

Charter Bylaw 20518

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 3657

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

WHEREAS an application was made to rezone the above described properties to (DC1) Direct Development Control Provision;

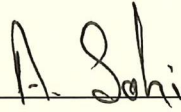
NOW THEREFORE after due compliance with the relevant provisions of the Municipal Government Act RSA 2000, ch. M-26, as amended, the Municipal Council of the City of Edmonton duly assembled enacts as follows:

1. The Zoning Map, being Part III to Bylaw 12800 The Edmonton Zoning Bylaw is hereby amended by rezoning the lands legally described as Lots 9 & 10, Block 8, Plan 1723564; Lots 1MR & 2, Block 6, Plan 1723564; and Lots 1MR & 2, Block 7, Plan 1723564; located at 8450 & 8490 -106A Avenue NW, 10920 & 10954 - 84 Street NW, 11030 - 84 Street NW, and 10619 - Muttart Crossing NW, Boyle Street, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (DC1) Direct Development Control Provision to (DC1) Direct Development Control Provision.
2. The uses and regulations of the aforementioned DC1 Provision are attached as Schedule "B".

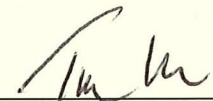
3. The sketch plan attached as Schedule "A" and the uses and regulations of the DC1 Provision shown on Schedule "B" attached are hereby incorporated into the Zoning Bylaw, being Part IV to Bylaw 12800, The Edmonton Zoning Bylaw.

READ a first time this	26th day of June	, A. D. 2023;
READ a second time this	26th day of June	, A. D. 2023;
READ a third time this	26th day of June	, A. D. 2023;
SIGNED and PASSED this	26th day of June	, A. D. 2023.

