

Charter Bylaw 20340

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 3572

WHEREAS Lot 136, Block 22, Plan 1823161; Lot B, Block 22, Plan 1122045; Lot 141, Block 22, Plan 2022686; Lot 139, Block 22, Plan 1921653; Lots 137 and 138, Block 22, Plan 1921651; located at 5015 - 4 Avenue SW, 504 - 50 Street SW, 615 - 54 Street SW, 5112, 5204, and 5304 - Ellerslie Road SW, Charlesworth, 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 property to (DC1) Direct Development Control Provision;

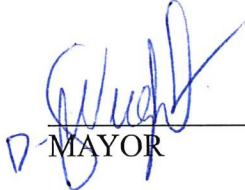
NOW THEREFORE after due compliance with the relevant provisions of the Municipal Government Act RSA 2000, ch. M-26, as amended, the Municipal Council of the City of Edmonton duly assembled enacts as follows:

1. The Zoning Map, being Part III to Bylaw 12800 The Edmonton Zoning Bylaw is hereby amended by rezoning the lands legally described as Lot 136, Block 22, Plan 1823161; Lot B, Block 22, Plan 1122045; Lot 141, Block 22, Plan 2022686; Lot 139, Block 22, Plan 1921653; Lots 137 and 138, Block 22, Plan 1921651; located at 5015 - 4 Avenue SW, 504 - 50 Street SW, 615 - 54 Street SW, 5112, 5204, and 5304 - Ellerslie Road SW, Charlesworth, 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.

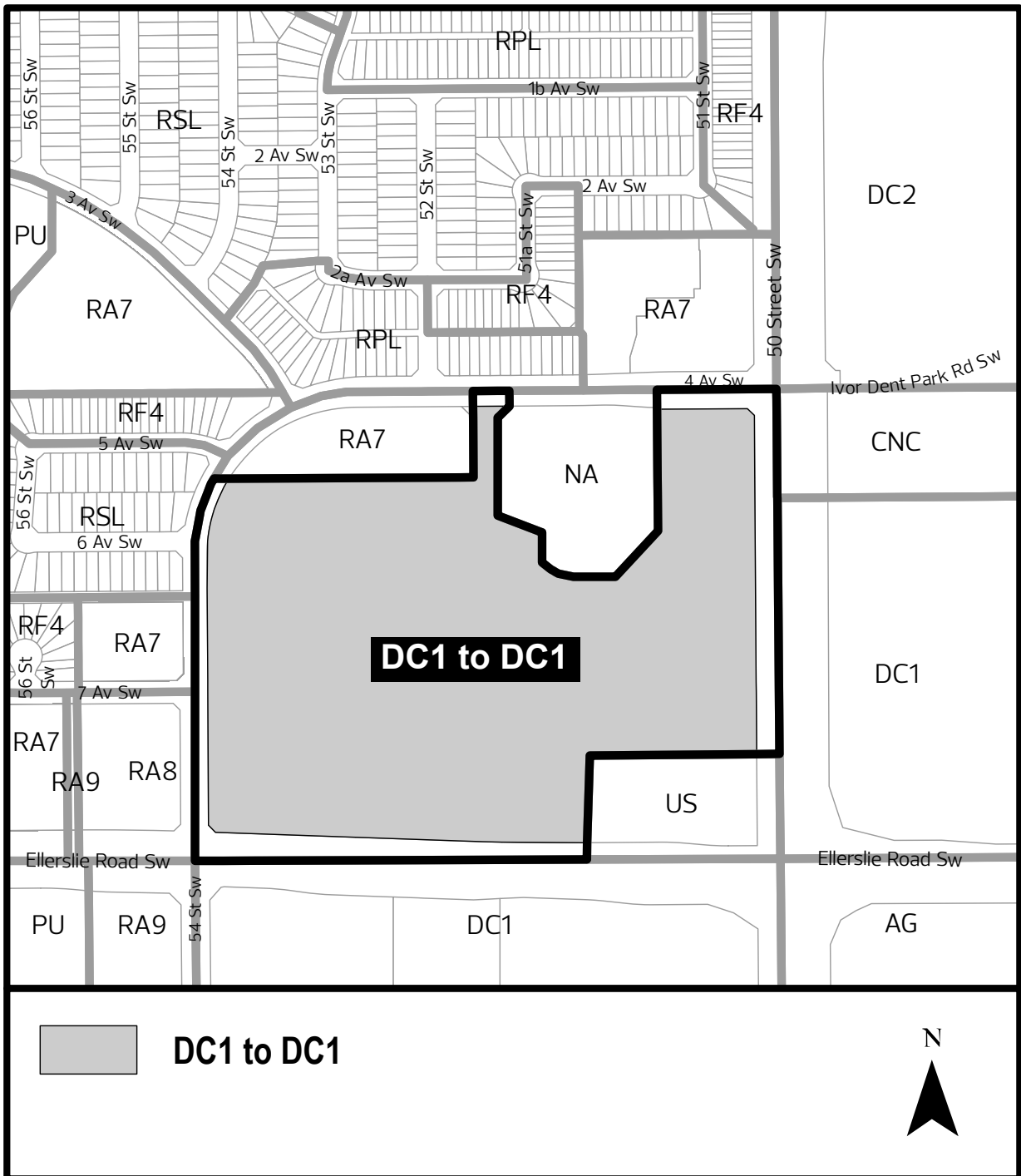
READ a first time this	6th day of December	, A. D. 2022;
READ a second time this	6th day of December	, A. D. 2022;
READ a third time this	6th day of December	, A. D. 2022;
SIGNED and PASSED this	6th day of December	, A. D. 2022.

