot 4, Block 1, Plan 1722023; Lot 5, Block 3, Plan 1223987; and Lots 7, 8, and 9, Block 3, Plan 1224580; located at 3704 & 3408 - 153 Avenue NW; 15304, 15510, 15704, & 15705 - 37 Street NW; 3404, 3421, & 3650 - 158 Avenue NW; and 15930 - 34 Street NW, Gorman, Edmonton, Alberta, are specified on the Zoning Map as (DC1) Direct Development Control Provision; and

WHEREAS an application was made to rezone the above described properties to (DC1) Direct 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 1, 3, and 4, Block 3, Plan 1123619; Lot 1, Block 1, Plan 1521404; Lot 3, Block 1, Plan 1521893; Lot 4, Block 1, Plan 1722023; Lot 5, Block 3, Plan 1223987; and Lots 7, 8, and 9, Block 3, Plan 1224580; located at 3704 & 3408 - 153 Avenue NW; 15304, 15510, 15704, & 15705 - 37 Street NW; 3404, 3421, & 3650 - 158 Avenue NW; and 15930 - 34 Street NW, Gorman, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (DC1) Direct Development Control Provision to (DC1) Direct Development Control Provision.
2. The uses and regulations of the aforementioned DC1 Provision are attached as Schedule "B".

3. The sketch plan attached as Schedule "A" and the uses and regulations of the DC1 Provision shown on Schedule "B" attached are hereby incorporated into the Zoning Bylaw, being Part IV to Bylaw 12800, The Edmonton Zoning Bylaw.

READ a first time this	23rd day of November	, A. D. 2021;
READ a second time this	23rd day of November	, A. D. 2021;
READ a third time this	23rd day of November	, A. D. 2021;
SIGNED and PASSED this	23rd day of November	, A. D. 2021.

THE CITY OF EDMONTON

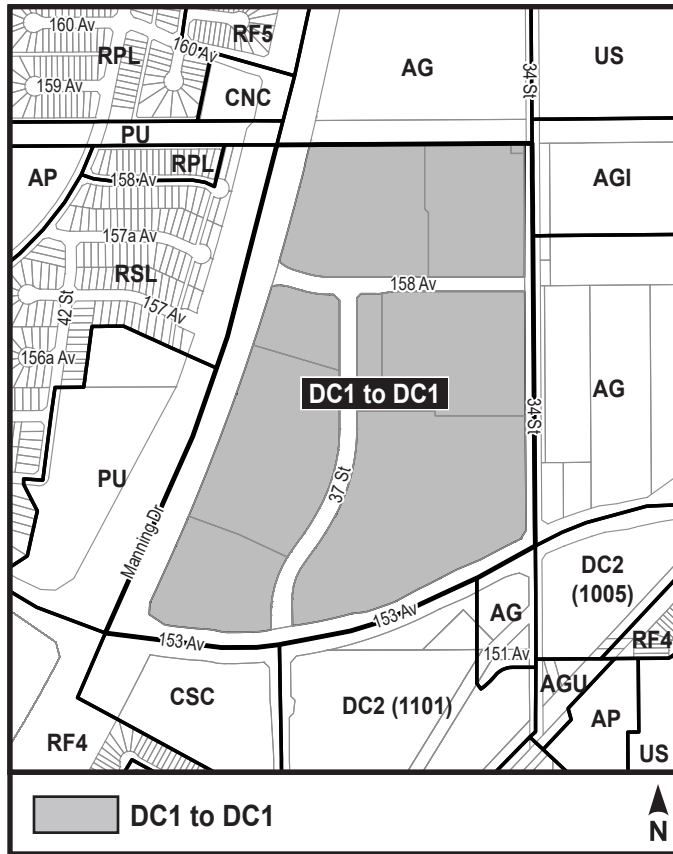


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MAYOR



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CITY CLERK

CHARTER BYLAW 19884



**(DC1) DIRECT DEVELOPMENT CONTROL PROVISION - GORMAN**

**15304, 15510, 15704 & 15705 - 37 Street NW; 15930 - 34 Street NW; 3408 and 3704 - 153 Avenue NW; and 3404, 3421 & 3650 -158 Avenue NW**

**1. General Purpose**

The purpose of this Provision is to accommodate a commercial shopping centre with development controls and urban design regulations and guidelines to establish a high quality urban environment. Commercial, retail and office uses shall be included and will be developed as a larger shopping complex, a main street and stand-alone pads comprehensively designed to improve the pedestrian and shopping environment, and allow for limited opportunities for residential uses in the form of Multi-Unit Housing.

