

Charter Bylaw 18747

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 2747

WHEREAS Blocks 1, 2, and 3, Plan 1324176; and a portion of NE-20-51-24-4; located at 904, 1050, 1140, and 1304 - 103A Street SW, Cashman, 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 Blocks 1, 2, and 3, Plan 1324176; and a portion of NE-20-51-24-4; located at 904, 1050, 1140, and 1304 - 103A Street SW, Cashman 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.

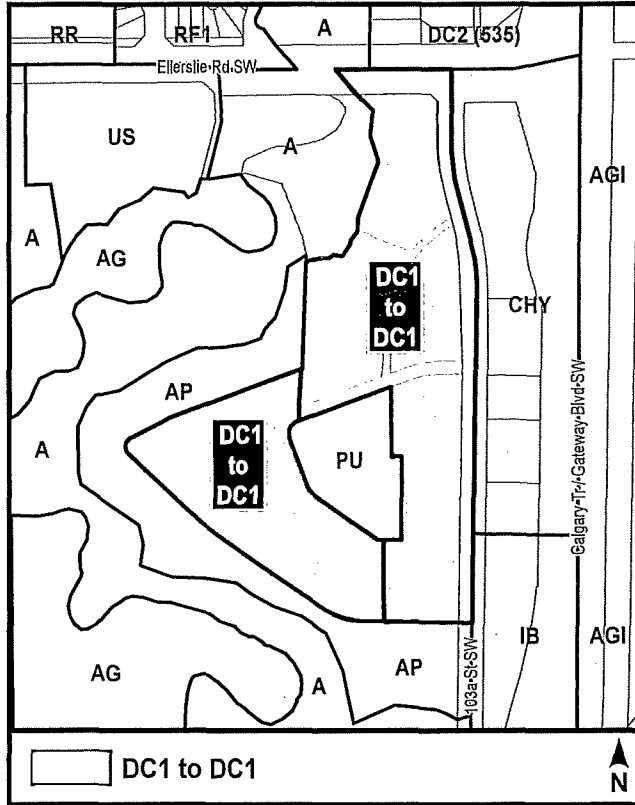
READ a first time this	1st	day of	April	, A. D. 2019;
READ a second time this	1st	day of	April	, A. D. 2019;
READ a third time this	1st	day of	April	, A. D. 2019;
SIGNED and PASSED this	1st	day of	April	, A. D. 2019.

THE CITY OF EDMONTON


MAYOR


A/ CITY CLERK

CHARTER BYLAW 18747



SCHEDULE "B"

(DC1) DIRECT DEVELOPMENT CONTROL PROVISION

AREA 1

Area 1- Business Industrial and Commercial Area

1. General Purpose

To accommodate development of a compatible and diverse mix of business industrial uses carried out within an enclosed building, and commercial uses, both with a high quality built form located at, and appropriate to the entrance to the Heritage Valley area and being visible from the Calgary Trail/ Gateway Boulevard corridor.

2. Area of Application

This Direct Control Provision applies to the land generally located in the northerly portion of the Cashman Neighbourhood Area Structure Plan (NASP) located west of Calgary Trail, South of Ellerslie Road and east of Blackmud Creek within NE 20-51-24-4 and Blocks 1, 2, and 3, Plan 1324176. More specifically, the lands surrounding the stormwater management facility identified as Area 1, as shown on the Attachment "A" Map adopting this Provision. Figure 1 provides a Conceptual Site Plan to illustrate the local roadway.

3. Uses

- a. Apartment Hotels
- b. Automotive and Minor Recreation Vehicle Sales/Rentals
- c. Bars and Neighbourhood Pubs
- d. Broadcasting and Motion Picture Studios
- e. Business Support Services
- f. Child Care Services
- g. Commercial Schools
- h. Convenience Retail Stores
- i. Convenience Vehicle Rentals
- j. Custom Manufacturing Establishments
- k. Drive-in Food Services
- l. Equipment Rentals

