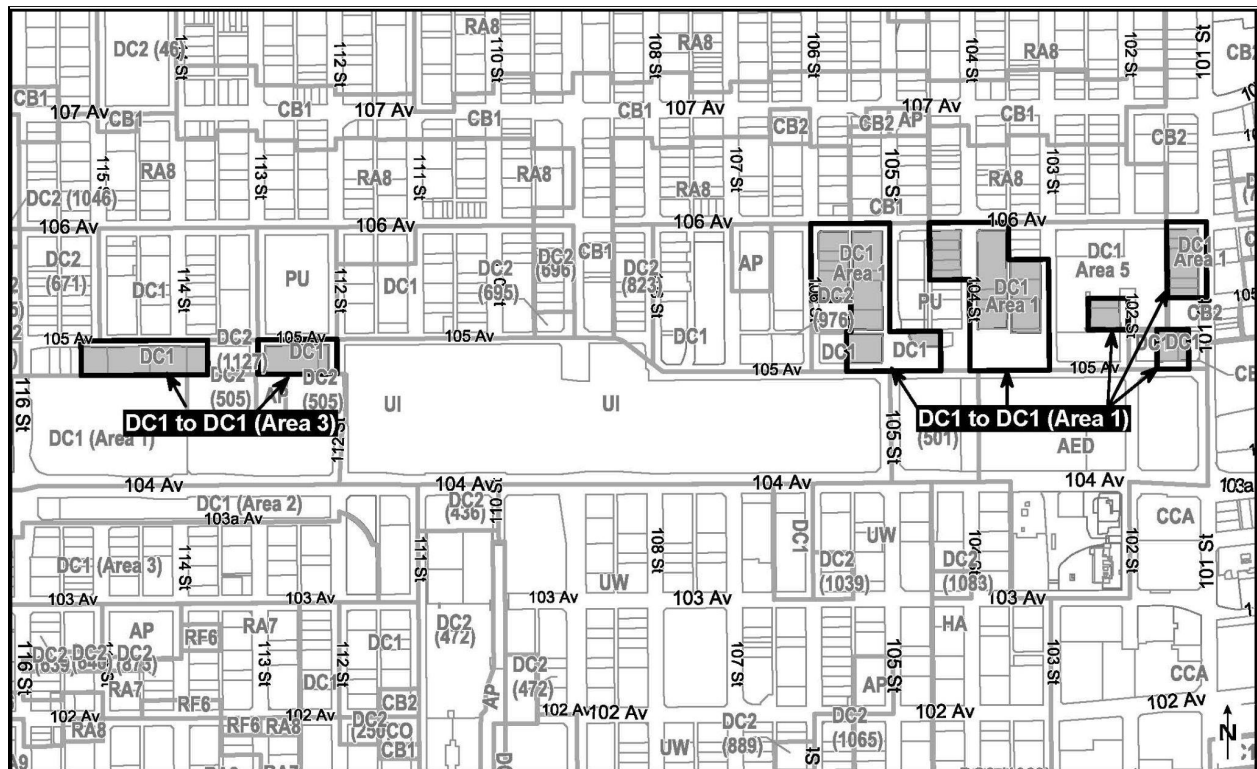




ADMINISTRATION REPORT **REZONING, PLAN AMENDMENT** Central McDougall & Queen Mary Park

Near 105 Avenue NW, between 101 Street NW and 115 Street NW

To allow for expanded development opportunities.



Recommendation: That Charter Bylaw 19816 to amend the Zoning Bylaw from (DC1) Direct Development Control Provision to a revised (DC1) Direct Development Control Provision and Bylaw 19815 to amend the Central McDougall/Queen Mary Park Area Redevelopment Plan be APPROVED.

Administration is in **SUPPORT** of this application because:

- it removes barriers to utilizing existing buildings for different commercial uses;
- the revision will help utilize and activate existing commercial space within the North Edge (along 105 Avenue);
- it continues to support the Central McDougall/Queen Mary Park Area Redevelopment Plan's vision for the neighbourhood while increasing opportunities to support neighbourhood vibrancy and allowing existing businesses to thrive.

Previous Council Action

At the May 13, 2019 City Council Public Hearing, the following motion was passed:

That Administration provide a report to Urban Planning Committee looking at options to expand development opportunities within the DC1 area of the Central McDougall/Queen Mary Park Area Redevelopment Plan as it pertains to clause 4v.

At the December 1, 2020 Urban Planning Committee meeting, the following motion was passed:

That the December 1, 2020, Urban Form and Corporate Strategic Development report CR_7325, be received for information.

Report Summary

This land use amendment application was initiated by Planning Coordination, Development Services in response to a Council motion, in order to expand the development opportunities on sites near 105 Avenue, which are within one of two DC1 Provisions. The proposed rezoning maintains the intent of the existing (DC1) Direct Development Control Provisions, while opening up the opportunity for existing buildings to be repurposed. The existing DC1 provisions for these properties include a regulation that limits the development of any new commercial uses to being in the lower floors of a residential apartment building. This means that existing buildings are not able to be repurposed for a different commercial use. The proposed rezoning will add a regulation which would allow for the commercial use of existing standalone commercial buildings. Minor revisions to update Zoning Bylaw references are also proposed.

There is an associated amendment to the Central McDougall/Queen Mary Park Area Redevelopment Plan, as the DC1 Provisions are embedded directly in the plan. There are no revisions to the policy direction within the plan.

This proposal is in alignment with the applicable policies of the City Plan, to enable the development and redevelopment of small commercial sites and centres to support mixed use local nodes city-wide, and to facilitate opportunities for short-term and temporary creative use of commercial spaces through regulatory flexibility.

