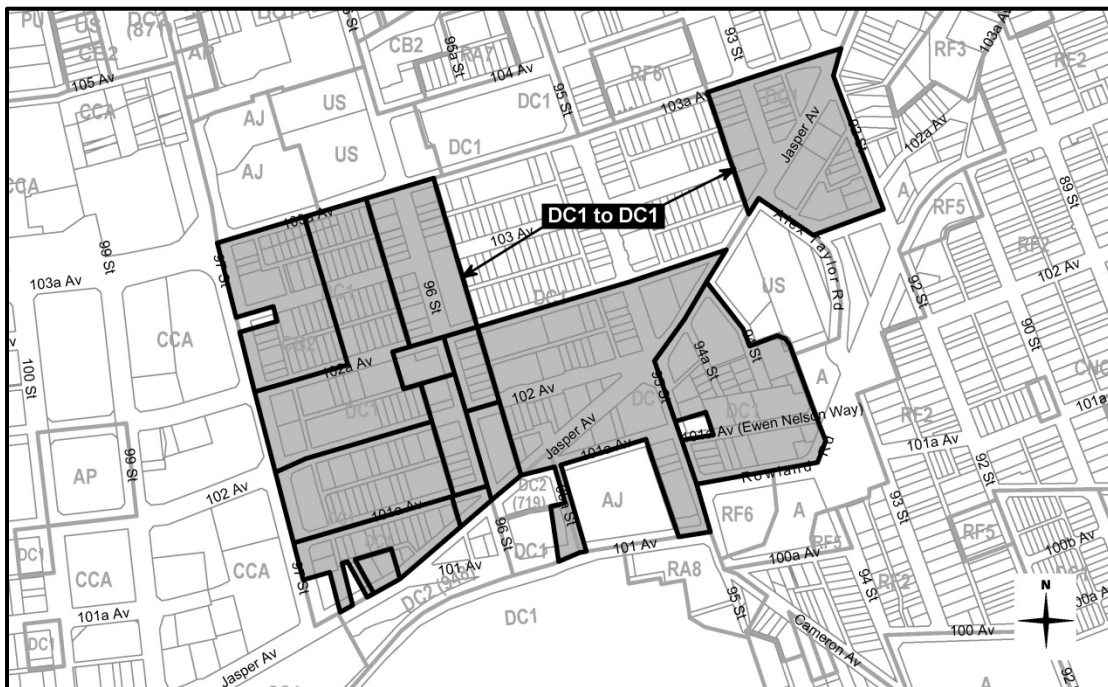




## REZONING APPLICATION THE QUARTERS

**Properties located east of 97 Street NW, west of 92 Street NW, south of 103a Avenue NW, and north of 101 Avenue NW.**

To add the Breweries, Wineries and Distilleries Use to the Direct Development Control Provisions (DC1's) in The Quarters.



## RECOMMENDATION AND JUSTIFICATION

Sustainable Development is in SUPPORT of this application because:

- This application promotes a new local commercial opportunity in The Quarters; and
- The addition of Breweries, Wineries and Distilleries Use is compatible with the surrounding land uses and objectives of The Quarters Area Redevelopment Plan.

## THE APPLICATION

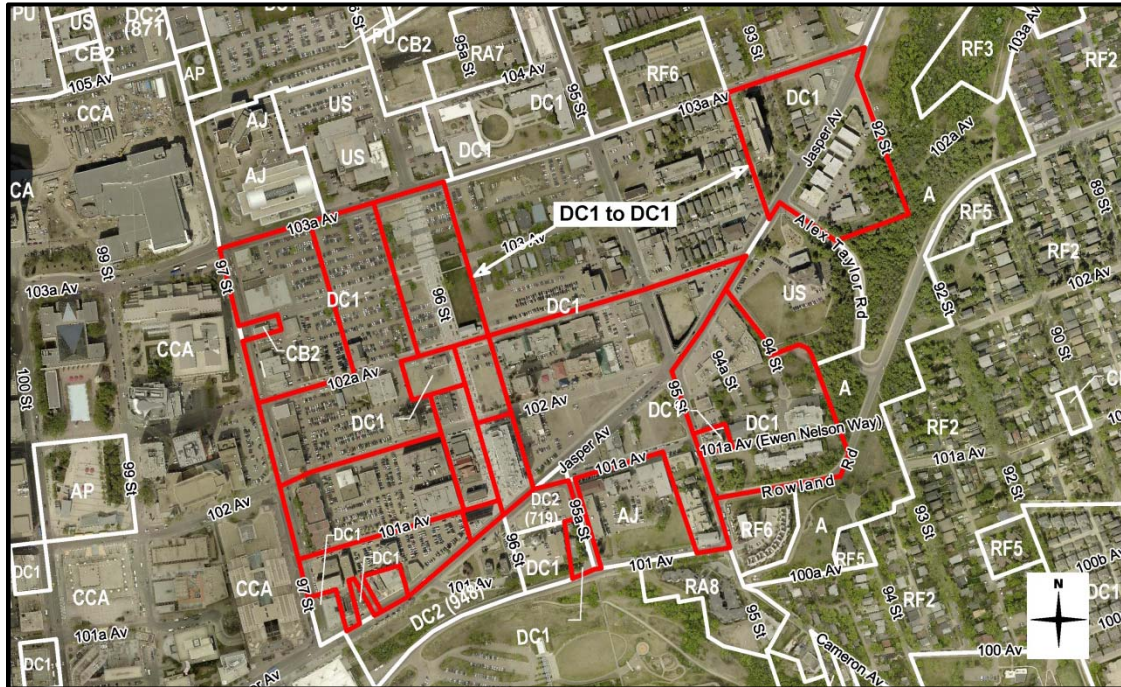
1. BYLAW 18175 to replace existing (DC1) Direct Development Control Provision with a new DC1 Provision to allow for the opportunity to develop Breweries, Wineries, and Distilleries in the Civic Quarter; Area 2-Jasper East Area; Five Corner High Density Quarter; Heritage Quarter; The Armature Areas 1, 2, 3, and 4.

On September 11, 2017, City Council approved amendments to the Edmonton Zoning Bylaw to create additional opportunities for breweries, distilleries and wineries in commercial and industrial zones in Edmonton.

These regulations followed changes by the Alberta Gaming and Liquor Commission which removed the minimum production capacity requirements for breweries, which enabled small scale breweries. As a result, there is growing demand to establish small breweries and distilleries that could be accommodated in buildings found in commercial zones and on main streets.

The September 11, 2017 report which proposed the Breweries, Wineries and Distilleries identified that future plan amendments and rezoning would be completed to introduce the new use to the Strathcona Historic Commercial Area and the The Quarters. As the Zoning Bylaw amendment only impacted standard zones a rezoning is required to add it to specific desired Direct Development Control Provisions.

## SITE AND SURROUNDING AREA



AERIAL VIEW OF APPLICATION AREA

## PLANNING ANALYSIS

Under previous regulations, a brewery, winery or distillery would have to combine the Creation and Production Establishment use with either a Restaurant or a Bar and Neighbourhood Pub. If the business model included alcohol sales and a display area of products produced on-site, the applicant would also require approval for either a Major or Minor Alcohol Sales use. Obtaining approval for Major or Minor Alcohol Sales is particularly difficult in The Quarters due to pre-existing alcohol sales establishments within the required 500 metre buffer radius.

The new Breweries, Wineries and Distilleries use eliminated the need for applicants to obtain permits for multiple combinations of uses, and limits alcohol sales to products produced on site. Breweries, Wineries and Distilleries is defined as follows:

- **Breweries, Wineries and Distilleries** means the manufacturing of beer, wine, spirits or other alcoholic beverages. This Use may include the sale of alcoholic beverages to the public for consumption within the premises. Retail sales of alcoholic beverages for consumption off-Site shall be limited to alcoholic beverages that are manufactured on-Site. Accessory activities may include the preparation and sale of food, and storage, packaging, bottling, canning and shipping of products manufactured within the premises.

The restriction of alcohol sales being limited to products produced on-site makes the Breweries, Wineries, and Distilleries use distinct from the Major and Minor Alcohol Sales use, thereby exempting the use from the Special Land Use provisions for Major and Minor Alcohol Sales.

The Breweries, Wineries and Distilleries amendment included Special Land Use Provisions to manage off-site impacts and ensure the compatibility of the development with its surroundings as outlined in Section 99 of the Zoning Bylaw. This section contains regulations including:

- restricting maximum public space to 80 m<sup>2</sup>;
- prohibiting outdoor public space from being located next to existing residential uses;
- performance standards for storage, waste and odors; and
- requirements for developments to align with Crime Prevention Through Environmental Design principles.

Adding Breweries, Wineries and Distilleries as uses within specific areas of the Quarters ARP is the recommended method for managing a complex use that can occur in a variety of sizes, zones and contexts. The development officer is able to apply policy and discretion to ensure that any off-site impacts on existing developments are mitigated.

Breweries, Wineries and Distilleries within the (DC1) Direct Development Control Provisions in the Quarters would be required to comply with the Special Land Use Provisions (Section 99) which limits the size of public space, and addresses potential impacts on neighbouring properties.

The affected areas of the proposed rezoning application (Civic Quarter; DC1 (Area 2) Jasper East Area; Five Corners High Density Quarter; Heritage Quarter; The Armature Areas 1, 2, 3, and 4) support commercial uses within the land use policies of The Quarters ARP.

## TECHNICAL REVIEW

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

## PUBLIC ENGAGEMENT

|  |  |
|--|--|
| <b>ADVANCE NOTICE</b><br>June 29, 2017 | <ul style="list-style-type: none"><li>• Number of recipients: 407</li><li>• 2 responses received<ul style="list-style-type: none"><li>o Clarification that the proposed bylaw allows for the opportunity for Breweries, Wineries and Distilleries rather than a proposal to develop these uses in all locations.</li></ul></li></ul> |
|--|--|

## CONCLUSION

City Planning recommends that City Council APPROVE this application.

## APPENDICES

- 1 Proposed DC1: Civic Quarter
- 2 Proposed DC1: Five Corner High Density Quarter
- 3 Proposed DC1: Heritage Quarter
- 4 Proposed DC1: Jasper East Area
- 5 Proposed DC1: Armature Area 1, 2, 3
- 6 Proposed DC1: Armature Area 4
- 7 Application Summary

Red Underlined Text = Added Text

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## **(DC1) DIRECT DEVELOPMENT CONTROL PROVISION (CQ) CIVIC QUARTER**

### **1. General Purpose**

The purpose of this Provision is to accommodate civic ~~u~~Uses and mixed-use, medium and high rise development. Development should have active, pedestrian friendly retail frontage along 97 Street that is compatible in scale, function, built form and design with surrounding developments, in accordance with Section 860 of the Zoning Bylaw, The Quarters Downtown Area Redevelopment Plan and The Quarters Downtown Urban Design Plan.

### **2. Area of Application**

This Provision shall apply to Area 1 and Area 2 as shown on Appendix I.

### **3. Uses**

- a. Apartment Hotels
- b. Apartment Housing
- c. Bars and Neighbourhood Pubs
- d. Breweries, Wineries and Distilleries
- e. Business Support Services
- f. Child Care Services
- g. Commercial Schools
- h. Convenience Retail Stores
- i. Extended Medical Treatment Services
- j. General Retail Stores
- k. Government Services
- l. Group Homes
- m. Health Services
- n. Hotels
- o. Indoor Participant Recreation Services
- p. Lodging Houses
- q. Minor Alcohol Sales
- r. Minor Amusement Establishment
- s. Minor Home Based Business
- t. Nightclubs
- u. Personal Service Shops
- v. Private Clubs
- w. Private Education Services
- x. Professional, Financial and Office Support Services
- y. Projecting On-premises Signs



- z. Protective and Emergency Services
- aa. Public Education Services
- bb. Public Libraries and Cultural Exhibits
- cc. Residential Sales Centres
- dd. Restaurants
- ee. Row Housing
- ff. Specialty Food Services
- gg. Stacked Row Housing
- hh. Urban Gardens
- ii. Urban Outdoor Farms
- jj. Veterinary Services
- kk. Fascia On-premises Signs
- ll. Temporary On-premises Signs

#### 4. Development Regulations

##### Area 1

- a. The minimum ~~B~~building Height shall not be less than 11.0 m, nor 3 Storeys.
- b. The maximum ~~B~~building Height shall not exceed 77.0 m, nor 23 Storeys subject to Section 860 of the Zoning Bylaw
- c. The minimum Floor Area Ratio shall be 3.0 subject to Section 860 of the Zoning Bylaw.
- d. The maximum Floor Area Ratio shall be 8.0 subject to Section 860 of the Zoning Bylaw.

##### Area 2

- a. The minimum ~~B~~building Height shall not be less than 11.0 m, nor 3 Storeys.
- b. The maximum ~~B~~building Height shall not exceed 113.0 m, nor 33 Storeys subject to Section 860 of the Zoning Bylaw of the Zoning Bylaw.
- c. The minimum Floor Area Ratio shall be 3.0. subject to Section 860 of the Zoning Bylaw.
- d. The maximum Floor Area Ratio shall be 10.0 subject to Section 860 of the Zoning Bylaw.

##### General Provisions

- a. Bars and Neighbourhood Pubs and Nightclubs shall not exceed a capacity of 200 ~~e~~Occupants or 240m<sup>2</sup> of Public Space.
- b. General Retail Store shall not exceed a Gross Floor Area of 2,100 m<sup>2</sup>.
- c. Specialty Food Services shall not exceed a capacity of 200 ~~e~~Occupants or 120 m<sup>2</sup> of Public Space.
- d. Temporary On-premises Signs shall be limited to project advertising and residential sale purposes only. Trailer mounted ~~s~~Signs and/or ~~s~~Signs with changeable copy are not permitted.

