

Charter Bylaw 20164

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 3478

WHEREAS City Council at its meeting of February 22, 2001, gave third reading to Bylaw 12800, the Edmonton Zoning Bylaw, as amended;

WHEREAS Council considers it desirable to amend the text of the Edmonton Zoning Bylaw;

WHEREAS the lands shown on Schedule "A" and legally described on Schedule "B", generally bounded by 105 Avenue NW, 106 Street NW, 106 Avenue NW and 101 Street NW, Central McDougall, Edmonton, Alberta, are specified on the Zoning Map as (DC1) Direct Development Control Provision Zone; and

WHEREAS an application was made to rezone the above described properties to (CMUV) Central McDougall Urban Village Zone, (AP) Public Parks Zone, and two (DC1) Direct Development Control Provisions;

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

1. Bylaw 12800, as amended, The Edmonton Zoning Bylaw is hereby further amended by:
  - a. inserting "Section 1001 — Special Area Central McDougall Urban Village" attached hereto as Schedule "C" and forming part of this bylaw; and
  - b. inserting into "Section 1001 - Special Area Central McDougall Urban Village" the special area zone identified as "Section 1001.4 - (CMUV) Central McDougall Urban Village Zone" attached hereto as Schedule "D" and forming part of this bylaw.
  - c. The Zoning Map, being Part III to Bylaw 12800 is hereby amended by rezoning the lands legally described on Schedule "B", generally bounded by 105 Avenue NW, 106 Street NW, 106 Avenue NW and 101 Street NW, Central McDougall, Edmonton, Alberta, which lands are shown on the sketch plan attached as Schedule "A", from (DC1) Direct Development Control Provision Zone to (CMUV) Central McDougall Urban Village Zone, (AP) Public


Parks Zone, and two (DC1) Direct Development Control Provisions, all as more specifically described on Schedule "A".

2. The uses and regulations of the aforementioned DC1 Provisions are attached as Schedules "E" and "F".
3. The sketch plan attached as Schedule "A" and the uses and regulations of the DC1 Provisions shown on Schedules "E" and "F" attached are hereby incorporated into the Zoning Bylaw, being Part IV to Bylaw 12800, The Edmonton Zoning Bylaw.

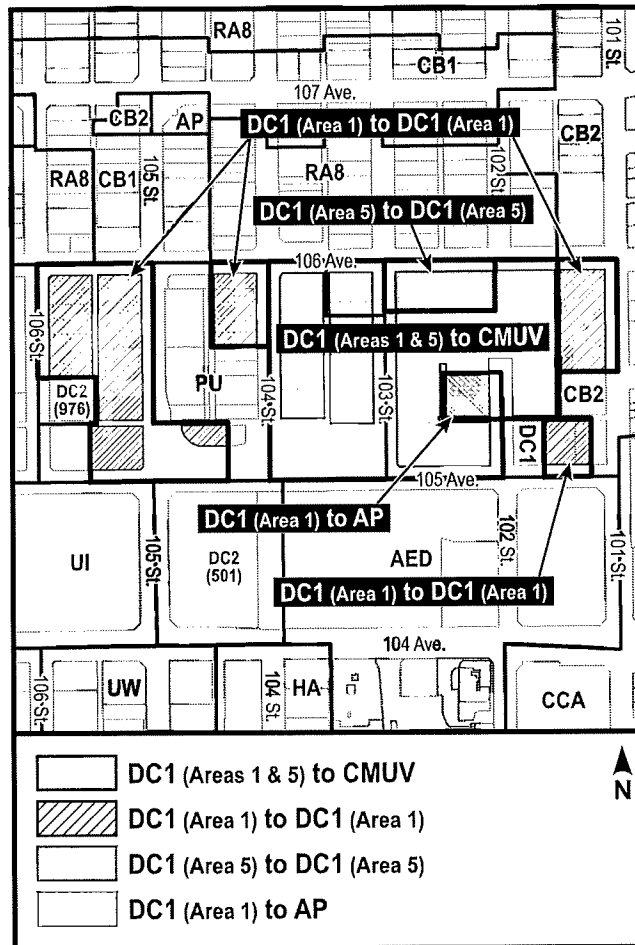
READ a first time this	16th day of August	, A. D. 2022;
READ a second time this	16th day of August	, A. D. 2022;
READ a third time this	16th day of August	, A. D. 2022;
SIGNED and PASSED this	16th day of August	, A. D. 2022.

THE CITY OF EDMONTON

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
A/CITY CLERK

## CHARTER BYLAW 20164



**SCHEDULE "B"**

<b>Legal Description</b>	<b>Address</b>	<b>From</b>	<b>To</b>
Lot 269, Block 2, Plan B3	10524 - 102 STREET NW	DC1 (Area 1)	AP
Lot 270, Block 2, Plan B3	10524 - 102 STREET NW	DC1 (Area 1)	AP
Lot 268, Block 2, Plan B3	10530 - 102 STREET NW	DC1 (Area 1)	AP
Lot 265, Block 3, Plan 0426394	10319 - 106 AVENUE NW	DC1 (Area 1)	CMUV
Block OT, Plan B3	10516 - 103 STREET NW	DC1 (Area 1)	CMUV
Lot 225, Block 3, Plan B3	10525 - 104 STREET NW	DC1 (Area 1)	CMUV
Lot 226, Block 3, Plan B3	10525 - 104 STREET NW	DC1 (Area 1)	CMUV
Lot 227, Block 3, Plan B3	10537 - 104 STREET NW	DC1 (Area 1)	CMUV
Lot 228, Block 3, Plan B3	10545 - 104 STREET NW	DC1 (Area 1)	CMUV
Lot 262, Block 3, Plan B3	10546 - 103 STREET NW	DC1 (Area 1)	CMUV
Lot 263, Block 3, Plan B3	10546 - 103 STREET NW	DC1 (Area 1)	CMUV
Lot 264, Block 3, Plan B3	10546 - 103 STREET NW	DC1 (Area 1)	CMUV
Lot 260, Block 3, Plan B3	10554 - 103 STREET NW	DC1 (Area 1)	CMUV
Lot 261, Block 3, Plan B3	10554 - 103 STREET NW	DC1 (Area 1)	CMUV
Lot 259A, Block 3, Plan 0325618	10560 - 103 STREET NW	DC1 (Area 1)	CMUV
Lot 225, Block 2, Plan B3	10230 - 105 AVENUE NW	DC1 (Area 5)	CMUV
Lot 226, Block 2, Plan B3	10230 - 105 AVENUE NW	DC1 (Area 5)	CMUV
Lot 227, Block 2, Plan B3	10230 - 105 AVENUE NW	DC1 (Area 5)	CMUV
Lot 228, Block 2, Plan B3	10230 - 105 AVENUE NW	DC1 (Area 5)	CMUV
Lot 229, Block 2, Plan B3	10230 - 105 AVENUE NW	DC1 (Area 5)	CMUV
Lot 230, Block 2, Plan B3	10230 - 105 AVENUE NW	DC1 (Area 5)	CMUV
Portion of Lot 271, Block 2, Plan 0729263	10550 - 102 STREET NW	DC1 (Area 5)	CMUV
Lot 257, Block 3, Plan B3	10572 - 103 STREET NW	DC1 (Area 5)	CMUV
Lot 256, Block 3, Plan B3	10578 - 103 STREET NW	DC1 (Area 5)	CMUV
Lot 255, Block 3, Plan B3	10584 - 103 STREET NW	DC1 (Area 5)	CMUV
Lot 228, Block 1, Plan B3	10112 - 105 AVENUE NW	DC1 (Area 1)	DC1 (Area 1)
Lot 229, Block 1, Plan B3	10118 - 105 AVENUE NW	DC1 (Area 1)	DC1 (Area 1)
Lot 230, Block 1, Plan B3	10118 - 105 AVENUE NW	DC1 (Area 1)	DC1 (Area 1)
Lot 195, Block 4, Plan B3	10404 - 105 AVENUE NW	DC1 (Area 1)	DC1 (Area 1)
Lot 196, Block 4, Plan B3	10404 - 105 AVENUE NW	DC1 (Area 1)	DC1 (Area 1)

