

Charter Bylaw 20371

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 3591

WHEREAS Lot 45B, Block 12, Plan 2120958; located at 10015 - 113 Street NW, Oliver, Edmonton, Alberta, is specified on the Zoning Map as (RA9) High Rise Apartment 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 Lot 45B, Block 12, Plan 2120958; located at 10015 - 113 Street NW, Oliver, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (RA9) High Rise Apartment Zone to (DC2) Site Specific Development Control Provision.
2. The uses and regulations of the aforementioned DC2 Provision are annexed hereto as Schedule "B".

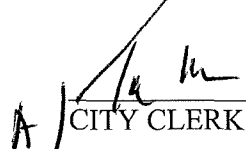
3. The sketch plan annexed hereto as Schedule "A" and the uses and regulations of the DC2 Provision shown on Schedule "B" annexed hereto are hereby incorporated into the Zoning Bylaw, being Part IV to Bylaw 12800, The Edmonton Zoning Bylaw.

READ a first time this	6th day of February	, A. D. 2023;
READ a second time this	6th day of February	, A. D. 2023;
READ a third time this	6th day of February	, A. D. 2023;
SIGNED and PASSED this	6th day of February	, A. D. 2023.

THE CITY OF EDMONTON

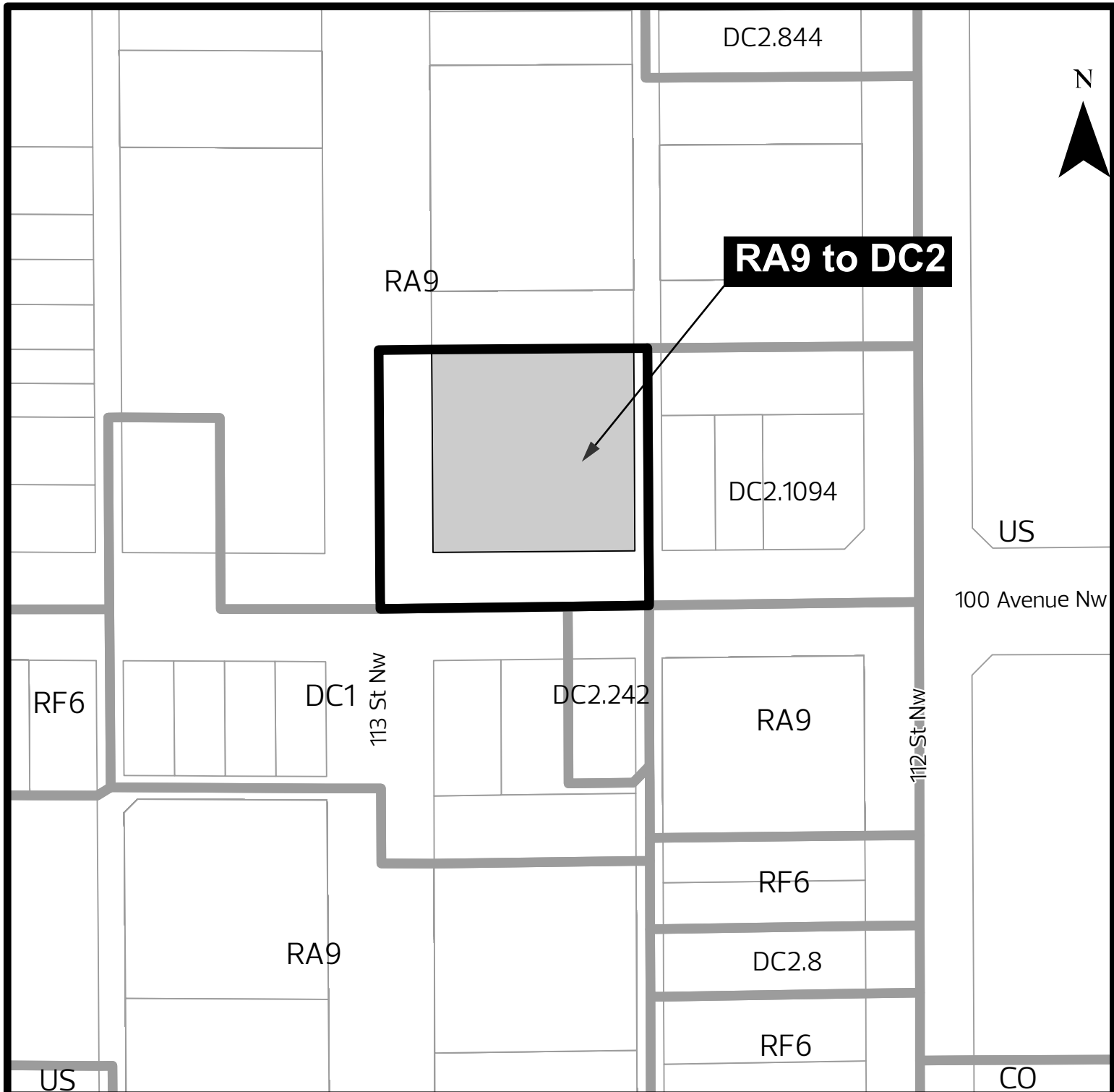


MAYOR



A / CITY CLERK

CHARTER BYLAW 20371



RA9 to DC2



RA9 to DC2



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

To accommodate the development of a medium-rise building with ground-oriented units fronting onto 113 Street NW and 100 Avenue NW.

2. Area of Application

This Provision shall apply to Lot 45B, Block 12, Plan 2120958 in the Oliver neighbourhood, as shown in Schedule “A” of the Charter Bylaw adopting this Provision.

3. Uses

- a. Apartment Hotels
- b. Live Work Unit
- c. Lodging Houses
- d. Minor Home Based Business
- e. Multi-unit Housing
- f. Residential Sales Centre
- g. Supportive Housing
- h. Urban Gardens
- i. Fascia On-premises Signs

4. Development Regulations for Uses

- a. Live Work Units shall be limited to ground-oriented Dwellings.
- b. Residential Sales Centre shall be limited to the sale or leasing of on-Site condominiums or rental Dwellings.
- c. Signs shall comply with Schedule 59B of the Zoning Bylaw.

5. Development Regulations for Site Layout and Built Form

- a. The development shall be in general conformance with the attached Appendices.
- b. The maximum Height shall be 23.0 m.

- c. The maximum Floor Area Ratio shall be 3.7.
- d. The maximum number of Dwellings shall be 95.
- e. The minimum building Setbacks from all Lot lines shall be 3.0 m.
- f. The entrance to the Underground Parkade and waste collection area on the ground level shall not be subject to the east Setback.
- g. The portions of the Underground Parkade shall not be subject to any Setbacks and may extend to all Lot lines provided there is sufficient soil capacity to support any required Landscaping, to the satisfaction of the Development Officer.

6. Development Regulations for Building Design and Features

- a. All building Facades shall have consistent and harmonious exterior finishing materials.