The Application

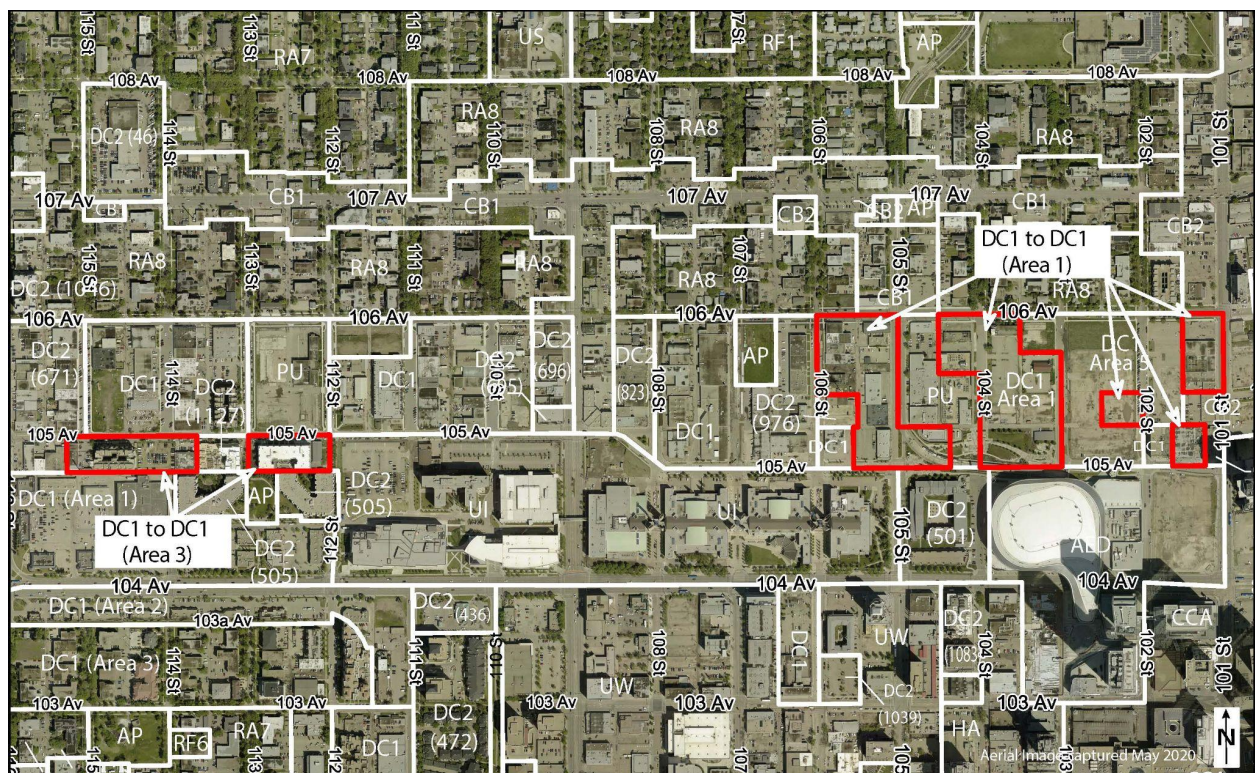
1. BYLAW 19815 is to amend the Central McDougall/Queen Mary Park Area Redevelopment Plan (ARP) to update the DC1 Provisions, as they are embedded in the Plan. The amendment includes revisions to Map 11 and reinserting an amended Map 12, to provide clarity regarding the location of the various DC1 Provisions within the plan area.
2. CHARTER BYLAW 19816 is to amend the Zoning Bylaw to rezone from (DC1) Direct Development Control Provision to (DC1) Direct Development Control Provision for sites near 105 Avenue NW, between 101 Street NW and 115 Street NW. The proposed rezoning maintains the intent of the existing DC1 Provisions, while opening up the opportunity for existing buildings to be repurposed without the need to develop a high rise residential building. The existing DC1 provisions for these properties include a regulation that limits the development of any new commercial uses to being in the lower

floors of a residential apartment building. While existing commercial uses are currently allowed to maintain operation, the current zoning restricts different commercial uses to operate in existing buildings. The proposed rezoning will add a regulation which would allow for the commercial use of existing standalone commercial buildings. Minor revisions to update Zoning Bylaw references are also proposed.

Site and Surrounding Area

The subject properties are generally located along Columbia Avenue (105 Avenue NW), within the Downtown North Edge in the Central McDougall and Queen Mary Park neighbourhoods. This area is within the North Edge Business Improvement Area boundary. A couple of the sites within the rezoning area have been redeveloped for higher density residential, however, the majority remain as either one to two storey commercial buildings or surface parking lots.

Columbia Avenue is emerging as a key corridor in the revitalization of the Downtown north edge, and is currently under construction to renew and revise the separated bike lanes and to develop a plaza between 112 and 113 Streets. The MacEwan LRT Station is located near the eastern subject properties.



AERIAL VIEW OF APPLICATION AREA

Planning Analysis

LAND USE COMPATIBILITY

The existing DC1s each have a specific provision that limits commercial development to the ground floor of a larger residential development. While existing businesses are allowed to continue operating under their current use, the DC1 provisions do not allow a different

commercial use to operate in its place, or to open in a vacant building where a previous business license has lapsed.

The proposed revision to the DC1s would allow these buildings to be repurposed with a different commercial use until they are redeveloped as a residential focused building. The list of available commercial uses is limited to Child Care Services; General Retail Stores; Health Services; Personal Service Shops; Professional, Financial, and Office Support Services; Restaurants; and Specialty Food Services. These uses are considered suitable to contribute to the vibrancy of the North Edge, by allowing more pedestrian and cycle friendly development to occur in the area.

PLANS IN EFFECT

The Central McDougall/Queen Mary Park Area Redevelopment Plan identifies this area for high density, high and medium rise apartments and business uses, while respecting the existing established businesses and opportunities for redevelopment. The vision for the area is to create a mixed-use, livable and dynamic community offering places to live, shop, work, learn and play. This rezoning will provide the opportunity for existing buildings in the area to be repurposed for commercial use. This will allow for more vibrant streets, while still requiring any future redevelopment to meet the goal of high density residential development.

THE CITY PLAN

This proposal is in alignment with the applicable policies of the City Plan, to enable the development and redevelopment of small commercial sites and centres to support mixed use local nodes city-wide, and to facilitate opportunities for short-term and temporary creative use of commercial spaces through regulatory flexibility.

Technical Review

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

Community Engagement

ADVANCE NOTICE May 6, 2021	<ul style="list-style-type: none"> • Number of recipients: 445 • Number of responses in support: 2 • Number of responses with concerns: 1 • Comments included: <ul style="list-style-type: none"> o It will allow old buildings to be repurposed without the need for redevelopment o It will bring more activity to the core and allow for more creative ideas and innovation o This will prevent any incentive for redevelopment
WEBPAGE	<ul style="list-style-type: none"> • edmonton.ca/centralmcdougallplanningapplications • edmonton.ca/queenmaryparkplanningapplications

As part of the preparation for the December 1, 2020 Urban Planning Committee meeting, where administration outlined four different options for zoning revisions in this area, Administration

engaged the North Edge Business Association, the Central McDougall Community League, and the Queen Mary Park Community League in September of 2019. No comments were received from the Community Leagues. The North Edge Business Association indicated a preference for the chosen option, as outlined in this report, as it provides flexibility for owners to take advantage of different opportunities within the current economy, and also because it encourages adapting, reusing and retrofitting properties. The North Edge area contains many original warehouse properties and retaining buildings will help to keep the history and character of the area intact.