**2. Area of Application**

This Provision shall apply Lot 7- 9, Block 3, Plan 1224580, Lot 1, Block 1, Plan 1521404, Lot 1, 3 and 4, Block 3, Plan 1123619, Lot 3, Block 1, Plan 1521893, Lot 5, Block 3, Plan 1223987, Lot 4, Block 1, Plan 1722023; containing approximately 31.4 ha, on Schedule "A" of the Bylaw adopting this Provision.

**3. Uses**

The areas for the following uses are identified on Appendix I.

**3.1 Area A**

- a. Apartment Hotels
- b. Automotive and Equipment Repair Shops
- c. Bars and Neighbourhood Pubs
- d. Business Support Services
- e. Cannabis Retail Sales
- f. Child Care Services
- g. Commercial Schools

- h. Convenience Retail Stores
- i. Drive-in Food Services
- j. Equipment Rentals
- k. Gas Bars
- l. General Retail Stores
- m. Government Services
- n. Health Services
- o. Hotels
- p. Indoor Participant Recreation Services
- q. Liquor Stores
- r. Major Amusement Establishments
- s. Major Home Based Business
- t. Minor Amusement Establishments
- u. Minor Home Based Businesses
- v. Minor Service Stations
- w. Multi-unit Housing
- x. Nightclubs
- y. Personal Service Shops
- z. Professional, Financial and Office Support Services
- aa. Public Libraries and Cultural Exhibits
- bb. Rapid Drive-through Vehicle Services
- cc. Residential Sales Centre
- dd. Restaurants
- ee. Specialty Food Services

- ff. Spectator Entertainment Establishments
- gg. Supportive Housing
- hh. Warehouse Sales
- ii. Veterinary Services
- jj. Fascia On-premises Signs
- kk. Freestanding On-premises Signs
- ll. Major Digital Signs
- mm. Minor Digital Off-premises Signs
- nn. Minor Digital On-premises Off-premises Signs
- oo. Minor Digital On-premises Signs
- pp. Projecting On-premises Signs
- qq. Temporary On-premises Signs
- rr. Roof On-premises Signs

### **3.2 Area B**

- a. Apartment Hotels
- b. Automotive and Equipment Repair Shops
- c. Bars and Neighbourhood Pubs
- d. Business Support Services
- e. Cannabis Retail Sales
- f. Child Care Services
- g. Commercial Schools
- h. Convenience Retail Stores
- i. Drive-in Food Services
- j. Equipment Rentals

- k. Gas Bars
- l. General Retail Stores
- m. Government Services
- n. Hotels
- o. Health Services
- p. Indoor Participant Recreation Services
- q. Liquor Stores
- r. Major Amusement Establishments
- s. Minor Amusement Establishments
- t. Minor Service Stations
- u. Nightclubs
- v. Personal Service Shops
- w. Professional, Financial and Office Support Services
- x. Public Libraries and Cultural Exhibits
- y. Rapid Drive-through Vehicle Services
- z. Restaurants
- aa. Residential Sales Centre
- bb. Specialty Food Services
- cc. Spectator Entertainment Establishments
- dd. Warehouse Sales
- ee. Veterinary Services
- ff. Fascia On-premises Signs
- gg. Freestanding On-premises Signs
- hh. Major Digital Signs

- ii. Minor Digital Off-premises Signs
- jj. Minor Digital On-premises Off-premises Signs
- kk. Minor Digital On-premises Signs
- ll. Projecting On-premises Signs
- mm. Temporary On-premises Signs
- nn. Roof On-premises Signs

