

Bylaw 17505

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 2169

WHEREAS Lots 12-13, Block 10B, Plan 2109HW; located at 11012 and 11016 - 109A Avenue NW, Queen Mary Park, Edmonton, Alberta, are specified on the Zoning Map as (RF4) Semi-detached Residential Zone; and

WHEREAS an application was made to rezone the above described property to (DC2) Site Specific Development Control Provision;

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

1. The Zoning Map, being Part III to Bylaw 12800 The Edmonton Zoning Bylaw is hereby amended by rezoning the lands legally described as Lots 12-13, Block 10B, Plan 2109HW; located at 11012 and 11016 - 109A Avenue NW, Queen Mary Park, Edmonton, Alberta, which lands are shown on the sketch plan attached as Schedule "A", from (RF4) Semi-detached Residential Zone to (DC2) Site Specific Development Control Provision.
2. The uses and regulations of the aforementioned DC2 Provision are attached as Schedule "B".

3. The sketch plan attached as Schedule "A" and the uses and regulations of the DC2 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	13th	day of	October	, A. D. 2016;
READ a second time this	13th	day of	October	, A. D. 2016;
READ a third time this	13th	day of	October	, A. D. 2016;
SIGNED and PASSED this	13th	day of	October	, A. D. 2016.

THE CITY OF EDMONTON

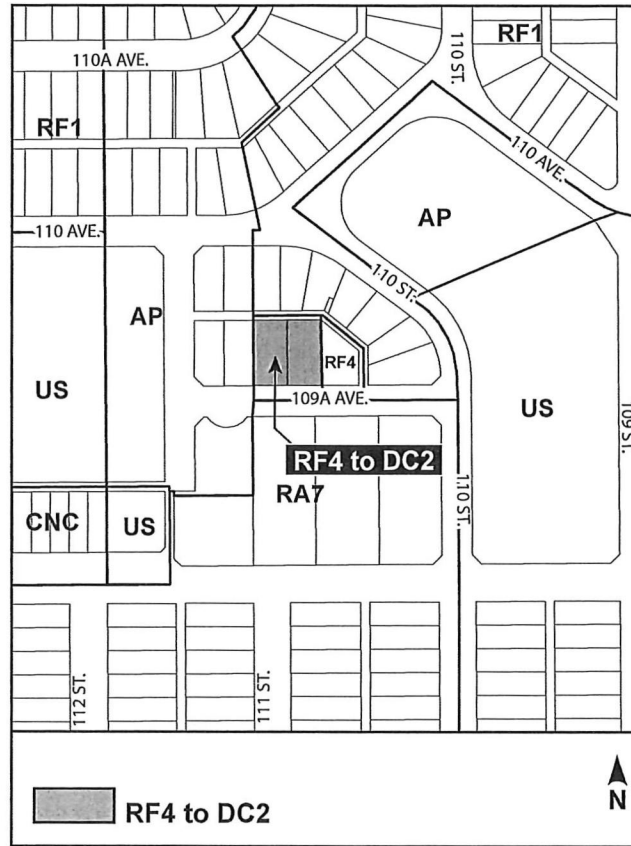


MAYOR



CITY CLERKS

BYLAW 17505



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

To establish a Site Specific Development Control Provision to accommodate a low rise residential development, including Live-Work Units, with underground parking.

2. Area of Application

This Provision shall apply to Lot 12 & Lot 13, Block 10B, Plan 2109HW; located on the north side of 109A Avenue NW, as shown on Schedule "A" of this Bylaw adopting this Provision, Queen Mary Park.

3. Uses

- a. Apartment Housing
- b. Minor Home Based Business
- c. Live-Work Units
- d. Residential Sales Centre
- e. Fascia On-premises Signs
- f. Projecting On-premises Signs

4. Development Regulations

- a. Development within this Provision shall be in general conformance with Appendices I - III.
- b. The maximum Height shall not exceed 15.5 m.
- c. The Maximum Floor Area Ratio shall be 2.8.
- d. The maximum combined number of Dwellings and Live-Work Units shall be 50.
- e. The minimum Front Setback shall be 6.0m.
- f. The minimum Rear Setback shall be 7.5m.
- g. The minimum Side Setback from the east Lot line shall be 4.5 m.
- h. The minimum Side Setback from the west Lot line shall be 1.5 m.
- i. Notwithstanding Section 44 of the Zoning Bylaw, architectural features such as balconies, patios and roof projections may project into required Setbacks to a maximum of 2.0 m except in the west Setback where such projections shall be to a maximum of 0.5 m.
- j. A minimum Amenity Area of 7.5m² per Dwelling shall be provided.
- k. A minimum outdoor communal Amenity Area of 25 m² shall be provided on the rooftop, in general accordance with Appendix I.
- l. The rooftop Amenity Area shall incorporate design features such as fencing,

planters, seating, lighting and screening that are designed to limit overlook, protect the privacy of residents in adjacent developments and to ensure illumination does not extend beyond the boundaries of the Site.