- e. The second and the third Storeys of developments located in the areas identified for Commercial Uses may be used exclusively for either Residential Uses or Commercial Uses.
- f. All on-~~s~~Site resident and tenant parking shall be provided within a structure. Visitor and customer Parking may be provided at ~~g~~Grade to a maximum of 2 stalls per 10.0 m of site frontage.
- g. The first floor of any frontage, including the associated entranceway, shall have a maximum ~~g~~Grade separation of 1.2 m from any ~~a~~Abutting public sidewalk.
- h. Notwithstanding the Incentive System provided for in Section 860 of the Zoning Bylaw, Prior to the issuance of a Development Permit for any base level development, the Development Officer shall ensure a signed agreement exists between the City and the Owner providing the City the option to purchase 5% of the proposed number of residential dwellings at 85% of the market price, OR to address affordable housing contributions as prescribed by City Council policy C582.
- i. Parking shall be provided in accordance with Section 860 of the Zoning Bylaw.
- j. Signage shall be provided in accordance with Section 860 of the Zoning Bylaw.
- ~~k. Urban Outdoor Farms shall comply with Section 98 of the Zoning Bylaw.~~
- ~~l. Urban Gardens shall comply with Section 98 of the Zoning Bylaw.~~

## 5. Urban Design Regulations

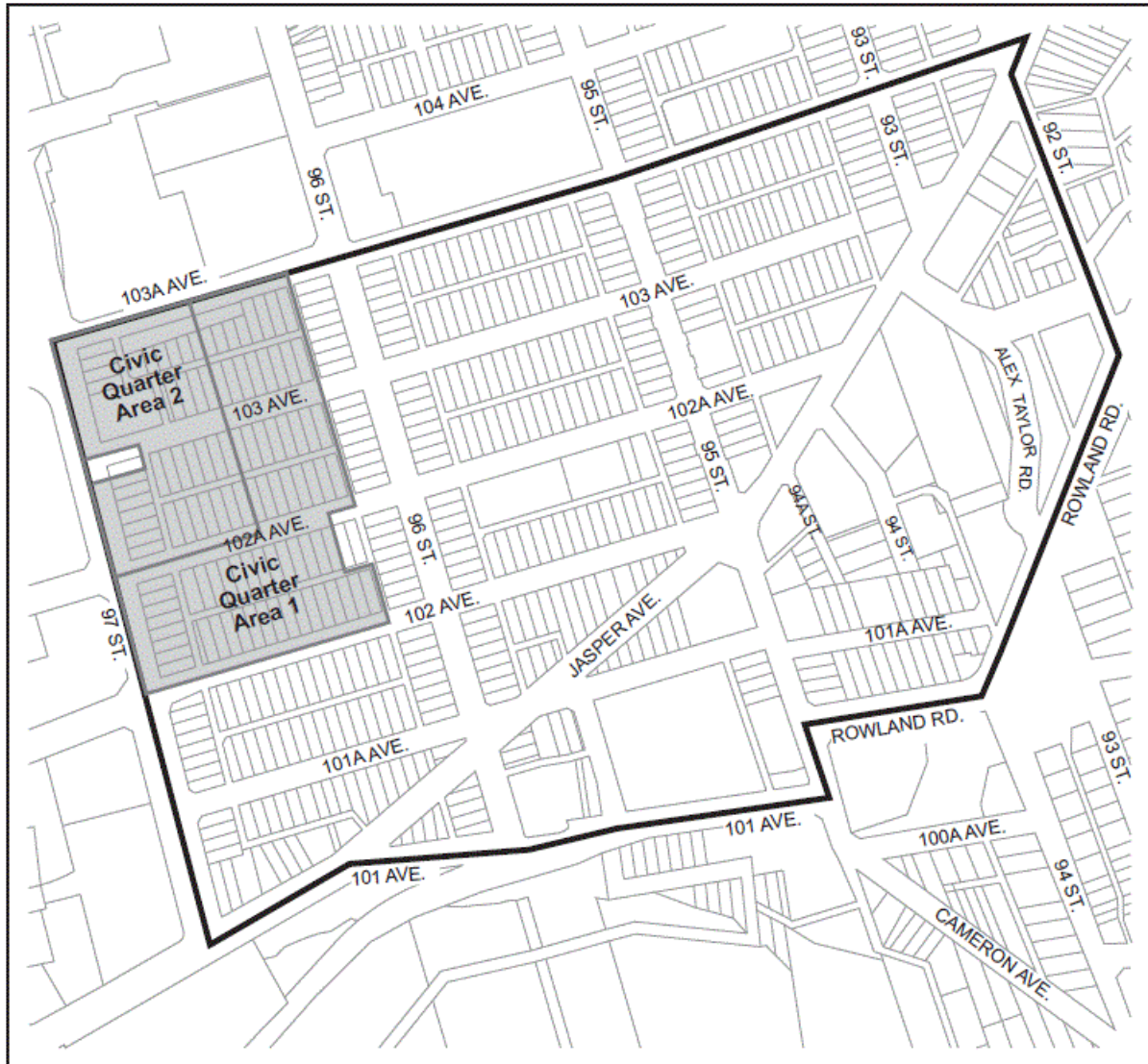
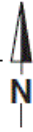
- a. Site Planning shall be addressed in accordance with The Quarters Downtown Urban Design Plan.
- b. Setbacks
  - No ~~B~~building Setbacks are required excepting that:
    - i. A minimum 1.5 m Setback shall be required from an ~~a~~Abutting laneway.
    - ii. A minimum 3.0 m Setback shall be required from north-south mid-block pedestrian street.
- c. Additional ~~B~~building Setbacks may be required where the north-south mid-block pedestrian street intersects 102, 102A, 103 and/ or 103A Avenues ~~NW~~ to provide visual interest and enhance sight-lines to the satisfaction of the Development Officer.
- d. No ~~B~~building ~~s~~Setbacks are required from property lines ~~a~~Abutting Avenue or Street right-of-ways or from ~~H~~lot lines internal to a block.
- e. Additional ~~B~~building Setbacks shall be provided to address sight lines at roadway intersections to the satisfaction of the Development Officer in consultation with Transportation Planning and Engineering.
- f. Additional ~~B~~building Setbacks shall be provided at the discretion of the Development Officer to ensure new development is ~~s~~Setback in manner consistent with existing heritage buildings.
- g. Where the ground floor of any development is designed for Residential Uses, the Development Officer may allow a ~~s~~Setback for the following purposes:
  - i. to allow for staircases to project from the ~~B~~building wall to the property line, and
  - ii. to contain a combination of hard and soft ~~H~~Landscaping.



- h. Where the ground floor of any development is designed for Commercial Uses, **B**buildings shall be built to the front and side property lines. The Development Officer may allow a front **s**Setback to accommodate street related activities such as sidewalk cafes, architectural features and **l**Landscaping.
- i. Stepbacks
  - i. In Areas 1 and 2, a minimum 3.0 m Stepback shall be required for **B**buildings adjacent to an Avenue, Street, laneway, or north-south mid-block pedestrian street at approximately 11.0 m of **B**building **h**Height.
  - ii. At the discretion of the Development Officer, additional **s**Stepbacks may be required adjacent to **l**Lot lines internal to a block having regard to the character of the surrounding built form, the objectives of The Quarters Downtown Urban Design Plan and Crime Prevention Through Environmental Design principles.
- j. Building Entrances shall be developed in accordance with Section 860 of the Zoning Bylaw.
- k. Weather Protection shall be provided in accordance with Section 860 of the Zoning Bylaw.
- l. Architectural Control shall be in accordance with Section 860 of the Zoning Bylaw.



*Civic Quarter*



Red Underlined Text = Added Text

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## **(DC1) DIRECT DEVELOPMENT CONTROL PROVISION (FQ) FIVE CORNERS HIGH DENSITY QUARTER**

### **1. General Purpose**

The purpose of this Provision is to accommodate a predominately high-rise, high density residential development with ground oriented commercial ~~u~~Uses. The development shall be pedestrian friendly and compatible in scale, function, built form and urban design with surrounding developments, in accordance with Section 860 of the Zoning Bylaw, The Quarters Downtown Area Redevelopment Plan and The Quarters Downtown Urban Design Plan.

### **2. Location**

This Provision shall apply to the lands shown on Appendix I.

### **3. Uses**

#### **Area 1**

- a. Apartment Hotels
- b. Apartment Housing
- c. Bars and Neighbourhood Pubs
- d. Breweries, Wineries and Distilleries
- e. Child Care Services
- f. ~~Garage~~ Garden Suites, where developed on a lot occupied by Single Detached Housing at the time this Provision was adopted
- g. Lodging Houses
- h. Minor Home Based Business
- i. Private Education Services
- j. Residential Sales Centres
- k. Single Detached Housing, where existing at the time this Provision was adopted
- l. Temporary On-premises Signs
- m. Stacked Row Housing
- n. Secondary Suites, where developed within existing Single Detached Housing at the time this Provision was adopted
- o. Urban Gardens
- p. Urban Outdoor Farms

#### **Area 2 and Area 3**

- a. All uses in Area 1
- b. Media Studios
- c. Business Support Services

- d. Commercial Schools
- e. Convenience Retail Stores
- f. Extended Medical Treatment Services
- g. General Retail Stores
- h. Health Services
- i. Hotels
- j. Indoor Participant Recreation Services
- k. Minor Alcohol Sales
- l. Minor Amusement Establishment
- m. Nightclubs
- n. Personal Service Shops
- o. Private Clubs
- p. Professional, Financial and Office Support Services
- q. Protective and Emergency Services
- r. Public Education Services
- s. Public Libraries and Cultural Exhibits
- t. Religious Assembly
- u. Residential Sales Centre
- v. Row Housing
- w. Secondhand Stores
- x. Stacked Row Housing
- y. Restaurants
- z. Specialty Food Services
- aa. Veterinary Services
- bb. Fascia On-premises Signs
- cc. Projecting On-premises Signs

#### **4. Development Regulations**

##### **Area 1**

1. The minimum Building Height shall not be less than 11.0 m, nor 3 Storeys.
2. The maximum Building Height shall not exceed 85.0 m, nor 28 Storeys, subject to Section 860 of the Zoning Bylaw.
3. The minimum Floor Area Ratio shall be 3.0, subject to Section 860 of the Zoning Bylaw. The maximum Floor Area Ratio shall be 8.0, subject to Section 860 of the Zoning Bylaw.

##### **Area 2**

1. The minimum Building Height shall not be less than 11.0m, nor 3 Storeys.
2. The maximum Building Height shall not exceed 85.0m, nor 28 Storeys, subject to Section 860 of the Zoning Bylaw and Section 810 of the Zoning Bylaw.
3. The minimum Floor Area Ratio shall be 3.0, subject to Section 860 of the Zoning Bylaw.
4. The maximum Floor Area Ratio shall be 8.0, subject to Section 860 of the Zoning Bylaw.

### Area 3

1. The minimum ~~B~~building Height shall not be less than 11.0m, nor 3 Storeys.
2. The maximum ~~B~~building Height shall not exceed 150.0m, nor 45 Storeys, subject to Section 860 of the Zoning Bylaw and Section 810 of the Zoning Bylaw.
3. The minimum Floor Area Ratio shall be 3.0. subject to Section 860 of the Zoning Bylaw.
4. The maximum Floor Area Ratio shall be 11.0, subject to Section 860 of the Zoning Bylaw.

### General Provisions

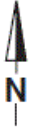
1. Bars and Neighbourhood Pubs and Restaurants shall not exceed a capacity of 100 ~~e~~Occupants or 120m<sup>2</sup> of Public Space.
2. Nightclubs shall not exceed a capacity of 200 ~~e~~Occupants or 240m<sup>2</sup> of Public Space.
3. Specialty Food Services shall not exceed a capacity of 100 ~~e~~Occupants or 150m<sup>2</sup> of Public Space.
4. Stacked Row Housing must be combined with other ~~p~~Permitted ~~u~~Uses.
5. Temporary On-premises Signs shall be limited to project advertising and residential sale purposes only. Trailer mounted ~~s~~Signs and/or ~~s~~Sign with changeable copy shall not be permitted.
6. The minimum Site ~~A~~area shall be 600 m<sup>2</sup>; excepting that the minimum Site ~~A~~area for a ~~t~~Iower is 860 m<sup>2</sup>.
7. The second and third Storeys of developments located in the areas identified for Commercial Uses may be used exclusively for either Residential Uses or Commercial Uses.
8. Residential and Live Work Units shall occupy no less than 33.3% of the Floor Area in new ~~B~~buildings.
9. For Areas 2 and 3, all on-~~s~~Site resident and tenant parking shall be provided within a structure. Visitor and customer ~~P~~arking may be provided at ~~g~~Grade to a maximum of 2 stalls per 10.0 m of ~~s~~Site frontage.
10. Notwithstanding the Incentive System provided for in Section 860 of the Zoning Bylaw, prior to the issuance of a Development Permit for any base level development, the Development Officer shall ensure a signed agreement exists between the City and the Owner providing the City the option to purchase 5% of the proposed number of residential ~~d~~Dwellings at 85% of the market price, OR to address affordable housing contributions as prescribed by City Council policy C582.
11. Parking shall be provided in accordance with Section 860 of the Zoning Bylaw.
12. Signage shall be developed in accordance with Section 860 of the Zoning Bylaw.
13. ~~Urban Outdoor Farms shall comply with Section 98 of the Zoning Bylaw.~~
14. ~~Urban Gardens shall comply with Section 98 of the Zoning Bylaw.~~

