

Charter Bylaw 19819

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 3297

WHEREAS Lot 2, Block 7, Plan 1723564; Lots 1MR & Lot 2, Block 6, Plan 1723564; Lot 1MR, Block 7, Plan 1723564; and Lots 9 & 10, Block 8, Plan 1723564; located at 10619 Muttart Crossing NW; 10920, 10954 & 11030 - 84 Street NW; and 8450 & 8490 - 106A Avenue NW, Boyle Street, Edmonton, Alberta, are specified on the Zoning Map (DC1) Direct Development Control Provision; and

WHEREAS an application was made to rezone the above described properties 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 2, Block 7, Plan 1723564; Lots 1MR & Lot 2, Block 6, Plan 1723564; Lot 1MR, Block 7, Plan 1723564; and Lots 9 & 10, Block 8, Plan 1723564; located at 10619 Muttart Crossing NW; 10920, 10954 & 11030 - 84 Street NW; and 8450 & 8490 - 106A Avenue NW, Boyle Street, 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.

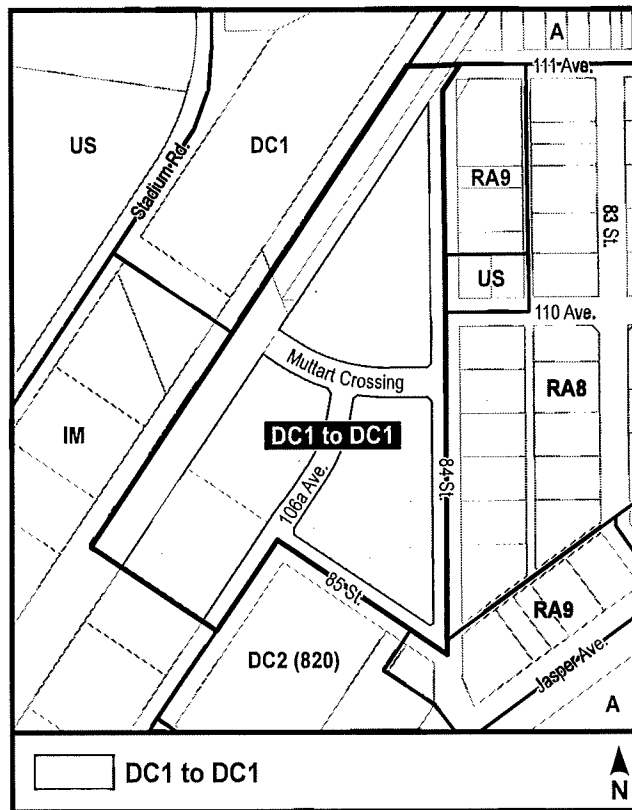
READ a first time this	17th day of August	, A. D. 2021;
READ a second time this	17th day of August	, A. D. 2021;
READ a third time this	17th day of August	, A. D. 2021;
SIGNED and PASSED this	17th day of August	, A. D. 2021.

THE CITY OF EDMONTON


MAYOR


A/ CITY CLERK

CHARTER BYLAW 19819



SCHEDULE B**(DC1) DIRECT DEVELOPMENT CONTROL PROVISION
– Stadium East (Muttart Site - Area 7)****1. General Purpose**

To facilitate the creation of a high density, mixed-use, urban village development adjacent to the Stadium LRT Station. This Zone allows for low, medium and high-rise residential development with high-rise Towers set back on podiums, integrated with limited commercial, office and service Uses in appropriate areas. The development will feature two Pocket Parks/Plazas at the north and south interface, a commercial main street to enhance the pedestrian environment and aesthetic quality, and strong pedestrian connections to the LRT Station via pedestrian-friendly streets and paths.

2. Area of Application

This Provision shall apply to Lot 2, Block 7, Plan 1723564, Lots 1MR & Lot 2, Block 6, Plan 1723564, Lot 1MR, Block 7, Plan 1723564, Lots 9 & 10, Block 8, Plan 1723564, located between 84 Street and the LRT right-of-way, north of 85 Street, as shown in Schedule “A” of the Charter Bylaw adopting this Provision, Boyle Street.

3. Uses

1. Apartment Hotels
2. Bars and Neighbourhood Pubs
3. Breweries, Wineries, and Distilleries
4. Child Care Services
5. Commercial Schools
6. Convenience Retail Stores
7. General Retail Stores
8. Health Services
9. Liquor Stores
10. Live Work Unit
11. Minor Home Based Business
12. Multi-unit Housing
13. Personal Service Shops
14. Professional, Financial and Office Support Services
15. Public Park
16. Specialty Food Services

- 17. Residential Sales Centre
- 18. Restaurants
- 19. Fascia On-premises Signs
- 20. Freestanding On-premises Signs
- 21. Minor Digital On-premises Signs
- 22. Projecting On-premises Signs
- 23. Temporary On-premises Signs