THE CITY OF EDMONTON

  
\_\_\_\_\_  
MAYOR

A/   
\_\_\_\_\_  
CITY CLERK

### CHARTER BYLAW 20340



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

To facilitate the development of a pedestrian friendly Community Commercial Centre that may accommodate a range of commercial, residential, office, entertainment, cultural and institutional uses such that development is appropriate in appearance and function to a site bounded by two arterial roadways, a collector roadway, and a future Transit Priority Corridor, and abutting a natural area, a medium density residential site, and an existing religious assembly.

**2. Area of Application**

This Provision shall apply to Lot B, Block 22, Plan 1122045, Lot 136, Block 22, Plan 1823161, Lots 137 and 138, Block 22, Plan 1921651, Lot 139, Block 22, Plan 1921653 and Lot 141, Block 22, Plan 2022686 containing approximately 14 ha of land, as shown on Schedule “A” of the Bylaw, adopting this Provision.

**3. Uses**

- a. Apartment Hotels
- b. Bars and Neighbourhood Pubs
- c. Business Support Services
- d. Cannabis Retail Sales
- e. Child Care Services
- f. Commercial Schools
- g. Convenience Retail Stores
- h. Creation and Production Establishments
- i. Drive-in Food Services
- j. Gas Bars
- k. General Industrial Uses
- l. General Retail Stores
- m. Government Services
- n. Health Services
- o. Hotels

- p. Indoor Participant Recreation Service
- q. Liquor Stores
- r. Live Work Unit
- s. Major Amusement Establishments
- t. Major Home Based Business
- u. Media Studios
- v. Minor Amusement Establishments
- w. Minor Home Based Business
- x. Minor Secondhand Stores
- y. Minor Service Stations
- z. Multi-unit Housing
- aa. Nightclubs
- bb. Personal Service Shops
- cc. Private Clubs
- dd. Private Education Services
- ee. Professional, Financial, and Office Support Services
- ff. Public Libraries and Cultural Exhibits
- gg. Rapid Drive-through Vehicle Services
- hh. Recycling Depots, only within an enclosed building
- ii. Religious Assembly
- jj. Residential Sales Centre
- kk. Restaurants
- ll. Speciality Food Services
- mm. Spectator Entertainment Establishments
- nn. Supportive Housing
- oo. Veterinary Services
- pp. Warehouse Sales
- qq. Facia On-premises Signs

- rr. Projecting On-premises Signs
- ss. Roof On-premises Signs
- tt. Temporary On-premises Signs
- uu. Temporary Off-premises Signs
- vv. Freestanding On-premises Signs
- ww. Minor Digital On-premises Signs
- xx. Major Digital Signs

#### **4. Site Planning and Building Design Objectives**

- a. Ensure on site development:
  - i. becomes a focal point for the surrounding area;
  - ii. functions as a walkable commercial centre with pedestrian friendly nodes, creating a sense of place for users as well as enhanced pedestrian connectivity
  - iii. relates appropriately to adjacent built forms, roadways, uses, functions, and activities;
  - iv. creates an attractive and cohesive visual identity;
  - v. includes outdoor spaces of interest
  - vi. presents an attractive streetscape along external roadways; and
  - vii. is sympathetic to the presence and function of future abutting public transit facilities, and the existing religious assembly and natural area.
- b. Ensure buildings are developed:
  - i. in a harmonious architectural theme;
  - ii. having facades that are visually attractive and interesting through the utilization of treatments such as, but not limited to, varying materials, colour and articulation;
  - iii. with 360 degree architecture such that all facades are visually attractive and interesting, notwithstanding back of house areas required for loading, storage, etc.;
  - iv. with clear defined entrances; and
  - v. with high quality and durable building materials and finishes.