THE CITY OF EDMONTON

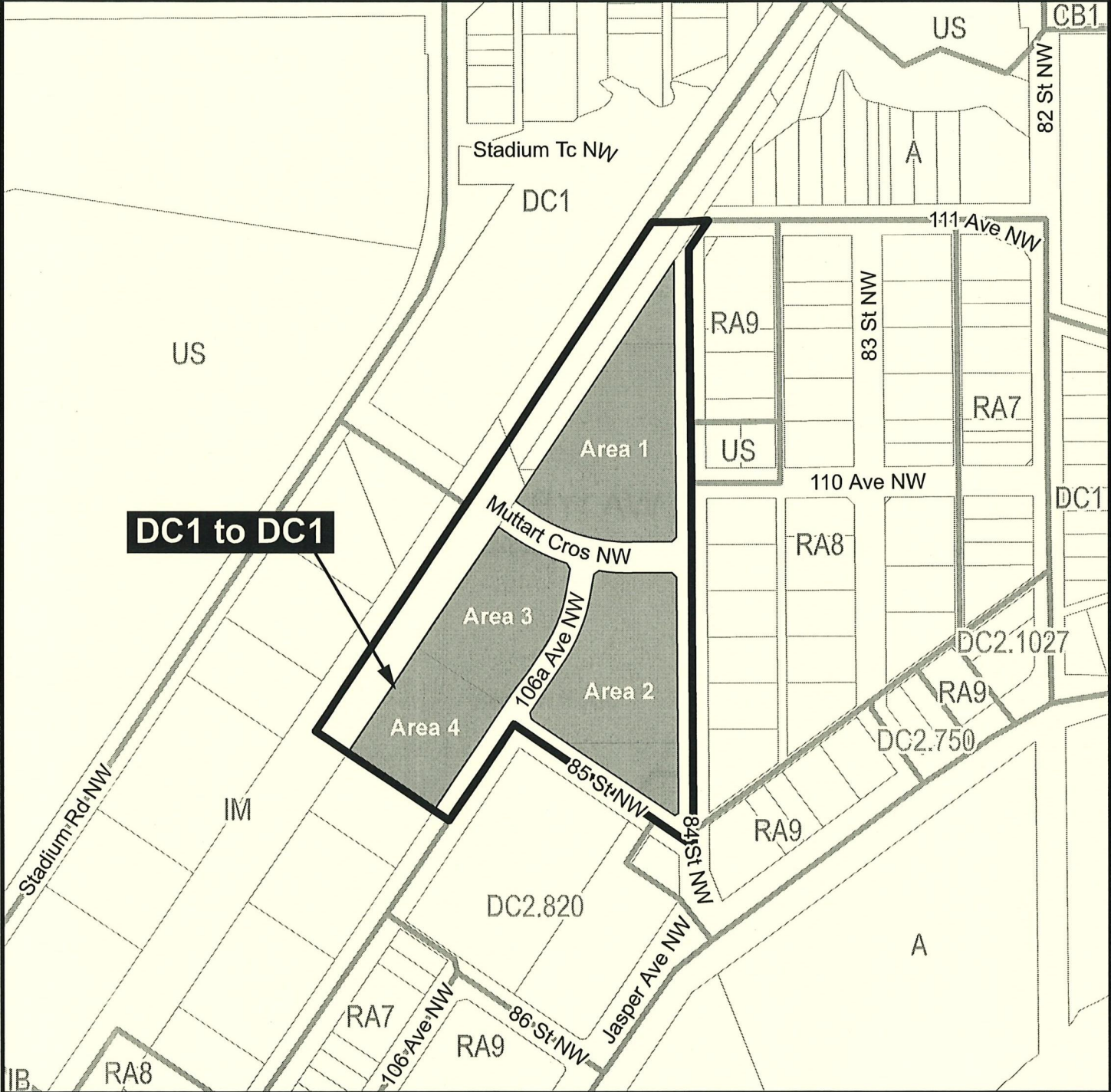


MAYOR



A | CITY CLERK

CHARTER BYLAW 20518



 DC1 to DC1



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

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

2. Area of Application

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

3. Uses

- a. Apartment Hotels
- b. Bars and Neighbourhood Pubs
- c. Breweries, Wineries, and Distilleries
- d. Child Care Services
- e. Commercial Schools
- f. Convenience Retail Stores
- g. General Retail Stores
- h. Health Services
- i. Liquor Stores
- j. Live Work Unit
- k. Minor Home Based Business
- l. Multi-unit Housing
- m. Personal Service Shops

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- n. Professional, Financial and Office Support Services
- o. Public Park
- p. Publicly Accessible Private Park
- q. Specialty Food Services
- r. Supportive Housing
- s. Residential Sales Centre
- t. Restaurants
- u. Fascia On-premises Signs
- v. Freestanding On-premises Signs
- w. Minor Digital On-premises Signs
- x. Projecting On-premises Signs
- y. Temporary On-premises Signs

4. Development Regulations for Uses

- a. A minimum of 700 m² of non-residential uses shall be provided on the Site in general accordance with Appendix 2.
- b. Non-residential uses shall not be developed above the second Storey and may be in a freestanding building located in accordance with Appendix 2. Freestanding non-residential use buildings shall be designed to encourage and strengthen the pedestrian-oriented character of Muttart Crossing to the satisfaction of the Development Officer.
- c. Where Use Classes that may, in the opinion of the Development Officer, create negative impacts such as noise, light or odours which may be noticeable on adjacent properties or within the same building, and where the Site containing such Use Classes is directly adjacent to Sites used or zoned for residential activities, the Development Officer may, at the Development Officer's discretion, require that these potential impacts be minimized or negated. This may be achieved through a variety of measures including: Landscaping, screening, which may exceed the requirements of Section 55 of the Zoning Bylaw; noise attenuation measures such as structural soundproofing; downward direction of all exterior lighting on to the proposed development; and any other measures as the Development Officer may deem appropriate.
- d. No vehicular-oriented Uses shall be permitted.