#### **4. Area A and B – General Development Regulations**

- a. All uses shall be developed in accordance with Development and Design Regulations established herein.
- b. Site development shall generally comply with Appendix I – Site Plan, which is provided for illustrative purposes.
- c. A generalized, non-binding, concept plan shall be submitted for all new building development or substantial redevelopment to illustrate how the proposed development will integrate with existing and future surrounding and on-site development. The concept plan shall show the location of existing and future buildings, parking areas, vehicular and pedestrian routes, and amenity areas.
- d. Multi-Unit Housing shall only be permitted in Area A as identified on Appendix I – Site Plan and shall comply with the following regulations:
  - i. The maximum Density shall be 225 Dwellings / ha.
  - ii. Notwithstanding regulation 4.h of this DC1 Provision, the maximum height for buildings containing Multi-unit Housing shall be 40.0 m.
  - iii. The maximum total Floor Area Ratio shall be 3.0.
  - iv. A minimum development Setback for the western and southern property line shall be 3.0 m.
- e. The maximum total Floor Area Ratio for non-Residential Uses shall be 0.25.
- f. A minimum Yard of 7.5 m shall be required along Manning Drive; 6.0 m along 153 Avenue and along the power line right-of-way to the north; and 3.0 m along 34 Street.
- g. No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within

a required Yard. Loading, storage and trash collection areas shall be located to the rear or sides of the principal building and shall be screened from view from any adjacent Sites, public roadways or Light Rail Transit lines, in accordance with the provisions of subsection 55.4 of this Bylaw. If the rear or sides of a Site are used for parking, an outdoor service or display area, or both, and abut a Residential Zone or a Lane serving a Residential Zone, such areas shall be screened in accordance with the provisions of subsection 55.4 of this Bylaw.

- h. The maximum Building Height shall not exceed 20.0 m. Height may be extended to 40.0 m when the building is adjacent to the western and northern boundary of the site as shown in accordance with Appendix I.
- i. The owner shall enter into an Agreement (or Agreements) with the City of Edmonton for off-site improvements necessary to serve the development, to the satisfaction of Subdivision and Development Coordination (Transportation). The Agreement process includes an engineering drawing review and approval process. Improvements to be addressed in the Agreement(s) include, but are not limited to, the following:
  - i. Construction of 153 Avenue to an urban arterial standard, from the Ebbers North/South Collector Spine Road to 34 Street, including all channelization, accesses, intersections, multi use trails, sidewalks, lighting, landscaping and any transitional improvements.
  - ii. Construction of the first two lanes of 153 Avenue to an urban arterial standard, from 34 Street to the CN tracks when the road right-of-way becomes available.
  - iii. Upgrade of 34 Street to an urban collector standard, from 153 Avenue to north edge of the site, including all channelization, accesses, intersections, sidewalks, lighting, landscaping and any transitional improvements.
  - iv. Construction of the new signalized right-in, right-out, left-in access to Manning Drive north of 153 Avenue including all required channelization and median modifications. 100% of the costs for these signals will be paid for by the owner/developer. The timing of the traffic signal installation will be at the direction of Subdivision and Development Coordination.
  - v. Construction of the all-directional curb return access at 153 Avenue and the Ebbers North/South Collector Spine Road.
  - vi. Installation of traffic signals at the intersection of 153 Avenue and 34 Street and at the intersection of 153 Avenue and the Ebbers North/South Collector Spine Road. The costs of the signals at these intersections are 100% ARA costs. The timing of the traffic signal installation will be at the direction of Subdivision and Development Coordination.
  - vii. Upgrade of the Manning Drive and 153 Avenue intersection to accommodate a double westbound to southbound left-turn.