The Community Leagues and the North Edge Business Association were engaged through this process as well, and no further feedback was received.

Conclusion

Administration recommends that City Council **APPROVE** this application.

APPENDICES

- 1 Track Changes: DC1 Area 1 - Precinct C & DC1 Area 3 - Precinct E
- 2 Application Summary

~~Strikethrough:~~ Proposed deletion from DC2 Provision

Underline: Proposed additions to DC2 Provision

Central McDougall / Queen Mary Park ARP

DC1 Area 1 - Precinct C

1. Area of Application

Lands located generally between 105 Avenue NW and 106 Avenue NW, and between 101 Street NW and 106 Street NW, designated as Area 1 – Precinct C on Map 11.

2. Rationale

To accommodate a transit-oriented development/high density residential mixed use node that creates a liveable “urban village” environment and generates an improved sense of place and quality development through the use of urban design regulations and the introduction of high density apartment housing adjacent to the Downtown area and future high speed transit corridors. Minor local commercial uses will be encouraged, but not required on the ground floor of buildings in this area.

3. Uses

- ~~a. Apartment Housing~~
- b. Child Care Services
- c. General Retail Stores
- ~~d. Group Home~~
- e. Health Services
- ~~f. Limited Group Home~~
- g. Lodging Houses
- h. Minor Home Based Business
- i. Multi-unit Housing
- ~~j. Non-Accessory Parking~~
- k. Personal Service Shops
- l. Professional, Financial, and Office Support Services
- m. Religious Assembly, where lawfully existing at the time of the passage of this Bylaw
- n. Residential Sales Centre
- o. Restaurants, for less than 100 occupants and 120 m² of Public Space
- p. Specialty Food Services, for less than 40 occupants and 48 m² of Public Space
- ~~q. Stacked Row Housing, including Row Housing, only when incorporated at the lower levels of a high rise building~~
- r. Supportive Housing
- s. Vehicle Parking
- t. Fascia On-premises Signs
- u. Freestanding On-premises Signs
- v. Projecting On-premises Signs
- w. Temporary On-premises Signs, not including portable Signs

4. Development Regulations

- a. The overall Site development shall be in accordance with the urban design criteria established herein and in the Central McDougall/Queen Mary Park Area Redevelopment Plan for this Precinct.
- ~~b. Prior to the issuance of any Development Permit, the owner shall provide proof satisfactory to the Development Officer in consultation with Alberta Environment, the Capital Health Authority, and the Transportation Department that, if necessary, the lands have been remediated to allow the intended uses. Prior to the issuance of any Development Permit, excluding a development permit for demolition or signage, Environmental Site Assessment (ESA) work is required; for any development permit proposed in this area, ESA work such as, but not limited to, Phase II ESAs, Remedial Action Plan(s), Final Remediation Report, and/or a Risk Management Plan(s), may be required at the discretion of the Development Officer in consultation with the Environmental Planner to be submitted and, reviewed, and approved to the satisfaction of the Development Officer. The Development Officer shall impose any Development Permit conditions necessary, prior to the release of the drawings for Building Permit review, to ensure that the Site is suitable for the full range of uses contemplated in the Development Permit application~~
- c. The maximum Floor Area Ratio of any development shall be 5.0, except that the Development Officer may use variance power to increase this maximum to 6.0 for developments with larger individual unit floor plates, and which comply with the Density provisions of this Provision.
- d. The maximum Density shall be 500 Dwellings/ha.
- e. The maximum Height shall be 45.0 m ~~or 15 Storeys~~.
- f. No Front, Rear, or Side Yards are required.
- g. A 2.0 m building Setback shall be provided at the Rear of a building. Landscaping shall be provided within the 2.0 m building Setback to provide an improved appearance of the Lane.
- h. No Amenity Area or Private Outdoor Amenity Area is required for any development subject to this Provision.
- i. ~~Apartment Housing~~Multi-unit Housing with Commercial Uses on the ground floor shall have access at Grade that is separate from the commercial premises.
- j. Access to ~~parking garages or~~ Parking Areas shall only be from an Abutting Lane. If no Lane is present, access may be taken from an Abutting public roadway, to the satisfaction of ~~the Transportation Department~~Subdivision and Development Coordination (Transportation). However, in no instance shall access be taken from 105 Avenue or 105 Street.
- k. Loading, storage, and trash collection areas shall be located in such a manner to be screened from view from adjacent sites, public roadways, and Light Rail Transit lines in accordance with the provisions of Section 55 of the Zoning Bylaw.
- ~~l. Underground driveway ramps for Apartment Housing and Stacked Row Housing, including Row Housing developments must not exceed a slope of 6% and the ramp must be at Grade at the property line, to the satisfaction of the Transportation Department.~~
- m. No surface vehicular parking areas are permitted Abutting any public roadway, other than a Lane. ~~Notwithstanding the preceding clause surface vehicular parking, except a~~ Surface Parking Lot shall be permitted on an interim basis only on Lot 271, Block 2, Plan 0729263; and Lot 268, 269, 270, Block 2, Plan B, as further detailed in section 1(x).