4. Development Regulations for Uses

1. A minimum of 700 m² of non-residential uses shall be provided on the Site in general accordance with Appendix 2.
2. Non-residential uses shall not be developed above the second Storey and may be in a freestanding building located in accordance with Appendix 2. Freestanding non-residential use buildings shall be designed to encourage and strengthen the pedestrian-oriented character of Muttart Crossing to the satisfaction of the Development Officer.
3. Where Use Classes that may, in the opinion of the Development Officer, create negative impacts such as noise, light or odours which may be noticeable on adjacent properties or within the same building, and where the Site containing such Use Classes is directly adjacent to Sites used or zoned for residential activities, the Development Officer may, at the Development Officer's discretion, require that these potential impacts be minimized or negated. This may be achieved through a variety of measures including: Landscaping, screening, which may exceed the requirements of Section 55 of the Zoning Bylaw; noise attenuation measures such as structural soundproofing; downward direction of all exterior lighting on to the proposed development; and any other measures as the Development Officer may deem appropriate.
4. No vehicular-oriented Uses shall be permitted.
5. Bars and Neighbourhood Pubs, Restaurants or Specialty Food Services shall be limited to 100 Occupants and a maximum of 120m² of Public Space for each establishment.
6. Notwithstanding Section 99 of the Zoning Bylaw, Breweries, Wineries, and Distilleries may contain an outdoor Public Space next to an Abutting Residential Use as long as it can be demonstrated that noise impacts will be mitigated to the satisfaction of the Development Officer.

7. Notwithstanding Section 92 of the Zoning Bylaw, Live Work Units shall only be permitted where they front onto a public roadway or a Public Park as shown in Appendix 2.
8. Personal Service Shops shall not be developed as Body Rub Centres.
9. Notwithstanding Section 12.3.1 of the Zoning Bylaw, Minor Digital On-premises Signs shall be a Class B Discretionary Development.
10. Signs shall complement the pedestrian-oriented commercial environment and shall be provided in accordance with Schedule 59E except that:
 - a. Notwithstanding Section 59E.2(1)(a) of the Zoning Bylaw Fascia On-premises Signs shall also be permitted to face an internal roadway, Public Park, and the LRT right-of-way;
 - b. Notwithstanding Section 59E.2(1)(b) of the Zoning Bylaw, Fascia On-premises Signs that consist only of a company Logogram and / or an Identification Sign formed of individual letters shall be allowed above the floor of the third Storey. Not more than one such Sign shall be allowed per building face and the Sign shall only be used to identify the building name or the principal tenant of the building;
 - c. Notwithstanding Section 59E.2(2)(b) of the Zoning Bylaw, the top of any Projecting On-premises Sign on a building three Storeys or taller shall not extend more than 75 cm above the floor of the third Storey;
 - d. Freestanding On-premises Signs may be illuminated;
 - e. Notwithstanding Section 59E.2(3)(a) of the Zoning Bylaw, the maximum Height of a Freestanding On-premises Sign shall be 6.0 m;
 - f. Notwithstanding Section 59E.2(3)(d) of the Zoning Bylaw and Section 5.6 of this Provision, Freestanding On-premises Signs for the purposes Identification Signs shall be allowed within the Setbacks of a public roadway, internal roadway and public park, an LRT right-of way (ROW) with shared use path, subject to the following regulations:
 - i. Signs shall have a minimum Setback of 2.5 m from an LRT right-of way (ROW) with shared use path,
 - ii. Signs shall not exceed a Height of 1.8 m and shall have a maximum of 4.0 m².
11. Window Signs may be permanently affixed to the interior or exterior of a window up to a

maximum Sign Area of 20% window coverage, to the satisfaction of the Development Officer.

12. Temporary On-premises Signs shall be limited to project advertising and residential sales purposes only, and excluding trailer mounted Signs and/or Signs with changeable Copy.

13. Public Parks

- a. Two public Parks with a minimum size of 1,000 m² each shall be provided and located in General Accordance with Appendix 2.
- b. Public Parks shall be designed with the following considerations:
 - i. As a high-quality civic plaza that creates a vibrant pedestrian node that promotes year-round public passive recreation and enhances the setting of abutting building(s);
 - ii. To provide flexible programming space;
 - iii. To actively interface with the adjacent buildings and public roadways;
 - iv. To allow visibility into the Public Park from the adjacent public roadways and buildings;
 - v. To take advantage of view corridors where possible;
 - vi. To provide connections to other surrounding open spaces (i.e. courtyards, patios), as well as interior spaces such as lobbies to create a well-connected pedestrian network;
 - vii. To provide safe and defensible space, clear sightlines, adequate lighting and provision of alternate "escape" paths in accordance with CPTED principles;
 - viii. To provide easy and direct access particularly for elderly, people with disabilities, and young children;
 - ix. Public Parks shall incorporate public seating and impromptu social gathering areas and include features such as decorative light standards, trash receptacles, bollards, landscaped planting beds, planters or tree grates, and a mixture of hard and soft pavement surfacing; and
 - x. The Public Parks shall be designed as per the principles of City of Edmonton's Winter Design Guidelines to promote vibrant use during winter months.