- m. Gas Bars
- n. General Industrial Uses
- o. General Retail Sales
- p. Government Services
- q. Greenhouses, Plant Nurseries and Market Gardens
- r. Health Services
- s. Hotels
- t. Indoor Participant Recreation Services
- u. Limited Contractor Services
- v. Major Amusement Establishments and Minor Amusement Establishments
- w. Major and Minor Alcohol Sales
- x. Nightclubs
- y. Personal Service Shops
- z. Professional, Financial and Office Support Services
- aa. Restaurants
- bb. Special Industrial Uses
- cc. Specialty Food Services
- dd. Veterinary Services
- ee. Warehouse Sales
- ff. Fascia On-premises Signs
- gg. Freestanding On-premises Signs
- hh. Projecting On-premises Signs
- ii. Temporary On-premises Signs

4. Development Regulations

- a. The minimum Site Frontage for a site abutting a major collector or higher standard public roadway shall be 30.0 m.
- b. The maximum Floor Area Ratio shall be 1.2, when developed individually. The maximum Floor Area Ratio for Apartment Hotels; Hotels; and Professional, Financial and Office Support Services, shall be 3.5 when developed individually or in combination with Permitted Uses.

- c. A minimum Yard of 6.0 m shall be required where any lot line of a Site abuts a public roadway, other than a Lane and a minimum Yard of 7.5 m shall be required where any lot line of a Site abuts the property line of Area 2, the stormwater management facility.
- d. 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 or public roadways in accordance with the Zoning Bylaw. If the rear or sides of a Site are used for parking, an outdoor service or display area or both, and abut Area 2, or the storm water management facility, such areas shall be screened.
- e. General Industrial Uses shall be limited to those processing, manufacturing, cleaning/ servicing/repairing, storage or transportation, distribution, or general industrial training activities that conform with the General Purpose of this area and are not likely to create negative impacts such as noise, light or odors which may be noticeable on adjacent properties, or where the Site is directly adjacent to residential activities. The Development Officer shall require that these potential impacts be minimized or negated. This may be achieved through a variety of measures including: landscaping; berming or screening; noise attenuation measures such as structural soundproofing; and any other measures as the Development Officer may deem appropriate.
- f. Notwithstanding 3.(n), where potential impacts of an activity may affect surrounding uses and not mitigated to the satisfaction of the Development Officer the Development Officer may deny that activity under the General Industrial Use Class.
- g. All Uses and activities shall be located and carried on such that no nuisance factor is created or apparent outside an enclosed building. There shall be no outdoor display areas except for Automotive and Minor Recreational Vehicle Sales/Rentals, and Convenience Vehicle Rentals.
- h. The maximum Building Height shall not exceed 20.0 m, except for Hotels and Apartment Hotels where the maximum Building Height shall not exceed 28.0 m.
- i. Bars and Neighbourhood Pubs shall not exceed 200 occupants and 240 m² of Public Space.
- j. General Retail Sales shall not exceed 2,800 m² of gross floor area per unit.
- k. Nightclubs shall not exceed 200 occupants and 240 m² of Public Space.
- l. Restaurants shall not exceed 200 occupants and 240 m² of Public Space.
- m. Specialty Food Services shall not exceed 100 occupants and 120 m² of Public Space.
- n. Warehouse Sales shall not exceed 2,800 m² of gross floor area per unit.