- b. The development shall incorporate design elements to reduce the perceived mass and add architectural interest, including articulation of the Façades, using a defined pattern of projections and/or recessions, and a variety of exterior building cladding materials and colours as generally shown in the Appendices of this Provision;
- c. The building shall be finished with high quality, durable materials that may include, but are not limited to, stone, brick, wood, concrete, exterior insulation & finishing system panels, and/or glass. The use of stucco as a finishing material is not permitted below the fifth Storey of the building. The use of stucco above the fifth Storey shall be limited to a maximum of 15% of the exterior surface area of the building.
- d. The development shall maximize the use of glass and glazed window wall systems, brick, stone, architectural concrete, and/or precast-coloured concrete. The contextual fit, design, proportion, quality, texture and application of various finishing materials shall be to the satisfaction of the Development Officer.
- e. The west and south building Facades shall be designed to break their appearances into a minimum of three vertical sections, using a combination of recesses, projections, changes in building materials, colours and/or physical breaks in building mass.
- f. A minimum of three vertical sections of the building Façade facing 113 Street NW and 100 Avenue elevation shall be designed to break their appearance between the second and third storey using a combination of projections, changes in building materials, colours and/or physical breaks in building mass as generally shown in the Appendices of this Provision.
- g. The development shall incorporate a prominent front entrance facing 113 Street NW through distinct architectural treatment to the satisfaction of the Development Officer.
- h. Facing 113 Street NW and 100 Avenue NW, the building shall have ground level Dwellings with separate, individual accesses, featuring visible individual doorways, landscaped terraces, pedestrian lighting and patios. Sliding patio doors shall not serve as the entrances to these Dwellings.

- i. A weather protection element in the form of a canopy or other architectural element above the main Residential entrance facing 113 Street NW shall be allowed to project 2.5 m into the west Setback to create a comfortable environment for pedestrians.
- j. Platform Structures in the form of balconies shall be allowed to project into the Setbacks as follows:
 - i. 0.6 m into the north Setback;
 - ii. 0.9 m into the south Setback;
 - iii. 0.8 m into the east Setback; and
 - iv. 1.5 m into the west Setback.
- k. All mechanical equipment, including roof mechanical units, and surface-level venting systems 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 amenities or pedestrian circulation areas.
- l. Waste collection, storage areas, and loading shall be located within the site, accessed from the rear Lane abutting the development, and enclosed with consistent materials to provide screening from view from the abutting roadway, to the satisfaction of the Development Officer in consultation with Waste Management Services, Subdivision and Development Coordination (Transportation) and City Operations.