- viii. Repair of any damage to the abutting roadways, sidewalks and/or boulevards resulting from construction of the development to the satisfaction of Subdivision and Development Coordination. The site must be inspected by Subdivision and Development Coordination prior to the start of construction and once again when construction is complete.
- ix. Payment of the proportionate share of the Arterial Roadway Assessment for the construction of arterial roadways in the catchment areas.
- x. The owner shall dedicate the required 153 Avenue right-of-way within the site boundary. The roadway dedication is to conform to approved concept plan or be to the satisfaction of Subdivision and Development Coordination.
- xi. Construction of a shared use path within the power line utility corridor adjacent to area A, including a connection(s) to the pedestrian network within the site.
- xii. Construction of sidewalks along the west and south boundaries of area A.
- j. The owner shall enter into an agreement with the City of Edmonton to accommodate Transit Service internal to the commercial site, which may include entering into an on-site easement with the City of Edmonton. The owner shall ensure that the roads to be used for transit service will be built to a proper standard to accommodate full-size buses and that adequate pedestrian facilities for transit users will be provided
- k. The owner shall provide an updated Transportation Impact Assessment on or before the approved development permit applications reach an area of 700,000 sq. ft. of commercial space to the satisfaction of Subdivision and Development Coordination. The issuance of any Development Permit for the site is subject to there being adequate capacity on the adjacent roadway network and shall be to the satisfaction of Subdivision and Development Coordination.
- l. Signs shall comply with the regulations found in Schedule 59E and shall be designed and located to compliment the architectural theme and context of the building.
- m. Cannabis Retail Sales shall comply with the regulations found in Section 70.
- n. Equipment Rentals shall only be permitted where all equipment and goods for rent are contained within an enclosed building.
- o. Specialty Food Services shall not exceed 100 occupants and 120 m2 of Public Space.
- p. Nightclubs shall not exceed 200 occupants and 240 m2 of Public Space.
- q. Bars and Neighbourhood Pubs, shall not exceed 400 occupants and limited to 3 establishments.

- r. Notwithstanding Schedule 59E, the following regulations shall apply to Freestanding On and Off premises Signs located adjacent to Manning Drive, found within the site shown on Schedule "A" of the Provision:
  - i. The maximum permitted height shall be 12 m, measured from the geodetic elevation of 664.182 to the top of the sign;
  - ii. The maximum allowable area shall be 39 m<sup>2</sup>.
- s. Notwithstanding Schedule 59E, the following regulations shall apply to Freestanding On premises Signs, Freestanding Off-premises Signs, Major Digital Signs, Minor Digital On premises Signs, and Minor Digital On-premises Off-premises Signs located on site found within the site shown on Schedule "A" of the Provision:
  - i. The maximum number shall be 11, of which the maximum number of Major or Minor Digital Freestanding On- and Off-premises Signs shall be 4.
- t. Prior to the issuance of a Development Permit, an Infill Fire Protect Assessment shall be provided to the satisfaction of the Development Office in consultation with Fire Rescue Services.

## **5. Area A and B – Additional Development regulations**

The following additional development regulations shall be met to the satisfaction of the Development Officer, in consultation with applicable Departments and agencies.

### **5.1 General**

- a. Establish the site and on-site development as an attractive, walkable, focal point for area residents and visitors alike.
- b. The development shall integrate with the surrounding facilities, functions, and activities through the establishment of an appropriate transition/interface with abutting uses by means of landscaping, pedestrian linkages and the control of compatible and incompatible activities.
- c. The owner shall dedicate the required 153 Avenue right-of-way within the site boundary. The roadway dedication is to conform to the approved concept plan or be to the satisfaction of Subdivision and Development Coordination.
- d. CPTED principles shall be used to design all public and private spaces and facilities, focusing on natural surveillance and access control to lessen the likelihood of crime within the precinct.

## 5.2 Site Planning

- a. Building siting shall take into consideration the context of the surrounding area, the location of major traffic generators, and the site's particular characteristics.
- b. The primary interior access roads shall be fronted by building facades, architectural walls, hedges, earth berms, landscaping treatments, landscaped entryways and features, and site amenities.
- c. A maximum of 40 % of the frontages abutting Manning Drive may be developed with surface parking.
- d. Surface parking abutting 153 Avenue shall be screened from view using berms, landscaping, or similar screening features.
- e. Surface parking shall not be permitted within a required Yard located between any building and a public roadway, other than a Lane.
- f. Buildings shall generally, to the satisfaction of the Development Officer, be oriented to:
  - i. frame the corner of an intersection of two primary interior access roads;
    - i. frame onto the intersection of the primary interior access roads;
    - ii. frame major vehicular/pedestrian entry/exit point to/from the site; and
    - iii. permit views into the site along the axis of roadways and walkways intersection the abutting primary interior access roads.
- g. The buildings fronting onto the major pedestrian corridor are to be designed and developed to create a main street.
- h. The site shall contain focal points which shall be appropriately designed to facilitate a range of social interaction opportunities (e.g. plazas, landscaped gardens, public art features, etc.).
- i. Building orientation within the focal points shall be arranged to create a 'sense of place' using building design, plazas and pedestrian areas, decorative architectural walls, landscaping, other focal points and site amenities.
- j. Large format buildings shall be located at the perimeter of the site and oriented or grouped to frame views, constructed amenities, public streets, or entrance corridors. Variable building setbacks, and the placement and design of the rear facade of structures shall minimize long expanses of walls, a monotonous appearance or exposed service areas.
- k. Small format or single use sites shall be oriented toward the primary interior access roads and