- o. The roof line and building facade of all developments, including those with a Floor Area greater than 3000 m² or single wall length of 25 m visible from a public road, shall:
 - i. include design elements that reduce the perceived mass of the building and add architectural interest; and
 - ii. include landscaping adjacent to exterior walls to minimize the perceived mass of the building and to create visual interest.
- j. All mechanical equipment, including roof mechanical units, shall be concealed by screening in a manner compatible with the architectural character of the building or concealed by incorporating it within the building.
- k. Any outdoor lighting for any development shall be located and arranged so that no direct rays of light are directed at any adjoining properties, or interfere with the effectiveness of any traffic control devices in accordance with the Zoning Bylaw.
- l. On-site security and building lighting must be situated and designed such that the illumination is directed downwards and no direct rays of light are directed outwards from the site into adjacent properties.
- m. All storage, display, or parking areas shall be hard surfaced.
- n. A detailed landscaping plan shall be submitted prior to the approval of any development permit in accordance with the Zoning Bylaw. This plan shall include pedestrian connections with the multi-use trail developed on parkland and within the stormwater management facility; connections between private development and the public park located along Blackmud Creek; fence details; exterior lighting and street furniture elements; pedestrian seating areas; and varied sizes and species of new plantings. Landscaping plans shall contain design and materials which coordinate with, and are a continuation of, existing development approvals within Area 1 and Area 2.
- o. All landscaped yards shall contain minimum plantings as outlined in the following:
 - i. one tree for each 17.5 m² and one shrub for each 10 m² of any required Yard or Setback at grade.
 - ii. one tree for each 17.5 m² and one shrub for each 7.5 m² of required parking area islands. In no case shall there be less than one tree per required parking area island.
- p. All planting shall conform to the following:
 - i. the proportion of deciduous to coniferous trees and shrubs shall be approximately 50:50 and the following mix of tree sizes shall be used;
 - ii. 100% of required deciduous trees shall be a minimum of 75 mm calliper; and
 - iii. 75% of required coniferous trees shall be a minimum of 2.5 m in height and 25% shall be a minimum 3.5 m in height.

- q. For the purposes of subdivision, the concept plans for the collector roadways shall include treed boulevards.
- r. Signs shall comply with the regulations found in Section 59 and Schedule 59E of the Edmonton Zoning Bylaw.
- s. Individual business identification signs located on the facades of buildings shall be similar in proportion, construction materials and placement. The design, scale and placement of signs shall be such that 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 and to the distance of the building Setback.
- t. Site planning and building design of individual developments adjacent to the creek and top of bank walkway shall include elements such as doors, windows, public access, and architectural details oriented toward the public park and Blackmud Creek.

4.1 Development Regulations for Sub-Area 1

- a. The following regulations shall apply to Sub-Area 1 as shown on the Figure 1 Conceptual Site Plan;
 - i. A minimum Yard of 1.0 m shall be required where any lot line of a Site abuts a public roadway, other than a lane and shall provide enhanced landscape screening with one shrub for each 10m² and tall grasses spaced at a maximum of 0.5 m o.c.
 - ii. A building setback of 3.0 m shall be required where any lot line of a Site abuts a public roadway, other than a lane.
 - iii. No minimum Yard shall be required where any lot line of a Site abuts the property line of Area 2.
 - iv. Parking and loading facilities shall be located a minimum of 1.0 m from any public or pedestrian corridor and the setback landscaped and screened with a dense hedge row at a maximum of 1.0 m o.c. for shrubs or 0.5 m o.c. for tall grasses.

5. Design Guidelines and Regulations

The Development Officer shall ensure that the following site planning and architectural guidelines and regulations are incorporated in all developments within Area 1 of this Provision to achieve a high quality urban environment, compatibility of mixed uses and quality streetscapes and architecture.

5.1. Site Planning

- b. Arrangement of structures, parking and circulation areas and open spaces shall recognize the particular characteristics of the Site and shall relate to the surrounding built environment in pattern, function, scale character and materials.

- c. Residential and residential-related uses shall be separated from commercial or business industrial development. Landscaping, increased setbacks and appropriate building orientation shall be utilized as means to provide adequate separation between such land uses.
- d. Building siting shall take into consideration the context of the surrounding mixed-use area, the location of major traffic generators and the site's particular characteristics.
- e. The placement and design of structures shall facilitate pedestrian activity and convey a visual link to the street and sidewalks.
- f. Residential, commercial, and business industrial uses should incorporate plazas and courtyards into their design. Primary access to public plazas shall be provided from the street, and secondary accesses may be provided from on-site uses. Landscaping, water features, and public art should be incorporated into plaza and courtyard design and provide shelter and relief from direct sunlight.
- g. Buildings should be sited along frontages, and use variable building setbacks in order to avoid long monotonous building facades and to create an interesting streetscape.
- h. Increased building setbacks shall be provided for buildings 10.0 m high or greater.