- m. Vehicular access to parking shall be from the abutting Lane.
- n. The underground driveway ramp must not exceed a slope of 6% for a minimum distance of 4.5 m inside the property line and the ramp must be at Grade at the property line, or to the satisfaction of the Development Officer in consultation with Urban Transportation.
- o. Notwithstanding Section 54 of the Zoning bylaw,
 - i. A maximum of 10 vehicular parking spaces shall be surface spaces with the remainder being below Grade. Any surface vehicular parking shall be located at the rear of the building and should be primarily for visitor parking and/or barrier free parking;
 - ii. Accessory vehicular parking shall be provided at the rates identified for Apartment Housing developments located within 100 m of a Transit Avenue as specified in Section 54.2, Schedule 1 of the Zoning Bylaw, as amended;
 - iii. Visitor parking shall be provided at 1 space per 7 Dwellings in accordance with Section 54 of the Zoning Bylaw;
 - iv. A minimum of 20 Bicycle Parking Spaces shall be provided in accordance with Section 54.3 of the Zoning Bylaw and shall be provided within a secure enclosed area within or attached to the principle building that is easily accessible to cyclists via access ramps, or a route through the building which facilitates easy and efficient transportation of bicycles;
 - v. Vehicular parking requirements for Live-Work Units shall be accommodated by the use of the residential visitor parking spaces; and
 - vi. No Off-street Vehicular Loading Facilities shall be required.
- p. The proposed retaining walls bordering the underground driveway/parkade ramp, must not exceed a Height of 0.3 m for a distance of 3 m from the property line and no portion of the wall may encroach onto road right-of-way. Should the owner/applicant wish to increase this Height, adequate sight line data must be provided to ensure vehicles can exit safely to the satisfaction of the Development Officer in consultation with Urban Transportation
- q. The above Grade portion of the parkade shall not exceed 0.3 m above the Grade of the land adjacent to the parkade.
- r. All exterior trash collection areas shall be located as shown on Appendix I, shall be accessed from the rear Lane and shall be screened in accordance with Section 55 of the Zoning Bylaw. Trash collection enclosures must be located entirely within private property and gates and/or doors of the garbage enclosure must not open or encroach into road right-of-way.
- s. In addition to the requirements of Section 55 of the Zoning Bylaw, the following

shall also apply and be shown on the required Landscape Plan:

- i. in accordance with Section 55.4 of the Zoning Bylaw, 25 trees and 58 shrubs shall be provided on Site with any retained existing mature trees on site counting towards this requirement;
 - ii. to provide privacy screening between east facing windows and balconies of the development and the abutting site to the east, there shall be tree and shrub planting within the east Setback consisting of a minimum of 10 trees and 20 shrubs with the remaining planting being satisfied elsewhere on the Site to the satisfaction of the Development Officer;
 - iii. the use of vertical landscaping features (e.g. hedges, decorative fences, low walls, shrubs or other plant material) shall be implemented between surface parking areas or walkways and windows and entrances of ground Storey Dwellings that look onto these areas;
 - iv. a minimum 1.83 m high wood screen fence shall be provided for the full length of the east property line except within the Setback from 109A Avenue NW and within 3.0 m of the rear Lane, to the satisfaction of the Development Officer.
 - v. entry transitions shall be provided including features such as steps, decorative fences, gates, hedges, low walls, and planting beds within the Setback from 109A Avenue NW;
 - vi. clear delineation of all Private Outdoor Amenity Areas and common Amenity Areas at Grade shall be provided with vertical landscaping features (e.g. hedges, decorative fences, gates, low walls);
 - vii. that soil above underground parking facilities shall be of sufficient depth to accommodate required landscaping, including trees, shrubs, flower beds, grass, and ground cover; and
 - viii. the location of existing mature trees on Site which are to be retained and removed shall be shown on the Landscape Plan. Existing on Site trees shall be retained whenever able and all existing mature trees within the east Setback that, in the opinion of the Development Officer, currently provide privacy screening between the subject Site and the abutting Site to the east shall be retained unless an arborist report informs that a given tree is unhealthy or must be removed for safety reasons. An arborist report shall be submitted with the Development Permit Application clearly indicating which trees are to be retained and removed and why they were selected as such. Trees to be retained shall be protected as per the requirements of Section 4(r) of this Provision.
- t. Adjacent boulevard street trees off Site along 109A Avenue NW or in parkland or road right-of-way to the west of the Site shall be retained and protected as per Parks and Planning 'Large Tree Hoarding', drawing L100. All components and workmanship shall conform to the specifications of *Section 02930 Trees, Shrubs, and Groundcovers* as well as related sections. The following shall also apply:

- i. trees within 1 – 3m of construction activity require 10mm plywood and 1.25m height enclosure separating tree from the project site;
 - ii. trees within 3 – 5m of construction require a standard “safety orange” snow fence to be placed a min. of 2.5m from the tree trunk; and
 - iii. excavation beyond 2m of existing trees requires all tree roots to be severed with a “root-cutter” to a depth of 350mm to 500mm prior to digging with all exposed roots flush with the excavation wall pruned immediately after excavation.
- u. Notwithstanding Section 48 of the Zoning Bylaw, Separation Space shall be reduced to the required Setback, however, the Development Officer shall ensure that privacy is maintained for adjacent and abutting properties by ensuring the appropriate placement of windows, doors, balconies and Private Outdoor Amenity Areas. The applicant shall provide, at the discretion of the Development Officer, information regarding the location of such features on adjacent Sites and the relationship to the subject Site that demonstrates that privacy is maintained to the satisfaction of the Development Officer. The Development Officer shall require additional methods of screening or planting if deemed necessary.
 - v. Signs shall comply with the General Provisions of Section 59 of the Zoning Bylaw and Schedule 59B of the Zoning Bylaw.
 - w. Residential Sales Centre(s) shall be limited to the sale of on-Site condominium or rental units.

5. Urban Design Regulations

- a. Elements of the development and of individual dwellings such as windows, doors, balconies and Private Outdoor Amenity Areas shall be sited, oriented and designed to minimize their impact on adjacent dwellings, considering such things as daylight, sunlight, ventilation, quiet, visual privacy, shadowing, views, and noise. The applicant shall provide, at the discretion of the Development Officer, information regarding the location of such features on adjacent and abutting Sites and the relationship to the subject Site that demonstrates the minimizing of the impacts described above to the satisfaction of the Development Officer.
- b. Balconies and glazing along the east side of the principal building shall provide adequate screening and be located to maximize privacy and minimize overlook to the adjacent residential property, in general accordance with Appendix III. This may include, but not be limited to privacy screens, louvers, frosted glass or glass block, or landscaping buffer, to the satisfaction of the Development Officer.
- c. Ground level Residential Dwellings on the south, west and north elevations shall have an individual external entrance to Grade and clearly visible to be readable from and lend a sense of occupancy to the public roadway, including a Lane. Sliding patio doors shall not serve as this entrance.
- d. All ground level Residential Dwellings shall have a semi-private outdoor Amenity Area in front of each at-grade Dwelling exterior entry that shall be provided in a manner that establishes a transition area between the Amenity Area and the

adjacent public roadway (including a Lane), abutting Site or Setback area using landscape features such as decorative fencing, change in Grade, shrub beds or rock gardens and/or built elements such as private entrance features and verandas or porches.

- e. The building shall be finished with high quality, durable materials. Vinyl siding and masonry and/or knockdown stucco are prohibited. The development will maximize the use of high quality exterior cementitious and fibrous cladding, wood panelling, glazing, acrylic stucco, masonry veneer, and prefinished metal cladding. The contextual fit, design, proportion, quality, texture, and application of various finishing materials shall be to the satisfaction of the Development Officer.
- f. The building shall be designed to include the use of different architectural elements and treatments, articulated Façades, materials, and colours to add variety, rhythm, break up the massing and provide a sense of human scale.
- g. All exposed building faces shall have consistent and harmonious exterior finishing materials.
- h. Any portion of the parkade entrance and parkade ramp walls that are exposed shall be designed and articulated to the satisfaction of the Development Officer.
- i. Decorative and security lighting shall be designed and finished in a manner consistent with the design and finishing of the development and shall be provided to ensure a well-lit environment for pedestrians in accordance with Section 58 of the Zoning Bylaw and to highlight the development at night time, to the satisfaction of the Development Officer.
- j. 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 in accordance with Section 51 of the Zoning Bylaw.
- k. 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.
- l. There shall be a minimum of five 2 or 3 bedroom units with individual access provided at grade level.