5. Development Regulations for Site Layout and Built Form

- 1. The Site shall be developed in general accordance with the attached appendices.
- 2. The Floor Area Ratio, Density and Height for each Area (as identified in Appendix 2) shall be as follows:

	Maximum FAR	Minimum No. of Dwelling Units	Maximum No. of Dwelling Units	Minimum Height	Maximum Height
Area 1	7.0	216	576	14 m	120 m
Area 2	7.0	187	498	14 m	120 m
Area 3	5.5	138	366	14 m	100 m
Area 4	5.5	138	366	14 m	100 m

3. Notwithstanding Section 5.2, a freestanding non-residential building shall not have a minimum Height and shall have a maximum Height of 12.0 m.
4. The development will be allowed to be phased with varying densities within each Area, and the Development Officer shall ensure that the total number of Dwelling Units for each Area meets the density requirements of subsection 5.2.
5. The maximum Floor Area Ratio for non-residential Use classes shall be 0.5 for each Area.
6. Setbacks shall be provided as follows:

	Minimum	Maximum
a. Main Street	0.0 m	0.0 m
b. Public Roadways other than a Lane	2.0 m	3.0 m
c. Public Park	2.0 m	3.0 m
d. LRT Right-of-Way	5.0 m	7.5 m
e. Other Lot Line	1.0 m per 4.0 m increment of building Height or portion thereof	4.0 m

7. The maximum Floor Plate Area for any portion of a building taller than 25.0 m shall be 750.0 m².
8. Notwithstanding subsections 5.6.a, 5.6.b, and 5.6.c of this Provision, the Setback may be increased up to a maximum of 4.0 m to accommodate street related activities, such

as sidewalk cafes, communal outdoor Amenity Area or a Public Amenity Space that contributes to the pedestrian-oriented character of the area.

9. Notwithstanding Section 5.5.d of this Provision, the minimum Building Setback adjacent to the LRT ROW may be reduced to 2.0 m where a landscaped buffer including a 3.0m wide shared use path is provided within the LRT ROW abutting the west Lot Line of the Site. Once established, this setback shall be applied consistently along the entire length of the Site abutting the LRT ROW.
10. Minimum Side Setbacks shall be 1.0 m per 4.0 m increment of building Height or portion thereof, up to a maximum of 4.0 m.
11. Separation Space shall be provided in accordance with Section 48 of the Zoning Bylaw except that:
 - a. One Storey features, such as bay windows, front porches, platform structures, verandas, and/or entrance features, shall be allowed to project into a Setback or Side Setback abutting a flanking roadway to a maximum of 2.0 m. In all cases, a minimum distance of 0.6 m from the property line to the outside wall of such projection and all other portions of a Dwelling, including eaves, shall be maintained.
 - b. In the case of buildings on separate Sites, Separation Spaces may be reduced to the Setbacks provided and that habitable windows are not located directly opposite each other, such that privacy is not impacted; or
 - c. In the case of buildings on the same Site, the separation distance between buildings is at least equal to the total minimum Side Setback requirements for both buildings.

6. Development Regulations for Building and Design Features

1. Building Massing and Articulation
 - a. All buildings greater than 25.0 m in Height shall be allowed in the form of a podium plus Tower composition or other configuration that ensures design treatments are compatible with the façades of adjacent buildings in the immediate area.
 - b. The mid-level of Towers shall employ building Stepback, Tower spacing and sculpting to reduce building mass and augment views, light and privacy.
 - c. Towers shall Stepback from the podium wall a minimum of 2.5 m on all sides abutting a Public Park or a public roadway other than a Lane.
 - d. The minimum space between Towers shall be 25.0 m.
 - e. The Development Officer may vary Tower spacing in consideration of the

following:

- i. The visual, sun/shadowing, and other microclimatic impacts on adjacent residential development; and
 - ii. The recommendations and mitigation measures specified in any required technical studies.
- f. Tower Floor Plates shall be permitted to a maximum area of 750.0 m², but in no case shall exceed 85% of the podium Floor Plate.
 - g. The top level(s) of Towers shall contribute to the 'signature' of the building and the City's skyline through sculpting of the upper floors and roofs.
 - h. The Tower Floor Plate(s) of the top 4 floors shall be reduced a further 10% to 15%, to the satisfaction of the development officer, through Stepbacks to create the articulation, visual interest, and reduced massing effects.
 - i. Buildings 25.0 m in Height or less are not required to provide Stepbacks.
 - j. The design of a roof or podium roof may include a green roofs, solar panels, patios, and open spaces.
 - k. All mechanical equipment on a roof of any building shall be concealed by screening in a manner compatible with the architectural character of the building or concealed by incorporating it within the building.

2. Building Façade, Materials, and Exterior Finishing

- a. For buildings located at the intersection of public roadways the Façade treatment shall wrap around the side of the building to provide a consistent profile facing both public roadways.
- b. Building Façade(s) abutting a public roadway or Public Park shall be designed with detail and articulation to a maximum of 12.0 m intervals to create attractive streetscapes and interfaces. Building Façades shall be articulated by a combination of recesses, entrances, windows, projections, change in building materials, colours, and/or physical breaks in building mass.
- c. All exposed building faces shall have consistent and harmonious exterior finishing materials such as stone, masonry, metal, wood panels, cement panels, and/or glass.
- d. Exterior finishing materials must be durable sustainable, high quality and appropriate for the development within the context of the block face.

3. Building Relationship to Streets

- a. Weather protection in the form of a canopy or other architectural element shall be provided above ground floor commercial entrances to create a comfortable environment for pedestrians.
- b. Residential entrances at grade shall be clearly differentiated from non-residential entrances through distinct architectural treatment and address the street in a

prominent manner.

- c. Parkade entrances shall maintain the architectural harmony with the building façade.
- d. The ground floor residential units shall provide individual entrances and other features such as a porch, stoop, landscaped terrace, pedestrian lighting, and/or patio that are clearly visible from the adjacent sidewalk.
- e. The elevation of the ground floor shall not exceed the elevation of the abutting public sidewalk by more than 1.0 m, except at the discretion of the Development Officer where the Grade or other Site conditions require a greater separation.