## 5. Urban Design Regulations

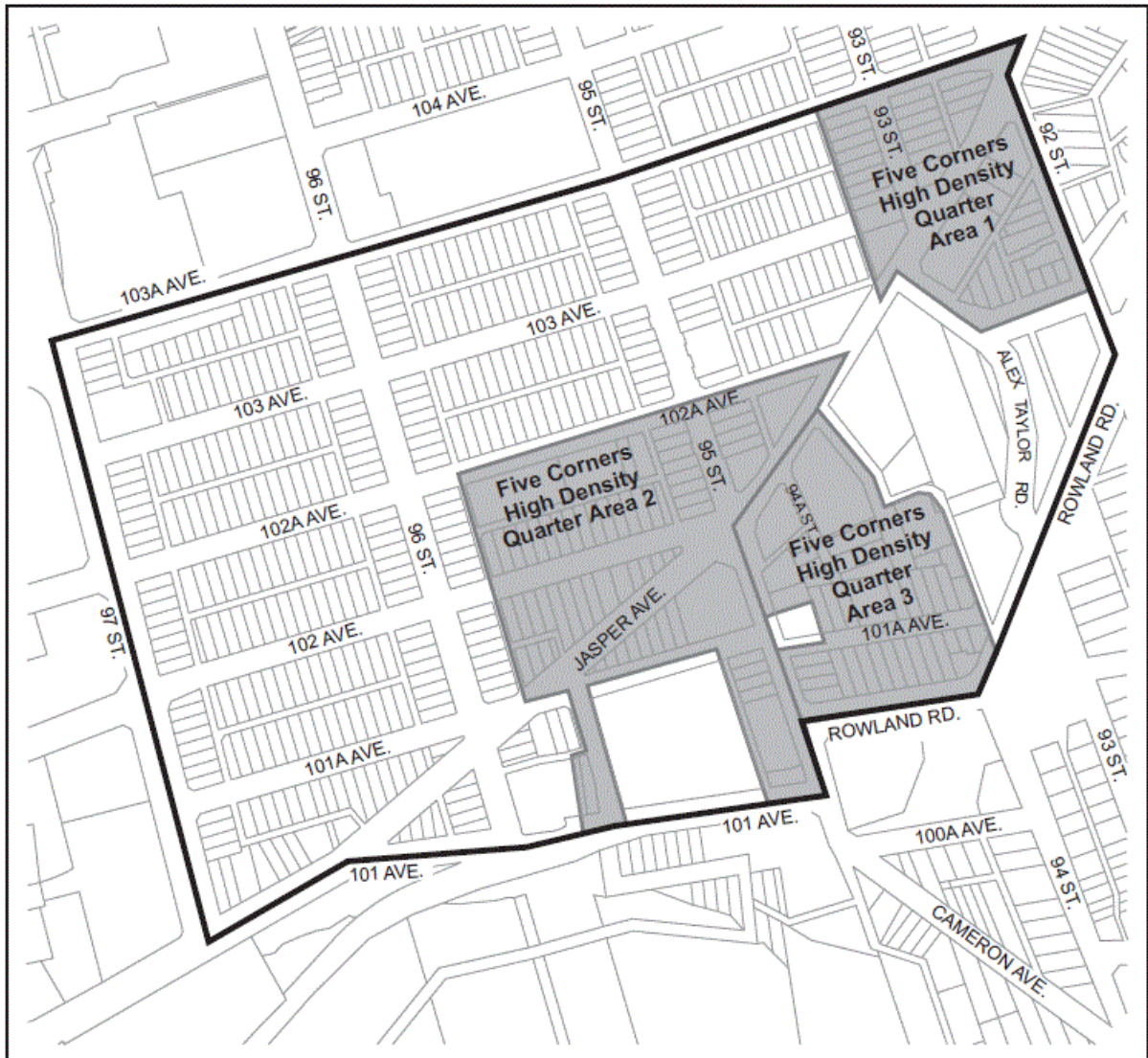
- a. Site **P**lanning shall be in accordance with The Quarters Downtown Urban Design Plan.
- b. In Area 1, a minimum 4.5 m Setback shall be required from any laneway property line, except for entrances to underground parkades.
- c. In Area 1, a minimum 1.0 m Setback shall be required from **L**ot lines internal to a block for every Storey of **B**uildings up to 6 Storeys in **H**Height. A minimum 7.5 m Setback shall be required from **L**ot lines internal to a block for **B**uildings greater than 6 **s**Storeys in **H**Height.
- d. In Areas 2 and 3, a minimum 1.5 m Setback shall be required from any laneway property line, except for entrances to underground parkades.
- e. In Areas 1 and 2, additional **B**uilding Setbacks shall be provided at the discretion of the Development Officer to ensure new development is **s**Setback in manner consistent with existing heritage buildings.
- f. Buildings at the intersection of Jasper Avenue **NW**, 95 Street **NW** and 102 Avenue **NW** shall be Setback to the satisfaction of the Development Officer as follows:
  - i. The first 8.0 m (2 floors) of every **B**uilding at the intersection of Jasper Avenue **NW** and 95 Street **NW** shall be Setback a minimum of 35.0 m from where the centre lines of Jasper Avenue **NW** and 95 Street **NW** intersect.
  - ii. Additional **B**uilding Setbacks shall be provided to address sight lines at roadway intersections to the satisfaction of the Development Officer in consultation with Transportation Planning and Engineering.
- g. Where the ground floor of any development is designed for Commercial Uses, Buildings shall be built to the front and side property lines. The Development Officer may allow a front **s**Setback to accommodate street related activities such as sidewalk cafes, architectural features and **L**andscaping.
- h. Stepbacks
  - i. In Area 2 and 3, no Stepbacks are required adjacent to Streets and Avenues.
  - ii. In Areas 2 and 3, a minimum 3.0 m Stepback shall be required for **T**owers adjacent to laneways at approximately 11.0 m of **B**uilding **H**Height.
  - iii. In Areas 2 and 3, a minimum 7.5 m Stepback shall be required for **T**owers adjacent to internal **L**ot lines at approximately 11.0 m of **B**uilding **H**Height.
  - iv. At the discretion of the Development Officer, Stepbacks may be required adjacent to Streets, Avenues, and **L**ot lines internal to a block having regard to the character of the surrounding built form, the objectives of The Quarters Downtown Urban Design Plan, and Crime Prevention Through Environmental Design principles.
- i. Parking areas shall be developed in accordance with Section 860 of the Zoning Bylaw.
- j. Building Entrances shall be developed in accordance with Section 860 of the Zoning Bylaw.
- k. Weather Protection shall be provided in accordance with Section 860 of the Zoning Bylaw.
- l. Architectural Control shall be in accordance with Section 860 of the Zoning Bylaw.



APPENDIX I



*Five Corners High Density Quarter*



Red Underlined Text = Added Text

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## **(DC1) DIRECT DEVELOPMENT CONTROL PROVISION (HQ) HERITAGE QUARTER**

### **1. General Purpose**

The purpose of this Provision is to preserve and integrate a concentration of Provincially and Municipally designated Historic Resources with new development. This Quarter shall include mixed use development with active commercial or residential frontages that is tourist and pedestrian friendly and compatible in scale, function, built form and design with the historical and architectural character of the area, in accordance with Section 860 of the Zoning Bylaw, The Quarters Downtown Area Redevelopment Plan, and The Quarters Downtown Urban Design Plan.

### **2. Area of Application**

This Provision shall apply to the lands as shown on Appendix I.

### **3. Uses**

- a. Apartment Hotels
- b. Apartment Housing
- c. Auctioneering Establishments
- d. Bars and Neighbourhood Pubs
- e. Breweries, Wineries and Distilleries
- f. Business Support Services
- g. Child Care Services
- h. Commercial Schools
- i. Convenience Retail Stores
- j. General Retail Stores
- k. Government Services
- l. Group Home
- m. Health Services
- n. Hotels
- o. Lodging Houses
- p. Minor Alcohol Sales
- q. Minor Amusement Establishment
- r. Minor Home Based Business
- s. Personal Service Shops
- t. Private Clubs
- u. Professional, Financial and Office Support Services
- v. Protective and Emergency Services
- w. Public Education Services
- x. Public Libraries and Cultural Exhibits

- y. Row housing
- z. Secondhand Stores
- aa. Stacked Row Housing
- bb. Residential Sales Centres
- cc. Restaurants
- dd. Specialty Food Services
- ee. Urban Gardens
- ff. Urban Outdoor Farms
- gg. Veterinary Services
- hh. Fascia On-premises Signs
- ii. Projecting On-premises Signs
- jj. Temporary On-premises Signs

#### 4. Development Regulations

##### Area 1

- a. The minimum ~~B~~building Height shall not be less than 11.0m, nor 3 Storeys.
- b. The maximum ~~B~~building Height shall not exceed 23.0 m, nor 6 Storeys, subject to Section 860 of the Zoning Bylaw.
- c. The minimum Floor Area Ratio shall be 3.0, subject to Section 860 of the Zoning Bylaw.
- d. The maximum Floor Area Ratio shall be 4.5, subject to Section 860 of the Zoning Bylaw.

##### Area 2

- a. The minimum ~~B~~building Height shall not be less than 11.0m, nor 3 Storeys.
- b. The maximum ~~B~~building Height shall not exceed 50.0 m, nor 15 Storeys, subject to Section 860 of the Zoning Bylaw and Section 810 of the Zoning Bylaw.
- c. The minimum Floor Area Ratio shall be 3.0, subject to Section 860 of the Zoning Bylaw.
- d. The maximum Floor Area Ratio shall be 6.0, subject to Section 860 of the Zoning Bylaw.

##### General Provisions

- a. Residential and Residential Related Uses shall be located above the ground floor.
- b. Residential and Live Work Units shall occupy no less than 33.3% of the Floor Area in new ~~B~~buildings.
- c. Bars and Neighbourhood Pubs shall not exceed a capacity of 150 ~~e~~Occupants or 180m<sup>2</sup> of Public Space.
- d. Minor Amusement Establishments shall only be permitted as an accessory ~~u~~Use to a ~~r~~Restaurant.
- e. Restaurants and Specialty Food Services shall not exceed a capacity of 200 ~~e~~Occupants or 240m<sup>2</sup> of Public Space

- f. Temporary On-premises Signs shall be limited to project advertising and residential sale purposes only. Trailer mounted ~~s~~Signs and/or ~~s~~Signs with changeable copy shall not be permitted.
- g. Notwithstanding the Incentive System provided for in Section 860 of the Zoning Bylaw, ~~P~~prior to the issuance of a Development Permit for any base level development, the Development Officer shall ensure a signed agreement exists between the City and the Owner providing the City the option to purchase 5% of the proposed number of residential dwellings at 85% of the market price, OR to address affordable housing contributions as prescribed by City Council policy C582.
- h. Parking shall be provided in accordance with Section 860 of the Zoning Bylaw.
- i. Signage shall be developed in accordance with Section 860 of the Zoning Bylaw.
- j. ~~Urban Outdoor Farms shall comply with Section 98 of the Zoning Bylaw.~~
- k. ~~Urban Gardens shall comply with Section 98 of the Zoning Bylaw.~~

## 5. Urban Design Regulations

- a. Site planning shall be in accordance with The Quarters Downtown Urban Design Plan.
- b. Setbacks  
No ~~B~~building setbacks are required excepting that:
  - i. The minimum ~~B~~building Setback from an ~~a~~Abutting laneway in Area 2 shall be 1.5m.
  - ii. A minimum 3.0 m Setback shall be required from the north-south mid-block pedestrian street.
- c. Additional ~~B~~building Setbacks may be required where the north-south mid-block pedestrian street intersects Jasper Avenue, or 101A and 102 Avenue ~~NW~~ to provide visual interest and enhance sightlines to the satisfaction of the Development Officer.
- d. Additional ~~B~~building Setbacks shall be provided to address sight lines at roadway intersections to the satisfaction of the Development Officer in consultation with Transportation Planning and Engineering.
- e. Additional ~~B~~building Setbacks shall be provided at the discretion of the Development Officer to ensure new development is ~~s~~Setback in manner consistent with existing heritage buildings.
- f. Where the ground floor of any development is designed for Residential Uses, the Development Officer may allow a ~~s~~Setback for the following purposes:
  - i. to allow for staircases to project from the ~~B~~building wall to the property line, and
  - ii. to contain a combination of hard and soft ~~H~~Landscaping.
- g. Where the ground floor of any development is designed for Commercial Uses, ~~B~~buildings shall be built to the front and side property lines. The Development Officer may allow a front ~~s~~Setback to accommodate street related activities such as sidewalk cafes, architectural features and ~~H~~Landscaping.

h. Building Stepbacks

In Area 1, no **B**uilding Stepbacks are required.

- i. In Area 2, no **B**uilding Stepbacks are required for **B**uildings adjacent to Street right-of-ways or **L**ot lines internal to a block.
- ii. In Area 2, a minimum 3.0 Stepback shall be required for **B**uildings at approximately 21.0 m of **B**uilding **H**Height.
- iii. In Area 2, a minimum 3.0 Stepback shall be required for **B**uildings adjacent to the north-south, mid-block pedestrian street at approximately 7.0m and 14.0m of **B**uilding **H**Height.

**Or**

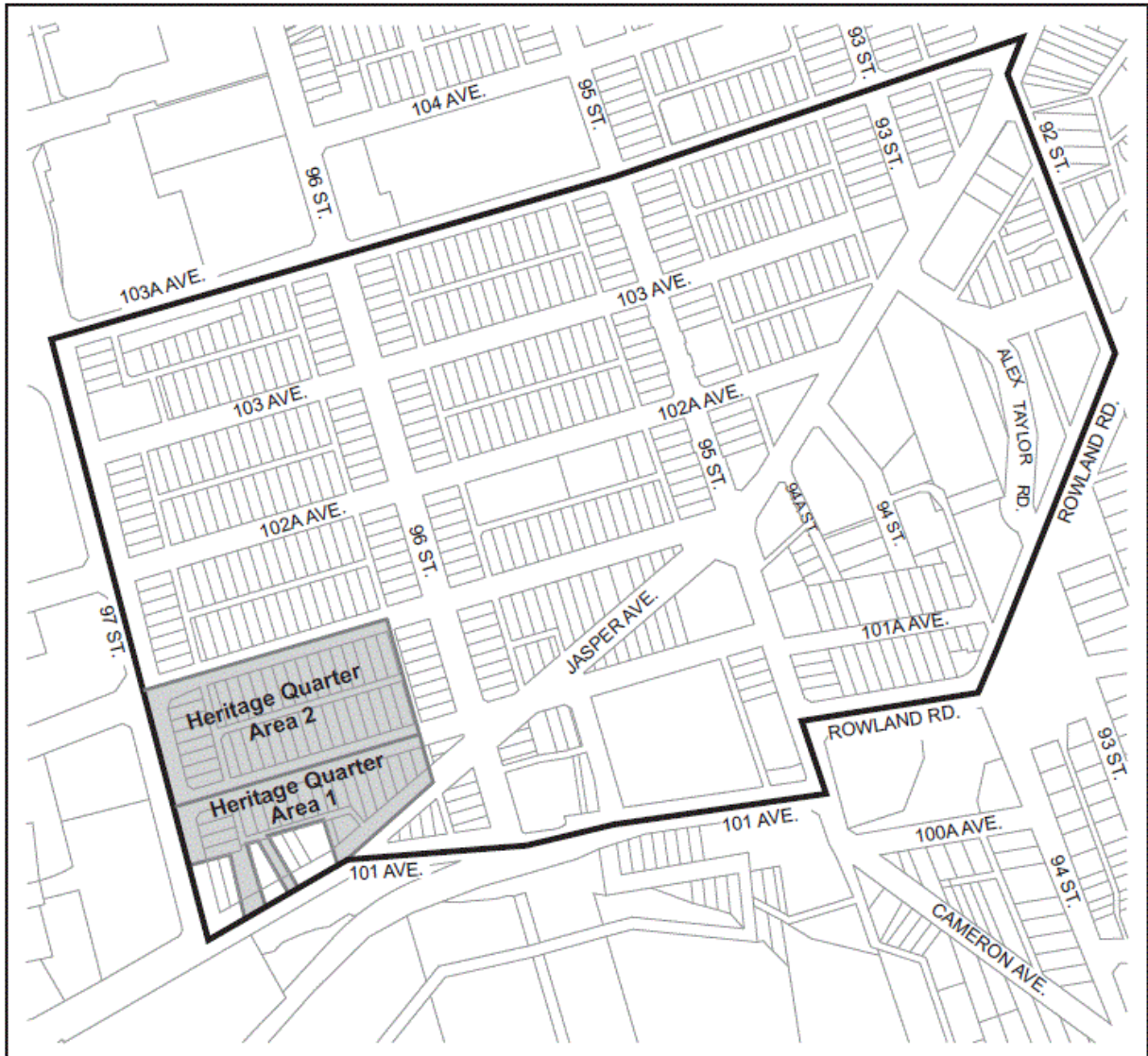
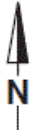
- iv. In Area 2, a minimum 6.0 m Stepback shall be required for **B**uildings adjacent to any north-south, mid-block pedestrian street at approximately 11.0 m of **B**uilding **H**Height.
- v. At the discretion of the Development Officer, Stepbacks may be required for **B**uildings adjacent to Street rights-of-way or **L**ot lines internal to a block, having regard for the character of the surrounding built form, the objectives of The Quarters Downtown Urban Design Plan and Crime Prevention Through Environmental Design principles.
- i. Parking areas shall be developed in accordance with Section 860 of the Zoning Bylaw.
- j. Building Entrances shall be developed in accordance with Section 860 of the Zoning Bylaw.
- k. Weather Protection shall be provided in accordance with Section 860 of the Zoning Bylaw.
- l. Architectural control shall be in accordance with Section 860 of the Zoning Bylaw.

