

Charter Bylaw 18773

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 2761

WHEREAS a portion of SE-13-51-25-4; Lot 175 Block 4, Plan 1822012; and Lot 176, Block 4, Plan 1822008; located at 3304 - 127 Street SW and 803 & 835 Daniels Way SW, Desrochers, Edmonton, Alberta, are specified on the Zoning Map as (RA7) Low-Rise Apartment Zone and (DC1) Direct Development Control Provision; and

WHEREAS an application was made to rezone the above described property to (RA8) Medium-Rise Apartment Zone, (RF5) Row Housing Zone, and (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 a portion of SE-13-51-25-4; Lot 175 Block 4, Plan 1822012; and Lot 176, Block 4, Plan 1822008; located at 3304 - 127 Street SW and 803 & 835 Daniels Way SW, Desrochers, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (RA7) Low-Rise Apartment Zone and (DC1) Direct Development Control Provision to (RA8) Medium-Rise Apartment Zone, (RF5) Row Housing Zone, and (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.

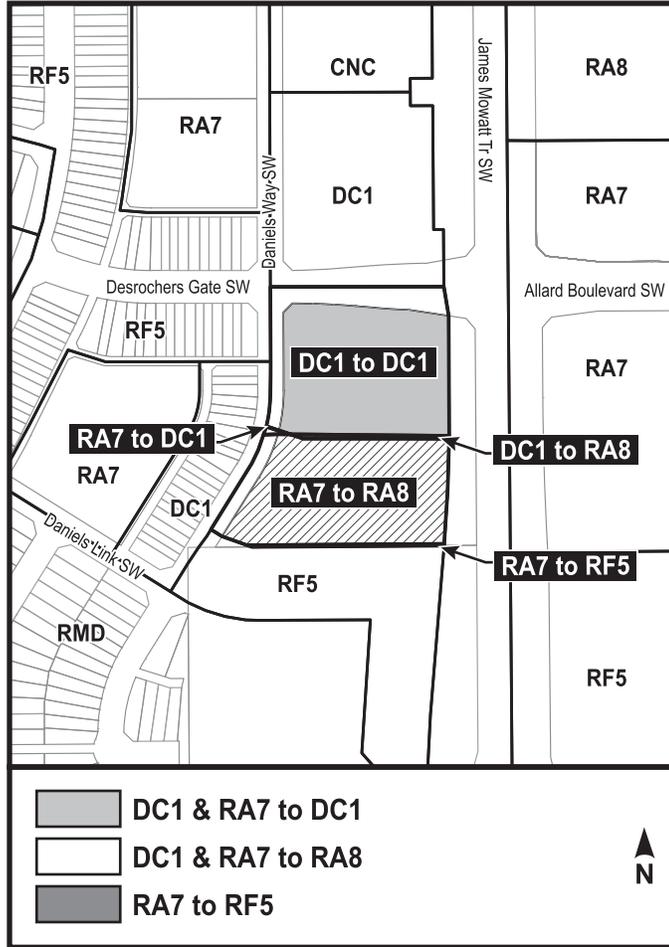
READ a first time this	day of	, A. D. 2019;
READ a second time this	day of	, A. D. 2019;
READ a third time this	day of	, A. D. 2019;
SIGNED and PASSED this	day of	, A. D. 2019.

THE CITY OF EDMONTON

MAYOR

CITY CLERK

CHARTER BYLAW 18773



SCHEDULE "B"**(DC1) DIRECT DEVELOPMENT CONTROL PROVISION****3304 – 127 Street SW****1. General Purpose**

The purpose of this Provision is to establish opportunities for a mix of residential and commercial uses and pedestrian oriented development within 400m of the Desrochers LRT station, while providing a transition in form and scale from higher to lower intensity and density development.

2. Uses

1. Apartment Housing
2. Bars and Neighbourhood Pubs
3. Business Support Services
4. Child Care Services
5. Commercial Schools
6. Convenience Retail Stores
7. Creation and Production Establishments
8. General Retail Stores
9. Government Services
10. Health Services
11. Indoor Participant Recreation Services
12. Live Work Unit
13. Lodging Houses
14. Major Home Based Business
15. Media Studios
16. Minor Alcohol Sales
17. Minor Amusement Establishments

18. Minor Home Based Business
19. Personal Service Shops
20. Professional, Financial and Office Support Services
21. Public Libraries and Cultural Exhibits
22. Residential Sales Centre
23. Restaurants
24. Row Housing
25. Stacked Row Housing
26. Specialty Food Services
27. Veterinary Services
28. Fascia On-premises Signs
29. Freestanding Off-premises Signs
30. Freestanding On-premises Signs
31. Minor Digital On-premises Signs
32. Minor Digital Off-premises Signs
33. Projecting On-premises Signs
34. Temporary On-premises Signs

3. Development Regulations

1. The minimum Density shall be 80 Dwellings/ha.
2. The maximum Density shall be 125 Dwellings/ha.
3. The maximum Height shall be 20.0 m.
4. The maximum total length of a building shall not exceed 80.0 m.
5. The maximum Floor Area Ratio shall be 1.4.
6. The minimum Rear Setback shall be 7.5 m.
7. The maximum Front Setback shall be 3.0 m.
8. Commercial Uses shall be located on the ground floor, notwithstanding, where the same Commercial Use is on the ground floor, a second Storey is permitted provided there is internal public access to the second Storey.