Lot 197, Block 4, Plan B3	10404 - 105 AVENUE NW	DC1 (Area 1)	DC1 (Area 1)
Lot 229, Block 4, Plan B3	10405 - 106 AVENUE NW	DC1 (Area 1)	DC1 (Area 1)
Lot 2, Block 5, Plan 9921814	10502 - 105 AVENUE NW	DC1 (Area 1)	DC1 (Area 1)
Portion of Lot 236, Block 5, Plan B3	10508 - 105 STREET NW	DC1 (Area 1)	DC1 (Area 1)
Lot 237, Block 5, Plan B3	10508 - 105 STREET NW	DC1 (Area 1)	DC1 (Area 1)
Lot 238, Block 5, Plan B3	10508 - 105 STREET NW	DC1 (Area 1)	DC1 (Area 1)
Lot 233, Block 4, Plan B3	10530 - 104 STREET NW	DC1 (Area 1)	DC1 (Area 1)
Lot 232, Block 4, Plan B3	10530 - 104 STREET NW	DC1 (Area 1)	DC1 (Area 1)
Lot 231, Block 4, Plan B3	10530 - 104 STREET NW	DC1 (Area 1)	DC1 (Area 1)
Lot 234, Block 5, Plan B3	10542 - 105 STREET NW	DC1 (Area 1)	DC1 (Area 1)
Lot 235, Block 5, Plan B	10542 - 105 STREET NW	DC1 (Area 1)	DC1 (Area 1)
Portion of Lot 236, Block 5, Plan B3	10542 - 105 STREET NW	DC1 (Area 1)	DC1 (Area 1)
Lot 202, Block 5, Plan B3	10545 - 106 STREET NW	DC1 (Area 1)	DC1 (Area 1)
Block 2, Plan 9422217	10546 - 101 STREET NW	DC1 (Area 1)	DC1 (Area 1)
Lot 268, Block 1, Plan B3	10550 - 101 STREET NW	DC1 (Area 1)	DC1 (Area 1)
Lot 203, Block 5, Plan B3	10551 - 106 STREET NW	DC1 (Area 1)	DC1 (Area 1)
Lot 204, Block 5, Plan B3	10551 - 106 STREET NW	DC1 (Area 1)	DC1 (Area 1)
Lot 233, Block 5, Plan B3	10560 - 105 STREET NW	DC1 (Area 1)	DC1 (Area 1)
Lot 205, Block 5, Plan B3	10567 - 106 STREET NW	DC1 (Area 1)	DC1 (Area 1)
Lot 265, Block 1, Plan B3	10572 - 101 STREET NW	DC1 (Area 1)	DC1 (Area 1)
Lot 266, Block 1, Plan B3	10572 - 101 STREET NW	DC1 (Area 1)	DC1 (Area 1)
Lot 267, Block 1, Plan B3	10572 - 101 STREET NW	DC1 (Area 1)	DC1 (Area 1)
Lot 239, Block 5, Plan 0521580	10572 - 105 STREET NW	DC1 (Area 1)	DC1 (Area 1)
Lot 206, Block 5, Plan B3	10575 - 106 STREET NW	DC1 (Area 1)	DC1 (Area 1)
Lot 263, Block 1, Plan B3	10576 - 101 STREET NW	DC1 (Area 1)	DC1 (Area 1)
Lot 264, Block 1, Plan B3	10576 - 101 STREET NW	DC1 (Area 1)	DC1 (Area 1)
Lot 230, Block 4, Plan B3	10580 - 104 STREET NW	DC1 (Area 1)	DC1 (Area 1)
Lot 230, Block 4, Plan B3	10582 - 104 STREET NW	DC1 (Area 1)	DC1 (Area 1)
Lot 207, Block 5, Plan B3	10589 - 106 STREET NW	DC1 (Area 1)	DC1 (Area 1)
Lot 208, Block 5, Plan B3	10589 - 106 STREET NW	DC1 (Area 1)	DC1 (Area 1)
Portion of Lot 271, Block 2, Plan 0729263	10550 - 102 STREET NW	DC1 (Area 5)	DC1 (Area 5)
Lot 272, Block 2, Plan 0740621	10570 - 102 STREET NW	DC1 (Area 5)	DC1 (Area 5)

## **SCHEDULE “C”**

### **1001 Special Area Central McDougall Urban Village**

#### **1001.1 General Purpose**

The purpose of this zone is to designate a portion of the Central McDougall neighbourhood as a Special Area, and to adopt appropriate land use regulations to achieve the objectives of the Central McDougall/Queen Mary Park Area Redevelopment Plan

#### **1001.2 Application**

The Land Use Zone created through Section 1001 shall apply to the land legally described as:

Lots 225 - 228, 255 - 257 & Lots 260 - 264, Block 3, Plan B3; Lots 225 - 230, Block 2, Plan B3; Lot 259A, Block 3, Plan 0325618; Lot 265, Block 3, Plan 0426394; Block OT, Plan B3 and a portion of Lot 271, Block 2, Plan 0729263.

#### **1001.3 Zones Created by Special Area Provisions**

Zones, as contained in Section 1001, have been created in conformance with Section 900 of the Edmonton Zoning Bylaw

#### **1001.4 (CMUV) Central McDougall Urban Village Zone**

**SCHEDULE “D”****1001.4 (CMUV) Central McDougall Urban Village Zone****1. General Purpose**

To develop a unique mixed-use urban village that accommodates residential, commercial, institutional, and limited industrial uses in a safe, walkable, human-scaled built environment that builds on the existing land use pattern.

**2. Permitted Uses**

1. Animal Hospitals and Shelters
2. Apartment Hotels
3. Bars and Neighbourhood Pubs
4. Business Support Services
5. Cannabis Retail Sales
6. Child Care Services
7. Commercial Schools
8. Community Recreation Services
9. Convenience Retail Stores
10. Creation and Production Establishments
11. Extended Medical Treatment Services
12. General Retail Stores
13. General Industrial Uses
14. Government Services
15. Hotels
16. Indoor Participant Recreation Services
17. Liquor Stores
18. Live Work Units
19. Lodging Houses
20. Major Home Based Business
21. Minor Home Based Business
22. Market
23. Media Studios
24. Multi-unit Housing
25. Personal Service Shops
26. Professional, Financial and Office Support Services
27. Public Education Services
28. Publicly Accessible Private Park
29. Private Education Services

30. Residential Sales Centre
31. Restaurants
32. Special Event
33. Specialty Food Services
34. Supportive Housing
35. Urban Gardens
36. Vehicle Parking
37. Veterinary Services
38. Fascia On-premises Signs
39. Projecting On-premises Signs
40. Temporary On-premises Signs