4. Building Relationship to Public Parks

- a. Where non-residential uses are provided abutting a Public Park, they shall be designed to create a pedestrian-friendly environment, which may include such things as entrances, outdoor seating areas, canopies, landscaping and other features that lend visual interest and a human scale to development.
- b. All ground floor residential units shall provide features such as a porch, stoop, landscaped terrace, pedestrian lighting, and/or patio that are clearly visible from the Public Park.
- c. The elevation of the ground floor shall not exceed the Grade elevation of the abutting a Public Park by more than 1.0 m, except at the discretion of the Development Officer where the Grade or other Site conditions require a greater separation.

5. Building Relationship to LRT Right-of-Way

- a. Ground floor residential units shall address the LRT ROW with individual front or rear entrances and other features such as a porch, stoop, landscaped terrace, pedestrian lighting, and/or patio that are clearly visible from the LRT ROW.

6. Main Street Regulations

- a. Buildings shall provide multiple points of interaction in the form of stoops, porches, doorways, windows, and/or large display windows to facilitate pedestrian interaction.
- b. All street level Uses that abut a public roadway shall provide a primary direct access to the street.
- c. Providing continuous ground floor Uses using a pattern of small frontages no more than 12.0 m in width at street level shall be required.
- d. Where residential uses are provided on the ground floor:
 - i. All units shall provide separate, individual access at Grade and feature identifiable doorways, landscaped terraces, pedestrian lighting, and patios. To ensure adequate privacy, screening shall be provided to indicate

- separate individual access to each unit.
 - ii. The geodetic elevation of the floor that is directly above Grade shall be greater than the geodetic elevation of the abutting public sidewalk by at least 0.75 m.
- e. Where non-residential uses are provided on the ground floor:
 - i. The first Storey shall have a minimum Height of 3.5 m.
 - ii. The geodetic elevation of the top of the floor on the level that is directly above Grade shall not exceed the geodetic elevation of the abutting public sidewalk by more than 0.3 m.
 - iii. At least 70% of each individual store frontage and the flanking side of a store located on a corner shall have clear non-reflective glazing on the exterior on the first Storey. Transparency is calculated as a percent of linear metres at 1.5 m above the finished Grade.

7. Street Wall Design

- a. The portion of the building façade that comprises the Street Wall shall range in Height from 9.0 m to 25.0 m. This Height may be reduced at the discretion of the Development Officer to respect building Height proportionality or to accommodate podium gardens, restaurants/cafes, or natural slope of the site.
- b. The architectural treatment of the building up to the first 25.0 m shall adhere to the general alignment of the horizontal and vertical elements of the abutting and adjacent buildings along the same block face.
- c. Notwithstanding Section 6.7(a) of this provision, the maximum Height of any Street Wall abutting the south boundary of Main Street shall be 18.0 m.

8. Entrances and Corners

- a. Where provided, ground floor commercial uses shall open to the public roadway rather than an internal atrium.
- b. Where commercial buildings are provided at corners they shall provide courtyards, major entry ways or distinctive architectural features.
- c. Entrances for residential uses and residential-related uses shall be differentiated from non-residential entrances and provide access at Grade. The entrances will feature identifiable doorways, landscaped terraces, and pedestrian lighting to ensure adequate privacy and distinct architectural treatment.

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

- 1. Vehicular access to all areas from public roadways shall be restricted to one shared access per block face, except that:
 - a. The Development Officer may consider a variance to allow additional

vehicular access where adequate sight lines are maintained for vehicles entering and exiting the Site, and designed to minimize conflicts with non-vehicular traffic and pedestrians, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation); and

- b. Only one vehicular access shall be permitted on Main Street. This access shall be limited to Area 1 on the north side of Main Street and shall be designed with an emphasis on the pedestrian movement.
2. Vehicular Access shall be located and designed in a manner that provides a clearly defined, safe, efficient and convenient circulation pattern for both on-site and off-site vehicular traffic and pedestrian movements.
3. Off-street Parking shall be permitted only in underground parking structures.
4. Notwithstanding Section 7.3 of this provision, the Development Officer may consider variances to allow for at-Grade parking provided that the following criteria is met:
 - a. A maximum of 10% of the Site area is provided as at-Grade parking;
 - b. Location of at-Grade parking shall be such that it will not have a negative impact on abutting uses or development; and
 - c. Appropriate level of landscaping or other form of screening is provided to mitigate negative visual impacts.
5. Temporary at-Grade parking shall be permitted within all areas until December 31, 2022. The purpose of this parking is to facilitate initial stages of development without requiring underground parking. Temporary at-Grade parking shall comply with the following:
 - a. Notwithstanding section 54.6 of the Zoning Bylaw, the area being used for parking may be surfaced with road crush gravel. The access to the parking area from the public roadway must be hard surfaced in a manner satisfactory to Subdivision and Development Coordination (Transportation) to ensure that gravel does not get drawn on to the public roadway by vehicles exiting the Site. Parking shall be demarcated with curb stops at each stall. Stormwater drainage and storage facilities shall be provided for the entire Site, including the parking area.
 - b. Notwithstanding section 54.2 of the Zoning Bylaw, there shall be no requirement for landscaped islands within the parking area.
 - c. The storage of materials inclusive of accumulated snow shall be in a location away from the public roadway to improve safety and visibility.
 - d. Lighting for the parking area shall be a minimum of 6 LUX and designed to

provide a safe lit environment using full cut-off lighting and satisfy principles of Crime Prevention Through Environmental Design (CPTED) and Section 58 of the Zoning Bylaw. All wiring required for these facilities shall be underground and no overhead cables shall be strung between poles.