- c. Ensure interior access roads and walkways promote contiguous and logical patterns of safe pedestrian and vehicular movement throughout the site and between the site and surrounding development and uses.
- d. Ensure parking areas:
  - i. facilitate safe and convenient pedestrian movements;
  - ii. are appropriately landscaped to soften their appearance and add visual interest; and
  - iii. are dispersed and segmented.

## **5. Definitions**

- a. For the purpose of this provision, “Pedestrian Friendly” shall be interpreted as follows:
  - i. The inclusion of infrastructure such as sidewalks and/or shared use paths along with landscape features such as, but not limited to, trees, shrubs, and/or street furniture to connect buildings and people within the site.

## **6. Development Regulations**

### **6.1 General Development Regulations**

- a. Development shall be in general accordance with the objectives and the attached appendices:
  - i. Appendix I, Concept Plan; and
  - ii. Appendix II, Pedestrian Connections.
- b. At the Development Permit stage, 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 surrounding and on-site development. The concept plans shall show the location of existing buildings, parking areas, vehicular and pedestrian routes and Amenity Areas.
- c. The maximum Floor Area Ratio for non-residential uses shall not exceed 0.4 based on the total Site Area.
- d. The maximum building height shall be 20.0 m for non-residential uses.
- e. Multi-unit Housing shall be developed in accordance with the following development regulations:

- i. Multi-unit Housing may be located in areas identified on Appendix 1: Concept Plan of this Provision.
  - ii. Multi-unit Housing may be accommodate in:
    - A. free standing residential building with or without ground floor office, commercial, retail uses and may have row or stacked row housing at the base; or
    - B. part of a comprehensively developed project where buildings are attached and can vary from predominantly residential to mixed use.
  - iii. Notwithstanding 6.1 (d) of this Direct Control Provision, the maximum height of a building containing Multi-unit Housing shall not exceed 45 m.
  - iv. The maximum Floor Area Ratio for buildings containing residential uses shall be 4.5.
- f. Live Work Units shall comply with Section 92 of Zoning Bylaw 12800. Notwithstanding Section 92, the following regulations shall also apply to Live Work Units:
- i. there shall be no nuisance created by the business by way of electronic interference, dust, noise, odor, smoke, bright light or anything of an offensive or objectionable nature which is detectable to normal sensory perception outside the Live Work Unit;
  - ii. each application for a Development Permit for a Live Work Unit shall include a description of the business to be undertaken at the premises, an indication of the estimated number of business visits per week, provision for vehicular and bicycle parking for residents, visitors and employees, and where any material or equipment associated with the business use are to be stored; and
  - iii. Individual business identification signs located on the façades of Live Work Units shall be designed to ensure the signage does not detract from the overall appearance of the development and that the signage is not obtrusive, having regard to the scale of the buildings on the Site.
- g. A minimum 6.0 m landscaped Setback shall be provided abutting all public roadways (i.e. Ellerslie Road SW, 50 Street SW, 54 Street SW, and 4 Avenue SW).
- h. Amenity Areas shall be provided in accordance with the Zoning Bylaw, except that:

- i. A minimum Amenity Area of 1.0 m<sup>2</sup> shall be provided for every 10 non-residential surface parking spaces.
  - ii. An additional Amenity Area of 1.0 m<sup>2</sup> shall be provided for every 100 m<sup>2</sup> of commercial floor space.
  - iii. Notwithstanding g.i. and g.ii., the Amenity Area may be provided individually per parking spaces, or commercial floor space, or combined to provide a larger Common Amenity Area for the overall Site. Should the Amenity Area be combined, the minimum Common Amenity Area shall be 50 m<sup>2</sup>.
- i. A CPTED Assessment shall be completed to guide the design of public and private spaces and facilities, focusing on natural surveillance and access control.
- j. Signs for non-residential development shall comply with the regulations in Schedule 59F, and be subject to the following:
  - i. Notwithstanding Section 59, a Comprehensive Sign Design Plan shall be submitted for freestanding signs in accordance to Section 59.
- k. Signs for residential development shall comply with the regulations in Schedule 59 B of the Zoning Bylaw, as amended.
- l. The owner shall enter into an Agreement (or Agreements) with the City of Edmonton for the following:
  - i. For any development permit that brings the total developable area in excess of ~150,000 ft<sup>2</sup>, construction of a 3.0 m shared use path along the west side of 50 Street SW shall be required.
  - ii. Repair of any damage to the abutting roadways, alleys, sidewalks, and/or boulevards resulting from the construction of the development, to the satisfaction of Subdivision and Development Coordination (Transportation). The site must be inspected by Subdivision and Development Coordination (Transportation) prior to the start of construction and once again when construction is complete.
- m. General Industrial Uses shall be limited to facilities commonly referred to as self-storage and shall be contained within an enclosed building.
- n. Any development with a drive-through service window shall conform to the following regulations:

- i. the location, orientation and Setback of drive-through service windows shall minimize the on-site and off-site traffic impacts and have regard for safety and the pedestrian environment of local shopping streets; and
- ii. landscaping shall be used to screen and soften the impact of the drive-through service window.

## **6.2 Site Design Regulations**

- a. Buildings shall generally, to the satisfaction of the Development Officer:
  - i. frame major vehicular/pedestrian entry/exit points to/from the site along Ellerslie Road and at the intersection of 50 Street and 4 Avenue;
  - ii. permit views into the site along the axis of roadways and walkways intersecting the abutting perimeter public roadways; and
  - iii. permit views of the abutting natural area identified in Appendix I.
- b. Focal points identified in Appendix I and II, shall be designed and intended to provide special features and vistas within the site. The focal point may include elements such as, but not limited to, the following:
  - i. An architectural feature such as a clock tower, spire or interesting roof feature; and,
  - ii. public art, water features, open space, street furniture, seating, pedestrian facilities, and landscape features to promote a vibrant, connected, and a Pedestrian Friendly environment.
- c. Potential amenity areas may be located adjacent to buildings, along pedestrian walkways, adjacent to the natural area, or at entrances to the commercial development. . The amenity areas shall provide for Pedestrian Friendly elements. These areas shall be designed to incorporate elements such as, but not limited to, the following:
  - i. Public art, water features, open space, street furniture, seating, and/or landscape features to promote a vibrant, connected, and attractive environment; and
  - ii. Pedestrian crossings shall be clearly identified with elements such as, but not limited to, signage, decorative paving, stamping or patterned concrete.
- d. Not including the entrances and access points, a maximum of 40% of the frontages abutting the landscaped Setback along Ellerslie Road may be developed with surface parking.

- e. Surface parking abutting 4 Avenue SW, 50 Street SW, and 54 Street SW shall be screened from view using berms, and/or landscaping or similar screening features.
- f. Service lanes and/or loading areas shall not be permitted to abut the south side of the adjacent multi-family residential site located northwest of the Site.

### 6.3 Building Design Regulations

- a. Buildings shall use a variety of architectural elements and treatments, materials and colours, to break up the massing and provide human scale development.
- b. The massing of building walls greater than 15.0 m in length shall be reduced through the use of architectural elements such as, but not limited to, columns, ribs, pilasters or piers, changes in plane (e.g., recesses and projections), changes in building finishes, materials and textures, or other features that create an identifiable pattern and sense of human scale (see Figure 1.0 - Example of Building Elevation). Landscaping along large format buildings shall be arranged in a manner that reduces and softens the building edge and creates visual relief.

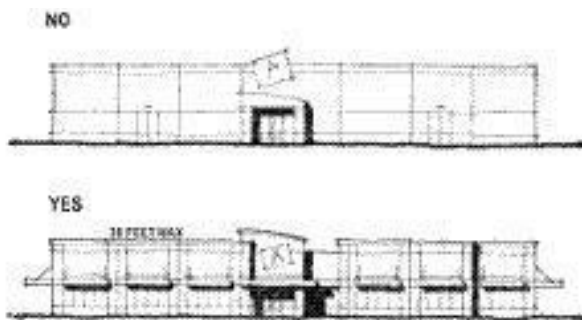


Figure 1.0 - Example of Building Elevation

- c. No walls that face a public street, private internal roadways or connecting pedestrian walkway shall have a blank uninterrupted length exceeding 15.0 m.
- d. The façade of a building facing a public plaza, focal point or public Amenity Area shall be designed and finished to create an active streetscape, visual interest, and human scale by use of architectural features such as, but not limited to, false entryways or entryways, windows, arcades, arbors, awnings, and trellises, while taking into account and incorporating loading areas for buildings as per Section 6.5 of this Direct Control Provision.
- e. Buildings shall be finished with durable materials of a quality that will retain their appearance over time, including, but not limited to, natural and synthetic stone, brick, acrylic stucco, metal and glazing.