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- e. Bars and Neighbourhood Pubs, Restaurants or Specialty Food Services shall be limited to 100 Occupants and a maximum of 120m² of Public Space for each establishment.
- f. Notwithstanding Section 99 of the Zoning Bylaw, Breweries, Wineries, and Distilleries may contain an outdoor Public Space next to an Abutting Residential Use as long as it can be demonstrated that noise impacts will be mitigated to the satisfaction of the Development Officer.
- g. Notwithstanding Section 92 of the Zoning Bylaw, Live Work Units shall only be permitted where they front onto a public roadway or a Public Park as shown in Appendix 2.
- h. Personal Service Shops shall not be developed as Body Rub Centres.
- i. Notwithstanding Section 12.3.1 of the Zoning Bylaw, Minor Digital On-premises Signs shall be a Class B Discretionary Development.
- j. Signs shall complement the pedestrian-oriented commercial environment and shall be provided in accordance with Schedule 59E except that:
 - i. Notwithstanding Section 59E.2(1)(a) of the Zoning Bylaw Fascia On-premises Signs shall also be permitted to face an internal roadway, Public Park, and the LRT right-of-way;
 - ii. Notwithstanding Section 59E.2(1)(b) of the Zoning Bylaw, Fascia On-premises Signs that consist only of a company Logogram and / or an Identification Sign formed of individual letters shall be allowed above the floor of the third Storey. Not more than one such Sign shall be allowed per building face and the Sign shall only be used to identify the building name or the principal tenant of the building;
 - iii. Notwithstanding Section 59E.2(2)(b) of the Zoning Bylaw, the top of any Projecting On-premises Sign on a building three Storeys or taller shall not extend more than 75 cm above the floor of the third Storey;
 - iv. Freestanding On-premises Signs may be illuminated;
 - v. Notwithstanding Section 59E.2(3)(a) of the Zoning Bylaw, the maximum Height of a Freestanding On-premises Sign shall be 6.0 m;
 - vi. Notwithstanding Section 59E.2(3)(d) of the Zoning Bylaw and Section 5.f of

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this Provision, Freestanding On-premises Signs for the purposes of Identification Signs shall be allowed within the Setbacks of a public roadway, internal roadway and public park, an LRT right-of way (ROW) with shared use path, subject to the following regulations:

- A. Signs shall have a minimum Setback of 2.5 m from an LRT right-of way (ROW) with shared use path,
 - B. Signs shall not exceed a Height of 1.8 m and shall have a maximum Sign Area of 4.0 m².
- k. Window Signs may be permanently affixed to the interior or exterior of a window up to a maximum Sign Area of 20% window coverage, to the satisfaction of the Development Officer.
- l. Temporary On-premises Signs shall be limited to project advertising and residential sales purposes only, and excluding trailer mounted Signs and/or Signs with changeable Copy.
- m. Public Parks
- i. Two public Parks with a minimum size of 1,000 m² each shall be provided and located in General Accordance with Appendix 2.
 - ii. Public Parks shall be designed with the following considerations:
 - A. As a high-quality civic plaza that creates a vibrant pedestrian node that promotes year-round public passive recreation and enhances the setting of abutting building(s);
 - B. To provide flexible programming space;
 - C. To actively interface with the adjacent buildings and public roadways;
 - D. To allow visibility into the Public Park from the adjacent public roadways and buildings;
 - E. To take advantage of view corridors where possible;
 - F. To provide connections to other surrounding open spaces (i.e., courtyards, patios), as well as interior spaces such as lobbies to create a well-connected pedestrian network;
 - G. To provide safe and defensible space, clear sightlines, adequate lighting and provision of alternate "escape" paths in accordance with CPTED principles;
 - H. To provide easy and direct access particularly for elderly, people with disabilities, and young children;

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- I. Public Parks shall incorporate public seating and impromptu social gathering areas and include features such as decorative light standards, trash receptacles, bollards, landscaped planting beds, planters or tree grates, and a mixture of hard and soft pavement surfacing; and
- J. The Public Parks shall be designed as per the principles of City of Edmonton's Winter Design Guidelines to promote vibrant use during winter months.

5. Development Regulations for Site Layout and Built Form

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

	Maximum FAR	Minimum No. of Dwelling Units	Maximum No. of Dwelling Units	Minimum Height	Maximum Height
Area 1	7.0	216	576	14 m	120 m
Area 2	7.0	187	498	14 m	120 m
Area 3	5.5	138	366	14 m	100 m
Area 4	7.2	138	600	14 m	100 m

- c. The development will be allowed to be phased with varying densities within each Area as long as the total number of Dwelling Units for each Area meets the density requirements of subsection 5.b.
- d. Notwithstanding Section 5.b, a freestanding non-residential building shall not have a minimum Height and shall have a maximum Height of 12.0 m.
- e. The maximum Floor Area Ratio for non-residential Use classes shall be 0.5 for each Area.