- n. ~~Residential Uses shall provide a minimum of one (1) vehicular parking stall for each Dwelling unit. All other requirements of Section 54 of the Zoning Bylaw pertaining to vehicular, visitor, and Bicycle Parking for Residential Uses shall be adhered to. Notwithstanding the above, vehicular and Bicycle Parking for all other Uses shall be in accordance with Section 54 of the Zoning Bylaw.~~
- o. ~~Secure indoor Bicycle Parking for residents and outdoor visitor Bicycle Parking will be required for Residential developments. The number of stalls required and the location of Residential and visitor Bicycle Parking shall be to the satisfaction of the Transportation Department.~~ Bicycle Parking shall be provided at a minimum rate of one (1) bicycle parking per dwelling unit.
- p. The owner shall submit a market value appraisal for the subject Site at the time of the submission of a Development Permit application for the purposes of determining the amount of the redevelopment levy that applies to the Site. The appraisal will estimate the market value of the subject Site, based on the highest and best use of the land, as if vacant, and with the effective date of valuation being within 30 days of Development Permit application. The appraisal report must be reviewed and accepted by the Appraisal Section of the Asset Management and Public Works Department, and the Community Services Department. The redevelopment levy shall be an amount representing 8% of the estimated market value of the Site, as if vacant, and shall be paid to the City of Edmonton as a condition of the approval of a Development Permit. All redevelopment levies collected will be used to fund the acquisition of public parks space as identified in the Central McDougall/Queen Mary Park Area Redevelopment Plan.
- q. The owner shall be responsible for the costs of the required streetscape improvements to the portion(s) of road right(s)-of-way Abutting a Site (from private property line to the new curb) that are identified by the 105 Avenue corridor Study, and/or identified by the Community services, Planning and Development, or Subdivision and Development Coordination (Transportation)~~Transportation Departments~~ as part of the development. These costs shall be paid to the City of Edmonton as a condition of the approval of a Development Permit. These streetscaping improvements may include, but are not limited to, new sidewalks, streetlights, boulevard landscaping, boulevard trees, street furniture, and/or the relocation of utilities underground.
- r. Where applicable, the Site plan submitted with a Development Permit application must indicate the coordination between development on the subject Site and the adjacent 105 Avenue corridor, in accordance with the 105 Avenue Corridor Study.
- s. The owner, when deemed necessary, shall be responsible for analyzing a portion of the sewer system affected by the development Site to determine sewer servicing and upgrading requirements to the satisfaction of the Drainage Services Branch of the Asset Management and Public Works Department. In addition, costs for relocating/abandoning sewer lines as a result of street/lane closures will be the responsibility of the owner.
- t. 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.
- u. The owner shall submit a Crime Prevention Through Environmental Design (CPTED) Assessment that shall be reviewed and accepted by the Development Officer prior to the issuance of a Development Permit to ensure that development on the Site provides a safe urban environment in accordance with the guidelines and principles established in the Design Guide for a Safer City.

- v. Child Care Services; General Retail Stores; Health Services; Personal Service Shops; Professional, Financial, and Office Support Services; Restaurants; and Specialty Food Services shall only be permitted when designed as an integral and secondary component of a residential development ~~consisting of 50 Dwellings or more~~, and shall not be developed above the lowest Storey of a building.
 - i. ~~Notwithstanding Clause 4(v), non-Residential Uses shall be permitted in buildings that existed prior to August 31, 2021.~~
- w. Signs shall comply with the regulations in Schedule 59B of the Zoning Bylaw. Portable Signs shall not be permitted on any Site.
- x. The following regulations shall apply to ~~surface Non-accessory Parking~~Surface Vehicle Parking Lots:
 - i. Surface ~~Non-accessory Vehicle~~ Parking shall be permitted on the following parcels: Lot 268, 269, 270, Block 2, Plan B3.
 - ii. Any Development Permit approved for ~~surface Non-accessory Surface Vehicle~~ Parking shall be temporary in nature and limited to a maximum of three (3) years commencing on December 12, 2016.
 - iii. Notwithstanding the other Development Regulations and the Appendices of this Zone, after the three year period, renewal of the ~~surface Non-accessory Surface Vehicle~~ Parking Use may be considered in one (1) year increments up to a maximum of an additional three (3) years at the discretion of the Development Officer provided that the owner/developer has obtained a Building Permit and commenced construction of at least one mixed-use Tower of at least 23.0 m in Height.
 - iv. Directional and information signage consistent in design, colour, symbols and graphics shall be provided to:
 - 1. direct patrons to pedestrian exits;
 - 2. direct patrons to vehicular exits;
 - 3. identify areas for patrons to locate their vehicles;
 - 4. advise patrons to lock their vehicles and remove all valuables;
 - 5. advise patrons of the presence of security patrols; and
 - 6. advise patrons of the presence of security cameras.
 - v. Lighting for the Site shall be a minimum of 6 lux or 1 foot-candle to provide a safe and secure pedestrian environment.
 - 1. lighting shall be arranged, installed and maintained so as to reduce visual and light impacts on adjacent off-site residential units as well as provide a safely lit pedestrian environment.
 - vi. A minimum 3.0 m landscaped Setback shall be provided along the perimeter of the Site. The buffer should visually screen parked vehicles but not completely obstruct views into and out of the parking lot for the purpose of supporting pedestrian safety and security.
 - vii. The following shall be provided within the 3.0 m Setback Area:
 - 1. One (1) tree for each 15 m around the perimeter of the Site. For tree requirements, only deciduous species shall be allowed.
 - 2. Dense shrubs greater than ~~12"~~0.3 m in Height, grassed areas and solid fences shall not be permitted.

- viii. Every access must be hardsurfaced from the curbface to 10.0 m into the site.
- ix. Concrete wheel stops shall be provided.
- x. All parking facilities shall be clearly demarcated, have adequate storm water drainage and storage facilities.
- xi. The storage of materials inclusive of accumulated snow on ~~Non-~~
Accessory Surface Vehicle Parking ~~surface~~ lots shall be in a location away from the public roadway to improve safety and visibility.
- xii. Prior to the issuance of the Development Permit, the developer shall enter into an agreement to contribute funds to the Central McDougall Community League for the creation of a public amenity, with specific details to be determined at the Development Permit stage between the Owner and City Administration in consultation with the Central McDougall Community League. These funds will be submitted to the City of Edmonton and disbursed accordingly to the Central McDougall Community League. A minimum amount of \$150,000 shall be provided prior to the issuance of a Development Permit.
- xiii. At the time of Development Permit application, provisions must be made, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation)-Urban Transportation, for barrier-free parking stalls.
- y. Passenger Drop-off
 - i. Passenger Drop-off Spaces located on-site shall be located so as to provide for safe and efficient movement of vehicles onto and from the site and within the site.
 - ii. Passenger Drop-off Spaces shall be a minimum of 7.0 m in length and a minimum of 2.6 m in width when oriented parallel to the flow of traffic
 - iii. and shall be a minimum of 5.5 m deep and a minimum of 2.6 m in width when oriented perpendicular to the flow of traffic. Where the flow of traffic is perpendicular to the flow of traffic, circulation drive aisles shall be a minimum of 7.0 m wide.
 - iv. At the time of Development Permit application, provision must be made, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation)-Urban Transportation, for pedestrians that are being dropped off or picked up to safely enter and exit the site.