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

- a. Vehicular access and egress shall be from the abutting north-south Lane in general accordance with Appendix 1.
- b. All vehicular parking shall be provided in an Underground Parkade.
- c. Entrances to the Underground Parkade shall minimize the physical and visual impact of the entrances and doors to the rear Lane abutting the development.
- d. Notwithstanding Section 54 of the Zoning Bylaw, Bicycle Parking spaces shall be provided at a minimum rate of 0.7 spaces per Dwelling, in a safe and secure location in the Underground Parkade or in another secure location within the building that is easily accessible to cyclists via access ramps, or a route through the building which facilitates easy and efficient transportation of bicycles.
 - i. a minimum of 7 Bicycle Parking spaces shall be short-term spaces and shall be conveniently located near the main entrance of the building.

8. Development Regulations for Landscaping, Lighting and Amenity Areas

- a. A minimum Amenity Area of 7.0 m² per Dwelling of gross Floor Area shall be provided through the following:

- i. Balconies with a minimum depth of 1.2 m and 3.5 m² area may be used to Satisfy Amenity Area requirements; and
 - ii. Each ground-level Dwelling fronting the north, south and west setbacks shall have direct access to a Private Outdoor Amenity Area. The Private Outdoor Amenity Area shall be not less than 5 m² and on average 8 m².
- b. A detailed Landscape Plan for the Site, prepared by a Landscape Architect registered with the Alberta Association of Landscape Architects (AALA), including all existing and proposed utilities and off-Site streetscape improvements within the road right-of-way shall be submitted as part of a Development Permit application for review and approval by the Development Officer.
- c. The following shall apply and be shown on the required Landscape Plan:
 - i. Landscaping shall use plant materials that provide colour throughout the year to enhance appearance during winter months;
 - ii. Landscaping Plans shall incorporate native and/or drought-tolerant species into the Landscaping design; and
 - iii. Landscaping that extends over City-owned lands shall be developed in accordance with Traffic bylaw 5590 and the City Design and Construction Standards.
- d. In addition to the requirements in the Zoning Bylaw, the Landscaping Plan shall demonstrate:
 - i. At ground level, where Setbacks are provided in front of Residential Uses fronting onto a public roadway, a transition area shall be provided from public to private property using landscape features such as decorative fencing, change in grade, shrub beds, planters, rock gardens and/or other built elements, to the satisfaction of the Development Officer;
 - ii. clear delineation of all Amenity Areas at ground level with vertical landscaping features (e.g. hedges, decorative fences, screens, low walls, shrubs, and other plant material);
 - iii. a 1.83 m decorative screen fence shall be provided along the entire length of the north Lot line except within the setback from 113 Street NW; and
 - iv. that the soil above the Underground Parkade Garage shall be of sufficient capacity to accommodate required Landscaping, including trees, shrubs, flower beds, grass and ground cover.
- e. 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 100 Avenue NW and 113 Street NW right-of-way abutting the shared-use path. 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 foundation wall, if:

- i. 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 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
 - ii. 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 C456C.
- f. Decorative and security lighting shall be designed and finished in a manner consistent with the architectural theme of the development and shall be provided to ensure a well-lit and safe environment for pedestrians, accentuate architectural elements, and provide additional lighting for 100 Avenue NW, 113 Street NW, and the rear Lane.
- g. Exterior lighting associated with the development shall be designed such that it has no negative impact on an adjacent property.
- h. Night-time light pollution shall be reduced by avoiding over-illumination of the development and by using exterior lighting fixtures that are full cut-off in design which direct light downward, to ensure illumination does not extend beyond the boundaries of the development Site.