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f. Setbacks shall be provided as follows:

	Minimum	Maximum
i. Main Street	0.0 m	0.0 m
ii. Public Roadways other than a Lane	2.0 m	3.0 m
iii. Public Park	2.0 m	3.0 m
iv. LRT Right-of-Way	5.0 m	7.5 m
v. Other Lot Lines	1.0 m per 4.0 m increment of building height or portion thereof	4.0 m

- g. Notwithstanding subsections 5.f.i., 5.f.ii., and 5.f.iii. of this Provision, the Setback may be increased up to a maximum of 4.0 m to accommodate street-related activities, such as sidewalk cafes, communal outdoor Amenity Area or a Public Amenity Space that contributes to the pedestrian-oriented character of the area.
- h. Notwithstanding Section 5.f.iv. of this Provision, the minimum Setback from a property line adjacent to the LRT ROW may be reduced to 2.0 m where a landscaped buffer including a 3.0 m wide shared use path is provided within the LRT ROW abutting the west Lot Line of the Site. Once established, this setback shall be applied consistently along the entire length of the Site abutting the LRT ROW.
- i. Notwithstanding Section 5.f.iv. of this Provision, within Area 4, the maximum Setback from a property line adjacent to the LRT ROW may be increased to 25.0 m where a visible outdoor amenity space is provided between the ground floor of the building and the property line abutting the LRT Right-of-Way.
- j. Notwithstanding Section 5.f.v. of this Provision, within Area 4, there is no maximum Setback to other lot lines.
- k. Separation Space shall be provided in accordance with Section 48 of the Zoning Bylaw except that:
- i. One Storey features, such as bay windows, front porches, platform

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structures, verandas, and/or entrance features, shall be allowed to project into a Setback or Side Setback abutting a flanking roadway to a maximum of 2.0 m. In all cases, a minimum distance of 0.6 m from the property line to the outside wall of such projection and all other portions of a Dwelling, including eaves, shall be maintained.

- ii. In the case of buildings on separate Sites, Separation Spaces may be reduced to the Setbacks provided and that habitable windows are not located directly opposite each other, such that privacy is not impacted; or
- iii. In the case of buildings on the same Site, the separation distance between buildings is at least equal to the total minimum Side Setback requirements for both buildings.

6. Development Regulations for Building and Design Features**a. Building Massing and Articulation**

- i. All buildings greater than 25.0 m in Height shall be allowed in the form of a podium plus Tower composition or other configuration that ensures design treatments are compatible with the façades of adjacent buildings in the immediate area.
- ii. Towers shall Stepback from the podium wall a minimum of 2.5 m on all sides abutting a Public Park or a public roadway other than a Lane.
- iii. The minimum space between Towers shall be 25.0 m.
- iv. The Development Officer may vary Tower spacing in consideration of the following:
 - A. The visual, sun/shadowing, and other microclimatic impacts on adjacent residential development; and
 - B. The recommendations and mitigation measures specified in any required technical studies.
- v. The maximum Floor Plate Area for any portion of a building taller than 25.0 m shall be 750.0 m², but in no case shall exceed 85% of the podium Floor Plate.
- vi. Notwithstanding Section 6.a.v, should more than one Tower be constructed within Area 4, the second Tower Floor Plate Area shall not exceed 85% of the podium Floor Plate, except at the discretion of the Development Officer, where articulation and architectural treatments are required to improve massing and microclimate conditions.

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- vii. The top level(s) of Towers shall contribute to the 'signature' of the building and the City's skyline through sculpting of the upper floors and roofs.
 - viii. The Tower Floor Plate(s) of at least the top 3 floors shall be reduced a further 10% to 15%, to the satisfaction of the Development Officer, through Stepbacks to create the articulation, visual interest, and reduced massing effects.
 - ix. Buildings 25.0 m in Height or less are not required to provide Stepbacks.
 - x. The design of a roof or podium roof may include a green roofs, solar panels, patios, and open spaces.
 - xi. All mechanical equipment on a roof of any building shall be concealed by screening in a manner compatible with the architectural character of the building or concealed by incorporating it within the building.
- b. **Building Façade, Materials, and Exterior Finishing**
- i. For buildings located at the intersection of public roadways the Façade treatment shall wrap around the side of the building to provide a consistent profile facing both public roadways.
 - ii. Building Façade(s) abutting a public roadway or Public Park shall be designed with detail and articulation to a maximum of 12.0m intervals to create attractive streetscapes and interfaces. Building Façades shall be articulated by a combination of recesses, entrances, windows, projections, change in building materials, colours, and/or physical breaks in building mass.
 - iii. All exposed building faces shall have consistent and harmonious exterior finishing materials such as stone, masonry, metal, wood panels, cement panels, and/or glass.
 - iv. Exterior finishing materials must be durable, sustainable, high quality and appropriate for the development within the context of the block face.
 - v. Within Area 4, ground floor residential units shall require a minimum of 50% transparent glass along the ground floor facades that face 106a Avenue and the LRT Corridor.
- c. **Building Relationship to Streets**