- e. The requirements of Section 7.4 shall not apply to temporary at-Grade parking.

Bicycle Parking

- 6. Notwithstanding the Zoning Bylaw, long-term Bicycle Parking for Residential Uses shall be provided at a minimum rate of one Bicycle Parking space per two Dwellings in a safe and secure location in the Underground Parkade and/or in another secure location on the first Storey of 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, to the satisfaction of the Development Officer.
- 7. Short-term Bicycle Parking spaces for non-residential Uses may be provided within the road right-of-way and shall require the review and approval of the Development Officer in consultation with Subdivision and Development Coordination (Transportation) and may require an Encroachment Agreement.

Loading and Servicing

- 8. No parking, loading, storage, or trash collection area shall be permitted within any Setback areas.
- 9. Any trash collection area or storage area shall be screened and located within the principal building such that it is not directly adjacent to and visible from a public roadway.

8. Development Regulations for Landscaping, Lighting, and Amenity Areas

- 1. Landscaping shall comply with Section 55 of this Bylaw. In addition to Section 55, landscaping shall be as follows:
 - a. Landscaping on the Site shall utilize plant materials and architectural features that provide colour, texture and visual interest throughout the year to enhance the appearance of the development and create comfortable, attractive and sustainable environments for the benefit and enjoyment of its many stakeholders.
 - b. The Landscape Plan must be completed by a registered landscape architect registered to practice in the Province of Alberta.
 - c. All Sites shall be fully landscaped to provide canopy coverage for 30% of the Site

(excluding the building footprint), to be established by an analysis figure prepared by the landscape architect or horticulturalist. Landscape design shall consider appropriate plant material for horticultural zone 3a.

- d. For any building that abuts a Site zoned to allow industrial Uses, appropriate Landscaping and screening shall be provided within the required Setback areas on the Site.
 - e. For buildings abutting the LRT ROW where the required minimum setback is 5m, the setback area space shall be landscaped to define a transition area between the LRT ROW and the Site through the following techniques:
 - i. Provision of a naturalized landscaped edge and visual buffer within the Setback between the buildings and the LRT ROW through the use of evergreen trees, deciduous trees, columnar form trees and/or shrubs;
 - ii. Landscaping within the Setback areas shall include a minimum of one tree per 25 m² and one shrub per 6 m².
2. Notwithstanding Section 8.1(e) of this provision, the requirement for a landscaping buffer along the LRT Right-of-way shall be 2.0 m in compliance with Section 55 of this Bylaw provided a minimum of 5.0 m wide landscaping buffer with appropriate visual mitigating is provided within the LRT Right-of-way to the satisfaction of the Development Officer in consultation with Parks Planning and Subdivision and Development Coordination (Transportation).
 3. Landscaping is not required within any Setback area abutting the Main Street.
 4. Decorative and security lighting shall be designed and finished in a manner consistent with the architectural theme of the development and will be provided to ensure a well-lit environment for pedestrians, and to accentuate architectural elements and public art.
 5. Exterior lighting associated with the development shall be designed, located or screened so as to reduce impacts on adjacent off-site residential units.
 6. Amenity Areas
 - a. A minimum Amenity Area of 7.5 m² per Dwelling shall be provided for all Dwellings located on the ground floor.
 - b. Notwithstanding Section 46.3(a) of the Zoning Bylaw, Amenity Area may include balconies with a minimum depth of 1.8 m.