### **3. Discretionary Uses**

1. Automotive and Minor Recreation Vehicle Sales/Rentals
2. Breweries, Wineries, and Distilleries
3. Greenhouses, Plant Nurseries and Garden Centres
4. Health Services
5. Outdoor Participant Recreation Services
6. Private Clubs
7. Protective and Emergency Services
8. Spectator Entertainment Establishment
9. Fascia Off-premises Signs
10. Major Digital Signs
11. Minor Digital Off-premises Signs
12. Minor Digital On-premises Signs
13. Minor Digital On-premises Off-premises Signs
14. Roof Off-premises Signs
15. Roof On-premises Signs

### **4. Development Regulations**

1. Prior to the issuance of any Development Permit for new building construction within this Special Area Zone, a subdivision of Lot 271, Block 2, Plan 0729263 shall be registered.
2. The maximum Floor Area Ratio shall be 10.0.
3. The maximum number of Dwellings shall be 2500.
  - a. A minimum of 25% of all ground oriented Dwellings shall have a minimum of three bedrooms.
4. The maximum combined Floor Area for non-Residential Uses and non-Residential-Related Uses shall be 26,000 m<sup>2</sup>.
5. The maximum Height shall be 90.0 m, except that, as shown in Appendix 1:



- a. the maximum Height for parcels Abutting 106 Avenue NW shall not exceed 28.0 m for the first 20.0 m from the north Lot line; and
  - b. the maximum Height for Lots 225-227, Block 2, Plan B3 shall not exceed 26.0 m.
6. Land that is privately owned as of the date of approval of the Charter Bylaw adopting this Special Area Zone, but intended to be part of the mobility network, as shown in Appendix 1, may be converted to public ownership, or remain privately owned. These parts are shown in Appendix 1 as “Potential Publicly Accessible Private Road, Potential Publicly Accessible Private Lane and Potential Publicly Accessible Private Shared Street”. If remaining as privately owned, their dimensions shall be determined as follows:
  - a. The minimum width of any Potential Publicly Accessible Private Lane or Potential Publicly Accessible Private Shared Street shall be 6.0 m;
  - b. The minimum width of the Potential Publicly Accessible Private Road aligned with 102 Street NW shall be 24 m for the portion south of where the land identified as “Non-participating Landowner” on Appendix 1 (Lot 272, Block 2, Plan 0740621) Abuts the Potential Publicly Accessible Private Road;
  - c. The minimum width of the Potential Publicly Accessible Private Road Abutting the land identified as “Non-participating Landowner” on Appendix 1 (Lot 272, Block 2, Plan 0740621) shall extend from the east Lot line of Lot 272, Block 2, Plan 0740621 to an alignment with the eastern boundary of the public 102 Street NW Right-of-Way to the south; and
  - d. The length of all Potential Publicly Accessible Private Roads/Lanes/Shared Streets shall be such that they connect to a public Lane or roadway on both ends.
7. Prior to the issuance of the Development Permit for construction of the first principal building within this Special Area Zone, the owner shall register a 24-hour Public Access Easement for all land subject to being Potential Publicly Accessible Private Roads/Lanes/Shared Streets that is still privately owned. Under this Easement, the owner shall be responsible for maintenance and liability and the spaces shall be accessible to the public at all times.
8. No buildings shall be developed within areas shown as Potential Publicly Accessible Private Roads/Lanes/Shared Streets.
9. For buildings or portions of buildings where non-Residential and non-Residential-Related Uses are at ground level, a minimum Setback of 1.0 m shall be provided where a Site Abuts a public roadway/Potential Publicly Accessible Private Road, other than a Lane/Potential Publicly Accessible Private Lane, except that:

- a. no Setback shall be required where the distance from the Lot line/boundary of the Potential Publicly Accessible Private Road to the roadway curb is a minimum of 4.7 m, except abutting the Shared Street/Potential Publicly Accessible Private Shared Street, as identified on Appendix 1;
  - b. the minimum Setback shall be 4.5 m Abutting the Shared Street/Potential Publicly Accessible Private Shared Street, as identified on Appendix 1;
  - c. the Development Officer may increase the Setback to a maximum of 3.0 m where a Site Abuts a public roadway/Potential Publicly Accessible Private Road, other than a Lane/Potential Publicly Accessible Private Lane, or 8.5 m where Abutting the Shared Street/Potential Publicly Accessible Private Shared Street, to accommodate street related activities, such as, but not limited to sidewalk cafes, patios, or gathering spaces, to retain existing mature landscaping, and/or to facilitate public realm improvements that contribute to the pedestrian-oriented character of the area;
  - d. canopies, and other similar architectural projections shall be permitted to extend into Setbacks and above sidewalks; and
  - e. that portions of buildings above 4.0 m in Height may project to the Lot line/boundary of the Potential Publicly Accessible Private Road.
- 10. For buildings or portions of buildings where Residential and Residential-Related Uses are at ground level, a minimum Setback of 3.0 m shall be provided where a Site Abuts a public roadway/Potential Publicly Accessible Private Road, other than a Lane/Potential Publicly Accessible Private Lane, except that:
  - a. the minimum Setback shall be 4.5 m Abutting the Shared Street/Potential Publicly Accessible Private Shared Street, as identified on Appendix 1; and
  - b. canopies, and other similar architectural projections shall be permitted to extend into Setbacks and above sidewalks.
- 11. Notwithstanding Section 46 of the Zoning Bylaw, Amenity Area shall be provided in accordance with the following:
  - a. Amenity Areas may be provided as private individual areas such as balconies, or combined to provide Common Amenity Areas such as, but not limited to, meeting rooms, fitness facilities, balconies and outdoor spaces;
  - b. A minimum of 3% of the Floor Area of non-Residential and non-Residential-Related Uses shall be required to provide Amenity Area which may include courtyards, interior landscaped open space, arcades, plazas, atriums, gardens and seating areas; and

- c. Notwithstanding the above, buildings that do not contain Residential or Residential-Related Uses on Sites less than 1,394 m<sup>2</sup> shall not be required to provide the 3% Amenity Area;
- 12. Landscaping shall be in accordance with Section 55 of the Zoning Bylaw, except that:
  - a. for development consisting of Residential Uses or Residential-Related Uses, the number of trees provided shall be one tree for each 25.0 m<sup>2</sup> of any Setback at finished grade; and
  - b. for tree requirements, only deciduous species shall be allowed on any Setback Abutting a public roadway/Potential Publicly Accessible Private Road, other than a Lane/Potential Publicly Accessible Private Lane.
- 13. Signs shall comply with Section 59 and Schedule 59E of the Zoning Bylaw.