5.2. Architecture

- a. A distinct architectural theme will be developed for the neighbourhood. High quality, innovative and imaginative architecture is encouraged. The selected architectural style/design shall consider compatibility with surrounding character, including harmonious building style, form, size, colour, materials and roofline.
- b. Building orientation located on corner sites should be arranged to frame the corner of the intersection to create a sense of place using building design, decorative architectural walls, and landscaping.
- c. Building facades, on all sides, shall include design elements, finishing materials, and variations that will reduce any perceived mass and linearity of large buildings and add architectural interest.
- d. Building entries shall be readily identifiable and use recesses, projections, columns and distinctive material and colours to articulate entrances. Use of cementitious stucco and vinyl siding shall be avoided.
- e. All wall surfaces visible to the public shall be architecturally enhanced. Front and side wall elevations shall provide building offsets and architectural details.
- f. 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.

5.3. Access and Circulation

- a. Site access and internal circulation shall promote safety, efficiency and convenience. Conflicts between vehicles and pedestrians shall be avoided. Clearly defined pedestrian paths shall be provided from parking areas to primary building entrances and sidewalks along the site's perimeter.
- b. Internal circulation within residential developments shall be designed to facilitate access to building clusters, take advantage of views or amenities and to reduce conflict with pedestrians.
- c. Linkages (e.g. walkways, common landscape areas, and building orientation) between compatible commercial and business industrial uses are encouraged.
- d. Parking shall not dominate street frontages. Underground parking is recommended for low rise apartments.
- e. Parking or loading facilities shall be located a minimum of 3.0 m from any public or pedestrian corridor and the setback landscaped and screened to the satisfaction of the Development Officer.
- f. Recreation facilities such as jogging trails and bicycle paths shall connect developments to the Blackmud Creek ravine and multi-use trail.

5.4. Landscaping

- a. Landscaped areas shall utilize the three tiered planting system: 1) grasses and ground covers; 2) shrubs and vines; 3) trees. All areas not covered with structures, yards, walkways, driveways, and parking spaces shall be landscaped. Xeriscapes and low maintenance or naturalized vegetation types are encouraged.
- b. Where fences are developed they shall be consistent in design, materials, finishes, and colours with the fence styles established for the neighbourhood. Chain link fences shall not be visible from public roadways.

5.5. CPTED

- a. CPTED principles shall be used to design public and private spaces and facilities, focusing on natural surveillance and access control.

(DC1) DIRECT DEVELOPMENT CONTROL PROVISION

AREA 2

Area 2 - Mixed Residential and Commercial Area

1. General Purpose

To accommodate development of compatible mix of residential, and business commercial uses with a high quality built form located along public parkland and Blackmud Creek, and visible from the neighbourhood of Blackmud Creek from the west.

2. Area of Application

This Direct Control Provision applies to the land generally located in the northerly portion of the Cashman Neighbourhood Area Structure Plan (NASP) located west of Calgary Trail, South of Ellerslie Road and east of Blackmud Creek within NE 20-51-24-4; More specifically, the lands west of the stormwater management facility, identified as Area 2, as shown on the Attachment "A" Map adopting this Provision. Figure 1 provides a Conceptual Site Plan to illustrate the local roadway.

3. Uses

- a. Apartment Housing
- b. Boarding and Lodging Houses
- c. Business Support Services
- d. Child Care Services
- e. Convenience Retail Stores
- f. Custom Manufacturing Establishments
- g. Government Services
- h. Health Services
- i. Major and Minor Home Based Business
- j. Personal Service Shops
- k. Professional, Financial and Office Support Services
- l. Residential Sales Centre
- m. Restaurants and Specialty Food Services Row Housing
- n. Semi-Detached Housing
- o. Freestanding On-premises Signs
- p. Projecting On-premises Signs