9. Other Regulations

Sustainability Targets

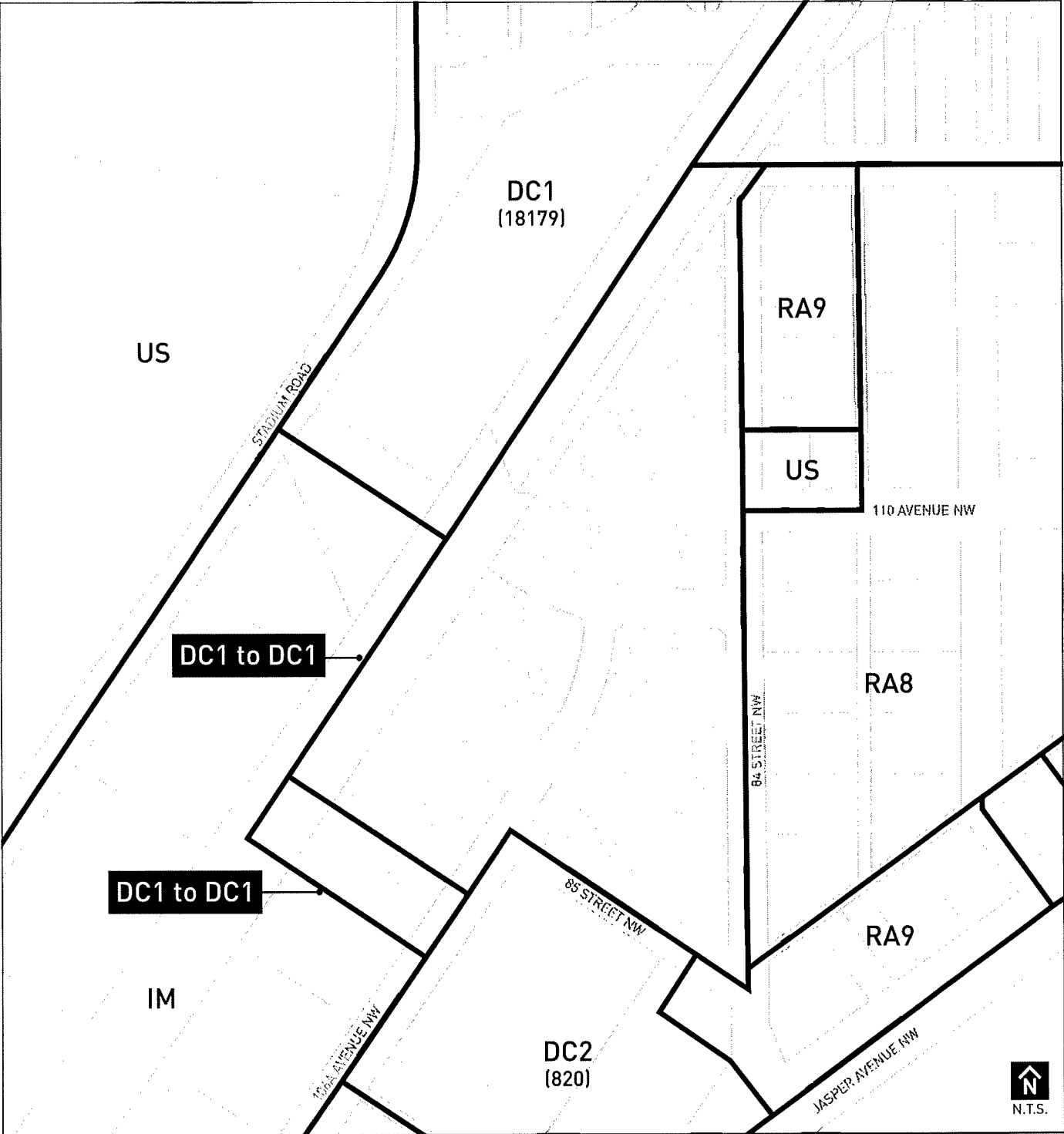
1. Development of the Site shall meet the environmental standards equivalent to the LEED-ND Silver certification level, although the developer is not required to seek LEED certification.
2. As per the requirements of the Certified Green Buildings credit, a minimum of one building shall be designed to meet the requirements of the LEED™ Green Building Rating System, Canada NC 1.0, 2009, as amended, to achieve a LEED Silver standard, although the developer is not required to seek LEED certification. The Owner may choose which supplementary green sustainable targets will be implemented, and, at his/her discretion, may indicate additional targets in excess of the Silver standard score to provide for flexibility at the implementation stage. Upon submission of a Development Permit application, the applicant must submit a detailed report, endorsed by a registered professional engineer or architect, indicating how the LEED Silver points will be achieved upon construction completion. This report must be approved by the Development Officer prior to the issuance of the Development Permit.
3. Upon completion of the building, the Owner shall provide a report by a professional Architect or Engineer that demonstrates, to the satisfaction of the Development Officer, that the design and construction of the building meets the target LEED Silver points described in Section 9.2.
4. No building encroachment shall be permitted on an existing utility ROW (Registration Number 1905FK) for the deep sanitary sewer tunnel.
5. Notwithstanding Section 9.4 of this provision, for any building(s) that may need to encroach on the said utility ROW for site planning efficiency and site geometry reasons, the Development Officer shall ensure that a Geotechnical Stress and Interaction Analysis is submitted, and the encroachment approved prior to issuance of the Development Permit in consultation with Financial Services and Utilities, Drainage Services. The applicant may also be required to undertake inspection of the sewer tunnel prior to start of construction.
6. Prior to the issuance of a development permit for any building(s) the applicant/owner shall submit a Storm and Sanitary Servicing Feasibility Study to the Satisfaction of the Development Officer in consultation with Financial Services and Utilities, Drainage Services.

7. Prior to the issuance of any Development Permit, the owner shall provide proof satisfactory to Alberta Environment, Alberta Health Services, and the Transportation Department that the lands have been remediated to allow the intended uses in consultation with the Environmental and Energy Coordination Unit.
8. Prior to the issuance of any Development Permit, a Crime Prevention through Environmental Design Assessment shall be provided to the satisfaction of the Development Officer to ensure that the development provides a safe urban environment in accordance with the guidelines and principles established in the Design Guide for a Safer City (City of Edmonton, 1995).
9. A detailed Wind Impact Study shall be prepared by a qualified, registered Professional Engineer, and shall be based on a computer model simulation analysis, prepared to professional standards. The Wind Impact Study shall be submitted with the Development Permit application for any new development over 20.0 m in Height.
10. A Sun Shadow Study shall be submitted with the Development Permit application for any new development over 20.0 m in Height.
11. The development shall incorporate design features to minimize adverse microclimatic effects such as wind tunneling, snow drifting, rain sheeting, shadowing, and loss of sunlight, both on and off-site, consistent with recommendations of appropriate studies to the satisfaction of the Development Officer.