## **5. Urban Design Regulations**

- 1. Street Interface:
  - a. Where non-Residential Uses or non-Residential-Related Uses are provided at ground level, buildings shall be designed to strengthen the pedestrian oriented public realm through the following:
    - i. the ground Storey shall have a minimum Height of 3.5 m;
    - ii. a minimum of 60% of the non-Residential frontage or non-Residential-Related Frontage shall be comprised of transparent, non-reflective, non-tinted, unobscured glazing, where fronting onto a street. Linear frontage shall be measured at 1.5 m above the finished grade of the Abutting sidewalk; and
    - iii. major shopping complexes and large format stores over 2000 m<sup>2</sup> shall contain smaller scale retail spaces with direct access to the street to maintain a rhythm of fine-grained retail establishments at ground level. All street level Commercial Uses that Abut a street shall provide a primary direct access to the street.
  - b. No portion of an Above Ground Parkade on the first floor shall be allowed for a minimum depth of 10.0 m from any front Façade facing a public roadway/Potential Publicly Accessible Private Road, other than a Lane/Potential Publicly Accessible Private Lane.
  - c. When Residential Uses or Residential-Related Uses are provided at ground level, Dwellings shall be ground oriented and shall:
    - i. Provide an individual external entrance per Dwelling;
    - ii. Provide a semi-private outdoor area in a manner that establishes a transition area between the Dwelling and publicly accessible land using landscape features such as but not limited to shrubs

or tree beds, decorative fencing, planters, and/or other elements;  
and

- iii. Not have solid fences higher than 1.2 m in Height.
  - d. Non-Residential and non-Residential-Related Uses at ground level shall open to a public roadway/Potential Publicly Accessible Private Road/Lane/Shared Street rather than an internal atrium.
  - e. In mixed-Use buildings, Residential Uses and Residential-Related Uses shall have access at ground level that is separate from the commercial premises.
2. Street Wall, Stepbacks, Tower Floor Plates and Tower Spacing:
- a. Floor Plate and Stepbacks shall be provided as follows:

Overall Building Height Range	Maximum Tower Floor Plate	Minimum Stepback from Public Road
1 m – 23 m	N/A	N/A
24 m – 30 m	N/A	3.0 m
31 m – 40 m	1500 m <sup>2</sup>	4.5 m
41 m – 90 m	850 m <sup>2</sup>	4.5 m

- b. For buildings with an overall Height greater than 23 m, the building shall have a podium-Tower configuration with the Height of the podium/Street Wall between 8.0 m and 15.0 m.
  - c. The portion of the building facing a public roadway/Potential Publicly Accessible Private Road/Shared Street, other than a Lane/Potential Publicly Accessible Private Lane, that is above the established Street Wall shall provide a Stepback as per Section 5.2.a.
  - d. Notwithstanding Section 5.2.a. and Section 5.2.c, the minimum Stepback shall not be required for a maximum of 25% of the total Façade to allow variation and visual interest in the design of each Tower;
  - e. The minimum space between Towers, being the portion of buildings above the podium/Street Wall, shall be 25.0 m. The Development Officer may vary Tower spacing in consideration of the following:
    - i. The visual, sun/shadowing, and other microclimatic impacts on adjacent residential development; and
    - ii. The recommendations, and mitigative measures specified in any required technical studies.
3. Where a Site is directly across a Lane from land zoned (AP) Public Parks Zone, Sections 5.1 and 5.2 of this Special Area Zone shall be applied as if the Lane were a public roadway/Potential Publicly Accessible Private Road.
4. Building Façade, Materials, and Exterior Finishing:

- a. Façades shall be designed to include elements such as, but not limited to awnings, canopies, window openings, reveals, offsets, multiple entrances, arcades, columns, pilasters, quality materials, colour, other architectural features, interesting design, fenestrations, double Height entrances, parks, plazas, appropriate landscaping or a combination suitable to the architectural style of the building.
  - b. Building materials must be durable, high quality and appropriate for the development within the context of the Village at ICE District.
  - c. Building materials on the lower floors of buildings shall be designed to improve visual access and permeability of the building(s), and to enhance the pedestrian experience at the street level.
- 5. Rooftops:
  - a. Major mechanical equipment on a roof of any building shall be concealed by screening in a manner compatible with the architectural character of the building, or concealed by incorporating it within the building.
  - b. The roof design may include elements such as but not limited to green roofs, solar collectors, patios or private or public open spaces.
- 6. Public Amenity Spaces:
  - a. Residential open spaces, parks, plazas, furnishings and locations of art, seating areas and other amenities at ground level shall be complementary to the adjacent streetscape and be visually appealing and physically accessible to the public.

## **6. Additional Development Regulations for Specific Uses and Streets**

- 1. Temporary On-premises Signs shall not include Changeable Copy.
- 2. Animal Hospitals and Shelters shall be limited to daycare, grooming, and boarding services.
- 3. Each Bars and Neighbourhood Pubs Use shall not exceed 120 m<sup>2</sup> of Public Space, excluding exterior patio/deck space, which shall not exceed 50% of the interior Public Space.
- 4. Automotive and Minor Recreation Vehicle Sales/Rentals shall be limited to a premise enclosed within the ground level Storey of a building which shall have a maximum Floor Area of 400 m<sup>2</sup>.
- 5. General Industrial Uses shall be restricted to self-storage facilities only and the following regulations shall apply:
  - a. All storage shall be located indoors;
  - b. Any overhead doors for loading/unloading shall be located off of a Lane/Potential Publicly Accessible Private Lane;
  - c. Any building Façade(s) facing a public roadway/Potential Publicly Accessible Private Road shall be designed to create the appearance of

- Multi-unit Housing with design features such as but not limited to windows at regular intervals on all Storeys and a clearly defined entrance from the public roadway/Potential Publicly Accessible Private Road; and
- d. Shall be screened from view at ground level by street fronting Commercial and/or Residential Uses, with the exception of the entrance/lobby to the General Industrial Use, with a minimum depth of 8.0 m from the Lot line Abutting a public roadway/Potential Publicly Accessible Private Road, other than a Lane/Potential Publicly Accessible Private Lane.
6. The following regulations shall apply to Surface Parking Lots:
    - a. Surface Parking Lots, not including lots for the purposes of construction site offices, lay down areas or construction parking associated with development of the lands within this Special Area Zone, shall only be permitted on the following parcels: Lot 271, Block 2, Plan 0729263; Lot 225-230, Block 2, Plan B3; and Lot 260-261, Block 3, Plan B3.
    - b. Notwithstanding Section 12.2 of the Zoning Bylaw, a Development Permit shall be required for any Use that contains a Surface Parking Lot and any Development Permit that contains a Surface Parking Lot shall be temporary and shall expire on December 31, 2023.
  7. Notwithstanding any other regulations in the Zoning Bylaw or this Special Area Zone, a minimum of 40 Vehicle Parking spaces to be used exclusively for the development located on Lots 199-207, Block 4, Plan B3 shall be provided and:
    - a. may be provided as a Surface Parking Lot;
    - b. shall be located between 103 Street NW and 104 Street NW;
    - c. shall include hardsurfacing, lighting, grading, drainage, screening and Landscaping;
    - d. shall, if not located within a heated building, have power receptacles for plugging in vehicles during cold weather;
    - e. shall be securely enclosed within a building or within a 1.8 metre high fence complete with an access gate and card access system to the satisfaction of the Development Officer in consultation with Fire Rescue Services; and
    - f. the requirement for this Vehicle Parking can be waived if the Development Officer receives indication from Fire Rescue Services that the parking is no longer required.

## **7. Environmental**

1. For development within the areas and buffers depicted in Appendix 2 the following applies:

- a. A Development Permit for excavation for the purpose of remediation is required prior to excavation of the site;
- b. Prior to the issuance of a Development Permit, except for Development Permits for demolition, excavation, shoring, or signage, additional Environmental Site Assessment work is required, including a Remedial Action Plan and, if required by the Development Officer, an Environmental Risk Management Plan. The required reports shall be submitted and reviewed to the satisfaction of the Development Officer in consultation with Development Services (Environmental Planner). 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; and
- c. As a condition of Development Permit issuance, except for Development Permits for demolition, excavation, shoring, or signage, and prior to the release of drawings for Building Permit review, the Site shall be remediated and a Remediation Report, along with any required reports or updates to the Risk Management Plan, shall be submitted and reviewed to the satisfaction of the Development Officer in consultation with City Planning (Environmental Planner).