- f. Colour schemes shall tie building elements together, relate buildings to one another, and enhance the architectural form of a building.
- g. All 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 colours. "Chain architecture" shall generally be limited to corporate logos and signage.
- h. Buildings shall be designed to include a clearly identifiable primary entrance through the use of elements such as, but not limited to, recesses, projections, canopies, porticos, overhangs, arcades, peaked roof forms, arches, outdoor patios, display windows, planters, walls, or other similar design elements (See Figure 2).



Figure 2.0 - Example of Commercial Retail Unit Frontages

- j. Building rooftop mechanical equipment shall be concealed from the public in a manner that is consistent with the character of the building.

#### 6.4 Vehicular and Pedestrian Circulation

- a. Private internal roadways shall be established to accommodate the peak traffic volumes for the site to the satisfaction of Subdivision and Development Coordination (Transportation).
- b. Pedestrian connections as shown in Appendix II connecting the shopping and Amenity Areas shall be established through the utilization of clearly demarcated walkways, lighting and signage systems to reduce pedestrian conflict and create a more Pedestrian Friendly image.

- c. The private internal roads as shown on Appendix I where deemed appropriate 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 (Transportation), to encourage pedestrian movement and / or provide access to:
  - i. abutting buildings;
  - ii. parking areas and/or parking structures;
  - iii. site amenities and focal points;
  - iv. sidewalks along public roadways;
  - v. transit stops; and
  - vi. defined crossing locations at all arterial and collector intersections.
- d. Pedestrian connections shall consist of the following types:
  - i. Enhanced shared-use path;
  - ii. Shared-use paths;
  - iii. Enhanced parking island walkway (Figure 3.0);
  - iv. Pedestrian sidewalk; or
  - v. Building front sidewalks.
- e. Pedestrian connections shall be developed generally as shown on Appendix II in the following ways:
  - i. Enhanced shared-use: a 12.0 m landscaped yard shall be developed as an enhanced pedestrian corridor as a means of creating an improved interface between the adjacent multi-family residential site and the commercial site. This yard shall include landscaping, pedestrian level lighting, and a 3.0 m hard surfaced shared-use path with a dividing yellow centerline and 'Shared Use' signage;
  - ii. Shared-use paths shall include landscaping, lighting, and a 3.0 m hard surfaced shared-use with a dividing yellow centerline and 'Shared Use' signage;
    - A. Notwithstanding 6.4.e.ii. of this Provision, a 2.5 m modified shared-use path shall be provided along the northern edge of the natural area as identified in Appendix II.
  - iii. Enhanced parking islands with walkways shall include landscaped islands with raised curbs and a minimum 1.5 m sidewalk. Remedial treatment

such as, but not limited to, raised pedestrian crossings, landscaping, forecourts and landings, special paving, lights and bollards shall be provided at significant points of pedestrian and vehicular crossings;

- iv. Pedestrian sidewalks shall be a minimum 1.5 m wide and developed along the private internal roadways with boulevard landscaping; and
- v. Building sidewalks shall be provided in the front of large format buildings at a minimum of 3.0 m in width, the fronts of free standing buildings at a minimum of 2.0 m in width and the fronts of the buildings of the Pedestrian Friendly Node at a minimum of 3.0 m.