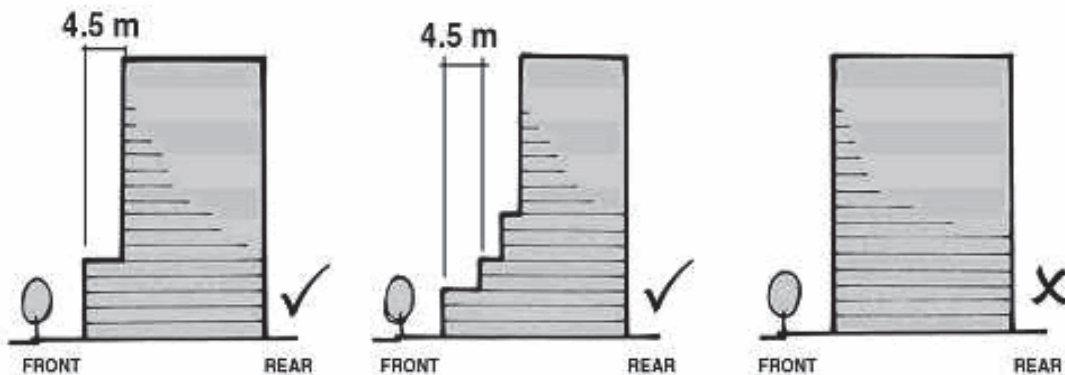
5. Urban Design Regulations

- a. Where the ground (first) floor of any development is designed for Commercial Uses, the building shall be constructed to the Front property line. The Development Officer may allow a building Setback from the Front property line of up to 2.5 m, only to accommodate street related activities such as sidewalk cafés, colonnades, arcades, or plazas. The 2.5 m building Setback shall not be used exclusively for Landscaping.
- b. Where the ground (first) floor of any development is designed for Residential Uses, the building shall be constructed to the Front property line. The Development Officer may allow a building Setback from the Front property line of up to 4.5 m, only to provide physical separation from the abutting street for the Dwelling units provided this Setback accommodates patios, courtyards, terraces, or other private amenity space directly

- associated with the abutting Dwelling unit. The 4.5 m building Setback for Residential Uses shall not be used exclusively for Landscaping.
- c. There shall be a minimum of 3 and a maximum of 5 Storeys of a building immediately Abutting a public roadway, other than a Lane. Any portion of a building exceeding a Height of 5 Storeys or 17.5 m shall be set back a minimum of 4.5 m from the lower portion of the building adjacent to a public roadway, other than a Lane.

Explanatory Note

A 4.5 m setback between the front of the building and upper building storeys is intended to reduce the perceived mass of a building and promote the pedestrian scale of the street. The following graphic representation provides a possible conceptual application of this regulation for interpretive purposes.

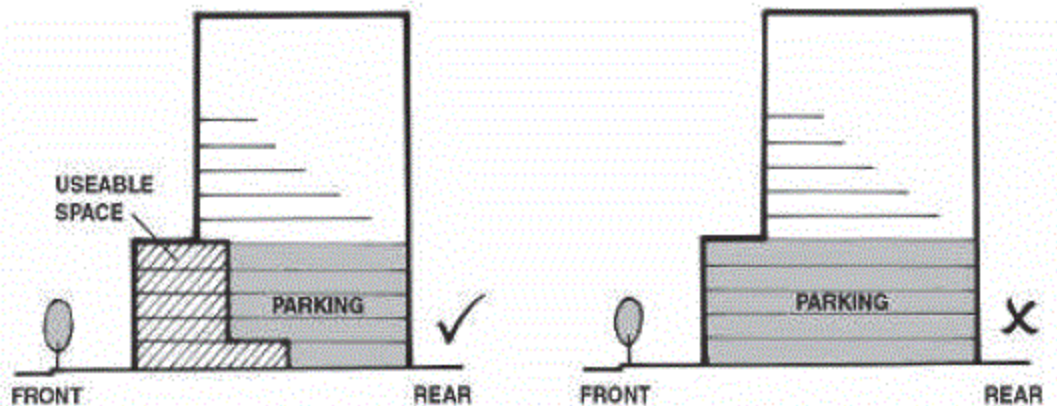


- d. All developments shall provide a minimum 7.5 m building Setback from the Rear property line above the podium level of the building.
- e. All developments shall provide a minimum 2.0 m building Setback from the Side property lines above the podium level of the building.
- f. No portion of an above ~~Grade~~Ground Parking Garage on the ground (first) floor shall be allowed for a minimum depth of 10.0 m from any building Façade facing a public roadway, other than a Lane.
- g. No portion of an ~~above Grade Parking Garage~~ Above Ground Parkade above the ground (first) floor of the podium portion of a building shall be allowed for a minimum depth of 6.0 m from any building Façade facing a public roadway, other than a Lane.

Explanatory Note

Community identity, stability of ownership, and residential character all require that a relationship be developed between residents, businesses, and the neighbourhood.

Minimum setbacks for useable space, separating above ground parking from the front of a building, provides an opportunity for a range of building uses that bind people more fully to the community and thereby contribute to the character and identity of an area. The following graphic representation provides a possible conceptual application of these regulations ((f) and (g)) for interpretive purposes.



8. Buildings shall address all adjacent public roadways, other than Lanes, with individual entrances that are clearly visible to lend a sense of occupancy to the street. Buildings on corner Sites shall address both the street and avenue and shall distinguish the street intersection to give it prominence.
9. Where a Dwelling unit is provided at ground level Abutting a public roadway, other than a Lane, the principal entrance to the unit shall have direct external access to the adjacent public sidewalk.
10. Where a Commercial Use is provided at ground level Abutting a public roadway, other than a Lane, the principal entrance to the unit shall have direct external access to the adjacent public sidewalk. A minimum of 50% of the ground (first) floor level portion of the Façade abutting a public roadway, other than a Lane, shall be comprised of clear, non-reflective glazing to promote pedestrian interaction and safety.
11. At least 80% of the floor elevation of the ground (first) floor shall be no higher than 1.0 m above the mean Grade of the adjacent public sidewalk, at the property line.
12. Any building with a single wall length greater than 15.0 m abutting or visible from a public roadway shall comply with the following:
 1. The building Façade shall include design elements, materials, and articulation that reduce the perceived mass of the building Façade and add architectural interest.
 - m. Blank walls (with or without windows) of ~~vehicular Parking Garages~~ an Above Ground Parkade shall not be developed adjacent to, or visible from, any public roadway.
 - n. To ensure a high standard of development, building design plans shall be submitted with a Development Permit application. Such plans shall be to the satisfaction of the Development Officer and shall include details of overall site layout, exterior building treatment and colour scheme, perimeter and internal landscaping, fencing and screening, and surface vehicular parking layout.
 - o. The finishing of the podium portion of any development shall consist of materials such as glass and glazed window wall systems, brick, stone, architectural concrete, and/or precast coloured concrete.
 - p. The use of stucco as a finishing material is not permitted on the podium portion of any development. The use of stucco on the tower portion of any development shall be limited to a maximum of 15% of the exterior surface area of the tower.
 - q. Development on a Site shall incorporate functional and decorative lighting to enhance the appearance of the building during the winter months, and, if applicable, to provide additional lighting for the 105 Avenue corridor.