## **8. Other Regulations**

- 1. Vehicular access shall only be from a Lane/Potential Publicly Accessible Private Lane shown on Appendix 1.
  - a. Notwithstanding the above, vehicular access to the lands located west of 102 Street NW, east of 103 Street NW, south of the Shared Street/Potential Publicly Accessible Private Shared Street and north of 105 Avenue NW shall be permitted a maximum of two accesses from an Abutting public roadway, other than the Shared Street/Potential Publicly Accessible Private Shared Street in consultation with Subdivision and Development Coordination (Transportation).
- 2. Vehicular access shall be located and designed in a manner that provides a clearly defined, safe, efficient and convenient circulation pattern for both on-site and off-site vehicular traffic and pedestrian movements.
- 3. Site and building layouts shall include design elements that take the principles of Crime Prevention Through Environmental Design (CPTED) into consideration. These elements may include, but are not limited to, elements that allow for natural surveillance, increase sightlines and use; and high quality interior and exterior lighting. The physical layout and landscaping shall reduce the vulnerability of pedestrians by avoiding areas of concealment or entrapment

such as: long public corridor spaces, stairwells, or other movement predictors; avoiding landscaping hazards such as: unpruned trees, rocks that can be thrown, or blind corners; and by locating parking areas close to building access points and using wayfinding mechanisms. The Development Officer may require a Crime Prevention Through Environmental Design assessment to be submitted, and shall apply any conditions necessary to the approval of the Development Permit based on the recommendations of the CPTED assessment to promote a safe physical environment.

4. Built form, public realm interfaces, streetscape elements and pedestrian connections shall consider the City of Edmonton's Winter Design Guidelines in their design and implementation. A report outlining how the development conforms to these guidelines shall be submitted with each Development Permit for construction of a principal building and be to the satisfaction of the Development Officer.
5. The storm and sanitary drainage systems required to service the development, including drainage infrastructure extensions and on-site stormwater management, shall be in general conformance with the Drainage Servicing Report or alternatives to the satisfaction of the Development Officer in consultation with Development Services (Drainage). Such improvements are to be constructed at the owner's cost.

## **9. Public Improvements**

1. If requested by the Development Officer as a means of implementing direction of a Redevelopment Levy for Parkland Acquisition from the Central McDougall/Queen Mary Park Area Redevelopment Plan, 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 approved by the Real Estate Branch of the Financial and Corporate Services Department, and the Community Services Department prior to issuance of a Development Permit. 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.
2. 104 Street NW



- a. As a condition of a Development Permit for construction of the first principal building Abutting 104 Street NW, the owner shall enter into an Agreement with the City of Edmonton for off-site improvements necessary to serve or enhance the development. Improvements shall focus on the east side of 104 Street NW only, improving conditions for pedestrians, cyclists, and transit users. Improvements that could be implemented shall be in general conformance with the cross sections within the Central McDougall/Queen Mary Park Area Redevelopment Plan. These improvements could include, but are not limited to, traffic calming elements, enhanced pedestrian crossings, widened sidewalks, street trees, and street furniture. Adjustments to the cross sections at the southern end of 104 Street NW may be required due to existing buildings and infrastructure. All improvements shall be to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation).
3. 103 Street NW
  - a. As a condition of a Development Permit for construction of the first principal building Abutting 103 Street NW, the owner shall enter into an Agreement with the City of Edmonton for off-site improvements necessary to serve or enhance the development. Improvements shall focus on prioritizing conditions for pedestrians, cyclists, and transit users. Improvements that could be implemented shall be in general conformance with the cross sections within the Central McDougall/Queen Mary Park Area Redevelopment Plan. These improvements could include, but are not limited to, traffic calming elements, enhanced pedestrian crossings, Shared Street/Potential Publicly Accessible Private Shared Street crossing, widened sidewalks, street trees, and street furniture. Adjustments to the cross sections at the southern end of 103 Street NW may be required due to existing buildings and infrastructure. All improvements shall be to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation).
4. 102 Street NW/Potential Publicly Accessible Private Road
  - a. As a condition of a Development Permit for construction of the first principal building Abutting 102 Street NW/Potential Publicly Accessible Private Road, the owner shall enter into an Agreement with the City of Edmonton for off-site improvements necessary to serve or enhance the development. Improvements shall focus on improving conditions for

pedestrians, cyclists, and transit users. Improvements that could be implemented shall be in general conformance with the cross sections within the Central McDougall/Queen Mary Park Area Redevelopment Plan. These improvements could include, but are not limited to, traffic calming elements, enhanced pedestrian crossings, widened sidewalks, street trees, and street furniture. Adjustments to the cross sections at the southern end of 102 Street NW/Potential Publicly Accessible Private Road may be required due to existing buildings and infrastructure. All improvements shall be to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation).

5. 105 Avenue NW

- a. As a condition of a Development Permit for construction of the first principal building Abutting 105 Avenue NW, the owner shall enter into an Agreement with the City of Edmonton for off-site improvements necessary to serve or enhance the development on the north side of 105 Avenue NW only. Improvements shall focus on improving conditions for pedestrians, cyclists, and transit users. These improvements shall be in general conformance with the 105 Avenue Corridor Study and could include, but are not limited to, widened sidewalks, street trees, and street furniture. All improvements shall be to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation) and Integrated Infrastructure Services.

6. Shared Street/Potential Publicly Accessible Private Street

- a. As a condition of a Development Permit for construction of the first principal building Abutting the Shared Street/Potential Publicly Accessible Private Shared Street between 103 Street NW and 104 Street NW, the owner shall enter into an Agreement with the City of Edmonton for improvements to the Shared Street/Potential Publicly Accessible Private Shared Street between 103 Street NW and 104 Street NW, necessary to serve or enhance the development, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation). The Agreement process shall include an engineering drawing review and approval. Improvements to address in the Agreement include:
  - i. Design elements in line with best practices for shared streets and that give modal priority to pedestrians and cyclists;

- ii. Special treatments to achieve this priority such as but not limited to pavers, stamped concrete, furnishings, etc.; and
  - iii. Lighting provided through a combination of street lights and string lights running across the Shared Street/Potential Publicly Accessible Private Shared Street.
- b. As a condition of a Development Permit for construction of the first principal building Abutting the Shared Street/Potential Publicly Accessible Private Shared Street between 102 Street NW and 103 Street NW, the owner shall enter into an Agreement with the City of Edmonton for improvements to the Shared Street/Potential Publicly Accessible Private Shared Street between 102 Street NW and 103 Street NW, necessary to serve or enhance the development, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation). The Agreement process shall include an engineering drawing review and approval. Improvements to address in the Agreement include:
  - i. Design elements in line with best practices for shared streets and that give modal priority to pedestrians and cyclists;
  - ii. Special treatments to achieve this priority such as but not limited to pavers, stamped concrete, furnishings, etc.; and
  - iii. Lighting provided through a combination of street lights and string lights running across the Shared Street/Potential Publicly Accessible Private Shared Street.
- c. As a condition of a Development Permit that includes the completion of the Shared Street/Potential Publicly Accessible Private Shared Street between 102 Street NW and 104 Street NW, the owner shall enter into an Agreement with the City of Edmonton for improvements to the Shared Street/Potential Publicly Accessible Private Shared Street intersection with 103 Street NW, necessary to serve or enhance the development, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation). The Agreement process shall include an engineering drawing review and approval. Improvements to address in the agreement could include, but are not limited to:
  - i. Surface materials and universal design elements to clearly define and establish a continuous crossing area along the Shared Street/Potential Publicly Accessible Private Shared Street;
  - ii. Pedestrian crossing control measures, signage and/or devices; and