designed to complement adjacent developments to establish and maintain a clear building edge. Parking will typically be in the interior of the block or behind the buildings. Some parallel or angled parking may be allowed in front of the commercial building.

- l. Along the primary interior access roads, the spaces between freestanding structures shall be improved to include landscaped pedestrian connections and:
  - i. small pockets of landscaped parking areas;
  - ii. public seating areas; and/or
  - iii. landscaped open spaces.
- m. Site amenities shall be constructed as focal points, with complementary materials to the architecture of the development and within walking distance to transit stops and major tenants in the complex.
- n. No part of the site shall be developed as an enclosed shopping mall. The primary means of pedestrian circulation shall be outdoor walkways.

### **5.3 Building Design and Architecture**

- a. High quality, innovative and imaginative architecture is encouraged. The selected architectural style / design shall consider compatibility with surrounding character, including harmonious building style, form, color, materials, and roofline.
- b. Buildings, including those whose tenants typically employ "chain architecture", shall be designed and finished to generally conform to a consistent architectural theme using similar architectural design elements, materials and colors. "Chain architecture" shall generally be limited to corporate logos and signage.
- c. All buildings shall be developed with 360 architecture such that all facades are visually attractive and interesting.
- d. Building facades shall include design elements, finishing materials, and variations that will reduce perceived mass and linearity of large building and add architectural interest.
- e. Building entries shall be readily identifiable and use recesses, projections, columns and distinctive material and colors to articulate entrances.
- f. Building finishes and materials shall be of a high quality, aesthetically pleasing and including, but not limited to, natural and synthetic stone, brick, acrylic, stucco, metal and glazing.
- g. Building facade treatments and wall articulation shall be incorporated to create interesting and enlivened streetscapes external and internal to the site.

- h. Highly visible wall surfaces shall be architecturally enhanced and / or landscaped to avoid exposed plain frontages along major circulation corridors (e.g 153 Avenue, Manning Drive, and 34 Street).
- i. Main building entry points shall be clearly identifiable through the use of recesses, outdoor patios, display windows, planters, walls, or other similar design elements.
- j. Trash and storage enclosures shall be architecturally compatible with project design and be unobtrusive and conveniently accessible for trash collection. Loading and service areas shall be screened from abutting public roadways and abutting uses.
- k. Buildings and site amenities shall emphasize architectural elements and façade enhancements, particularly to the first and second levels of a project to create a pedestrian friendly environment. Lower floors shall be strongly articulated to add variety, interest and a human scale dimension. Design elements may include placement of windows to allow for viewing into the building by pedestrians; entrance features; street furniture; canopies; features that lend visual interest and create a human scale.
- l. The massing of all building walls greater than 15.0 m in length shall be reduced through architectural elements such as columns, ribs, pilasters or piers, changes in plane (e.g., recesses and projections), changes in building finishes, materials and textures, or features that create an identifiable pattern and sense of human scale
- m. Development adjacent to Manning Drive and 153 Avenue shall ensure appropriate and high quality architectural and landscape design elements to ensure an attractive interface providing visual interest and relief.
- n. The roof line of buildings shall consist of: sloped roofs of varying pitches which may be finished in any combination of metal, wood shakes, asphalt shingles, clay tiles, or roof materials having a similar texture and appearance; or flat roofs where they are concealed by parapet walls that include articulation and use of design elements that are in harmony with the principal architectural theme that reduce any perceived mass and linearity of large buildings and add architectural interest.
- o. Buildings shall incorporate exterior and decorative lighting to enhance building architecture, landscaping elements and focal points.