- r. Where Commercial Uses are developed on the ground (first) floor of a building that is built to the Front property line, weather protection in the form of a canopy at least 2.0 m wide or any other method suitable to the architectural style of the building or street theme, shall be provided one Storey above sidewalk level to provide a comfortable environment for pedestrians.
- s. The Development Officer, in consultation with the Heritage Planner, shall ensure that development within the podium portion of any development immediately adjacent to the A. MacDonald Building and the Carter Residence complements the colour and materials of these historic buildings, which are both designated Municipal Historic Resources.
- t. Buildings shall be designed through their massing and location, to avoid adverse microclimatic effects such as wind tunnelling, snow drifting, rain sheeting, shadowing, and loss of sunlight, both on and off-site. The Development Officer may require the submission of a Wind Impact Statement or Study, and/or a Sun Shadow Impact Study to determine that proposed development achieves these objectives.
- u. Main building entrances for any Use shall be designed for universal accessibility. Level changes from the sidewalk to entrances of buildings shall be minimized. Sidewalk furniture and other elements shall be located out of the travel path to ensure they are not obstacles to building access.
- v. The upper two to four Storeys of high rise buildings shall step back from the lower levels of the tower portion of the building and provide distinctive shaping or sculpting of the roof line to contribute to a unique and interesting skyline.

6. Development Guidelines

- a. ~~Apartment~~Multi-Unit Housing developments in this Precinct should incorporate 100 percent visitability and 10 percent adaptable suites to ensure universal accessibility.
- b. The maximum Height opportunity presented in this Provision should be utilized to develop high rise buildings that reduce the impact of the upper levels of the building above the podium portion of the building to maintain view corridors of the Downtown, maximize solar penetration, and reduce adverse microclimatic effects related to wind and shadowing.
- c. Where feasible, developments should provide gardens or patios on the top of the podium level and building rooftops to improve rooftop aesthetics and provide additional amenity space.
- d. Development in this Precinct should utilize infrastructure practices and site designs that reduce the consumption of water, energy, and materials consistent with Leadership in Energy and Environmental Design (LEED) accreditation.
- e. Landscaping of Sites in this Precinct should consider the use of plant materials that provide colour throughout the year to enhance their appearance during the winter months.
- f. A variety of residential housing forms should be encouraged throughout this Precinct to support an enhanced pedestrian environment.
- g. The redevelopment and/or renovation of existing buildings in this Precinct should address the adjacent street with frontage that improves the pedestrian environment.

Central McDougall / Queen Mary Park ARP DC1 Area 3 - Precinct E

1. Area of Application

Lands located on the south side of 105 Avenue, generally between 112 Street and 115 Street, designated as Precinct 'E' - High Rise Apartments, and as shown on Map 812.

2. Rationale

To accommodate opportunities for the development of high rise residential to provide a transition ~~from the Oliver neighbourhood and Oliver Square to between Unity Square~~ and the medium density portion of the Queen Mary Park neighbourhood and Precinct 'D'.

3. Uses

- a. Apartment Housing
- ~~b. Boarding and Lodging Houses, for seniors housing only~~
- c. Child Care Services
- d. Convenience Retail Stores
- e. Health Services
- f. Lodging Houses
- g. Minor Home Based Business
- h. Multi-unit Housing
- i. Personal Service Shops
- j. Professional, Financial, and Office Support Services
- k. Residential Sales Centre
- l. Restaurants, for less than 100 occupants and 120 m² of Public Space
- m. Specialty Food Services, for less than 40 occupants and 48 m² of Public Space
- ~~n. Stacked Row Housing, including Row Housing, only when incorporated at the lower levels of a high rise building~~
- o. Supportive Housing
- p. Fascia On-premises Signs
- q. Freestanding On-premises Signs
- r. Projecting On-premises Signs
- s. Temporary On-premises Signs, ~~not including portable Signs~~

4. Development Regulations

- a. The overall Site development shall be in accordance with the urban design criteria established herein and in the Central McDougall/Queen Mary Park Area Redevelopment Plan for this Precinct.
- b. ~~Prior to the issuance of any Development Permit, the owner shall provide proof satisfactory to the Development Officer in consultation with Alberta Environment, the Capital Health Authority, and the Transportation Department that, if necessary, the lands have been remediated to allow the intended uses.~~ Prior to the issuance of any Development Permit, excluding a development permit for demolition or signage, Environmental Site Assessment (ESA) work is required; for any development permit proposed in this area, ESA work such as, but not limited to, Phase II ESAs, Remedial Action Plan(s), Final Remediation Report, and/or a Risk Management Plan(s), may be required at the discretion of the Development Officer in consultation with the Environmental Planner to be submitted and, reviewed, and approved to the satisfaction of

- the Development Officer. The Development Officer shall impose any Development Permit conditions necessary, prior to the release of the drawings for Building Permit review, to ensure that the Site is suitable for the full range of uses contemplated in the Development Permit application
- c. The maximum Floor Area Ratio of any development shall be 3.0.
 - d. The maximum Density shall be 300 Dwellings/ha.
 - e. The maximum Height shall be ~~9 Storeys or~~ 28.0 m. ~~Notwithstanding this maximum, no building in this area shall exceed the maximum Height established by the Airport Protection Overlay of the Zoning Bylaw.~~
 - f. No Front, Rear, or Side Yards are required.
 - g. No Amenity Area or Private Outdoor Amenity Area is required for any development subject to this Provision.
 - h. ~~Apartment Housing~~Multi-unit Housing with Commercial Uses on the ground floor shall have access at Grade that is separate from the Commercial premises.
 - i. Access to vehicular ~~Parking Garages or~~ Parking Areas from 105 Avenue must be in accordance with the 105 Avenue Corridor Study and to the satisfaction of the ~~Transportation and Planning and Development Departments~~Subdivision and Development Coordination (Transportation).
 - j. 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 provisions of Section 55 of 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 provisions of Section 55 of the Zoning Bylaw.
 - ~~k. Underground driveway ramps for Apartment Housing and Stacked Row Housing, including Row Housing developments must not exceed a slope of 6% and the ramp must be at Grade at the property line, to the satisfaction of the Transportation Department.~~
 - l. No ~~surface vehicular parking areas~~Surface Parking Lots are permitted Abutting any public roadway, other than a Lane.
 - m. ~~Vehicular and Bicycle Parking shall be in accordance with Section 54 of the Zoning Bylaw.~~
 - n. ~~Secure indoor Bicycle Parking for residents and outdoor visitor Bicycle Parking will be required for Residential developments. The number of stalls required and the location of Residential and visitor Bicycle Parking shall be to the satisfaction of the Transportation Department.~~ Bicycle Parking shall be provided at a minimum rate of one (1) bicycle parking per dwelling unit.
 - o. The owner shall submit a market value appraisal for the subject Site at the time of the submission of a Development Permit application for the purposes of determining the amount of the redevelopment levy that applies to the Site. The appraisal will estimate the market value of the subject Site, based on the highest and best use of the land, as if vacant, and with the effective date of valuation being within 30 days of Development Permit application. The appraisal report must be reviewed and accepted by the Appraisal Section of the Asset Management and Public Works Department, and the Community Services Department. The redevelopment levy shall be an amount representing 8% of the estimated market value of the Site, as if vacant, and shall be paid to the City of Edmonton as a condition of the approval of a Development Permit. All redevelopment levies collected will be used to fund the acquisition of public park space as identified in the Central McDougall/Queen Mary Park Area Redevelopment Plan.