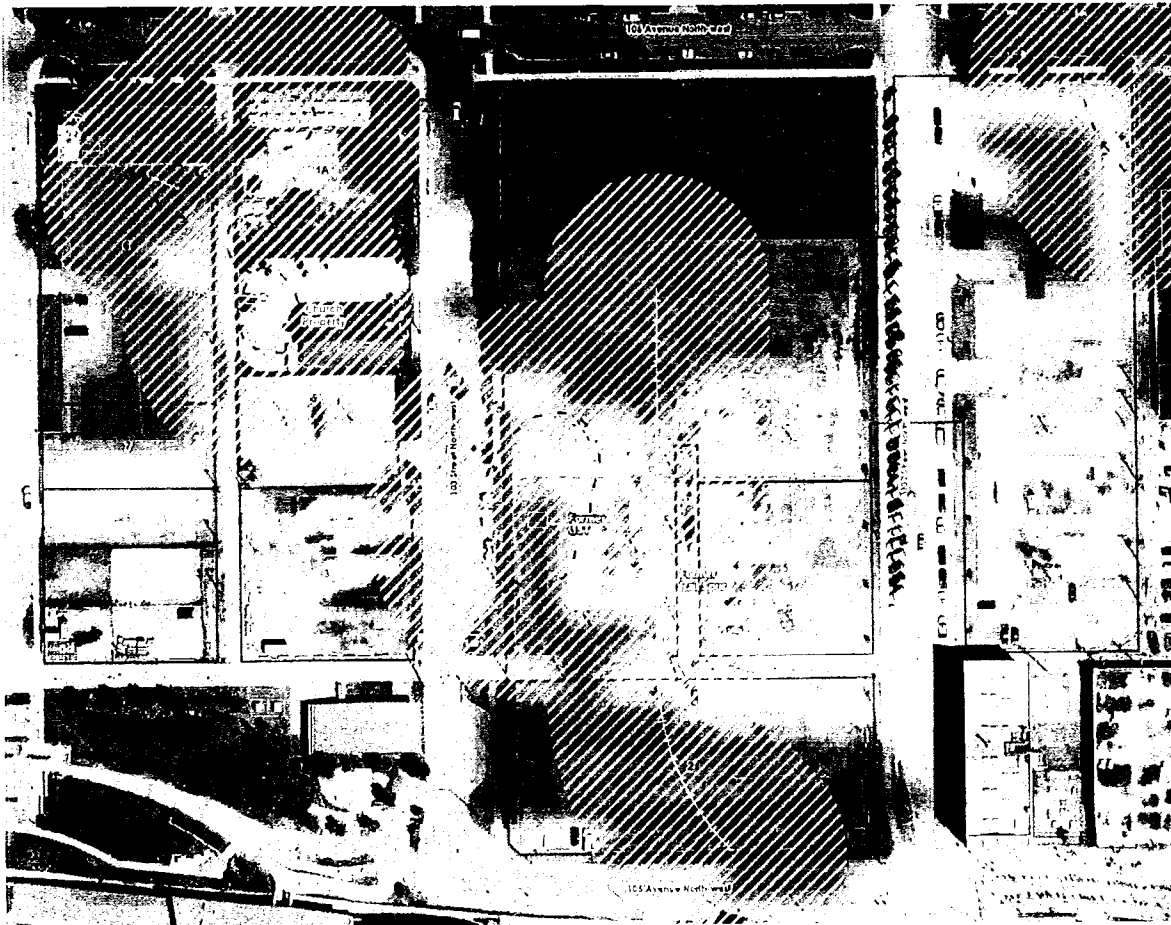
- iii. Other design elements, as required, to clearly demarcate the crossing area for pedestrian and cyclist modal priority.

7. Lanes

- a. Lanes/Potential Publicly Accessible Private Lanes shall be provided in general conformance with Appendix 1 and shall be constructed to a commercial alley standard, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation).



## Appendix 2 – Environmental Buffers



- Approximate Site Boundary
- Borehole Location (Shelby, 2019 Limited Phase II ESA)
- Borehole Location (Thurber, 2019 Limited Phase II ESA)
- Delineated Extents of Soil
- Estimated Extents of Soil Impact
- 30 m Buffer

**SCHEDULE "E"**

**(DC1) DIRECT DEVELOPMENT CONTROL PROVISION  
(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. Child Care Services
- b. General Retail Stores
- c. Health Services
- d. Lodging Houses
- e. Minor Home Based Business
- f. Multi-unit Housing
- g. Personal Service Shops
- h. Professional, Financial, and Office Support Services
- i. Religious Assembly, where lawfully existing at the time of the passage of this Bylaw
- j. Residential Sales Centre
- k. Restaurants, for less than 100 occupants and 120 m<sup>2</sup> of Public Space
- l. Specialty Food Services, for less than 40 occupants and 48 m<sup>2</sup> of Public Space
- m. Supportive Housing
- n. Vehicle Parking
- o. Fascia On-premises Signs
- p. Freestanding On-premises Signs
- q. Projecting On-premises Signs
- r. 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, excluding a development permit for demolition or signage, Environmental Site Assessment (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.
- 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. 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 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 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. No surface vehicular parking areas are permitted Abutting any public roadway, other than a Lane.
- m. Bicycle Parking shall be provided at a minimum rate of one (1) bicycle parking per dwelling unit.
- n. If requested by the Development Officer as a means of implementing direction of a Redevelopment Levy for Parkland Acquisition from the Central McDougall/Queen Mary Park Area Redevelopment Plan, 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 Real Estate Branch of the Financial and Corporate Services 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.

- o. 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 Community Services, Planning and Development, or Subdivision and Development Coordination (Transportation) 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.
- p. 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.
- q. 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.
- r. 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.
- s. 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.
- t. 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, and shall not be developed above the lowest Storey of a building.
  - i. Notwithstanding Clause 4(t), non-Residential Uses shall be permitted in buildings that existed prior to August 31, 2021.
- u. Signs shall comply with the regulations in Schedule 59B of the Zoning Bylaw. Portable Signs shall not be permitted on any Site.

y. **Passenger Drop-off**

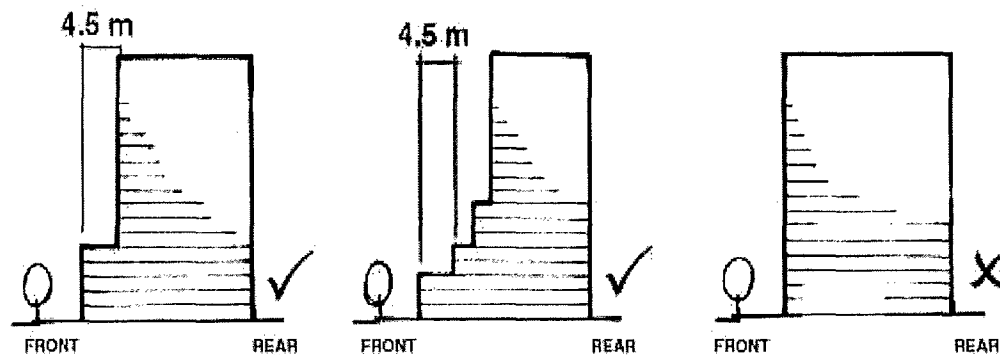
- i. Passenger Drop-off Spaces located on-site shall be located so as to provide for safe and efficient movement of vehicles onto and from the site and within the site.
- ii. Passenger Drop-off Spaces shall be a minimum of 7.0 m in length and a minimum of 2.6 m in width when oriented parallel to the flow of traffic 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.
- iii. 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), 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 Lot Line. The Development Officer may allow a building Setback from the Front Lot 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 Lot Line. The Development Officer may allow a building Setback from the Front Lot 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.