4. Development Regulations

- a. All development permit applications shall be forwarded to the Edmonton Design Committee for review.
- b. The maximum residential Density shall be 125 Dwellings/ha for Apartment Housing; 42 Dwellings/ha for Row Housing; and 34 Dwellings/ha for Semi-Detached Housing.
- c. The minimum Site Area for Apartment Housing shall be 800 m².
- d. The minimum Site Width for Apartment Housing shall be 20.0 m.
- e. The maximum Height shall not exceed 20.0 m. Floor Area may be developed as a Half Storey as additional space to a Dwelling, and not counted as a Storey, provided the additional Floor Area creates architectural interest to the design of the building and the development is within the maximum allowable Height.
- f. Notwithstanding 4.(e), the maximum Height for Row Housing and Semi-Detached Housing shall not exceed 10.0 m.
- g. The maximum Floor Area Ratio shall be 1.3. The maximum Floor Area Ratio may be increased to 1.5 when underground parking is provided.
- h. The minimum Front Yard shall be 6.0 m.
- i. The minimum Rear Yard shall be 7.5 m.
- j. The minimum Side Yard shall be 1.0 m for each Storey or partial Storey, except that a total of at least 2.0 m shall be provided in all cases. A Side Yard shall be not less than 4.5 m when it abuts a flanking public roadway other than a Lane.
- k. Separation Space shall be provided in accordance with Section 48 of this Bylaw.
- l. A minimum Amenity Area of 7.5 m² per Apartment Dwelling; and 30 m² at grade level per Row Housing Dwelling and Semi-Detached Dwellings shall be provided.
- m. Restaurants and Specialty Food Services shall not exceed 100 occupants and 120 m² of Public Space.
- n. Design techniques including, but not limited to, the use of sloped roofs, variations in building setbacks and articulation of building facades, shall be employed in order to minimize the perception of massing of the building when viewed from adjacent residential areas and roadways.
- o. A detailed landscaping plan shall be submitted prior to the approval of any development permit in accordance with the Zoning Bylaw. This plan shall include pedestrian connections with the multi-use trail developed along the top of bank and within the stormwater management facility; connections between private development and the public park located along Blackmud Creek; establish a clear distinction between private, semi-private, and public open spaces; fence details;

exterior lighting and street furniture elements; pedestrian seating areas; and varied sizes and species of new plantings.

- p. All landscaped yards shall contain minimum plantings as outlined in the following:
 - i. one tree for each 17.5 m² and one shrub for each 10 m² of any required Yard or Setback at grade.
 - ii. one tree for each 17.5 m² and one shrub for each 7.5 m² of required parking area islands. In no case shall there be less than one tree per required parking area island.
- q. All planting shall conform to the following:
 - i. the proportion of deciduous to coniferous trees and shrubs shall be approximately 50:50 and the following mix of tree sizes shall be used:
 - ii. 100% of required deciduous trees shall be a minimum of 75 mm calliper; and
 - iii. 75% of required coniferous trees shall be a minimum of 2.5 m in height and 25% shall be a minimum 3.5 m in height.
- q. Loading, storage and trash collection areas shall be located in such a manner to be screened from view from adjacent sites and public roadways in accordance with the Zoning Bylaw. If the Rear or Sides of a Site are used for surface vehicular parking, it shall be screened in accordance with the Zoning Bylaw.
- r. All mechanical equipment, including roof mechanical units shall be concealed by screening in a manner compatible with the architectural character of the building or concealed by incorporating it into the building.
- s. Buildings shall address the adjacent public roadways, other than Lanes, with active residential frontages that include individual entrances that are clearly visible from the street. Buildings on corner sites shall address both the front street and the adjacent street to give the street intersection prominence.
- t. Any outdoor lighting for any development shall be located and arranged so that no direct rays of light are directed at any adjoining properties, or interfere with the effectiveness of any traffic control devices in accordance with the Zoning Bylaw.
- u. On-site security and building lighting must be situated and designed such that the illumination is directed downwards and no direct rays of light are directed outwards from the site into adjacent properties.
- v. Signs shall comply with the regulations found in Schedule 59B of the Edmonton Zoning Bylaw.
- w. Site planning and building design of individual developments adjacent to the creek and top of bank walkway shall include elements such as doors, windows, public access, and architectural details oriented toward the public park and Blackmud Creek. and incorporate multi-use trail linkages to the top of bank

walkway in a manner consistent with Figure 1.0 Conceptual Site Plan and the following regulations:

- i. A minimum of 10.0 m wide open view corridor shall be maintained between individual buildings; and
- ii. No building shall be greater than 60.0 m in width along a street or internal roadway adjacent to the creek or the top of bank walkway.