9. Other Regulations

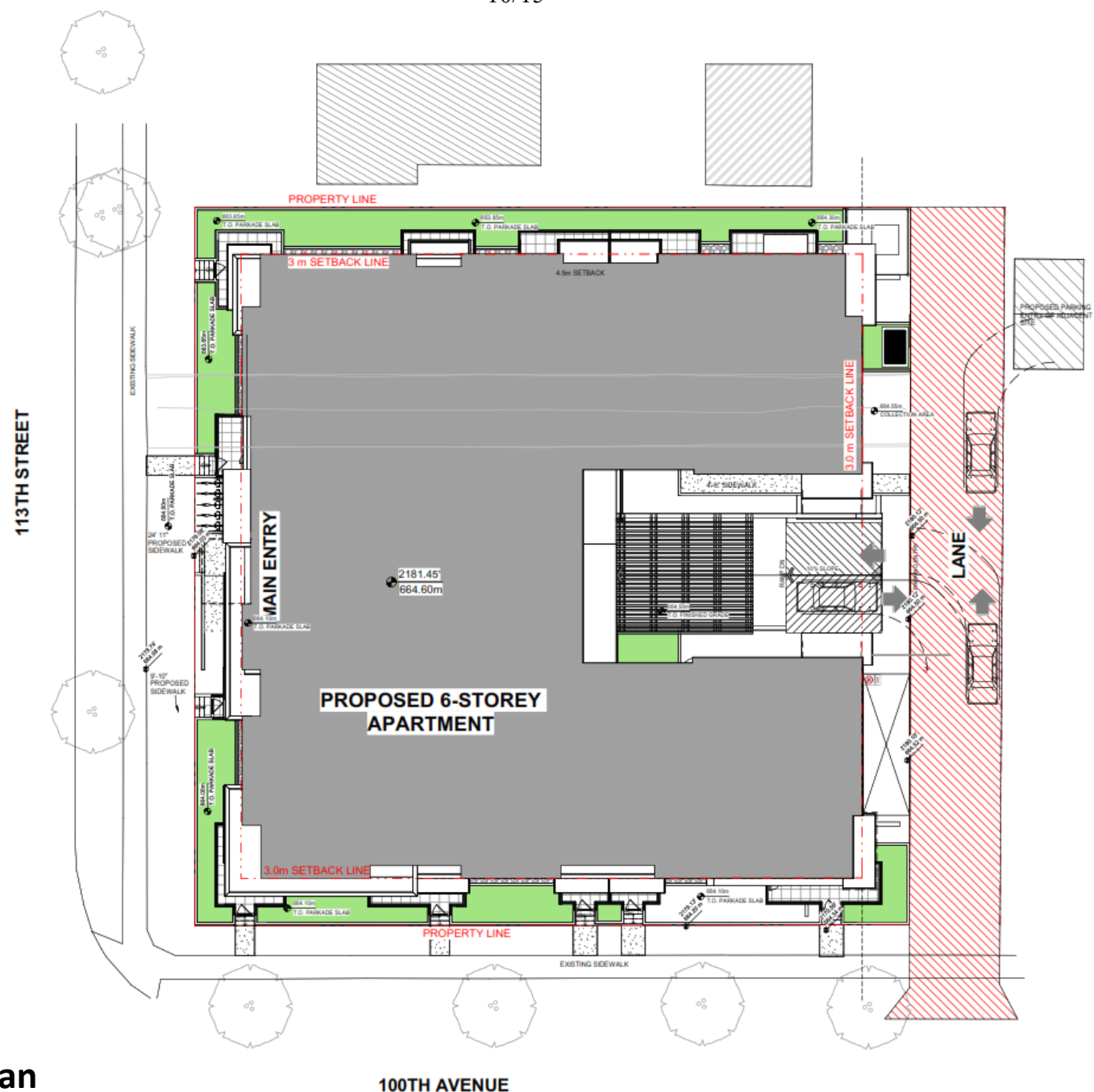
- a. Site and building layouts shall include design elements that take the principles of Crime Prevention Through Environmental Design (CPTED) into consideration. These elements may include, but are not limited to, elements that allow for natural surveillance, increase sightlines and use; and high-quality 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.

10. Public Improvements and Contributions

- a. As a condition of the Development Permit for the construction of the principal building, 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. Improvements shall be constructed at the owner's cost and shall be designed to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation), City Operations, Integrated Infrastructure Services, EPCOR Water Inc., Drainage, and others

as required. Improvements to address in the Agreement shall include, but are not limited to:

- i. replacement of any street furniture including lamps, benches, bollards or planters, that are removed/damaged due to construction of the development;
- ii. construction of infrastructure improvements as indicated in the drainage Off-Site Municipal Utility Assessment (100 Avenue NW and 113 Street NW), or alternatives to the satisfaction of the Development Officer in consultation with EPCOR Water Services Inc;
- iii. the repair of any damage to the abutting roadways, sidewalks and/or boulevard resulting from 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 the construction and once again when construction is complete;
- iv. upgrading the north-south Lane abutting the Site in its entirety (from 100 Avenue to the east-west Lane) to a commercial alley standard within the available right-of-way and with the potential to encroach on site in constrained areas, including relocation and/or trenching of the above-ground utilities as required to serve the development; and
- v. removal of the existing accesses on the east side of 113 Street NW, approximately 37 m north of 100 Avenue NW.