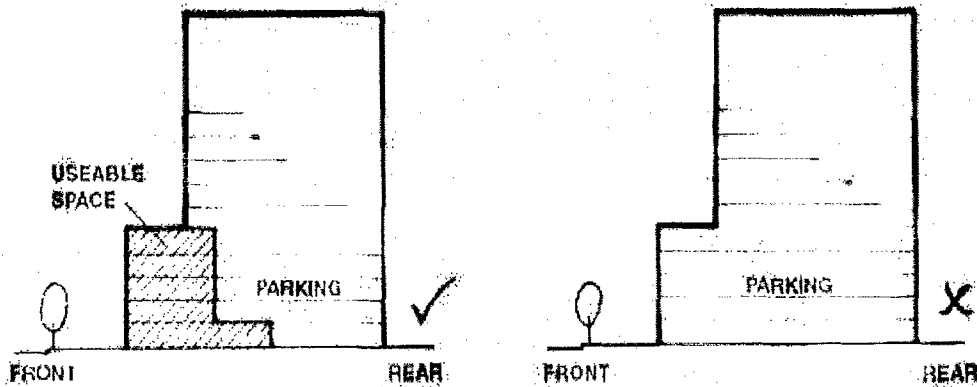


- d. All developments shall provide a minimum 7.5 m building Setback from the Rear Lot Line above the podium level of the building.
- e. All developments shall provide a minimum 2.0 m building Setback from the Side Lot Lines above the podium level of the building.
- f. No portion of an Above Ground Parking 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 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, non-reflective 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 abutting or 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.
  - ii. Blank walls (with or without windows) of an Above Ground Parkade shall not be developed adjacent to, or visible from, any public roadway.
- m. 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.
- n. 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.

- o. 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.
- p. 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.
- q. Where Commercial Uses are developed on the ground (first) floor of a building that is built to the Front Lot 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.
- r. 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 or the Carter Residence complements the colour and materials of these historic buildings, which are both designated Municipal Historic Resources.
- 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.

## **6. Development Guidelines**

- a. 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.

**SCHEDULE “F”**

**(DC1) DIRECT DEVELOPMENT CONTROL PROVISION  
(AREA 5 - PRECINCT C)**

**1. Area of Application**

This Provision shall apply to Lot 272, Block 2, Plan 0740621, generally located south of 106 Avenue NW and between 102 Street NW and 103 street NW, as shown in Schedule “A” of the Charter Bylaw adopting this Provision, Central McDougall.

**2. Rationale**

To accommodate a transit-oriented development/high density residential mixed use development that supports a liveable “urban village” environment and an improved sense of place and quality development through the use of urban design regulations and the introduction of high density Multi-unit Housing near the Downtown area and high speed transit corridors. Minor local commercial uses may be developed on the ground floor.

**3. Uses**

- a. Child Care Services
- b. General Retail Stores
- c. Health Services
- d. Lodging Houses
- e. Minor Home Based Business
- f. Multi-unit Housing
- g. Personal Service Shops
- h. Professional, Financial, and Office Support Services
- i. Residential Sales Centre
- j. Restaurants
- k. Specialty Food Services
- l. Supportive Housing
- m. Vehicle Parking
- n. Fascia On-premises Signs
- o. Freestanding On-premises Signs
- p. Projecting On-premises Signs
- q. Temporary On-premises Signs, not including portable Signs

**4. Development Regulations**

- a. The development shall be in general conformance with the attached appendices.
- b. The overall Site development shall be in general conformance with the urban design criteria established in the Central McDougall/Queen Mary Park Area Redevelopment Plan for this Precinct.

- c. Prior to issuance of any Development Permit, the owner shall provide proof satisfactory to the Development Officer in consultation with Development Services (Environmental Planner) that, if necessary, the lands have been remediated to allow the intended uses.
- d. The maximum Floor Area Ratio shall be 5.0, except that the Development Officer shall allow a higher Floor Area Ratio if the development has larger Dwellings but still complies with the Density and Height regulations of this Provision.
- e. The maximum number of Dwellings shall be 320.
- f. The maximum Height shall be 76.0 m or 23 Storeys for the western building and 5 Storeys for the eastern building.
- g. Setbacks shall be provided in accordance with Appendix 1.
- h. 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.
- i. No Amenity Area or Private Outdoor Amenity Area is required for any development subject to this Provision.
- j. Residential Uses with Commercial Uses on the ground floor shall have access at Grade that is separate from the Commercial premises.
- k. Access to vehicular 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 Development Officer in consultation with Subdivision and Development Coordination (Transportation).
- l. 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. 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.
- m. Underground driveway ramps for Multi-unit Housing developments shall not exceed a slope of 6% for the first 4.5 m from the property line and the ramp must be at Grade at the property line, to the satisfaction of the Development Officer in Consultation with Subdivision and Development Coordination (Transportation).
- n. No surface vehicular parking areas are permitted abutting any public roadway, other than a Lane.
- o. Notwithstanding Section 54 of the Zoning Bylaw, Residential Uses shall provide a minimum of one (1) vehicular parking stall for each Dwelling.
- p. If requested by the Development Officer as a means of implementing direction of a Redevelopment Levy for Parkland Acquisition from the Central McDougall/Queen Mary Park Area Redevelopment Plan, 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 Real Estate Branch of the Financial and Corporate Services 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.

- q. 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 Development Officer in consultation with Development Services (Drainage). In addition, costs for relocating/abandoning sewer lines as a result of street/lane closures will be the responsibility of the owner.
- r. 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.
- s. 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.
- t. The owner shall register a 24-hour Public Access Easement for the Walkway along the west side of 102 Street NW that passes through the Site. Under this Easement, the owner shall be responsible for maintenance and liability and the Walkway shall be accessible to the public at all times.
- u. 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 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.

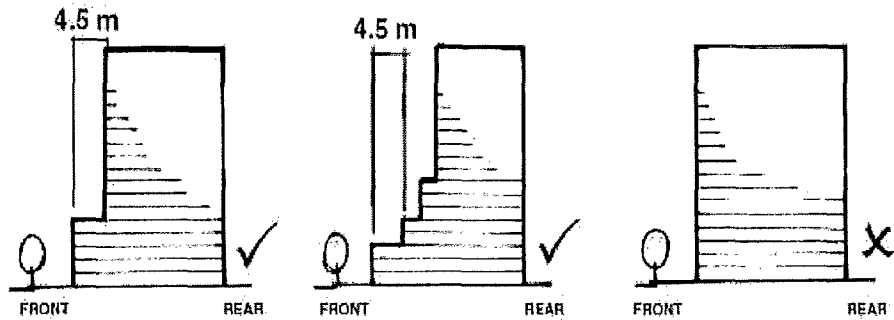
- iii. At the time of development permit approval, provisions must be made, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation), for pedestrians that are being dropped off or picked up to safely enter and exit the site.
- v. Child 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.
- w. Each Restaurants Use shall be limited to 120 m<sup>2</sup> of Public Space.
- x. Each Specialty Food Services Use shall be limited to 48 m<sup>2</sup> of Public Space.
- y. 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. The ground (first) floor of buildings abutting a public roadway, other than a Lane, may be set back from 0.0 m to a maximum of 4.5 m. The setback shall be designed to accommodate sidewalk cafes, colonnades, arcades, or plazas for commercial uses and/or patios, courtyards, terraces, or other amenity space directly associated with an abutting Dwelling. In either case, the building Setback shall not be used exclusively for Landscaping.
- b. 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, except for portions of the western building as indicated in Appendix 2.