9. Commercial Uses shall only be developed on a Site in conjunction with Residential Uses.
10. Restaurants and Bars and Neighbourhood Pubs shall not exceed a capacity of 200 Occupants or 240 m² of Public Space.

4. Site Planning

1. Buildings shall be oriented toward the abutting street, provide direct sidewalk entries and the ground floor portion of Façades shall have a high degree of transparency, a minimum of 50% window transparency for Residential Uses and a minimum of 70% window transparency for Commercial Uses.
2. Low-rise/medium density and mixed Use Sites shall be designed to have a strong street presence, with parking areas located underground or away from the street.
3. Development Officers shall have regard for Site design, parking areas and building articulation with consideration for the Transit Oriented Guidelines and Winter Design Principles in determination of appropriate Site design.
4. Amenity Areas such as arcades, plazas, gardens, or outdoor spaces shall be provided on Site. Such Amenity Areas should be easily accessible from surrounding buildings and be provided along the pedestrian network as identified in the Desrochers NASP. Such spaces may be developed as, but not limited to, courtyards, atriums or seating areas.

5. Buildings and Massing

1. Entrances for Residential Uses shall be separate from Commercial entrances at ground floor and feature identifiable doorways, soft Landscaping and pedestrian-scale lighting.
2. The massing of building walls greater than 15.0 m in length shall be reduced through architectural elements such as columns, ribs, pilasters or piers, changes in plane (e.g., recesses and projections), changes in building finishes, materials and textures, or features that create an identifiable pattern and sense of human scale.
3. Buildings located along Amenity Areas and major pedestrian walkways as identified in the Desrochers NASP shall emphasize architectural elements and Façade enhancements, particularly to the first and second levels of a project to create a pedestrian-friendly environment. Design elements may include the placement of windows to allow for viewing into the building by pedestrians (Non-residential Uses only), entrance features, street furniture, canopies, and other features that lend visual interest and a human scale.
4. Ground-level Uses shall provide multiple points of interaction in the form of doorways, operable windows, and large display windows to facilitate pedestrian interaction defining a perceived pattern of smaller frontages no more than 15.0 m in width.
5. A minimum Amenity Area of 7.5 m² per Dwelling shall be provided.
6. Buildings shall incorporate functional and decorative exterior lighting to

enhance building architecture, Landscaping elements, building entrances, and Amenity Areas.

7. All mechanical equipment, including roof mechanical units, shall be concealed from street level view by screening in a manner compatible with the architectural character of the building or by incorporating it within the building.

6. Active Modes

1. Direct pedestrian connections to the LRT station shall be provided from surrounding intersections, focal points and nearby open spaces to create an integrated pedestrian system.
2. Pedestrian connections to the LRT station shall be developed as enhanced walkways with pedestrian- oriented Landscaping. Walkways may include elements such as street trees, plantings, special paving, and street furniture such as benches, lighting and waste receptacles.
3. Bicycle parking shall be provided in accordance with the Zoning Bylaw.

7. Open Space and Landscaping

1. A Landscape Plan prepared by a registered landscape architect shall be submitted prior to the approval of any Development Permit. The Landscape Plan shall be in accordance with the Zoning Bylaw and illustrate Landscaping internal to the Site, Amenity Areas and pedestrian linkages. Outdoor Amenity Areas shall be landscaped for the purpose of achieving pedestrian connectivity, opportunities for play and social interaction and a focal point for the development. In addition to Landscaping, this shall be achieved through the use of elements such as park benches, pedestrian level lighting, waste receptacles, directional signage, special paving, public art, and other means integrated with the Landscaping and placed along public walking routes through the Site. The Landscape Plan shall include a species list for proposed plant material appropriate to local climate conditions. Naturalized landscape design is encouraged where possible. The Development Officer in consultation with relevant City Departments shall review and approve the Landscape Plan.
2. In projects involving multiple buildings, common Amenity Areas shall be provided in the form of courtyards, plazas or parks. The common Amenity Areas shall be directly accessible from surrounding buildings and provide connections to sidewalks within public roadways.
3. Public open space shall be designed to accommodate year-round use using Winter City principles to encourage space devoted to public gatherings, pedestrian movement and other social and recreational functions.
4. No outdoor parking, garbage collection, common Amenity Areas, or outdoor storage areas shall be developed within 3.0 m of public roadways. Landscaping shall be used to screen parking, mechanical, and garbage areas from public streets and LRT corridor.
5. Fencing shall be decorative and transparent using materials such as, but not limited to, glass, wrought iron, and metal.