5. Design Guidelines and Regulations

The Development Officer shall ensure that the following site planning and architectural guidelines and regulations are incorporated in all developments within Area 2 of this Provision to achieve a high quality urban environment, compatibility of mixed uses and quality streetscapes and architecture.

5.1. Site Planning

- a. Arrangement of structures, parking and circulation areas and open spaces shall recognize the particular characteristics of the Site and shall relate to the surrounding built environment in pattern, function, scale character and materials.
- b. Residential and residential-related uses shall be separated from commercial or business industrial development. Landscaping, increased setbacks and appropriate building orientation shall be utilized as means to provide adequate separation between such land uses.
- c. Building siting shall take into consideration the context of the surrounding mixed-use area, the location of major traffic generators and the site's particular characteristics.
- d. The placement and design of structures shall facilitate pedestrian activity and convey a visual link to the street and sidewalks.
- e. Residential, commercial, and business industrial uses should incorporate plazas and courtyards into their design. Primary access to public plazas shall be provided from the street, and secondary accesses may be provided from on-site uses. Landscaping, water features, and public art should be incorporated into plaza and courtyard design and provide shelter and relief from direct sunlight.
- f. Buildings should be sited along frontages, and use variable building setbacks in order to avoid long monotonous building facades and to create an interesting streetscape.
- g. Increased building setbacks shall be provided for buildings 10.0 m high or greater.

5.2. Architecture

- a. A distinct architectural theme will be developed for the neighbourhood. High quality, innovative and imaginative architecture is encouraged. The selected architectural style/design shall consider compatibility with surrounding character, including harmonious building style, form, size, colour, materials and roofline.

- b. Building orientation located on corner sites should be arranged to frame the corner of the intersection to create a sense of place using building design, decorative architectural walls, and landscaping.
- c. Building facades, on all sides, shall include design elements, finishing materials, and variations that will reduce any perceived mass and linearity of large buildings and add architectural interest.
- d. Building entries shall be readily identifiable. Use recesses, projections, columns and distinctive material and colours to articulate entrances.
- e. All wall surfaces visible to the public shall be architecturally enhanced. Front and side wall elevations shall provide building offsets and architectural details.
- f. 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.

5.3. Access and Circulation

- a. Site access and internal circulation shall promote safety, efficiency and convenience. Conflicts between vehicles and pedestrians shall be avoided. Clearly defined pedestrian paths shall be provided from parking areas to primary building entrances and sidewalks along the site's perimeter.
- b. Internal circulation within residential developments shall be designed to facilitate access to building clusters, take advantage of views or amenities and to reduce conflict with pedestrians.
- c. Linkages (e.g., walkways, common landscape areas, and building orientation) between compatible commercial and business industrial uses are encouraged.
- d. Parking shall not dominate street frontages. Underground parking is required for low rise apartments.
- e. Parking or loading facilities shall be located a minimum of 3.0 m from any public or pedestrian corridor and the setback landscaped and screened to the satisfaction of the Development Officer.
- f. Recreation facilities such as jogging trails and bicycle paths shall connect developments to the Blackmud Creek ravine and multi-use trail.

5.4. Landscaping

- a. Landscaped areas shall utilize the three tiered planting system: 1) grasses and ground covers; 2) shrubs and vines; 3) trees. All areas not covered with structures, yards, walkways, driveways, and parking spaces shall be landscaped. Xeriscapes and low maintenance or naturalized vegetation types are encouraged.
- b. Where fences are developed they shall be consistent in design, materials, finishes, and colours with the fence styles established for the neighbourhood. Chain link fences shall not be visible from public roadways.

5.5. CPTED

- a. CPTED principles shall be used to design public and private spaces and facilities, focusing on natural surveillance and access control.