### **Explanatory Note**

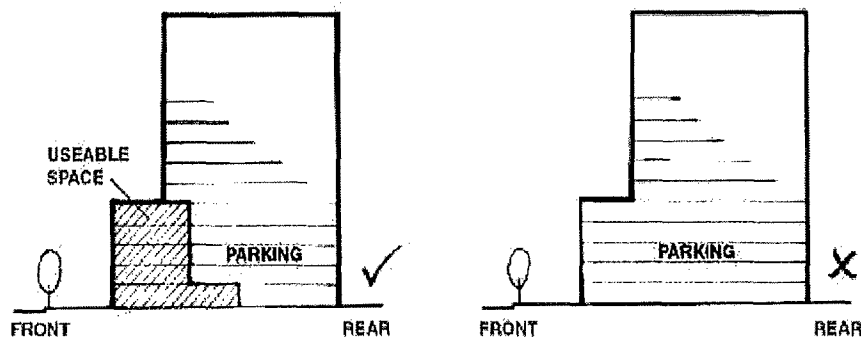
A 4.5 m setback between the front of the building and upper building storeys is intended to reduce the perceived mass of a building and promote the pedestrian scale of the street. The following graphic representation provides a possible conceptual application of this regulation for interpretive purposes.



- c. All developments shall provide a minimum 7.5 m building Setback from the Rear property line above the podium level of the building.
- d. All developments shall provide a minimum 2.0 m building Setback from the Side property lines above the podium level of the building.
- e. No portion of an above Grade 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.
- f. No portion of an above Grade Parking Garage 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 aboveground 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 for interpretive purposes.



- g. 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.
- h. Where a Dwelling 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.
- i. 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.
- j. 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.
- k. Any building with a single wall length greater than 15.0 m abutting or 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.
- l. Blank walls (with or without windows) of vehicular Parking Garages shall not be developed adjacent to, or visible from, any public roadway.
- m. 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.
- n. 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.
- o. 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.
- p. Development on a Site shall incorporate functional and decorative lighting to enhance the appearance of the building during the winter months.
- q. 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

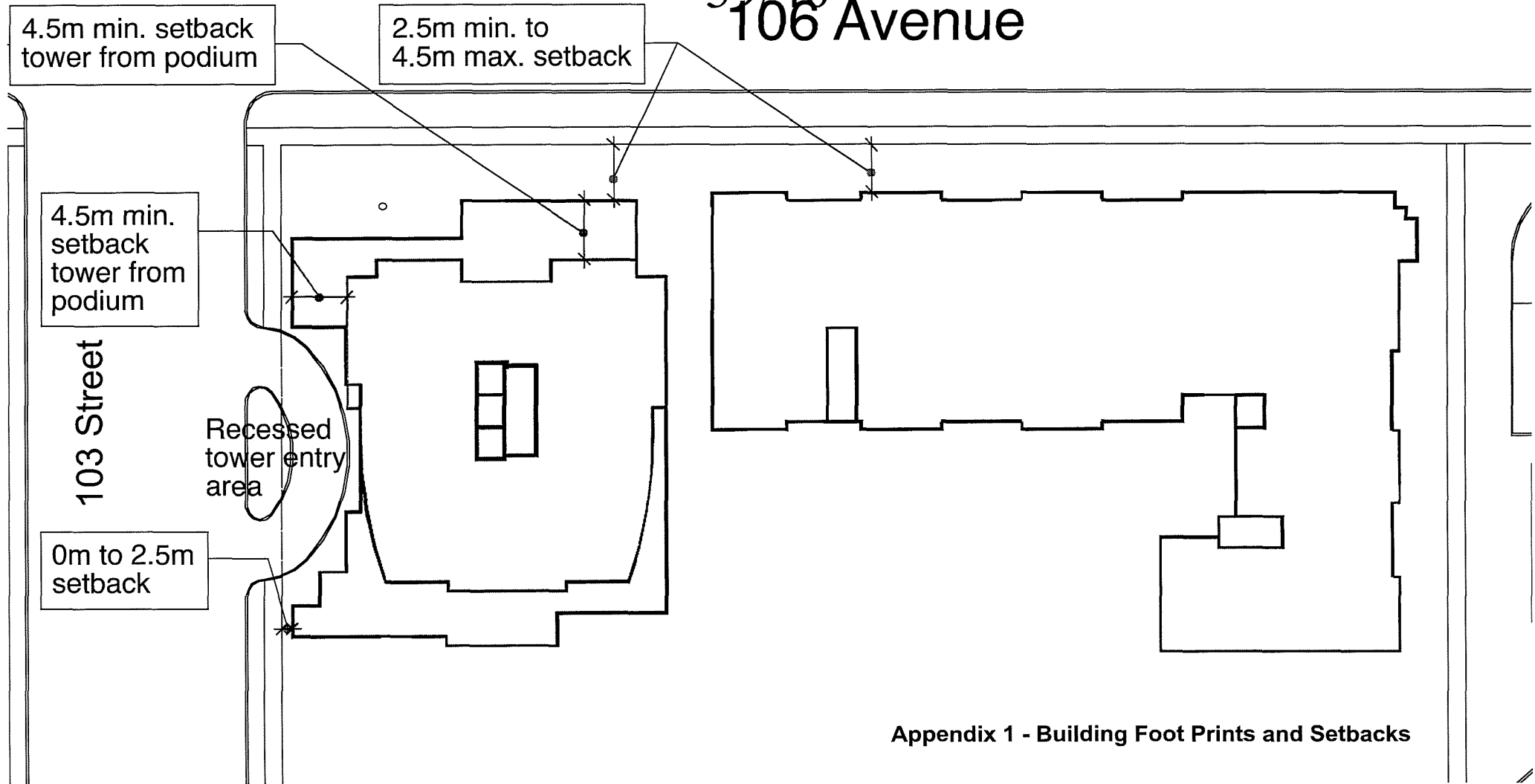
- building or street theme, shall be provided one Storey above sidewalk level to provide a comfortable environment for pedestrians.
- r. Buildings shall be designed through their massing and location, to avoid adverse microclimatic effects such as wind tunnelling, snow drifting, rain sheeting, shadowing, 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.
  - s. 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.
  - t. 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. 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.
- h. The storm and sanitary drainage systems required to service the development, including drainage infrastructure extensions and on-site stormwater management,

shall be in general conformance with the Drainage Servicing Report or alternatives to the satisfaction of the Development Officer in consultation with Development Services (drainage). Such improvements are to be constructed at the owner's cost.

# 39/40 106 Avenue



Appendix 1 - Building Foot Prints and Setbacks

Property Line

106 Avenue  
40/40

103 Street