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- i. Weather protection in the form of a canopy or other architectural element shall be provided above ground floor commercial entrances to create a comfortable environment for pedestrians.
 - ii. Residential entrances at grade shall be clearly differentiated from non-residential entrances through distinct architectural treatment and address the street in a prominent manner.
 - iii. Parkade entrances shall maintain the architectural harmony with the building façade.
 - iv. The ground floor residential units shall provide individual entrances and other features such as a porch, stoop, landscaped terrace, pedestrian lighting, and/or patio that are clearly visible from the adjacent sidewalk.
 - v. The elevation of the ground floor shall not exceed the elevation of the abutting public sidewalk by more than 1.0 m, except at the discretion of the Development Officer where the Grade or other Site conditions require a greater separation.
- d. Building Relationship to Public Parks
- i. Where non-residential uses are provided abutting a Public Park, they shall be designed to create a pedestrian-friendly environment, which may include such things as entrances, outdoor seating areas, canopies, landscaping and other features that lend visual interest and a human scale to development.
 - ii. All ground floor residential units shall provide features such as a porch, stoop, landscaped terrace, pedestrian lighting, and/or patio that are clearly visible from the Public Park.
 - iii. The elevation of the ground floor shall not exceed the Grade elevation of the abutting Public Park by more than 1.0 m, except at the discretion of the Development Officer where the Grade or other Site conditions require a greater separation.
- e. Building Relationship to LRT Right-of-Way
- i. Ground floor residential units shall address the LRT ROW with individual front or rear entrances and / or other features such as porches, stoops, landscaped terraces, pedestrian lighting, and/or patios that are clearly visible from the LRT ROW.
 - A. Within Area 4, Tower 1 shall provide design articulation along the LRT Right-of-Way through a combination of architectural treatments including, but not limited to, the use of landscaping and

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pedestrian lighting.

f. Main Street Regulations

- i. Buildings shall provide multiple points of interaction in the form of stoops, porches, doorways, windows, and/or large windows to facilitate pedestrian interaction.
- ii. All street level Uses that abut a public roadway shall provide a primary direct access to the street.
- iii. Providing continuous ground floor Uses using a pattern of small frontages no more than 12.0 m in width at street level shall be required.
- iv. Where residential uses are provided on the ground floor:
 - A. All units shall provide separate, individual access at Grade and feature identifiable doorways, landscaped terraces, pedestrian lighting, and patios. To ensure adequate privacy, screening shall be provided to indicate separate individual access to each unit.
 - B. The geodetic elevation of the floor that is directly above Grade shall be greater than the geodetic elevation of the abutting public sidewalk by at least 0.75 m.

v. Where non-residential uses are provided on the ground floor:

- A. The first Storey shall have a minimum Height of 3.5 m.
- B. The geodetic elevation of the top of the floor on the level that is directly above Grade shall not exceed the geodetic elevation of the abutting public sidewalk by more than 0.3 m.
- C. At least 70% of each individual store frontage and the flanking side of a store located on a corner shall have clear non-reflective glazing on the exterior on the first Storey. Transparency is calculated as a percent of linear metres at 1.5 m above the finished Grade.

g. Street Wall Design

- i. The portion of the building façade that comprises the Street Wall shall range in Height from 7.0m to 25.0 m. This Height may be reduced at the discretion of the Development Officer to respect building Height proportionality or to accommodate podium gardens, restaurants/cafes, or natural slope of the site.
- ii. The architectural treatment of the building up to the first 25.0 m shall adhere to the general alignment of the horizontal and vertical elements of the abutting and adjacent buildings along the same block face.