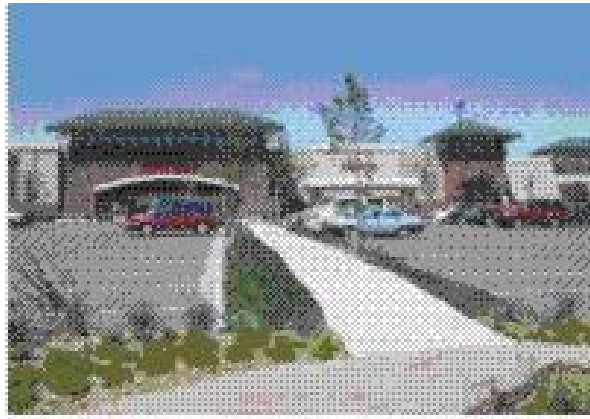


Figure 3.0 - Example of enhanced parking island with walkway

- f. The owner shall fund traffic signals at the following potential locations. Should a traffic signal not be warranted, pedestrian signals or other crossing control devices shall be provided when required, as generally shown on Appendix I and II, to the satisfaction of Subdivision and Development Coordination (Transportation) and others:
  - i. the all-directional access to 4 Avenue SW;
  - ii. the all-direction access to 54 Street SW; and
  - iii. if required, the owner shall fund a rapid flashing beacon at the active modes crossing on 54 Street SW between 6 Avenue SW and 7 Avenue SW, as generally shown on Appendix I and II, to the satisfaction of Subdivision and Development Coordination (Transportation) and others.
- g. As a condition of any development permit, the owner may be required to construct permanent installation of Vision Zero Street Lab (e.g. curb extension) that has been trialled along 4 Avenue SW and 54 Street SW adjacent to the site, to the satisfaction of Subdivision and Development Coordination (Transportation) and Safe Mobility in consultation with the owner. The owner shall be responsible

for the permanent construction of no more than two Vision Zero Street Labs. The owner shall only be required to construct Vision Zero Street labs that are site specific (e.g. curb extensions) and not corridor-wide (e.g. shared streets).

- h. On site development shall allow vehicular and pedestrian cross lot access and circulation to all areas within the commercial precinct to facilitate direct access to shopping.

### **6.5 Vehicular Parking and Loading**

- a. Large parking areas shall be "broken up" by means of on-site private roads, drive aisles, pedestrian corridors and / or landscaped islands.
- b. Garbage collection for all buildings shall be located within a structure or enclosure that is architecturally compatible with the project design and screened from view from any public roadway or residential site. Gates and/or doors of the garbage enclosures must not open or encroach into public or private road right-of-way.
  - i. Notwithstanding 6.5.b, garbage collection for commercial buildings can also be provided via in ground waste containment systems.
- c. Loading and service areas shall be screened from abutting public roadways and uses and designed to ensure vehicles do not encroach or back onto public road right-of-way or the private internal roadways.

### **6.6 Landscaping and Amenities**

- a. A detailed landscaping plan shall be submitted in accordance with Section 55 of the Zoning Bylaw, as amended, prior to the approval of any development permit. This plan shall illustrate landscaping internal to the site, Amenity Areas and pedestrian linkages. 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/or other means integrated with the landscaping and placed along public walking routes through the site to the satisfaction of the Development Officer.
- b. Notwithstanding Section 55 of the Zoning Bylaw, landscaping requirements shall exceed the minimum requirements for the number of shrubs required by 15%.
- c. Landscaped Setbacks shall not be used in the calculation of Amenity Areas.

- d. Landscaped areas shall utilize the three tiered planting system: 1) grasses and ground covers; 2) shrubs; 3) trees. Low maintenance landscaping or naturalized vegetation types are encouraged.
- e. All parking areas fronting on to the arterial roadways shall be screened from view primarily by vertical landscaping inclusive of earth berms and trees and shrubs.
- f. Landscaping at site entrances shall include:
  - i. the use of ornamental plant material, shrubs, and planting beds;
  - ii. planting shall be massed and sized as appropriate for the entryway size and space; and
  - iii. surface treatments to further enhance the appearance of the entrance.
- g. Coordinated and complementary streetscape enhancements shall be developed through the site, including street trees, fencing, pedestrian scaled lighting, street furniture and other elements.
- h. Where fences are developed they shall be consistent in design, materials, finishes, and colours with the dominant architectural theme for the site.
- i. The required Amenity Areas may be provided in the form of focal points, courtyards, interior landscaped open spaces, arcades, plazas, parkettes, commons, squares, greens, gathering places and public seating areas. The Amenity Areas may be developed with landscaping, planting beds, public art, street furniture and water features to create a “sense of place”. Amenity Areas shall be distributed to the readily accessible to both visitors and on-site employees.
- j. Landing shall be used to highlight major circulation patterns, on-site walkways, pedestrian corridors, shared-use paths, and the overall development.