APPENDIX I





*Heritage Quarter*





Red Underlined Text = Added Text

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## **(DC1) DIRECT DEVELOPMENT CONTROL PROVISION**

### **DC1 (Area 2) Jasper East Area**

#### **(Section 710, Land Use Bylaw)**

##### **1. General Purpose**

To provide a Direct Development Control District to preserve and enhance a special heritage area comprised of historic, civic and cultural elements while permitting a wide range of general business commercial and residential opportunities. The District supports the adaptive reuse of historic buildings and provides guidelines for sympathetic infill development along Jasper Avenue and 97 Street. The District also creates a pedestrian-oriented linkage between major developments in the Downtown and the Chinatown areas in order to achieve the intent of Section 7.2.6 of the Boyle Street/McCauley Area Redevelopment Plan.

##### **2. Area of Application**

This Provision shall apply to the lands as shown in Appendix I of Schedule "I".

##### **3. Uses**

The following uses are prescribed for lands designated DC1 (Area 2) Sub-Area 1 pursuant to Section 710.3 of the Land Use Bylaw.

- a. Alcohol Sales, Minor
- b. Amusement Establishments, Major and Minor
- c. Apartment Hotels
- d. Apartment Housing
- e. Breweries, Wineries and Distilleries
- f. Boarding and Lodging Houses
- g. Broadcasting and Motion Picture Studios
- h. Business Support Services
- i. Carnivals
- j. Child Care Services
- k. Commercial Schools

- l. Custom Manufacturing Establishments
- m. Eating and Drinking Establishments, Major and Minor
- n. Exhibition and Convention Facilities
- o. Government Services
- p. Group Homes
- q. Health Services
- r. Home Occupation, Major and Minor
- s. Hotel
- t. Household Repair Services
- u. Indoor Participant Recreation Services
- v. Limited Group Homes
- w. Non-accessory Parking
- x. Personal Service Shops
- y. Private Clubs
- z. Private Education Services
- aa. Professional Offices
- bb. Professional, Financial and Office Support Services

#### **4. Development Criteria**

The following development criteria shall apply to the prescribed uses pursuant to Section 710.4 of the Land Use Bylaw.

- a. All development in this district shall meet the requirements established herein and where not superseded by the development criteria, design guidelines and sign regulations of this District, to the satisfaction of the Development Officer in consultation of the Heritage Planner, in accordance with the regulations contained in the Land Use Bylaw No. 5996, as amended and the objectives set out in the Boyle Street/McCauley Area Redevelopment Plan, as amended.
- b. The maximum floor area ratio shall be 4.0.
- c. The maximum building height shall not exceed 14 m (45.9 ft.) nor 4 storeys.

- d. Buildings shall be built to the front property line abutting a public roadway.
- e. Buildings shall be built to the side property lines.
- f. Buildings shall be built to the rear property line except for providing parking and/or loading and unloading facilities, in which case the rear setback shall be according to Section 65.4 and Section 66.3 of the Land Use Bylaw.
- g. Development Criteria for Apartment Housing:
  - i. Apartment Housing shall be permitted only in buildings where the first storey is used for commercial purposes;
  - ii. the housing component shall have access at grade which is separate from the access for the commercial premises;
  - iii. the maximum residential density shall be:
    - A. 370 dwellings/ha (150 dwellings/acre) for any site less than 1,350 m<sup>2</sup> (14,531 sq. ft.); or
    - B. 500 dwellings/ha (202 dwellings/acre) for any site of 1,350 m<sup>2</sup> (14,531 sq. ft.) or greater; or
    - C. 200 dwellings/ha (81 dwellings/acre) for any site less than 885 m<sup>2</sup> (9,526 sq. ft.); and
    - D. where a development contains two or more dwelling units, a minimum of 7.5 m<sup>2</sup> (80.7 sq. ft.) of Amenity Area is required per unit, in accordance with the provisions of Section 56 of the Land Use Bylaw.
- h. A minimum Amenity Area of 4% of the non-residential gross floor area shall be provided and for non-residential development greater than 1,852 m<sup>2</sup> (20,000 sq. ft.).
- i. Loading, storage and trash collection areas shall be located to the rear of the principal building and shall be screened from view from any adjacent sites, public roadways in accordance with the provisions of subsection 69.4 of the Land Use Bylaw.
- j. Off-street parking for new development shall be provided in accordance with the schedule listed below:
  - i. For Apartment Housing and Apartment Hotels:

0.5 parking spaces per bed-sitting room Dwelling, 0.75 parking space per 1 bedroom Dwelling, 1 parking space per 2 bedroom Dwelling or larger. Of the total number required, 1 guest parking space per every 7 Dwelling must be readily available to an entrance of the building to be served, and must be clearly identified as guest parking.

ii. For Non-residential Use Classes:

1 space per 300 m<sup>2</sup> (1 per 3,229 sq. ft.) of gross floor area; notwithstanding this minimum, the maximum shall be 1 space per 100 m<sup>2</sup> (1 per 1,076 sq. ft.) of gross floor area.

- k. Off-street parking for existing building, including renovation and rehabilitation projects, will only be required to maintain existing parking on-site.
- l. Accessory parking shall be located at the rear of the building and access to the parking shall be restricted to the rear lane.
- m. Vehicular access to properties shall be from the rear lanes to maintain an uninterrupted breaks in the street facade and strengthen the historic character of the district. Where there is no rear lane, vehicular access shall be from IOIA Avenue. There shall be no vehicular access from Jasper Avenue or 97 Street.
- n. Off-street vehicular loading and unloading spaces for new development shall be provided in accordance with Section 65 of the Land Use Bylaw, as amended where development occurs.
- o. Off-street vehicular loading and unloading spaces for existing building, including renovation and rehabilitation projects, will only required to maintain existing off-street loading and unloading facilities.

p. Development Criteria for Non-accessory Surface Parking:

- i. Non-accessory Surface Parking lots shall provide a minimum 2 m (6.6 ft.) landscaped setback from any property line abutting a public roadway and lane in addition to the landscaping requirements as per Section 69 of the Land Use Bylaw to the satisfaction of the Development Officer;
- ii. storage materials and the piling of snow on Non-accessory Surface Parking lots shall be in a location away from the public roadway to improve safety and visibility to the satisfaction of the Development Officer; and
- iii. Non-accessory Surface Parking lots shall be provided to the satisfaction of the Development Officer in accordance with CPTED (Crime Prevention Through Environmental Design) principles, as identified in Section 77 of the Land Use Bylaw.

q. Architectural design guidelines for infill development along Jasper Avenue and 97 Street:

- i. development which incorporates or is adjacent to historic buildings along Jasper Avenue and 97 Street should be designed in a complementary manner and in accordance with conservation

principles and practices with regard to addition/alterations to historic buildings.

Any new development must relate to the following elements of adjacent historic buildings, as illustrated in Appendix 2:

- A. building Façade and design elements, e.g. horizontal elements, vertical design elements, rhythm of window openings, pilasters and other design elements on both the ground and upper Storeys;
- B. building materials (type, colour and texture); and
- C. architectural detailing.

r. Development Criteria for Signs along Jasper Avenue and 97 Street:

- i. development which incorporates or is adjacent to historic buildings along Jasper Avenue and 97 Street should be designed in a complementary manner that, as much as is practicable, follow the traditional pattern and location of signs, as illustrated in Appendix 3;
- ii. a Comprehensive Sign Design Plan in accordance with Section 79.6 of the Land Use Bylaw showing the sign and the complete facade of the building on which the sign shall be located shall be prepared for the development and submitted with the development or sign permit application to be approved by the Development Officer in consultation with the Heritage Planner;
- iii. maximum amount of signage and signage by type will be determined by building frontage;
- iv. signs permitted shall include Fascia Signs, Projecting Signs, Signs under Awnings or Canopies, Window Signs, and Signs on Awnings;
- v. Painted Wall Signs are NOT permitted on all facades of a building except where a painted wall sign is already existed. Such painted wall signs shall only be allowed to be maintained; and
- vi. Signs not permitted include scintillating, flashing, animated, rotating and balloon signs and billboards.

s. Development in this District shall be evaluated with respect to compliance with the General Development Regulations of Sections 50 to 79 inclusive of the Land Use Bylaw and in accordance with conservation principles and practices as it pertains to historic buildings.

t. The Development Officer, in consultation with the Heritage Planner, may grant relaxation to Section 50 to 79 of the Land Use Bylaw, if in his opinion, such a variance would be in keeping with the general purpose of this District and the

objectives of Section 7.2.6 of the Boyle Street/McCauley Area Redevelopment Plan, as amended and would not affect the amenities, use and enjoyment of the neighbouring properties.

- u. Development in this District shall be evaluated with respect to compliance with the Special Land Use Provisions of Sections 80 to 102 inclusive of the Land Use Bylaw and in accordance with conservation principles and practices as it pertains to historic buildings.



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## **(DC1) DIRECT DEVELOPMENT CONTROL PROVISION (AQ) THE ARMATURE AREAS 1, 2 and 3**

### **1. General Purpose**

The purpose of this Provision is to accommodate mid- and high-rise mixed-use (but predominately residential) development with active retail and residential street frontages that is pedestrian friendly and compatible in scale, function, built form and design with surrounding developments and open space and/or accessible public assembly space for passive and active use, all in accordance with Section 860 of the Zoning Bylaw, The Quarters Downtown Area Redevelopment Plan and The Quarters Downtown Urban Design Plan.

### **2. Area of Application**

The Armature encompasses lands bounded to the west by the north-south laneway west of 96 Street, to the north by 103A Avenue NW, to the east by the north south laneway east of 96 Street NW and to the south by 101A Avenue NW and Jasper Avenue NW. Within the Armature there are three development areas as indicated in Appendix 1.

- Area 1 includes lands bounded to the north by 102 Avenue NW, to the west by 96 Street NW, Jasper Avenue NW to the south and to the east by the north-south alley.
- Area 2 includes lands bounded to the north by 102A Avenue NW, to the west by 96 Street NW, 102 Avenue NW to the south and to the east by the north-south alley.
- Area 3 includes all Armature lands excluding Areas 1 and 2.

### **3. Uses**

- a. Apartment Housing
- b. Apartment Hotels
- c. Bars and Neighbourhood Pubs
- d. Breweries, Wineries and Distilleries
- e. Business Support Services
- f. Child Care Services
- g. Commercial Schools
- h. Community Recreation Services
- i. Convenience Retail Stores
- j. Custom Manufacturing Establishments
- k. Equipment Rentals
- l. General Retail Stores

- m. Health Services
- n. Hotels
- o. Household Repair Services
- p. Indoor Participant Recreation Services
- q. Limited Group Homes
- r. Live-Work Unit
- s. Lodging Houses
- t. Minor Alcohol Sales
- u. Minor Amusement Establishment
- v. Minor Home Based Business
- w. Personal Service Shops
- x. Professional, Financial and Office Support Services
- y. Public Libraries and Cultural Events
- z. Public Park
- aa. Residential Sales Centres
- bb. Restaurants
- cc. Specialty Food Services
- dd. Stacked Row Housing including Row Housing but excluding Semi-detached and Duplex Housing
- ee. Urban Gardens
- ff. Urban Outdoor Farms
- gg. Veterinary Services
- hh. Fascia On-premises Signs
- ii. Projecting On-premises Signs
- jj. Temporary On-premises Signs

#### 4. Development Regulations

- a. The minimum ~~B~~building Height shall be not be less than 11.0m nor 3 ~~s~~Storeys.
- b. The maximum ~~B~~building Height within Area 1 shall not exceed 52.0m, nor 12 ~~s~~Storeys, subject to Section 860 of the Zoning Bylaw.
- c. The maximum Building Height within Area 2 shall not exceed 40.0m nor 9 ~~s~~Storeys subject to Section 860 of the Zoning Bylaw.
- d. The maximum Building Height within Area 3 shall not exceed 23.0m, nor 6 ~~s~~Storeys, subject to Section 860 of the Zoning Bylaw.
- e. The minimum Floor Area Ratio shall be 3.0 subject to Section 860 of the Zoning Bylaw.
- f. The Maximum Floor Area Ratio within Area 1 shall be 8.75 subject to Section 860 of the Zoning Bylaw.
- g. The Maximum Floor Area Ratio within Area 2 shall be 6.5 subject to Section 860 of the Zoning Bylaw.
- h. The Maximum Floor Area Ratio within Area 3 shall be 4.5 subject to Section 860 of the Zoning Bylaw.