Figure 1. Conceptual Site Plan

Attachment "A" – DC1 Area Map

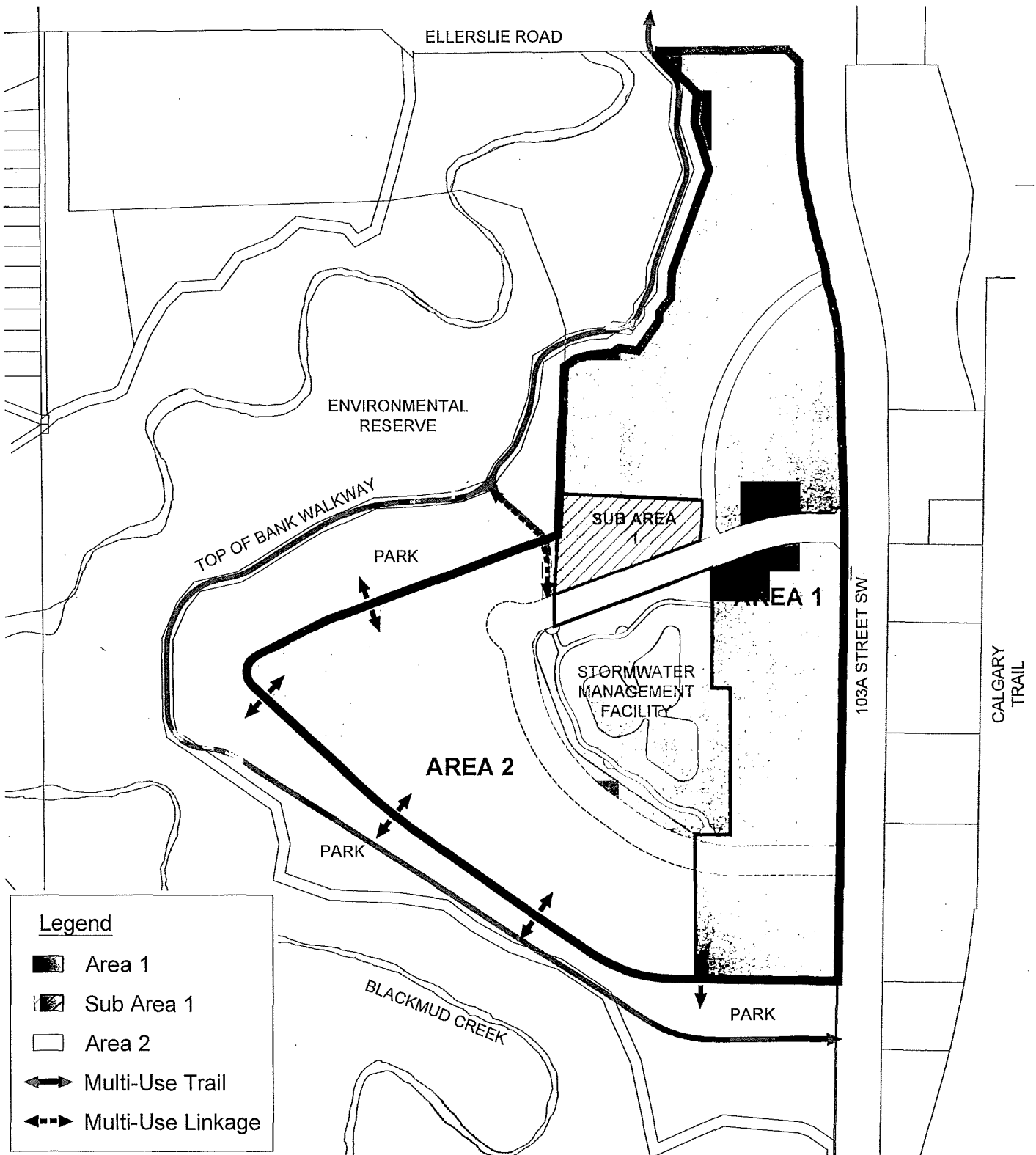


FIGURE 1 - CONCEPTUAL SITE PLAN



ELLERSLIE ROAD (9 AVE. S.W.)