#### **6.7 Interface with Natural Area**

- a. The focal point on the south side of the natural area shall be open and accessible by a pedestrian corridor and/or a private internal roadway for a minimum length of 30.0 m, which is not required to be continuous in nature.
- b. Any residential building sited adjacent to the natural area shall be oriented to ensure that residents fronting the natural area have views of the natural area and active residential frontages, where residential uses are proposed at grade. Active residential frontages shall include ground level units with individual unit external accesses and use features such as porches, staircases and stoops.
- c. Adjacent to the southern portion of the natural area, a 7.5 m Setback shall be provided, as shown on Appendix II.

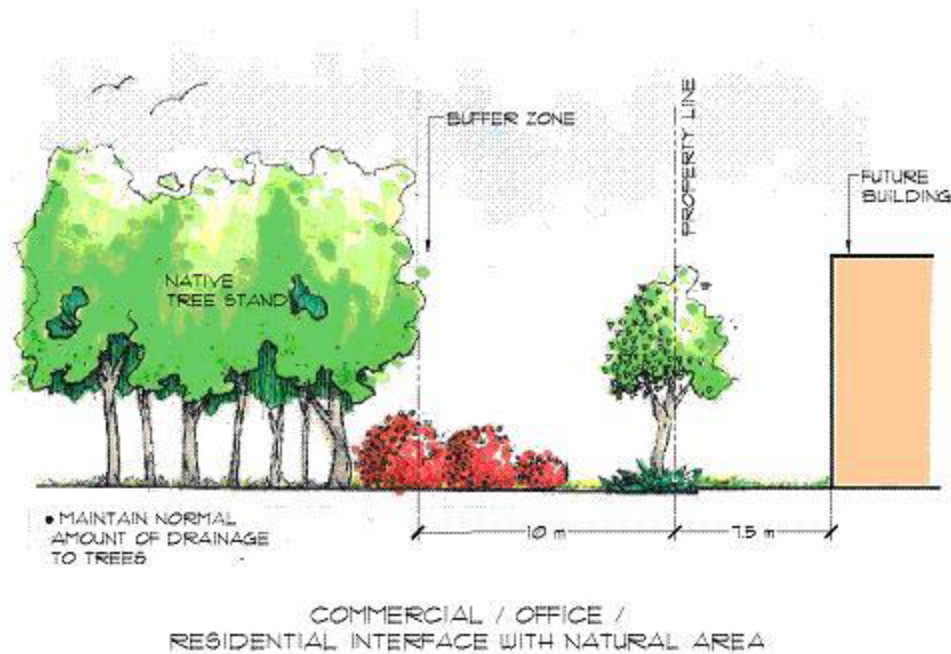
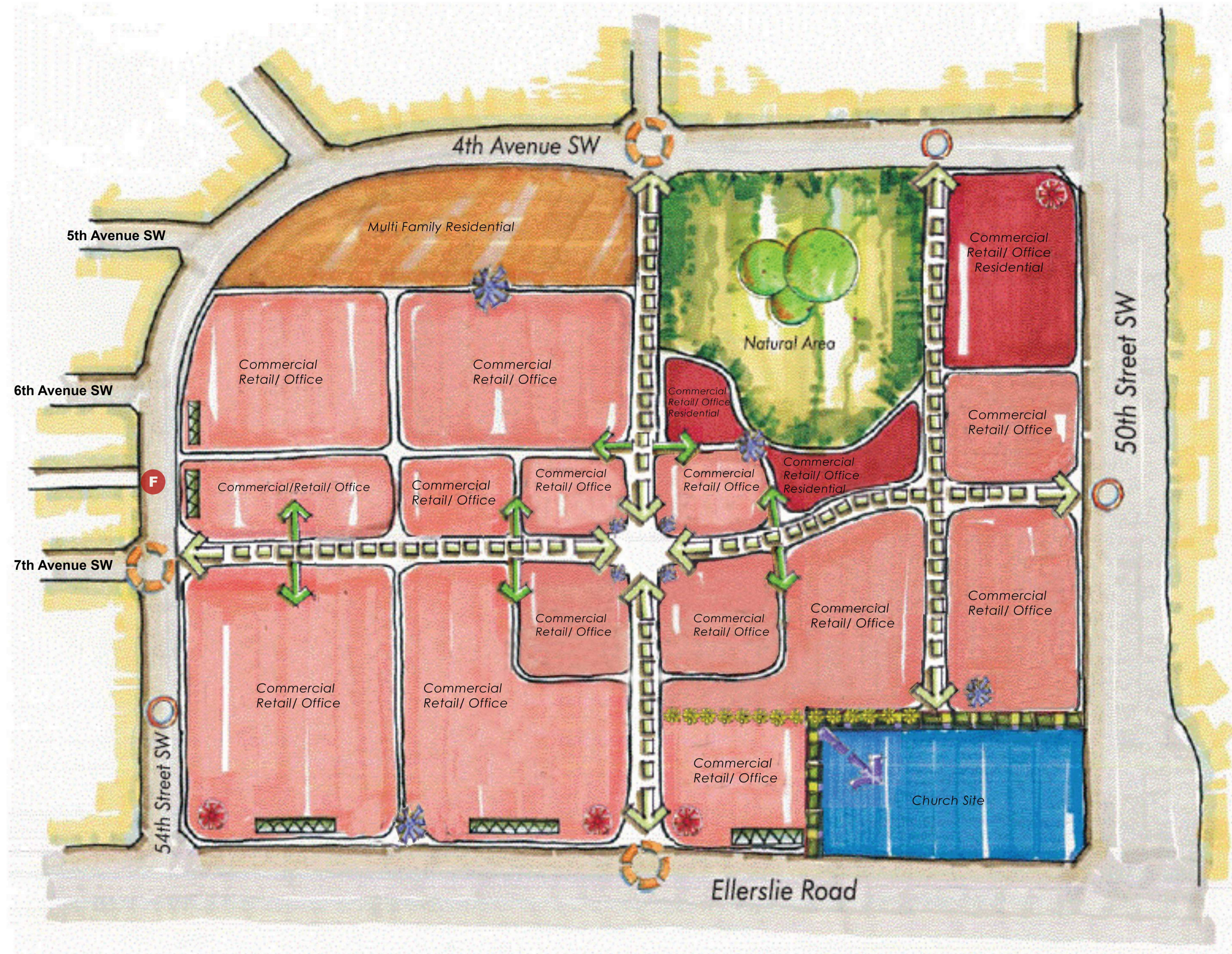