8. Roadways and Parking

1. Parking shall be in accordance with the Zoning Bylaw, except that at such time as a Shared Use Parking Impact Assessment is submitted, the applicant may apply for a reduction to the minimum number of parking spaces. The applicant shall demonstrate through a Shared Use Parking Impact Assessment that by virtue of the Use, character, or location of the proposed development, and its relationship to public transit facilities and any other available parking facilities, the parking required for the proposed development may be less than any minimum set out in the Zoning Bylaw.
2. Loading, storage and trash collection areas shall be located to the rear or sides of the building and shall be screened from view from any adjacent Sites, public or internal roadways, and Light Rail Transit lines, in accordance with the provisions of the Zoning Bylaw. Loading areas shall not encroach onto public right-of-ways.
3. Parking areas shall be designed for a safe and orderly flow of vehicular and pedestrian traffic to minimize pedestrian/vehicular conflicts.
4. Surface Parking areas to accommodate 30 or more vehicles at Grade shall incorporate design elements such as, but not limited to, landscaped open space, islands, Amenity Areas, private roads and/or pedestrian walkways within the parking area. The required landscaped areas shall be calculated on the basis of 2.0 m² of landscaped island area per required parking space.
5. Required parking shall not be situated between a building and a public street, other than a Lane.
6. All resident parking shall be located underground or in a Parking Garage. Visitor parking for Residential Uses and parking for Commercial Uses may be provided at Grade but shall not be situated between a building and a public street, other than a Lane.
7. Structured parking shall be designed to minimize visual impact by using material and architectural elements similar to adjacent Façades.
8. To maintain an active street frontage, a Setback for useable space separating any above-ground Parking Garage and the front of the building shall be incorporated into the design, with the following Setbacks:
 - a. On the ground (first) floor, no portion of the parking area shall be allowed for a minimum depth of 10.0 m from any building Façade facing a public roadway, other than a Lane.
 - b. Above the ground (first) floor up to 16 m, no portion of the parking area shall be allowed for a minimum depth of 6.0 m from any building Façade facing a public roadway, other than a Lane.

9. Signage

1. Signs shall comply with the regulations found in Schedule 59E.

Charter Bylaw 18773

To allow for high density residential development near a future LRT station, Desrochers

Purpose

Rezoning from RA7 and DC1 to RA8, RF5, and DC1; located at 3304 - 127 Street SW and 803 & 835 Daniels Way SW.

Readings

Charter Bylaw 18773 is ready for two readings after the public hearing has been held.

A Ministerial Order requires the associated proposed statutory plan amendment be referred to the Edmonton Metropolitan Region Board (EMRB) prior to returning to City Council for third and final reading, as elaborated on in the attached Council report. The application including the proposed rezoning and NASP and SCDB amendments will be referred to the EMRB following closure of the public hearing and receiving two readings of the NASP amendment and rezoning by Council.

Advertising and Signing

This Charter Bylaw has been advertised in the Edmonton Journal, on April 12, 2019, and April 20, 2019. The Charter Bylaw can be passed following third reading.

Position of Administration

Administration supports this proposed Charter Bylaw.

Report

Charter Bylaw 18773 proposes to rezone the subject lands from (RA7) Low-Rise Apartment Zone and (DC1) Direct Development Control Provision to (RA8) Medium-Rise Apartment Zone, (RF5) Row Housing Zone, and (DC1) Direct Development Control Provision. The proposed RA8 zoning would allow for the development of apartment housing up to 23 m tall, with additional stepback and setback requirements for taller heights. The DC1 and RF5 rezonings are minor adjustment of zoning boundaries to match existing property lines.

All comments from affected Civic Departments and utility agencies have been addressed.

An associated plan amendment to amend the Desrochers Neighbourhood Area Structure Plan to reflect the proposed rezoning (Bylaw 18772), and a resolution to amend the Heritage Valley Servicing Concept Design Brief, are proposed to proceed concurrently with this Bylaw..

Public Engagement

An advance notice was sent to surrounding property owners and the Heritage Point Community League, on December 18, 2018. One response was received, and is elaborated on in the attached council report.

Attachments

1. Charter Bylaw 18773
2. City Planning Report (Attached to the Resolution - item 3.3)