Appendix 1 – Site Plan

100TH AVENUE



Appendix 2 – North Elevation



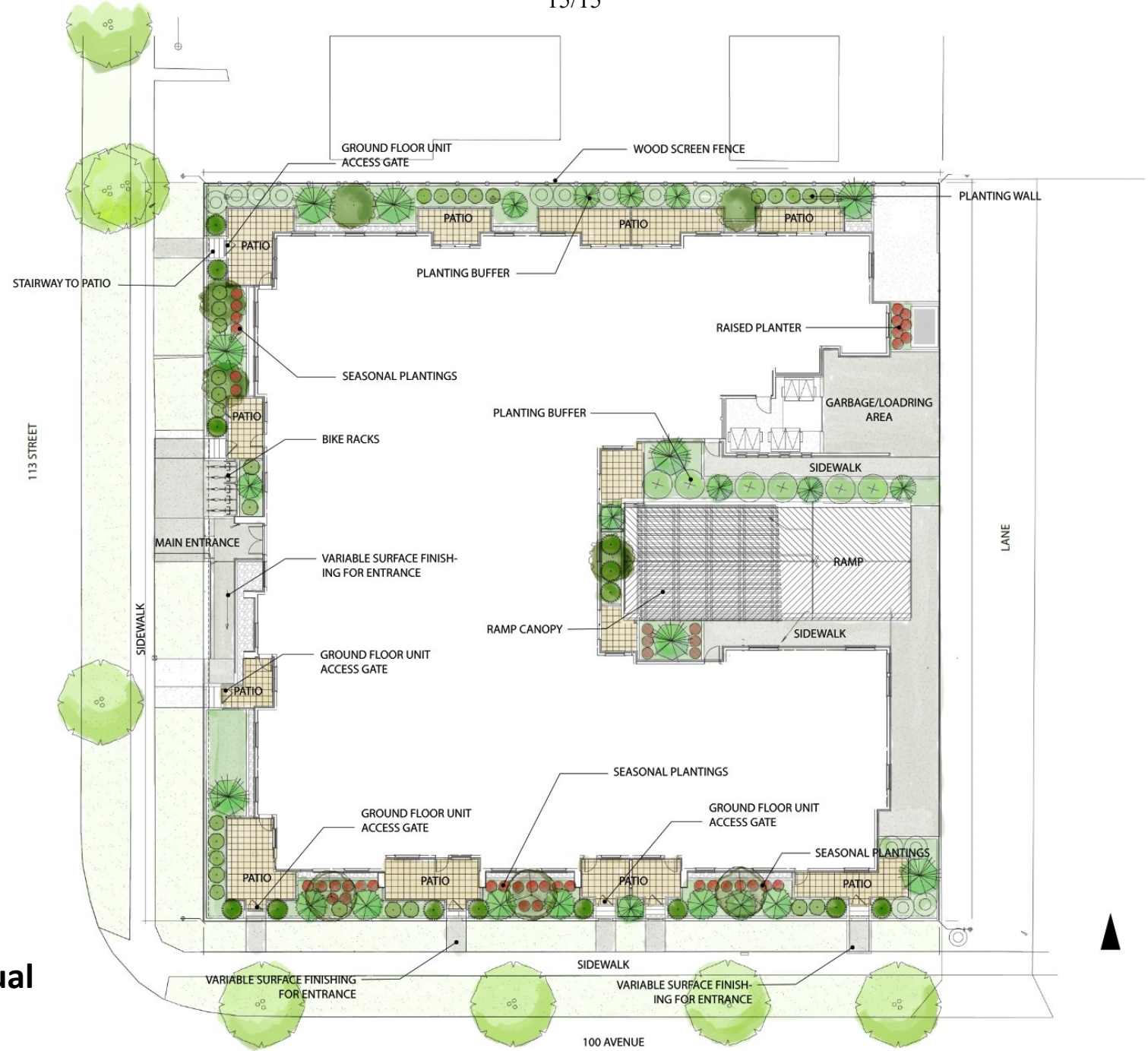
Appendix 3 – South Elevation



Appendix 4 – West Elevation



Appendix 5 – East Elevation



Appendix 6 – Conceptual Landscape Plan