#### ~~General Provisions~~

- i. Bars and Neighbourhood Pubs shall not exceed a capacity of 200 ~~o~~Occupants or 240m<sup>2</sup> of Public Space.
- j. Lodging Houses shall not isolate an adjacent ~~s~~Site within this Zone of less than 800m<sup>2</sup>.
- k. Equipment Rentals shall be fully enclosed within a building.
- l. General Retail Stores shall not exceed a capacity of 750m<sup>2</sup> of ~~G~~ross Floor Area.
- m. Minor Amusement Establishments shall only be permitted as an accessory ~~u~~Use to a Restaurant.
- n. Restaurants shall not exceed a capacity of 200 ~~o~~Occupants or 240m<sup>2</sup> of Public Space.
- o. Specialty Food Services shall not exceed a capacity of 150 ~~o~~Occupants or 75m<sup>2</sup> of Public Space.
- p. Stacked Row Housing and Row Housing shall not isolate another ~~s~~Site within this Zone of less than 800m<sup>2</sup>.
- q. Temporary On-premises Signs shall be limited to project advertising and residential sale purposes only. Trailer mounted ~~s~~Signs and/or ~~s~~Signs with changeable copy shall not be permitted.
- r. The first floor of any frontage, including the associated entranceway, shall have a maximum ~~g~~Grade separation of 1.2m from any ~~a~~Abutting public sidewalk.
- s. Notwithstanding the Incentive System provided for in Section 860 of the Zoning Bylaw, prior to the issuance of a Development Permit for any base level development, the Development Officer shall ensure that a signed agreement has been executed between the City and the Owner requiring the Owner to provide the City at the time of Development Permit approval, the option to purchase 5% of the proposed number of residential units at 85% of the list price, or to provide the equivalent value as cash-in-lieu to the City, or as prescribed in any future City of Edmonton Affordable Housing Policy initiatives as prescribed by City Council. C582.

Except:

Within Area 1, the Development Officer shall ensure that a signed agreement has been executed between the City and the Owner requiring a cash-in-lieu contribution equivalent to 0.75% of the construction value of the entire facility.

- t. Within Area 1 and 2, the applicant and/or owner shall provide proof satisfactory to the Development Officer in consultation with Alberta Environment, Albert Health, and the City of Edmonton Transportation Planning and Engineering that, if necessary, the land has been remediated to allow for the intended ~~u~~Uses, excepting the parkade excavation Building Permit. The Development ~~Planning~~ Officer shall not physically release the Development Permit for the purposes of a Building Permit until this condition has been adequately satisfied through sign-off letters from the reviewing agencies.
- u. Within Area 1, an update Transportation Impact Assessment shall be provided prior to the issuance of any Development Permit. The issuance of any

Development Permit for the site is subject to there being sufficient capacity on the adjacent roadway network, as well as adequate access via the adjacent alley to accommodate the traffic associated with the development, and shall be to the satisfaction of the Development Officer and Transportation Planning and Engineering.

v. Within Area 3, Residential and Live Work Units shall occupy no less than 33.3% of the Floor Area in new ~~B~~building.

w. Parking shall be provided in accordance with Section 860 of the Zoning Bylaw.

x. Signage shall be provided in accordance with Section 860 of the Zoning Bylaw.

~~y. Urban Outdoor Farms shall comply with Section 98 of the Zoning Bylaw.~~

~~z. Urban Gardens shall comply with Section 98 of the Zoning Bylaw.~~

## 5. Urban Design Regulations

a. Site Planning shall be in accordance with the Quarters Downtown Urban Design Plan.

b. Setbacks:

i. East of 96 Street NW, no building Setbacks are required.

ii. West of 96 Street NW, no Setbacks are required except a minimum 1.0m Setback may be required for each Storey of building ~~H~~Height from the rear laneway property line.

c. Stepbacks:

i. No Stepbacks are required for buildings adjacent to Avenues.

ii. For buildings adjacent to the east side of 96 Street NW within Area 3, a minimum 3.0m Stepback shall be provided at approximately 7.0\_m OR 11.0 m building ~~H~~Height.

iii. For buildings adjacent to the west side of 96 Street NW, two Stepbacks, a minimum 3.0m each shall be provided at approximately 7.0\_m and 14.0\_m of building ~~H~~Height.

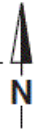
iv. For buildings adjacent to the laneway west side of 96 Street NW, a Stepback may be required at approximately 11.0m of building ~~H~~Height.

v. At the discretion of the Development Officer, Stepbacks may be required adjacent to ~~H~~Lot lines internal to a block having regard to the character of the surrounding built form, the objectives of the Quarters Downtown Urban Design Plan and Crime Prevention Through Environmental Design principles.

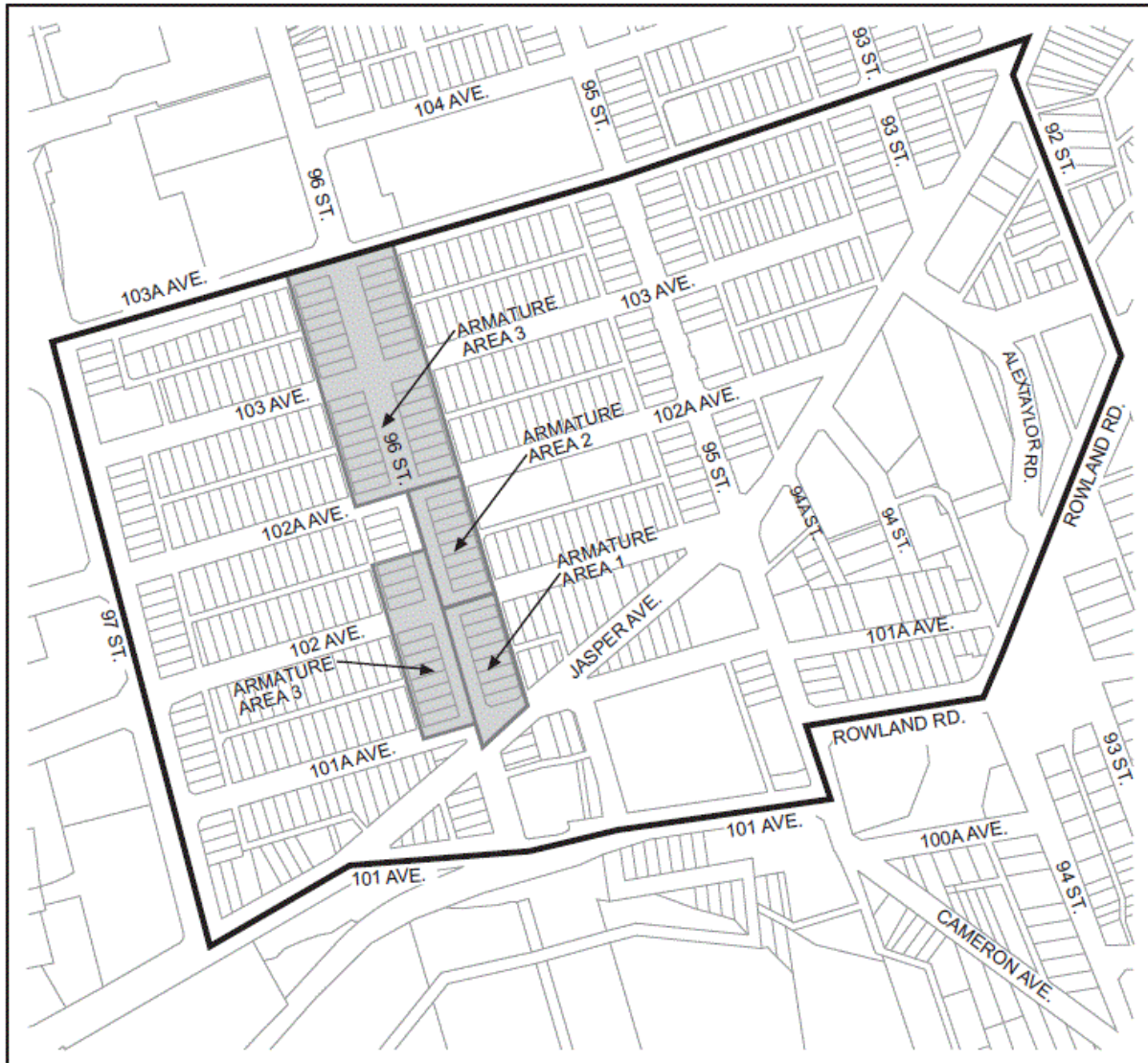
vi. Building entrances shall be developed in accordance with Section 860 of the Zoning Bylaw.

vii. Weather protection shall be provided in accordance with Section 860 of the Zoning Bylaw.

viii. Architectural control shall be in accordance with Section 860 of the Zoning Bylaw.



## *The Armature*



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## **(DC1) DIRECT DEVELOPMENT CONTROL PROVISION (AQ) THE ARMATURE AREA 4**

### **East of 97 Street NW and South of 103A Avenue NW**

#### **1. General Purpose**

The purpose of this Provision is to accommodate a high-rise, mixed-use development that provides space for Live Work residential units, art studios and arts organizations, provides for an active and inviting pedestrian oriented streetscape fronting onto 102A Avenue NW and 96 Street NW and, incorporating and maintaining the north and east historic Koermann Block building ~~Fa~~ecades within the development

#### **2. Area of Application**

This Provision shall apply to the ~~s~~Site legally described as Lots 5-10, Block 6, Plan ND, located at the southwest corner of 102A Avenue NW and 96 Street NW, as shown in Appendix I.

#### **3. Uses**

- a. Apartment Hotels
- b. Apartment Housing
- c. Bars and Neighbourhood Pubs
- d. Breweries, Wineries and Distilleries
- e. Business Support Services
- f. Child Care Services
- g. Commercial Schools
- h. Community Recreation Services
- i. Convenience Retail Stores
- j. Creation and Production Establishments
- k. General Retail Stores
- l. Household Repair Services
- m. Indoor Participant Recreation Services
- n. Live Work Units
- o. Lodging Houses
- p. Media Studios
- q. Minor Alcohol Sales
- r. Minor Amusement Establishment
- s. Minor Home Based Business
- t. Non-accessory Parking
- u. Personal Service Shops
- v. Professional, Financial and Office Support Services



- w. Public Education Services
- x. Public Libraries and Cultural Exhibits
- y. Private Education Services
- z. Residential Sales Centres
- aa. Restaurants
- bb. Specialty Food Services
- cc. Spectator Entertainment Establishments
- dd. Fascia On-premises Signs
- ee. Minor Digital On-premises Signs
- ff. Projecting On-premises Signs
- gg. Temporary On-premises Signs

#### 4. Development Regulations

##### 4.1 General

- a. Development shall be in general accordance with Appendices II - IX.
- b. The maximum ~~B~~building Height shall not exceed 77.0\_m.
- c. The maximum ~~P~~podium Height shall not exceed 18.5\_m.
- d. The maximum Floor Area Ratio shall be 8.0.
- e. The maximum number of Dwelling ~~U~~units, including Live Work Units, shall be 75.
- f. The maximum Tower Floor Plate shall not exceed 700 ~~m<sup>2</sup>sq-m~~.
- g. Bars and Neighbourhood Pubs and Restaurants Uses shall not exceed a capacity of 200 ~~e~~Occupants or 240\_m<sup>2</sup> of Public Space.
- h. Specialty Food Services Use shall not exceed a capacity of 200 ~~e~~Occupants or 120\_m<sup>2</sup> of Public Space.
- i. Personal Services Shops shall not include Body Rub Centres.
- j. Residential Sales Centres shall be limited to the marketing of on-~~s~~Site condominium or rental units.
- k. A maximum of one (1) General Retail Store shall be limited to a ~~G~~gross Floor Area of 1,850 m<sup>2</sup>. Additional General Retail Stores shall be limited to a ~~G~~gross Floor Area of 750\_m<sup>2</sup>.
- l. Main building entrances for Apartment Housing and Commercial Uses shall be designed for universal accessibility and shall minimize level changes from the sidewalk.
- m. A minimum of 5.0 m<sup>2</sup> of Amenity Area per Live Work Unit or per Dwelling shall be provided in accordance with Section 46 of the Edmonton Zoning Bylaw.
- n. Platform Structures in the form of balconies may project a maximum of 2.4 m into the Tower Stepbacks.
- o. All mechanical equipment, including roof mechanical units, shall be screened and integrated into the total building design.
- p. All Regulations in the Zoning Bylaw shall apply to development in the Direct Control Provision, unless such Regulations are specifically excluded or modified in a Direct Control Provision.
- q. Prior to the issuance of any Development Permit a Crime Prevention Through Environmental Design (CPTED) 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 Guidelines for a Safer City (City of Edmonton 1995).

- r. If required by the Development Officer, any Environmental Site Assessment studies and environmental remediation work shall be undertaken and verified to the satisfaction of the Development Officer in consultation with the Environment Unit prior to the release of drawings for Building Permit review, other than for excavation or Sign permits. If required, the Development Officer shall impose any conditions necessary to ensure the area that is subject to the Development Permit application is suitable for the full range of Uses contemplated in the Development Permit application.

#### 4.2.1 Parking, Loading, and Access

- a. Vehicular access and egress shall be from the abutting Lane and in accordance with Appendix II, Illustrative Site Plan, to the satisfaction of the Development Officer in consultation with Transportation Services, as follows:
- i. All on-Site resident, visitor and commercial tenant parking shall be provided within a structure located below Grade;
  - ii. Adequate sight lines shall be maintained for vehicles entering and exiting the Pparkade; and
  - iii. Any parkade driveway ramps shall be at Grade at the property line and must not exceed a slope of 6% for a distance of 4.5 m inside the property line, or be to the satisfaction of the Development Officer in consultation with Urban Transportation.
- b. Off-street parking requirements shall recognize the locational attributes associated with the mixed use building - its proximity to public transit, its proximity to existing and planned active mode facilities and infrastructure, and the need to continue to promote a walkable neighbourhood. Notwithstanding the preceding section, Off-street Parking shall meet the following requirements:
- i. The minimum number of off street vehicular parking spaces constructed shall be 110 spaces.
  - ii. The off-street vehicular parking requirements for the development parcel shall generally follow Table 1 of this Bylaw:

Table 1: Site Parking Spaces Allocation

| Land Use Component                      | Parking Space Allocation               |
|---|--|
| Residential, Residential-related Units, | Minimum 19 spaces<br>Maximum 68 spaces |
| Commercial, and Residential Visitor,    | Minimum 29 spaces<br>Maximum 64 spaces |

|                       |                   |
|-----------------------|-------------------|
| Non Accessory Parking | Maximum 35 spaces |
| Car Sharing Stall     | 1                 |

- iii. Commercial parking shall share on-site resident visitor parking spaces through an owner-operated parking management program.
- iv. A single “car-share” parking space will be designated within the parkade to accommodate a vehicle from a car share program that the building owner intends to integrate into the building operations. Should this program not be implementable, the stall shall be used for commercial, residential, non-accessory or visitor parking.
- v. A minimum of 45 indoor and 5 outdoor ~~b~~Bicycle ~~p~~Parking spaces for the development shall be provided on Site.

c. Non-accessory Parking:

- i. Must be located below Grade;
- ii. Shall be managed through an owner-operated parking management program. A management plan shall be submitted to the satisfaction of the Development Officer in consultation with Urban Transportation prior to the issuance of a Development Permit; and
- iii. Shall be used on a full or part time basis to be approved by the Development Officer in consultation with Urban Transportation within the context of the development.
- iv. No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a Setback.
- v. Loading shall be located to the rear of the building and be screened from public roadways through the orientation of the building or through enhanced landscaping measures. Two (2) loading spaces shall be provided at a minimum of 3.0 m in width and a minimum 6.0 m in length, as shown in Appendix II, Illustrative Site Plan.
- vi. Storage and waste collection areas shall be screened from view from adjacent Sites and located within the building. Waste collection areas shall be designed to the satisfaction of the Development Officer in consultation with Waste Management and Urban Transportation.