6. Contributions and Improvements

- a. The owner shall enter into an Agreement with the City of Edmonton for off-site improvements necessary to serve the development, such improvements to be constructed at the owner's cost. The Agreement process includes an engineering drawing review and approval process. Improvements to be addressed in the Agreement include, but are not limited to repair of any damage to the abutting roadways, sidewalks and/or boulevards resulting from construction of the development, to the satisfaction of the Development Officer in consultation with Urban Transportation. The site must be inspected by Urban Transportation prior to the start of construction and once again when construction is complete.
- b. Prior to the issuance of any development permit, the Development Officer shall

ensure that a signed Agreement has been executed between the City and the Owner, requiring the Owner to provide the City at the time of Development Permit approval, the option to purchase 5% of the proposed number of residential units at 85% of the market price in accordance with City Policy C582.

- c. The design and implementation of this development shall apply techniques to reduce consumption of water, energy, and materials consistent with best practices in sustainable design. The minimum design targets shall be in accordance with Appendix IV. With the exception of excavation and signage permits, upon submission of a Development Permit application, the applicant shall submit a detailed report prepared by a registered professional engineer or architect, indicating how the Sustainable Practices and Targets will be achieved upon construction completion. Upon completion of the building, a second report prepared by a registered professional Architect or Engineer shall be submitted that demonstrates, to the satisfaction of the Development Officer, that the design and construction of the building meets the targets described in Appendix IV.

REVISIONS		
NO.	DATE	REVISION

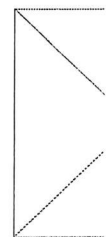
DESIGN

REAL

KEY PLAN

Municipal Address: 11015 - 109A AVENUE NW, T5H1G7
11012 - 109A AVENUE NW, T5H1G7

Legal Description: Lot 12, Block 10B, Plan 2109HW
Lot 13, Block 10B, Plan 2109HW



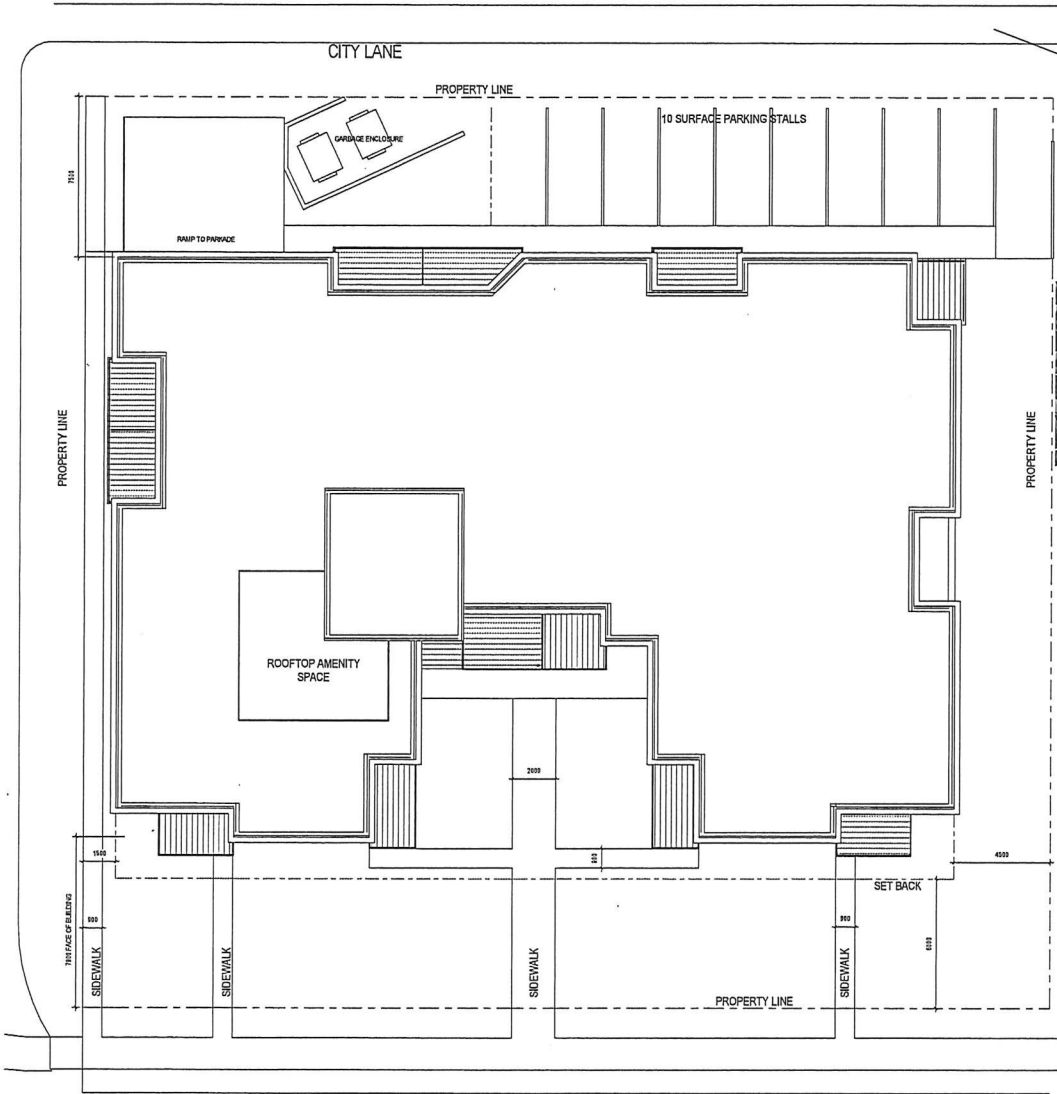
Group2
architecture
interior design
Group2 Architecture Interior Design Ltd.
www.group2.ca E: general@group2.ca
Red Deer T: 403.340.2200 Calgary T: 403.313.2911
Edmonton T: 780.447.2190 Saskatoon T: 306.377.2103