- p. The owner shall be responsible for the costs of the required streetscape improvements to the portion(s) of road right(s)-of-way abutting a Site (from private property line to the new curb) that are identified by the 105 Avenue Corridor Study, and/or identified by the Community Services, Planning and Development, or Subdivision and Development Coordination (Transportation) Departments as part of the development. These costs shall be paid to the City of Edmonton as a condition of the approval of a Development Permit. These streetscaping improvements may include, but are not limited to, new sidewalks, streetlights, boulevard landscaping, boulevard trees, street furniture, and/or the relocation of utilities underground.
- q. Where applicable, the Site plan submitted with a Development Permit application must indicate the coordination between development on the subject Site and the adjacent 105 Avenue corridor, in accordance with the 105 Avenue Corridor Study.
- r. The owner, when deemed necessary, shall be responsible for analyzing a portion of the sewer system affected by the development Site to determine sewer servicing and upgrading requirements to the satisfaction of the Drainage Services Branch of the Asset Management and Public Works Department. In addition, costs for relocating/abandoning sewer lines as a result of street/lane closures will be the responsibility of the owner.
- s. 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.
- t. The owner shall submit a Crime Prevention Through Environmental Design (CPTED) Assessment that shall be reviewed and accepted by the Development Officer prior to the issuance of a Development Permit to ensure that development on the Site provides a safe urban environment in accordance with the guidelines and principles established in the Design Guide for a Safer City.
- u. Child Care Services; Convenience Retail Stores; Health Services; Personal Service Shops; Professional, Financial, and Office Support Services; Restaurants; and Specialty Food Services shall only be permitted when designed as an integral and secondary component of a ~~high-rise~~ residential development, and shall not be developed above the lowest Storey of a building.
 - i. notwithstanding Clause 4(u), non-Residential Uses shall be permitted in buildings that existed prior to August 31, 2021.
- v. Signs shall comply with the regulations in Schedule 59B of the Zoning Bylaw. ~~Portable Signs shall not be permitted on any Site.~~

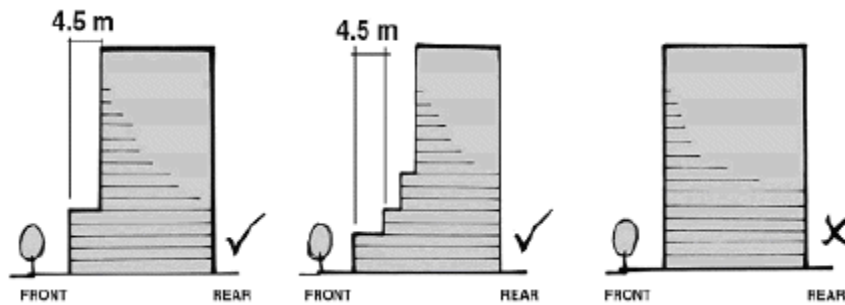
5. Urban Design Regulations

- a. Where the ground (first) floor of any development is designed for Commercial Uses, the building shall be constructed to the Front property line. The Development Officer may allow a building Setback from the Front property line of up to 2.5 m, only to accommodate street related activities such as sidewalk cafés, colonnades, arcades, or plazas. The 2.5 m building Setback shall not be used exclusively for Landscaping.
- b. Where the ground (first) floor of any development is designed for Residential Uses, the building shall be constructed to the Front property line. The Development Officer may allow a building Setback from the Front property line of up to 4.5 m, only to provide physical separation from the abutting street for the Dwelling units provided this Setback accommodates patios, courtyards, terraces, or other private amenity space directly associated with the abutting Dwelling unit. The 4.5 m building Setback for Residential Uses shall not be used exclusively for Landscaping.

- c. There shall be a minimum of 3 and a maximum of 5 Storeys of a building immediately abutting 105 Avenue. Any portion of a building exceeding a Height of 5 Storeys or 17.5 m shall be set back a minimum of 4.5 m from the lower portion of the building adjacent to a public roadway, other than a Lane.

Explanatory Note

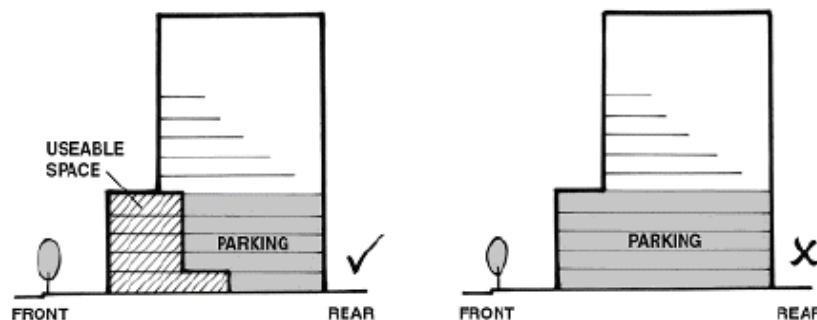
A 4.5 m setback between the front of the building and upper building storeys is intended to reduce the perceived mass of a building and promote the pedestrian scale of the street. The following graphic representation provides a possible conceptual application of this regulation for interpretive purposes.