#### 4.3 Landscaping

- a. Landscaping shall be provided in general accordance with Appendices VII and VIII, Landscape Plan & 5th Floor Landscape Plan.
- b. A detailed Landscape Plan for this Site, including front entry, 5th floor rooftop outdoor amenity space, the ~~u~~Utility corridor/quasi-public pedestrian corridor, and all existing and proposed utilities within the road right-of-way, shall be prepared by a Landscape Architect submitted for review and approval prior to the issuance of any Development Permit.

- c. Landscaping shall be provided in consideration of The Quarters Downtown Urban Design Plan.
- d. Landscaping along public roadways, including ~~h~~lanes, shall be coordinated by the City of Edmonton and shall be provided in consideration of The Quarters Downtown Urban Design Plan.
- e. All existing street boulevard trees shall either be retained and protected/hoarded during construction or if necessary, removed and replaced with an enhanced growing medium. If tree removal is necessary, prior to the issuance of any Development Permit, a rationale shall be submitted with the ~~d~~Development ~~p~~Permit application for the removal and planting details including the enhanced growing medium shall be to the satisfaction of the Development Officer.

#### 4.4. Signage

- a. Signs shall be integrated into the general architectural design of the building to the satisfaction of the Development Officer. A Comprehensive Sign Design Plan shall be prepared in accordance with Section 59.3 of the ~~Edmonton~~-Zoning Bylaw and submitted to the Development Officer prior to the issuance of Development Permit.
- b. Signs shall comply with Section 59 and Schedule 59B of the Zoning Bylaw.
- c. Notwithstanding Section 59B.2.4 of the Zoning Bylaw, one Projecting On-premises Sign shall be permitted on the east podium ~~f~~Ea~~c~~ade for the Spectator Entertainment Establishment ~~u~~Use (live theatre) which:
  - i. shall not exceed 15 m<sup>2</sup> in ~~A~~area on each face;
  - ii. the top of the Sign shall not extend beyond the roof of the third Storey;
  - iii. the two faces of the Sign shall be oriented north and south;
  - iv. shall conceal structural elements from view; and
  - v. shall be allowed to project beyond the east property line at the discretion of the Development Officer in consultation with Urban Transportation.
- d. Notwithstanding Section 59.2.15 of the ~~Edmonton~~-Zoning Bylaw ~~of this Bylaw~~, one three-sided projecting (canopy) Minor Digital On-premises Sign shall be permitted for the Spectator Entertainment Establishment ~~u~~Use (live theatre) which shall comply with the following:
  - i. the digital component shall be limited to two faces only and shall oriented north and south;
  - ii. shall not extend beyond 7 m above ground;
  - iii. shall not exceed 3.0 m<sup>2</sup> in ~~A~~area on each face;
  - iv. shall maintain a minimum Height clearance of 3 m;
  - v. shall have a Message Duration greater than or equal to 1 hour;
  - vi. shall be de-energized or ~~u~~Use automatic light level controls to adjust light levels daily between 12:00 AM – 5:00 AM to the satisfaction of the Development Officer and Urban Transportation to reduce light pollution;
  - vii. shall conceal the structural elements from view; and
  - viii. shall be allowed to project beyond the east property line at the discretion of the Development Officer in consultation with Urban Transportation.
- e. Signs design shall have regard for the scale and architectural character of the historic ~~f~~Ea~~c~~ades of the Koermann Block the land use characteristics of surrounding developments. The Development Officer shall refuse any Application for Signs on

north and east ~~f~~Fa~~e~~çades of the Koermann Block that may adversely impact the character of the historic ~~f~~Fa~~e~~çades.

f. Signs on the historic Fa~~e~~çades shall be to the satisfaction of the Development Officer in consultation with the Heritage Planner, as follows:

- i. ~~s~~Sign size, typeface, graphic and material shall be designed to complement and be sensitive to the historic ~~f~~Fa~~e~~çades;
- ii. ~~s~~Signs shall only be permitted on the ground floor, below the decorative cornices.
- iii. Temporary On-premises Signs shall be limited to project advertising and residential sale purposes only, and shall exclude trailer mounted signs and signs with changeable copy.
- iv. Entrance canopy or window canopy signs are permitted.

## **5. Urban Design Regulations**

### **5.1 Built Form**

Site planning shall be in accordance with attached Appendices and The Quarters Downtown Urban Design Plan.

#### **a. Setbacks**

Minimum ~~B~~uilding Setbacks shall be:

- i. 0.0 m from the east property line;
- ii. 0.0 m from the north property line;
- iii. 0.0 m from the south property line;
- iv. 7.0 m from the west property line to accommodate a ~~u~~tility corridor; and
- v. Where the property abuts the ~~L~~ane, a minimum of 1.5 m Setback shall be provided.

#### **b. Stepbacks Podium**

Minimum ~~P~~odium Stepbacks above the second ~~s~~Storey:

- i. 3.0 m from the east Façade of the ~~P~~odium; and
- ii. 4.5 m from the north Façade of the ~~P~~odium except 0 m shall be provided for the stairwell at the northwest corner of the podium with a maximum width of 3.0 m.

#### **c. Stepbacks Tower**

Minimum Tower Stepbacks shall be:

- i. 10.0 m from the east Façade of the ~~P~~odium;
- ii. 8.5 m from the north Façade of the ~~P~~odium;
- iii. 1.2 m from the west Façade of the ~~P~~odium; and
- iv. 6.4 m from the south Façade of the ~~P~~odium.

#### **d. Entrances**

- i. The building shall be designed and oriented to face 96th Street **NW** and 102A Avenue **NW** with entrances that are clearly visible; and
- ii. Ground level retail uses that face 96th Street **NW** shall have separate entrances that open directly to the street.

#### **e. Street Interface**

The building shall be constructed to accommodate Commercial Uses to strengthen the pedestrian oriented shopping nature of the area through the following:

- i. The ground storey shall be a minimum **H**Height of 4 m.
- ii. The 96th Street **NW** and 102A Avenue **NW** frontages excluding the portion that contains the north and east Koermann Block historic **F**Façades shall be designed to break the appearance of a single monolithic **F**Façade.
- iii. Except for the portion of the podium containing the north and east **F**Façades of the Koermann block, blank walls or non-transparent surfaces shall not exceed 30% of the linear building frontage at **G**Grade, where fronting onto a public roadway, other than a Lane.

#### **f. Podium Design**

- i. The podium shall incorporate the historic north and east **F**Façades of the Koermann Block building at the northernmost and easternmost portion of the site.
- ii. The **P**podium exterior shall be finished with clear glazing and quality, durable materials that may include brick, stone, and pre-finished metal.
- iii. Except for the portion of the podium containing the north and east historic **F**Façade of the Koermann block, a minimum of 70% of the linear building frontage of the ground floor **F**Façade shall have transparent glazing where fronting onto a public roadway, other than a **L**ane or a **U**tility corridor, to promote pedestrian interaction and safety.
- iv. Wherever podium roofs are visible from adjacent developments, the development shall provide enhancements to improve rooftop aesthetics to the satisfaction of the Development Officer. Enhancements may include patios, gardens, **G**Green **R**Roofs, an additional Amenity Area, or screening of mechanical equipment.
- v. The South **F**Façade of the podium shall provide visual interest to the adjacent street through the application of a graphic design which shall be in general accordance with Appendix V.

#### **g. Tower**

The maximum length of any Tower face shall be 35 m.

- i. The **T**Tower shall contribute to the uniqueness of the building and the city's skyline through architectural treatment.
- ii. The Tower shall provide articulation, visual interest and reduced massing effects by combination of sculpting of the building, variation of

materials/color or other means to the satisfaction of the Development Officer.

## 5.2 Historic Resources

The development and the reassembly of the Koermann Block ~~f~~Fa~~e~~çade on the north and east sides of the building shall be to the satisfaction of the Development Officer in consultation with the Heritage Officer and in general accordance with Appendices IV and V, Architectural ~~f~~Fa~~e~~çades of the Koermann Block, as follows:

- i. The Applicant shall dismantle and reassemble the north and east ~~f~~Ea~~e~~çade to the 1950 historic period of the building. Polyvinyl chloride (PVC) shall not be allowed.
- ii. Detailed drawings of the reassembled historic ~~f~~Fa~~e~~çade shall be provided prior to the release of drawings for Building Permit review, to the satisfaction of the Development Officer in consultation with the Heritage officer.
- iii. The reinstatement of the 1950 architectural elements of the north and east ~~f~~Fa~~e~~çade of the Koermann Block shall be in general accordance with the provisions contained in the Historic Resource Impact Assessment Final Report March 2016 prepared by David Murray, and shall maintain the key character-defining elements of the Koermann Block building, in as an original form as possible, including but not limited to the following:
  - A. Form, scale and massing;
  - B. Yellow brick with dark red mortar;
  - C. Brick corbelling at top of the building;
  - D. The regular pattern of the windows with keystones and stone sills;
  - E. Metal cornice above storefront;
  - F. To the extent possible, the original materials, brickwork, architectural features, parapets, cornices, door openings and fenestration pattern of the historic north, and east ~~f~~Ea~~e~~çade shall be maintained, repaired and re-used, or if damaged beyond repair, they shall be replicated as part of the development; and
  - G. The main floor storefront window frames may be metal but the entrance doors shall match the original 1950s appearance. The upper windows may be metal-clad; however, the profile and colour shall match original 1912 appearance.
- iv. Prior to the release of drawings for Building Permit review, the owner and/or developer shall enter into an agreement with the City of Edmonton for the conservation, re-building, re-assembly and maintenance of the historic Fa~~e~~çades, including but not limited to the development components specified in Section 5.2 of this Direct Control Provision.

## 6. Public Amenities

- a. Prior to the release of drawings for Building Permit review, the owner shall enter into an agreement with the City of Edmonton for the creation and maintenance of a Utility corridor/quasi-public pedestrian corridor on the west side of the property



to service 96th Street NW. The Utility corridor/quasi-public pedestrian corridor is intended to provide a pedestrian pathway allowing free flow of pedestrian and bicycle traffic with space for plants and outdoor amenities such as benches.

**7. Public Art**

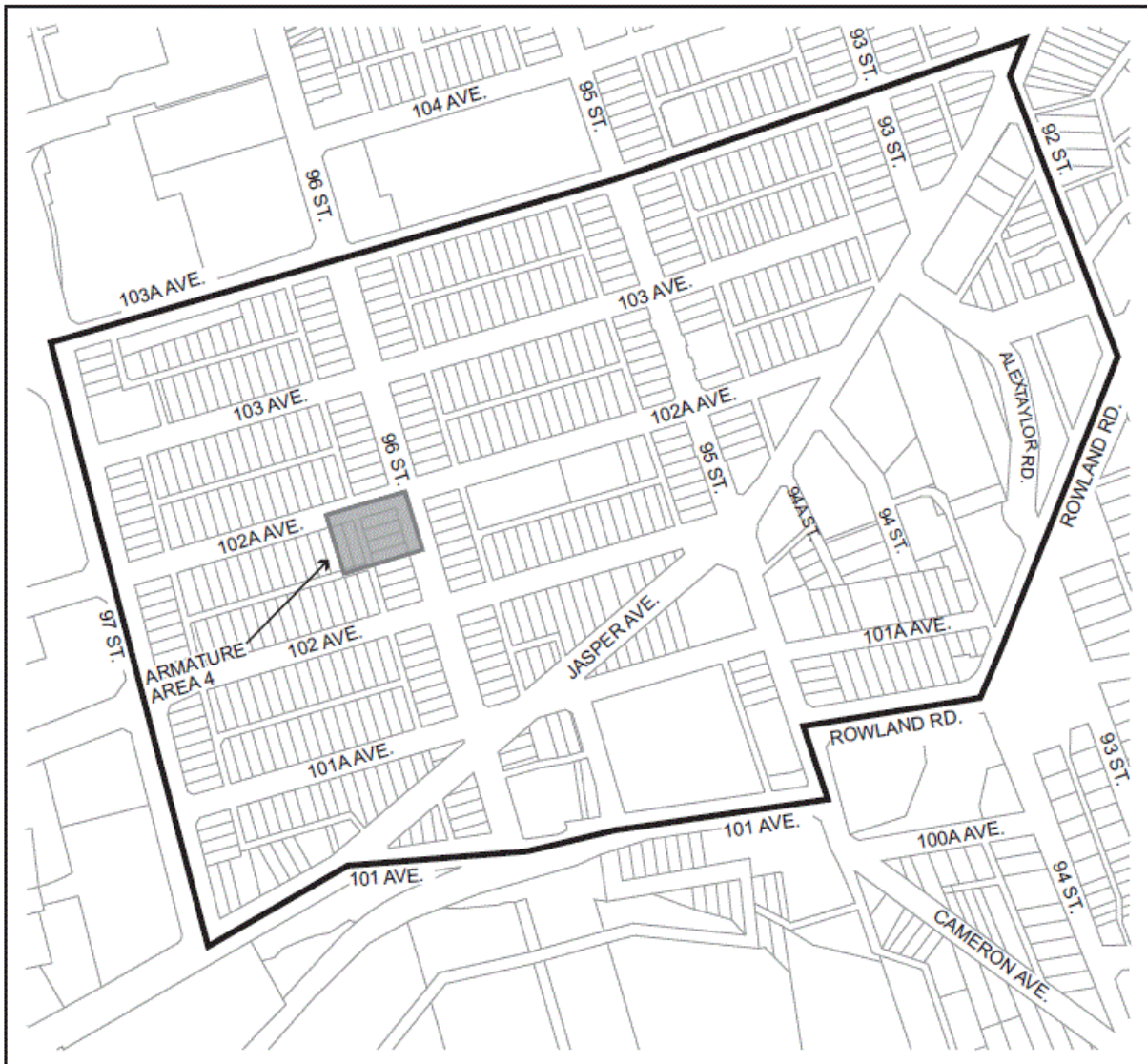
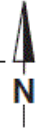
- a. Prior to the issuance of a Development Permit, the owner shall enter into an agreement with the City of Edmonton requiring the Owner to provide:
  - i. Public art for the benefit of the Development valued at \$60,000, such art to be visible from adjacent roadways; and
  - ii. A one-time payment of \$2000 to be held by the City and used for the appraisal of the public art.