PROJECT TITLE
**109A AVENUE
APARTMENTS**

DRAWING TITLE
SITE PLAN

CHECKED | DRAWN | DATE
Checker Author | 03/20/2015

15040 | A1.01 |
FILE | DRAWING | REVISION



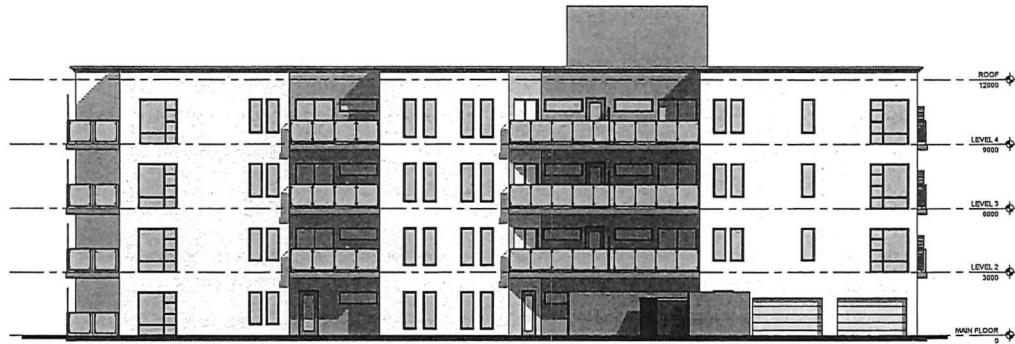
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109A AVENUE

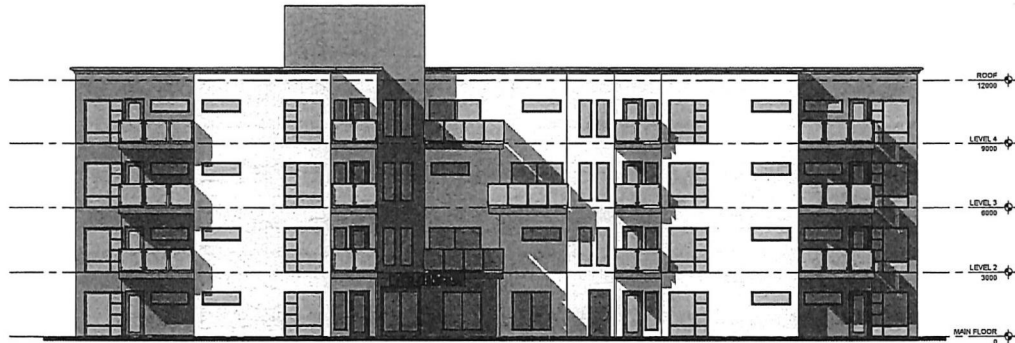
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APPENDIX I

REVISIONS		
NO.	DATE	REVISION



2 | North
SCALE: 1:100



1 | South
SCALE: 1:100 N.P.