10. Public Improvements and Contributions

1. Prior to the issuance of any development permit, the owner shall contribute \$9.15 per m² of Floor Area of the development to the City of Edmonton in trust for the commission of public art. Public art shall be subject to the following:
 - a. Public art shall be located on-site and visible from public roadway or Public Park.
 - b. Purchased Art shall include artwork acquired through a juried art procurement process administered by the Edmonton Arts Council.
 - c. The owner in consultation with the Edmonton Arts Council shall work cooperatively with the Public Art Program.

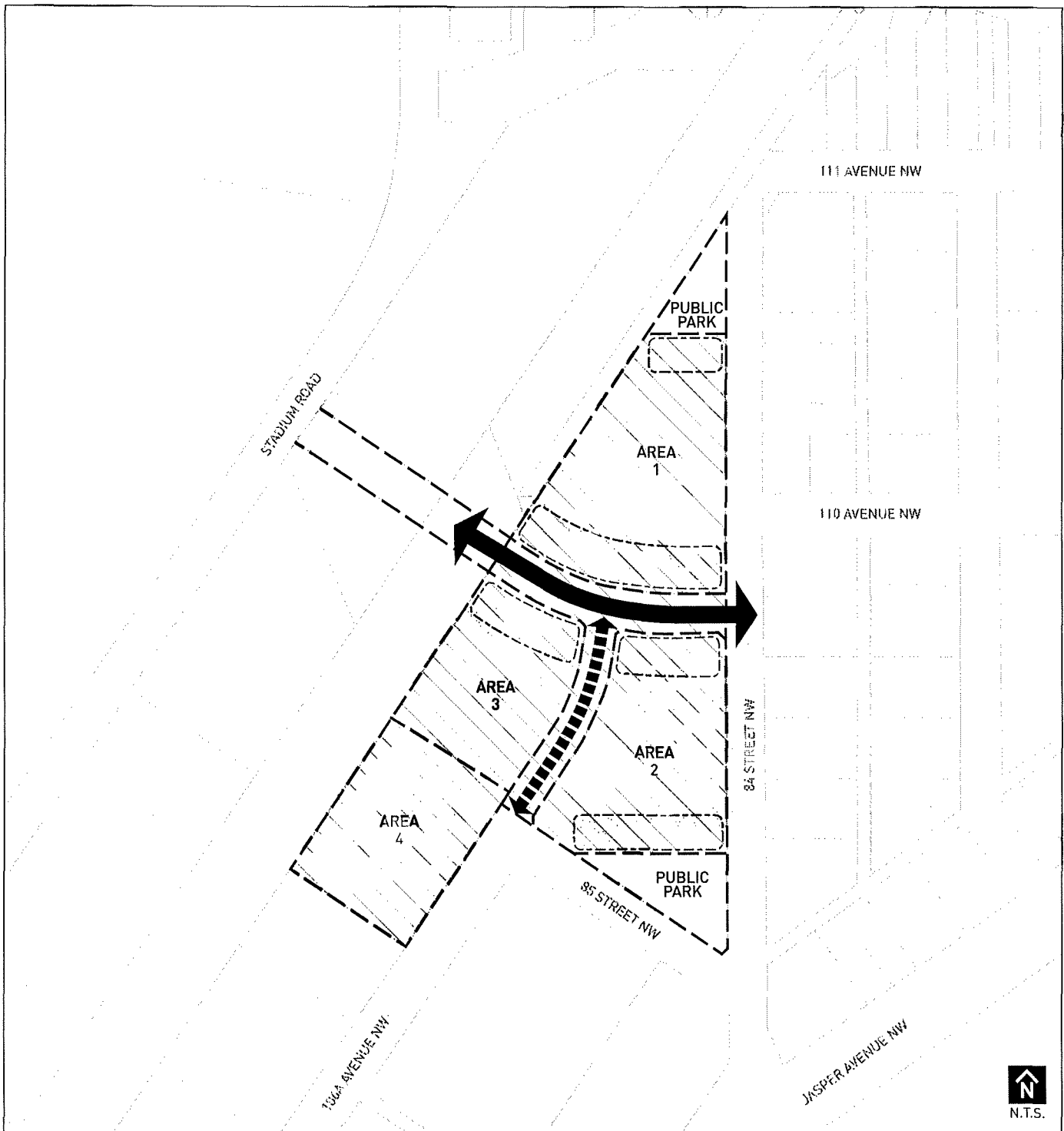
- d. If a development application has not been made within five (5) years of the date of passage of this Bylaw, the Public Art contribution shall be increased from that point forward according to the annual rate of national inflation as determined by Statistics Canada.
2. The Owner shall enter into an Agreement(s) with the City of Edmonton for all off-site improvements necessary to serve the development the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation). The Agreement(s) shall include an engineering drawing review and approval process. Improvements to be addressed in the Agreement include but are not limited to the following:
- a. Construction of the portion of Main Street between 84 Street NW and LRT ROW with the first stage of development.
 - b. Construction of the portion of Main Street between the eastern boundary of the LRT ROW and Stadium Road, including all roadway modifications and signalization at the intersection of Main Street and Stadium Road.
 - c. Construction of an extension of 106a Avenue NW between 85 Street NW and Main Street.
 - d. Improvements to the western portion of 106a Avenue NW south of 85 Street NW and up to a distance of approximately 70.0 m. These improvements may include a provision of new curb, sidewalk, street lighting, and street trees.
 - e. Improvements to the northern portion of 85 Street NW between 106a Avenue NW and 84 Street NW. These improvements may include a provision of new curb, sidewalk, street lighting, and street trees.
 - f. Improvements to the western portion of 84 Street NW between 85 Street NW and 111 Avenue NW. These improvements may include a provision of new curb, sidewalk, street lighting, and street trees.
 - g. Construction of two Public Parks adjacent to the Site as per the approved Landscape Plan.
 - h. Construction of a pedestrian access to the south end of the Stadium LRT station.
 - i. Construction of shared use path within the LRT right-of-way adjacent to the site.
 - j. Construction of modifications to the intersection of Jasper Avenue and 84 Street, including a contribution toward the installation of traffic signals.