**8. Green Sustainability Practices and Targets**

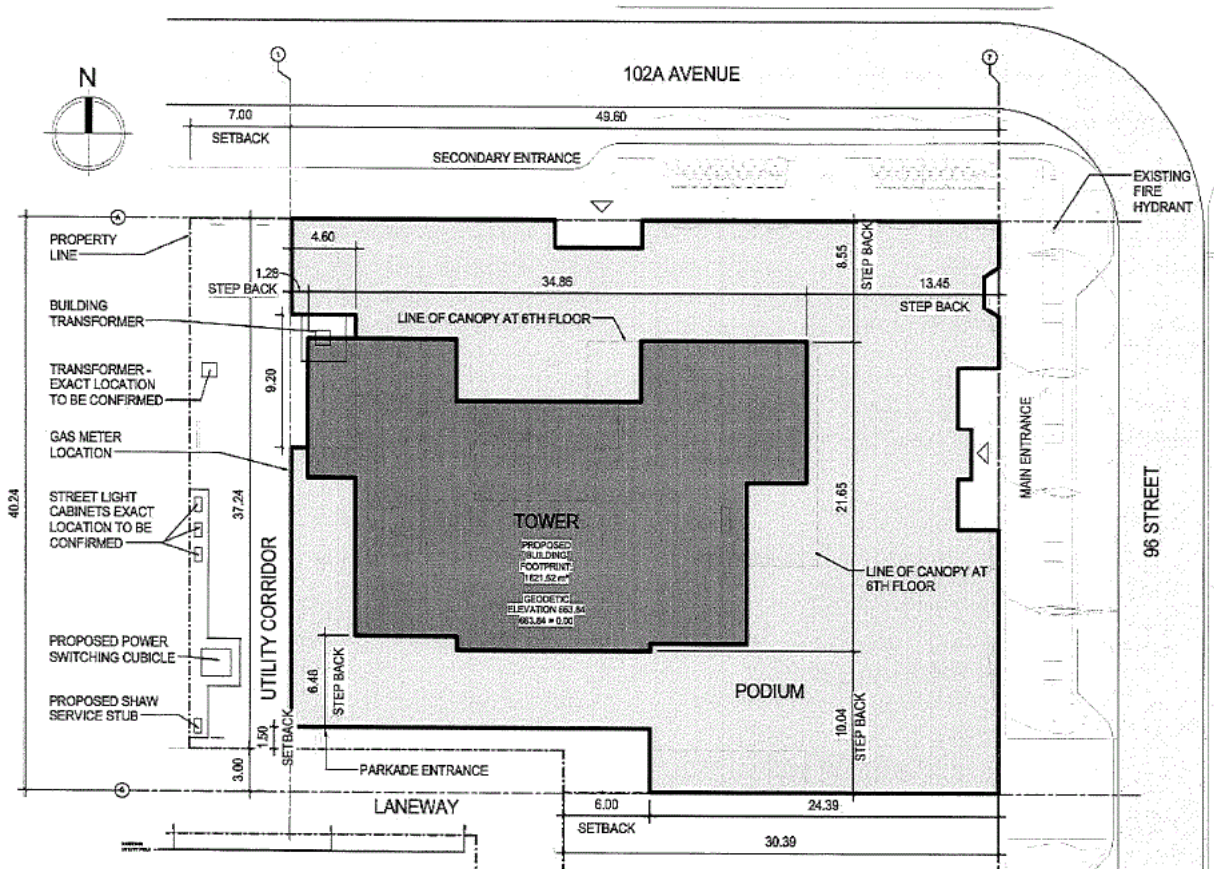
- a. The design and implementation of the development shall apply techniques to reduce consumption of water and energy consistent with best practices in sustainable design and in general conformance with Appendix IX.
- b. Prior to the issuance of the Development Permit, the applicant shall submit a detailed report, endorsed by a registered professional engineer or architect, indicating how Sustainable Practices and Targets will be achieved upon construction completion.
- c. Upon completion of the building, the Owner shall provide a report by a registered professional engineer or architect that demonstrates, to the satisfaction of the Development Officer, that the design and construction of the building meets the target established in the detailed report submitted at the Development Permit stage.



*The Armature*

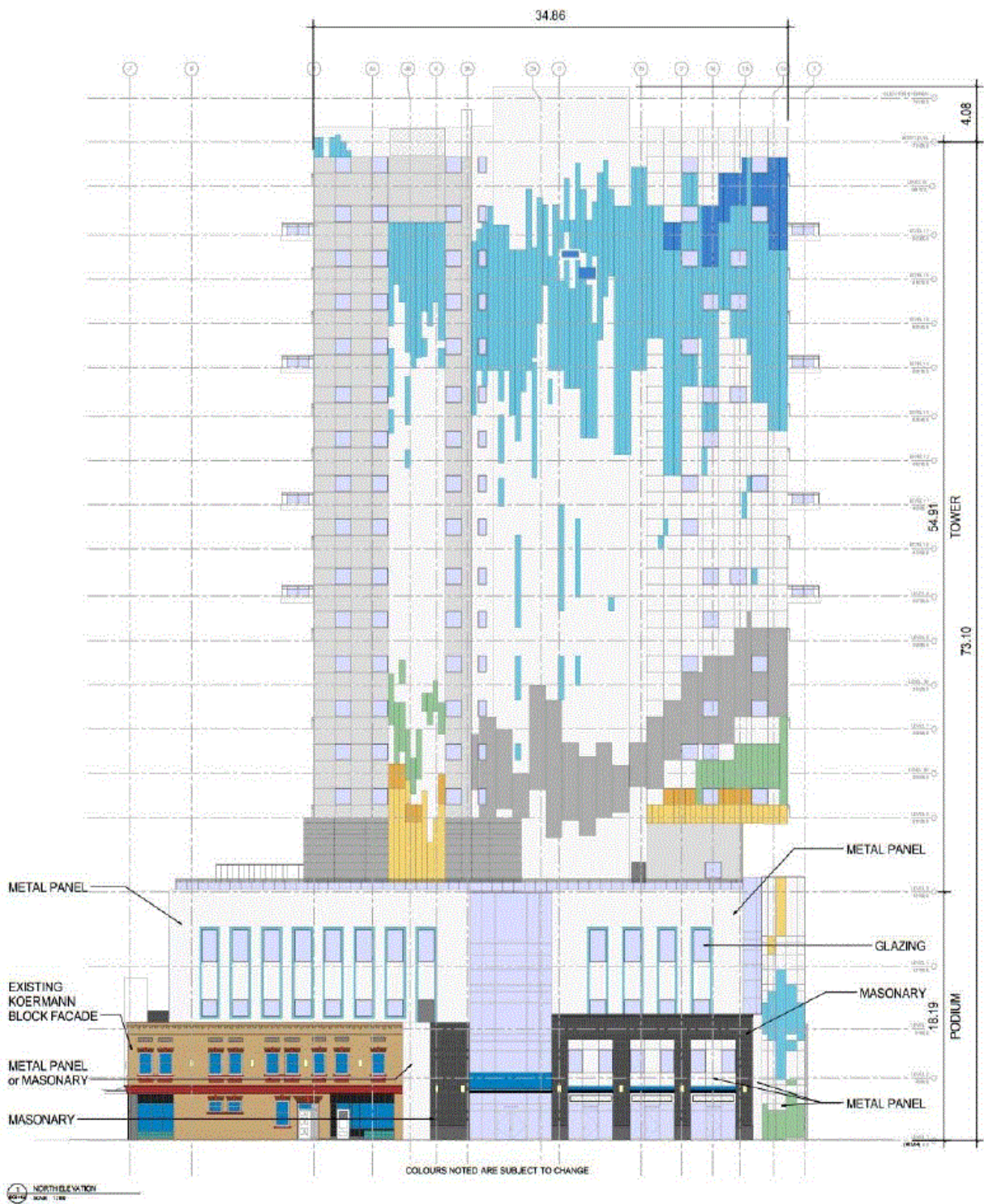


APPENDIX II: ILLUSTRATIVE SITE PLAN (Note: All dimensions in Metres)