Figure 4.0

### 6.8 Interface with existing Historic Religious Assembly

- a. A minimum 6.0 m Setback shall be provided abutting Lot 5, Plan 8221657 (historical religious assembly).
- b. Within the Setback, a 5.0 m landscaped Yard shall be provided on the north and west side of the religious assembly site.
- c. A 1.5 m sidewalk shall be provided to connect the northern boundary of the religious assembly into the internal pedestrian network of the site as shown on Appendix II. An appropriate interface / integration shall be created between the Site and the existing religious assembly by incorporating similar or sympathetic architectural features (i.e. material, colours) on buildings in proximity to the Site. The interface with the west side of the existing historical religious assembly site will incorporate protection of the viewshed corridor of the historical structure.
- d. As a condition of development permit for the parcel abutting the north property line of Lot 5, Plan 8221657 for the Religious Assembly site, the owner shall register a public access easement, as shown on Appendix I, on all Certificates of Title for the commercial Site to ensure vehicular and pedestrian access from Ellerslie Road and 50 Street through the commercial site to Lot 5, Plan 822 1657 (historic religious assembly) as shown on Appendix I.

- e. Nightclubs, Bars and Neighbourhood Pubs, and Drive-in Food Service shall not be permitted within 6.0 m of Lot 5, Plan 8221657 (historical religious assembly).









Charles Worth

- |  |  |  |   |
|--|--|--|---|
|  Commercial Buildings Frame Entrances   |  Focal Points           |  Potential Right-in/Right-out Access        |  Church Access                                       |
|  Commercial Retail/ Office/ Residential |  All Directional Access |  Private Internal Roadways                  |  Church Interface                                    |
|  Commercial Retail/ Office              |  Rapid Flashing Beacon  |  Possible Internal Access to Street Network |  Enhanced Landscaping                                |
|  |  |  |  Access Easement to Historic Religious Assembly Site |



Charlesworth

-  Pedestrian Sidewalk
-  Shared Use Path
-  Enhanced Shared Use Path
-  Modified Shared Use Path
-  Transit Stop
-  Enhanced Parking Island with Walkway

Pedestrian Connections are conceptual only. All information shown is subject to change at the Development Permit Stage.

### Appendix II: Pedestrian Connections

May 2022  
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