- d. All developments shall provide a minimum 7.5 m building Setback from the Rear property line above the podium level of the building.
- e. All developments shall provide a minimum 2.0 m building Setback from the Side property lines above the podium level of the building.
- f. No portion of an ~~above-Grade Parking-Garage~~Above Ground Parkade on the ground (first) floor shall be allowed for a minimum depth of 10.0 m from any building Façade facing a public roadway, other than a Lane.
- g. No portion of an ~~above-Grade Parking-Garage~~Above Ground Parkade above the ground (first) floor of the podium portion of a building shall be allowed for a minimum depth of 6.0 m from any building Façade facing a public roadway, other than a Lane.

Explanatory Note

Community identity, stability of ownership, and residential character all require that a relationship be developed between residents, businesses, and the neighbourhood. Minimum setbacks for useable space, separating above-ground parking from the front of a building, provides an opportunity for a range of building uses that bind people more fully to the community and thereby contribute to the character and identity of an area. The following graphic representation provides a possible conceptual application of these regulations [(f) and (g)] for interpretive purposes.



- h. Buildings shall address all adjacent public roadways, other than Lanes, with individual entrances that are clearly visible to lend a sense of occupancy to the street. Buildings on corner Sites shall address both the street and avenue and shall distinguish the street intersection to give it prominence.
- i. Where a Dwelling unit is provided at ground level abutting a public roadway, other than a Lane, the principal entrance to the unit shall have direct external access to the adjacent public sidewalk.
- j. Where a Commercial Use is provided at ground level Abutting a public roadway, other than a Lane, the principal entrance to the unit shall have direct external access to the adjacent public sidewalk. A minimum of 50% of the ground (first) floor level portion of the Façade Abutting a public roadway, other than a Lane, shall be comprised of clear, nonreflective glazing to promote pedestrian interaction and safety.
- k. At least 80% of the floor elevation of the ground (first) floor shall be no higher than 1.0 m above the mean Grade of the adjacent public sidewalk, at the property line.
- l. Any building with a single wall length greater than 15.0 m visible from a public roadway shall comply with the following:
 - i. the building Façade shall include design elements, materials, and articulation that reduce the perceived mass of the building façade and add architectural interest.
- m. Blank walls (with or without windows) of ~~vehicular Parking Garages~~an Above Ground Parkade shall not be developed adjacent to, or visible from, any public roadway.
- n. To ensure a high standard of development, building design plans shall be submitted with a Development Permit application. Such plans shall be to the satisfaction of the Development Officer and shall include details of overall site layout, exterior building treatment and colour scheme, perimeter and internal landscaping, fencing and screening, and surface vehicular parking layout.
- o. The finishing of the podium portion of any development shall consist of materials such as glass and glazed window wall systems, brick, stone, architectural concrete, and/or precast coloured concrete.
- p. The use of stucco as a finishing material is not permitted on the podium portion of any development. The use of stucco on the tower portion of any development shall be limited to a maximum of 15% of the exterior surface area of the tower.
- q. Development on a Site shall incorporate functional and decorative lighting to enhance the appearance of the building during the winter months, and, if applicable, to provide additional lighting for the 105 Avenue corridor.
- r. Where Commercial Uses are developed on the ground (first) floor of a building that is built to the Front property line, weather protection in the form of a canopy at least 2.0 m wide or any other method suitable to the architectural style of the building or street theme, shall be provided one Storey above sidewalk level to provide a comfortable environment for pedestrians.
- s. Buildings shall be designed through their massing and location, to avoid adverse microclimatic effects such as wind tunnelling, snow drifting, rain sheeting, shadowing,

and loss of sunlight, both on and off-site. The Development Officer may require the submission of a Wind Impact Statement or Study, and/or a Sun Shadow Impact Study to determine that proposed development achieves these objectives.

- t. Main building entrances for any Use shall be designed for universal accessibility. Level changes from the sidewalk to entrances of buildings shall be minimized. Sidewalk furniture and other elements shall be located out of the travel path to ensure they are not obstacles to building access.
- u. The upper two to four Storeys of high rise buildings shall step back from the lower levels of the tower portion of the building and provide distinctive shaping or sculpting of the roof line to contribute to a unique and interesting skyline.
- v. Development shall have regard for the interface between buildings in this Precinct and existing development immediately to the south.

6. Development Guidelines

- a. ~~Apartment Housing~~Multi-unit Housing developments in this Precinct should incorporate 100 percent visitability and 10 percent adaptable suites to ensure universal accessibility.
- b. The maximum Height opportunity presented in this Provision should be utilized to develop high rise buildings that reduce the impact of the upper levels of the building above the podium portion of the building to maintain view corridors of the Downtown, maximize solar penetration, and reduce adverse microclimatic effects related to wind and shadowing.
- c. Where feasible, developments should provide gardens or patios on the top of the podium level and building rooftops to improve rooftop aesthetics and provide additional amenity space.
- d. Development in this Precinct should utilize infrastructure practices and site designs that reduce the consumption of water, energy, and materials consistent with Leadership in Energy and Environmental Design (LEED) accreditation.
- e. Landscaping of Sites in this Precinct should consider the use of plant materials that provide colour throughout the year to enhance their appearance during the winter months.
- f. A variety of residential housing forms will be encouraged throughout this Precinct to support an enhanced pedestrian environment.
- g. The redevelopment and/or renovation of existing buildings in this Precinct will address the adjacent street with frontage that improves the pedestrian environment.

APPLICATION SUMMARY

INFORMATION

Application Type:	Plan Amendment, Rezoning
Bylaw/Charter Bylaw:	19815, 19816
Location:	Near 105 Avenue NW, between 101 Street NW and 115 Street NW
Addresses:	Multiple - Refer to Schedule B of Bylaw 19816
Legal Descriptions:	Multiple - Refer to Schedule B of Bylaw 19816
Site Area:	N/A
Neighbourhood:	Central McDougall and Queen Mary Park
Notified Community Organizations:	Central McDougall Community League Downtown Edmonton Community League McCauley Community League Queen Mary Park Community League The Rosedale Community League Chinatown and Area Business Improvement Area Downtown Business Improvement Area North Edge Business Improvement Area
Applicant:	Development Services, City of Edmonton

PLANNING FRAMEWORK

Current Zone:	(DC1) Direct Development Control Provision
Proposed Zone:	(DC1) Direct Development Control Provision
Plans in Effect:	Central McDougall/Queen Mary Park ARP
Historic Status:	None

Written By:	Heather Vander Hoek
Approved By:	Tim Ford
Branch:	Development Services
Section:	Planning Coordination