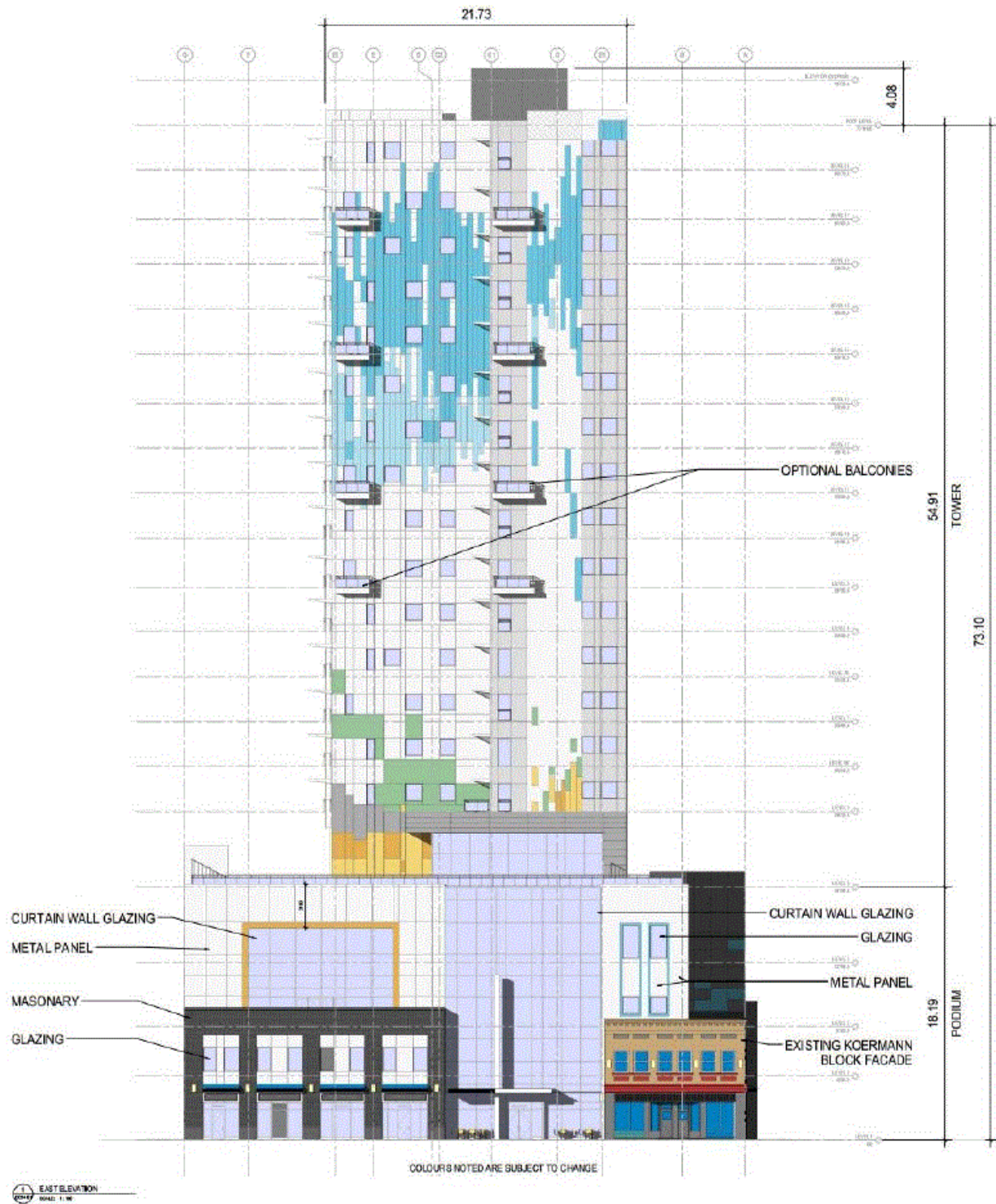




Appendix III: Conceptual Elevation North



Appendix IV: Conceptual Elevation East

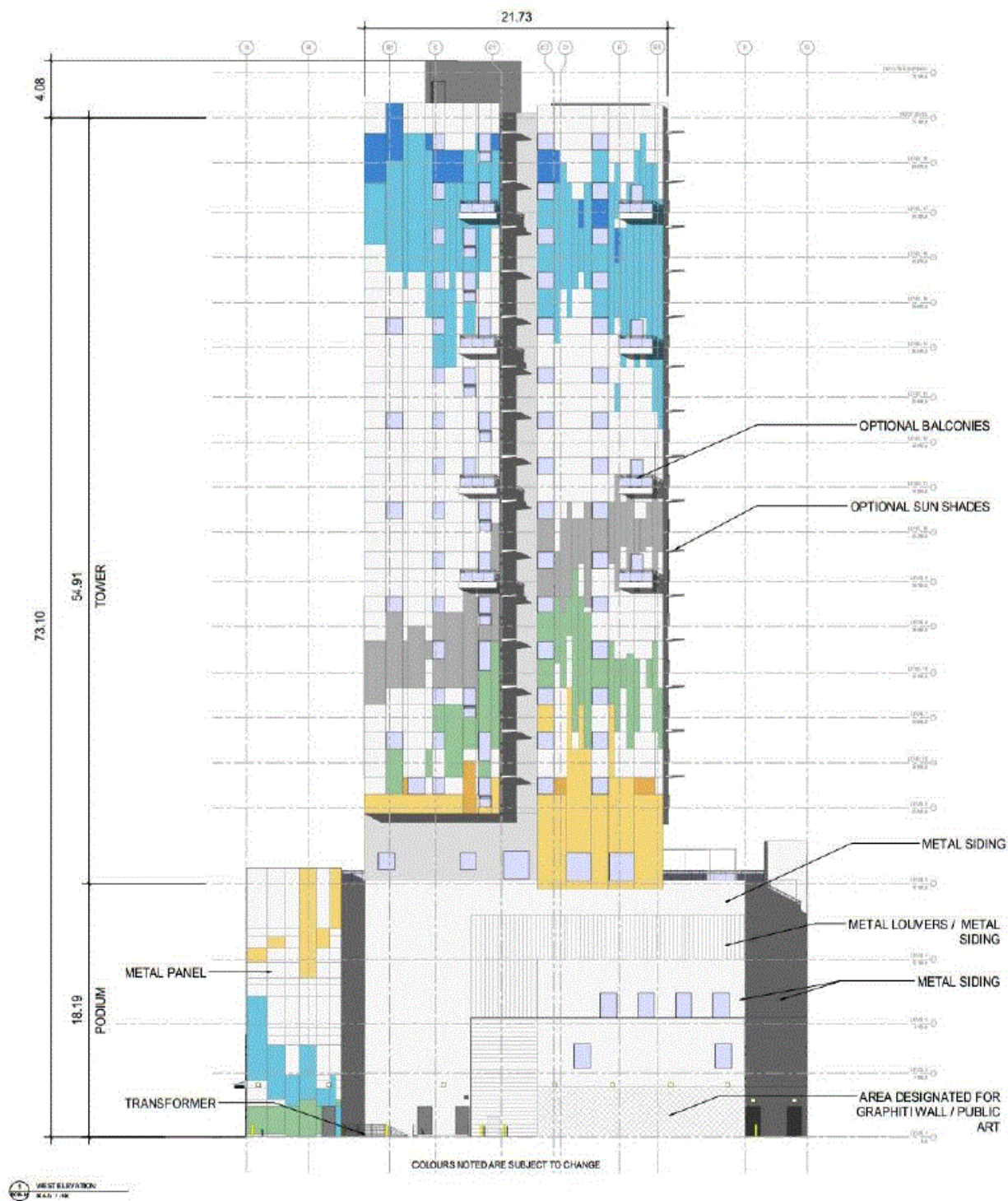




Appendix V: Conceptual Elevation South

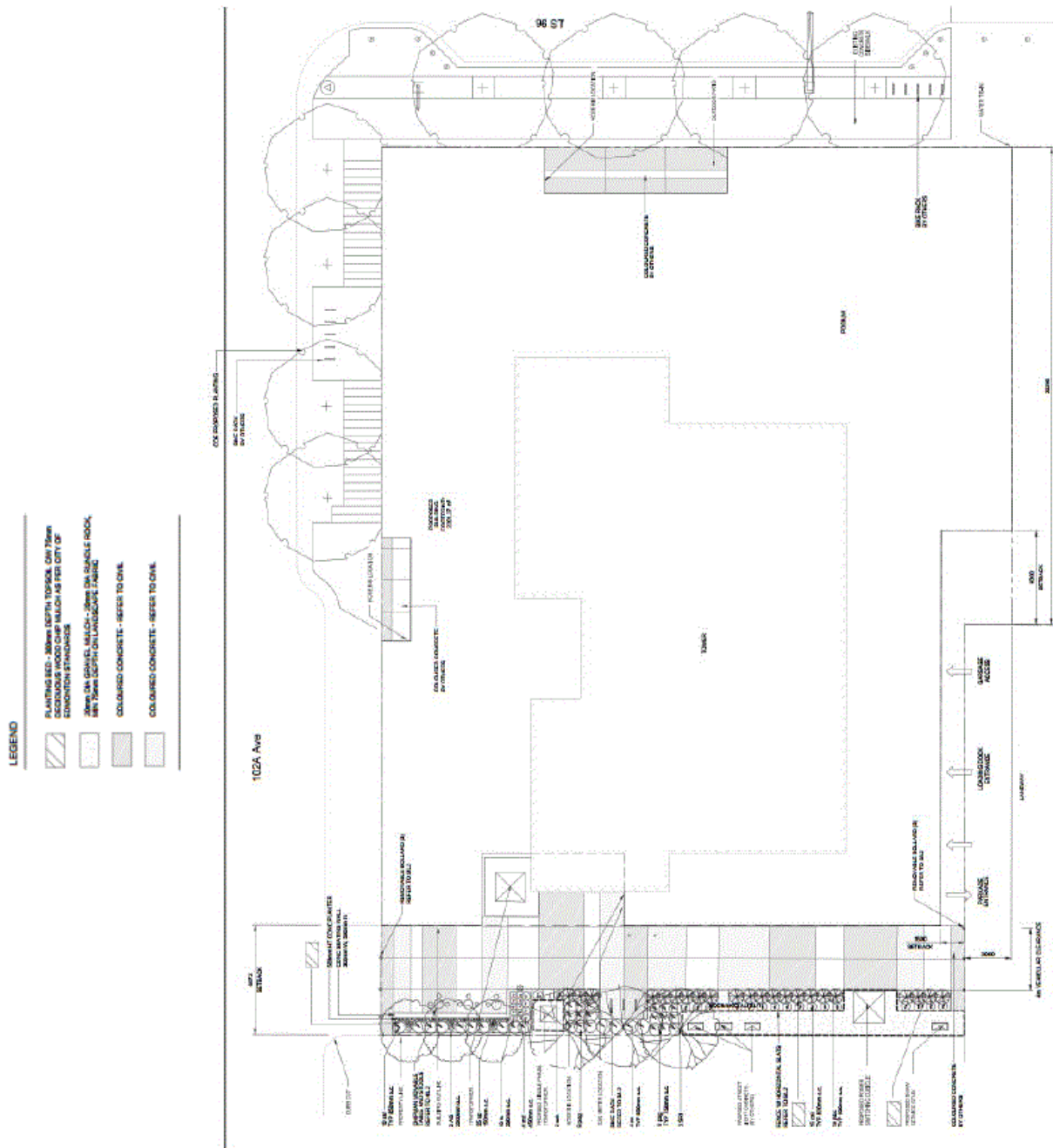


Appendix VI: Conceptual Elevation West

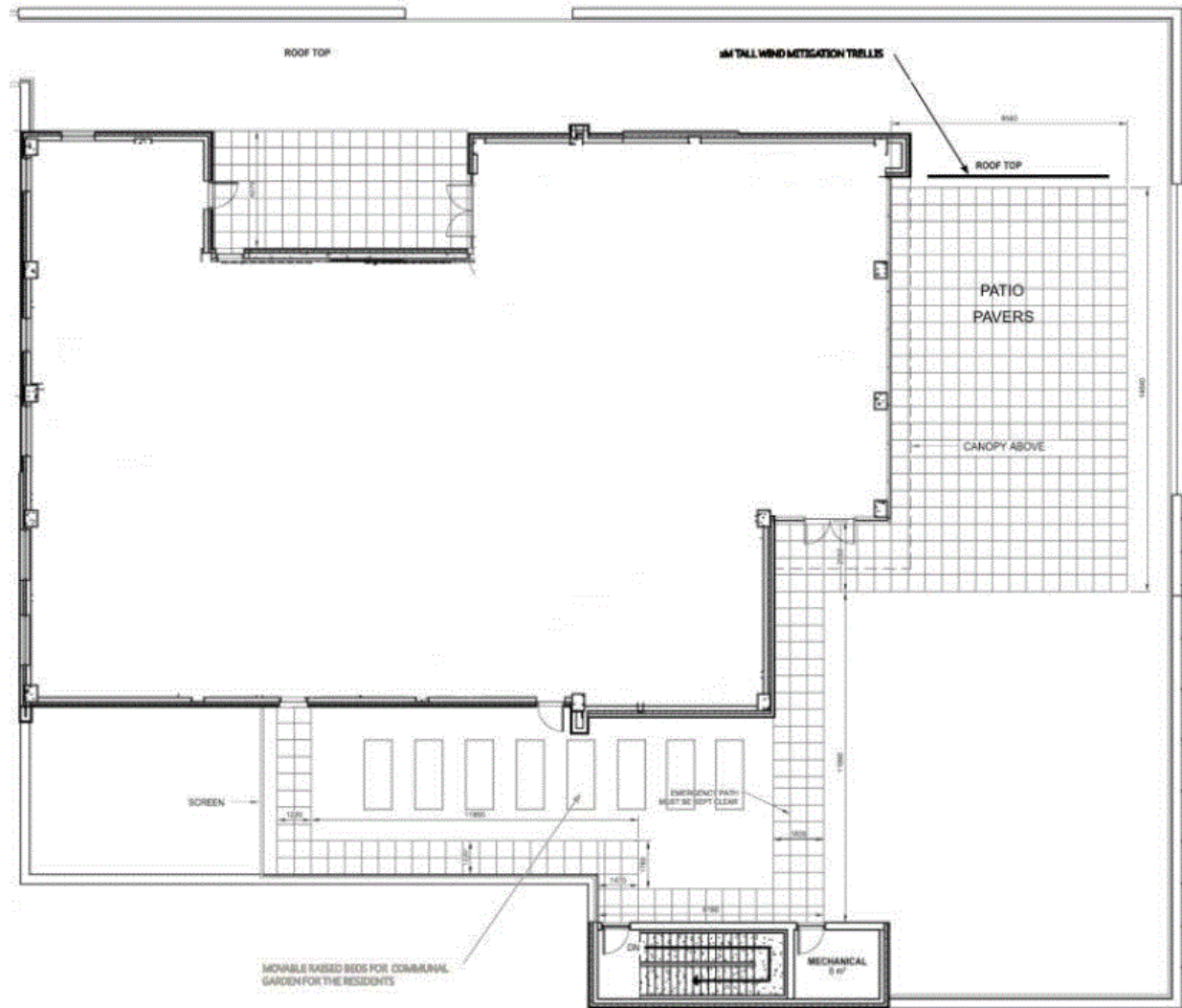




## Appendix VII: Illustrative Landscape Plan



### Appendix VIII: Illustrative Landscape Plan (5<sup>TH</sup> Floor)



### Appendix IX: Green Sustainability Practices and Targets

#### Design Category

1. Design and orient building to respond to solar patterns in order to create opportunities for passive solar heating and shading for cooling.
2. Apply passive design principles that improve efficiency of mechanical systems by maximizing natural ventilation and day lighting and enhancing envelope efficiency.
3. Addresses universal accessibility and universal design at the main building entrance and the first level parkade lobby entrance.
4. Have a minimum of 3% residential units to be fully wheelchair accessible.
5. Ensure that the design of the building provides a diversity of **eD**wellling types.

#### Energy Category

1. Achieve a 29% efficiency improvement over the Model National Energy Code (MNECB).
2. Specify Heating, Ventilating and Air-Conditioning (HVAC) and refrigeration equipment that do not contain Hydro Chlorofluorocarbons (HCFCs).
3. Meet the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) 90.1 2001 standards for lighting, including metering, smart controls and occupancy sensors in public spaces.
4. Ensure that 70% of fixtures and appliances supplied are Energy Star compliant.
5. Achieve a 33% efficiency improvement over the Model National Energy Code (MNECB).

#### Water Category

1. Design an on lot storm water control system having a controlled discharged rate of 20-35Litre/second/ha for 1:100 storm events.
2. Specify water efficient fixtures such as low-flow toilets, urinals and faucets to ensure reduction of potable water consumption by 30%.
3. Specify drought resistant and/or native indigenous planting species.

#### Matter Category

1. Provide a construction waste management plan to recycle and/or salvage a minimum 50% of non-hazardous construction and demolition debris.
2. Provides for user-friendly and accessible handling and storage facilities for recyclable materials.
3. At least 7.5% of the specified project materials, based on value, are comprised of recycled content as defined by CAN/CSA-ISO 14021-00 Environmental Labelling and Advertising Guidelines.
4. At least 10% of the project's specified materials, based on value, are comprised of regionally extracted and manufactured materials. Regionally extracted refers to at least 80% of their mass extracted, processed and manufactured within 800 KM by truck and/or 2,400 KM by rail or water.

#### Air Quality Category

1. Complies with the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) 62-2004 ventilation standards.
2. Minimize air and dust emissions during construction and demolition.
3. A minimum of 50% of the project's specified materials are low-emitting, including adhesives and sealants, paints and coatings, carpet systems, composite wood and agri-fiber products. Paints and coatings shall not exceed the VOC (Volatile organic compound) limits set by the Green Seal Standards GS-11 and GS-03. Carpet systems must meet or exceed the requirements of the Carpet and Rug Institute's Green Label Indoor Air Quality Test Program.

#### Movement Category

1. The design of the project does not exceed 20% of the ~~s~~Site area for surface parking.

2. Design the underground parking to provide for "unbundled" parking spaces from residential unit.
3. Provide a car-share vehicle with a designated stall for every 50 ~~e~~Dwelling units, or provide a stall and have a car-share cooperative supply the vehicles.

#### Community Category

1. Provide a contribution to affordable housing in accordance with Council approved policy which may be amended from time to time.
2. Provide a voluntary contribution for public art to be located on either private or public lands in accordance with The Quarters Downtown, Platform for Public Art as prepared by the Edmonton Arts Council.
3. Ensure that the design of the project provides at least 150 m<sup>2</sup> of indoor community amenity space such as recreation facilities, daycares, or cultural facilities.
4. Provide publicly accessible open space to increase ~~s~~Site permeability and to provide a minimum of 225 m<sup>2</sup> for enhanced options for the pedestrian in the form of mews or plaza development.

#### New Innovation Category

1. Provide new exemplary and innovative technology which falls within one of the above categories.

## APPLICATION SUMMARY

### INFORMATION

|                                     |  |
|-------------------------------------|--|
| Application Type:                   | Rezoning   |
| Bylaw(s):                           | 18175  |
| Location:                           | Properties located east of 97 Street NW, west of 92 Street NW, south of 103a Avenue NW, and north of 101 Avenue NW                   |
| Legal Description(s):               | Multiple - Refer to Schedule B of Bylaw 18175  |
| Site Area:                          | 263,850 m <sup>2</sup>   |
| Neighbourhood:                      | McCauley/Boyle Street  |
| Ward - Councillor:                  | 6 - McKeen   |
| Notified Community Organization(s): | Boyle Street Community League, Downtown Edmonton Community League, Riverdale Community League, Downtown Business Revitalization Zone |
| Applicant:                          | City of Edmonton   |

### PLANNING FRAMEWORK

|                    |   |
|--------------------|---|
| Current Zone:      | (DC1) Site Specific Direct Control Zone |
| Proposed Zone:     | (DC1) Site Specific Direct Control Zone |
| Plan(s) in Effect: | The Quarters Area Redevelopment Plan    |

|              |                       |
|--------------|-----------------------|
| Written By:  | Andrew Sherstone      |
| Approved By: | Tim Ford              |
| Branch:      | City Planning         |
| Section:     | Planning Coordination |