Appendix II: North / South Elevations

ISSUED _____

SCALE _____

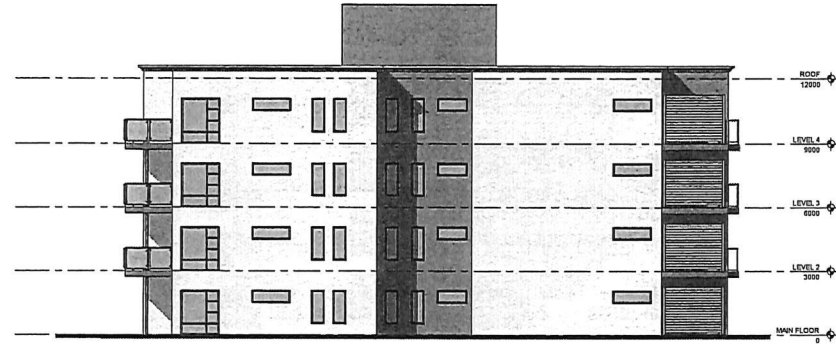
KEY PLAN _____

Group2
 architecture
 interior design
 Group2 Architecture Interior Design Ltd.
 www.group2.ca E: general@group2.ca O: 403.462.0282
 Red Deer T: 403.340.2200 Calgary T: 403.717.2511
 Edmonton T: 780.447.2190 Saskatoon T: 306.979.2133

PROJECT TITLE
**109A AVENUE
 APARTMENTS**

DRAWING TITLE
**BUILDING ELEVATIONS NORTH
 AND SOUTH**

CHECKED / DRAWN	DATE
Checked: Author	09/21/12
15040	A3.01
FILE	DRAWING
	REVISION



1 | East
SCALE: 1:100



2 | West
SCALE: 1:100

Appendix III: East / West Elevations

REVISIONS		
NO.	DATE	REVISION

ISSUED

SCALE

KEY PLAN

Group2
 architecture
 interior design
 Group2 Architecture Interior Design Ltd.
 www.group2.ca E: general@group2.ca
 Red Deer T: 403.240.2200 Calgary T: 403.712.2511
 Edmonton T: 780.412.2190 Saskatoon T: 306.979.2925

PROJECT TITLE
**109A AVENUE
 APARTMENTS**

DRAWING TITLE
**BUILDING ELEVATIONS EAST
 AND WEST**

CHECKED DRAWN	DATE
Checker: Author	03/23/15
15040	A3.02
FILE	DRAWING
	REVISION

Appendix IV - Sustainability Strategies and Targets

Storm water Management

- The development shall implement a storm water management plan that results in a 25% decrease in the rate and quantity of storm water runoff when compared to the existing site.

Heat Island Effect

- A minimum of 50% of the building roof area shall be covered with high emissivity roofing (emissivity of .9 or greater), vegetated roofing, or a combination thereof.

Water Efficiency

- The design shall employ strategies that in aggregate use 20% less potable water than water use baseline calculated for the building per the Canadian Green Building Council LEED Reference Guide 2004

Water Efficient Landscaping

- The design shall apply high efficiency irrigation technology, captured rain water, and/or drought tolerant landscaping to reduce potable water consumption for irrigation by 50% over conventional means, factored over the course of a typical year.

Innovative Wastewater Technologies

- The design shall reduce the use of municipally provided potable water for building sewage conveyance by 10% as calculated per the Canadian Green Building Council LEED Reference Guide 2004 (not including irrigation).

Water Use Reduction

- The design shall employ strategies that in aggregate use 10% less potable water than water use baseline calculated for the building per the Canadian Green Building Council LEED Reference Guide 2004 (not including irrigation).

Energy and Atmosphere Reduced Energy Consumption

- The design shall reduce energy consumption by 10% over the comparable Canadian Model National Energy Code Building (1997).

Lighting

- Lighting in all residential common areas and commercial areas shall exceed the efficiency specified in the Model National Energy Code for Buildings by 10%. (1997).

Materials and Resources

- Recycled Content - The design shall specify building materials such that 7.5% of the total value of materials used in the development consists of post-industrial and post-consumer recycled materials.

- Regional Materials - The design shall specify building materials such that 80% of all aggregates used in the development are extracted, processed and manufactured within 800 km of the development.

Indoor Environmental Quality

- Low-Emitting Materials - The design shall specify paints with VOC emissions that do not exceed the VOC and chemical component limits of Green Seal's Standard SS-11 January 1997 requirements or acceptable alternate standard.