LEGEND

--- DC1 TO DC1

APPENDIX 1

**LEGEND**

— SITE BOUNDARY

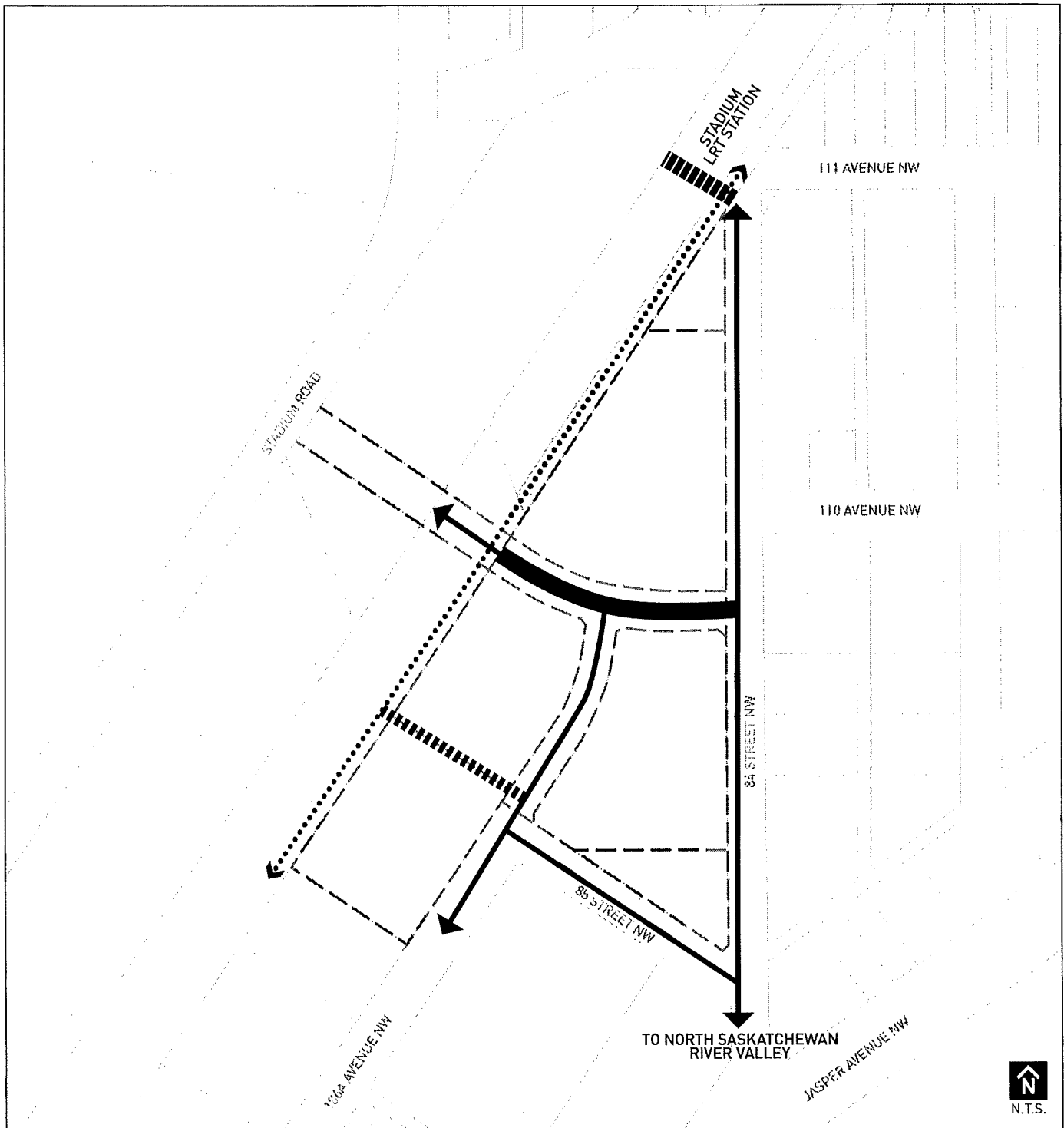
— MAIN STREET

— PUBLIC ROADWAY

— RESIDENTIAL

— POTENTIAL MIXED-USE OR
FREESTANDING NON-RESIDENTIAL USES

APPENDIX 2

**LEGEND**

SITE BOUNDARY

ENHANCED PEDESTRIAN SIDEWALK
(MINIMUM 2.0 METRES WIDE)PEDESTRIAN SIDEWALK
(MINIMUM 1.0 METRE WIDE)PEDESTRIAN WALKWAY
(MINIMUM 1.5 METRES WIDE)

PEDESTRIAN ACCESS TO LRT STATION



POTENTIAL SHARED USE PATH

APPENDIX 3