#### **5.4 Landscape and Site Amenities**

- a. The landscape plan shall be required in accordance with Section 55.3 of the Zoning Bylaw. Outdoor amenity spaces shall be landscaped for the purpose of achieving pedestrian connectivity, opportunities for play and social interaction. Furthermore, outdoor amenity spaces shall create a sense of place, character and identity. In addition to landscaping, this shall be achieved through the use of park benches, pedestrian level lighting, waste receptacles and other means integrated with the

landscaping and placed along public walking routes through the site to the satisfaction of the Development Officer.

- b. Appropriate landscaping to enhance the overall appearance of, and experience within, the site shall be provided in accordance with Section 55 of the Zoning Bylaw. Notwithstanding this regulation, at least 10% more of the number of trees and shrubs required under Section 55 of the Zoning Bylaw shall be provided.
- c. Where fences are developed they shall be consistent in design, materials, finishes, and colors with the fence styles established for the neighbourhood.
- d. Focal points designed and intended to facilitate social interaction amongst site users and create a "sense of place" shall be developed. The focal point shall include, but not be limited to, the combination of one or more of the following elements to the satisfaction of the Development Officer:
  - i. A distinctively designed building with a strong vertical element;
  - ii. An architectural feature such as a spire or interesting roof feature; and
  - iii. Public art/water feature, a public plaza, open space, street furniture, or landscaped feature.
- e. Coordinated and complementary streetscape enhancements shall be applied through the site, including street trees, fencing, pedestrian scaled lighting, street furniture and other amenities.
- f. Landscaping shall be used to highlight major circulation patterns, sidewalks, and the overall development.

### **5.5 Access, Circulation and Parking**

- a. Access to developments within this zone from public roadways or primary interior access roads shall provide safe, convenient vehicular and pedestrian access and circulation patterns between parking, shopping and amenity areas.
- b. Pedestrian linkages within the site as well as between the site and the surrounding community shall be provided to accommodate and encourage pedestrian movement between building clusters, parking areas, site amenities, public perimeter sidewalks and bus stops.
- c. The site shall provide a structured internal vehicular circulation system by means of private internal roadways complete with appropriate streetscaping (e.g. boulevard planting, street furniture, etc).
- d. The primary interior access roads shall serve as collector streets and shall be developed, in addition to











walkways, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination, to encourage pedestrian movement, accommodate public transit and provide access to:

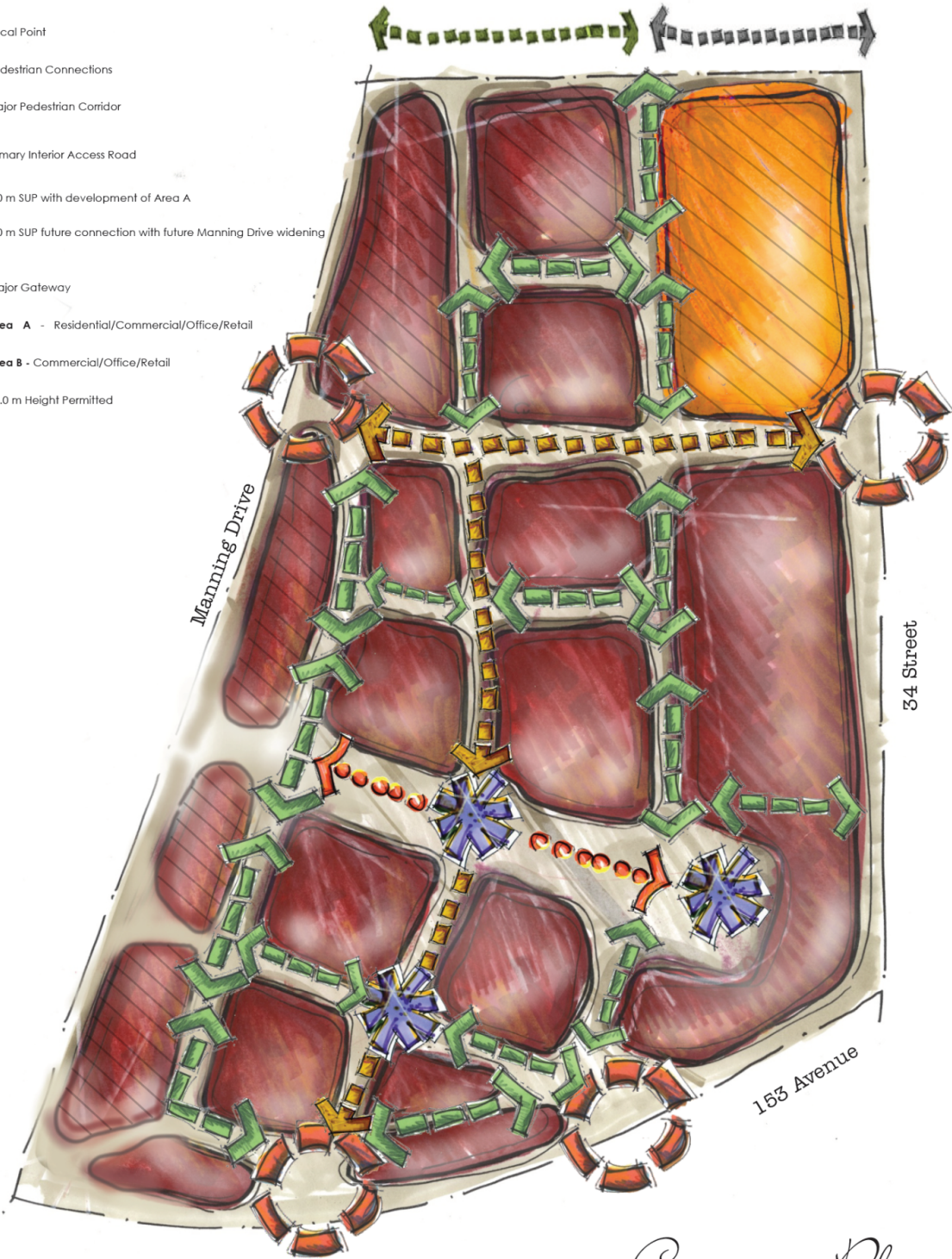
- i. abutting buildings;
  - ii. parking areas and / or parking structures;
  - iii. site amenities and focal points;
  - iv. sidewalks along public roadways; and
  - v. transit stops.
- e. A minimum 1.5 m separated sidewalk with boulevard landscaping shall be developed along the primary interior access roads to create an enhanced interface between the roadway and pedestrians.
- f. Sidewalks along the front or 'main' entrances of large format buildings shall be developed to a minimum width of 4.0 m to reduce pedestrian conflict and create a more pedestrian friendly image.
- g. Large parking areas shall be broken up by means of on-site private roads, drive aisles, and/or landscaped islands.
- h. Parking areas shall be designed for a safe and orderly flow of traffic as well as pedestrians to avoid pedestrian/vehicular conflict and to include appropriate landscaping to reduce the visual impact from public roadways, amenity areas and pedestrians.
- i. Vehicle queuing lanes shall not be developed in areas abutting the major pedestrian corridor.

## **5.6 Pedestrian Environment**

- a. Development within this high-quality shopping centre shall ensure that the design of the pedestrian environment is comfortable, convenient, visually attractive and safe for human activity.
- b. A diversity of site amenities and pedestrian oriented facilities such as public art, seating areas, street furniture, squares, plazas and greens shall create an inviting image for the development.
- c. Building facades shall have pedestrian friendly features including transparency, decorative windows, wall niches, seating areas and entrances to complement an interesting pedestrian streetscape.
- d. Pedestrian pathways to building entrances, amenities and transit shall be convenient, safe and well lit, with special paving or landscaping to define the connections where practical.

Legend

-  Focal Point
-  Pedestrian Connections
-  Major Pedestrian Corridor
-  Primary Interior Access Road
-  3.0 m SUP with development of Area A
-  3.0 m SUP future connection with future Manning Drive widening
-  Major Gateway
-  Area A - Residential/Commercial/Office/Retail
-  Area B - Commercial/Office/Retail
-  40.0 m Height Permitted



Concept Plan