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- iii. Notwithstanding Section 6.g.i of this provision, the maximum Height of any Street Wall abutting the south boundary of Main Street shall be 18.0 m.
- h. Entrances and Corners
 - i. Where provided, ground floor commercial uses shall open to the public roadway rather than an internal atrium.
 - ii. Where commercial buildings are provided at corners they shall provide courtyards, major entry ways or distinctive architectural features.
 - iii. Entrances for residential uses and residential-related uses shall be differentiated from non-residential entrances and provide access at Grade. The entrances will feature identifiable doorways, landscaped terraces, and pedestrian lighting to ensure adequate privacy and distinct architectural treatment.
- i. Greenways
 - i. Within Area 4, greenways to the LRT corridor shall be provided as shown on Appendix 3.
 - ii. For the greenways:
 - A. As a condition of a Development Permit for construction of a principal building, the owner shall register a 4.5 m wide 24-hour Public Access Easement for the greenway along the northeast Side Lot Line and a 4.5 m wide 24-hour Public Access Easement for the greenway along the southwest Side Lot Line. Under this Easement, the owner shall be responsible for maintenance and liability and the spaces shall be accessible to the public at all times.
 - B. A minimum 3.0 m wide shared pathway must be provided along the northeast Side Lot Line and a minimum 3.0 m wide shared pathway must be provided along the southwest Side Lot Line. Other design elements to include within the greenway shall include a combination of trees, planting beds, benches, special paving, or pedestrian scaled lighting.
 - iii. The design of the greenways shall be in general conformance with the Stadium Station Area Redevelopment Plan to ensure public access to and from pedestrian and bicycle facilities along the LRT corridor.

SCHEDULE "B"**7. Development Regulations for Parking, Loading, Storage, and Access**

- a. Vehicular access to all areas from public roadways shall be restricted to one shared access per Site, except that:
 - i. The Development Officer may consider a variance to allow additional vehicular access where adequate sight lines are maintained for vehicles entering and exiting the Site, and designed to minimize conflicts with non-vehicular traffic and pedestrians, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation); and
 - ii. Only one vehicular access shall be permitted on Main Street. This access shall be limited to Area 1 on the north side of Main Street and shall be designed with an emphasis on the pedestrian movement.
- b. 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.
- c. Off-street Parking shall be permitted only in underground parking structures.
- d. Notwithstanding Section 7.c of this provision, the Development Officer may consider variances to allow for at-Grade parking provided that the following criteria is met:
 - i. A maximum of 10% of the Site area is provided as at-Grade parking;
 - ii. Location of at-Grade parking shall be such that it will not have a negative impact on abutting uses or development; and
 - iii. Appropriate level of landscaping or other form of screening is provided to mitigate negative visual impacts.

Bicycle Parking

- e. Short-term Bicycle Parking spaces may be provided within the road right-of-way and shall require the review and approval of the Development Officer in consultation with Subdivision and Development Coordination (Transportation) and may require an Encroachment Agreement.

Loading and Servicing

- f. No parking, loading, storage, or trash collection area shall be permitted within any Setback areas.

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- g. Any trash collection area or storage area shall be screened and located within the principal building such that it is not directly adjacent to and visible from a public roadway.

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

- a. Landscaping shall comply with Section 55 of this Bylaw. In addition to Section 55, landscaping shall be as follows:
 - i. Landscaping on the Site shall utilize plant materials and architectural features that provide colour, texture and visual interest throughout the year to enhance the appearance of the development and create comfortable, attractive and sustainable environments for the benefit and enjoyment of its many stakeholders.
 - ii. The Landscape Plan must be completed by a registered landscape architect registered to practice in the Province of Alberta.
 - iii. All Sites shall be fully landscaped to provide canopy coverage for 30% of the Site (excluding the building footprint), to be established by an analysis figure prepared by the landscape architect or horticulturalist. Landscape design shall consider appropriate plant material for horticultural zone 3a.
 - iv. Notwithstanding 8.a.iii., within Area 4, a minimum canopy coverage of 18% of the Site (excluding the building footprint), shall be provided and be established by an analysis figure prepared by the landscape architect or horticulturalist. Landscape design shall consider appropriate plant material for horticultural zone 3a.
 - v. For any building that abuts a Site zoned to allow industrial Uses, appropriate Landscaping and screening shall be provided within the required Setback areas on the Site.
 - vi. For buildings abutting the LRT ROW where the required minimum setback is 5 m, the setback area space shall be landscaped to define a transition area between LRT ROW and the site through the following techniques:
 - A. Provision of a naturalized landscaped edge and visual buffer within the Setback between the building(s) and the LRT ROW through the use of evergreen trees, deciduous trees, columnar form trees, shrub and a mix of grasses and other perennials that provide seasonal interest of varied heights and textures while also addressing CPTED principles to enable clear sightlines through the landscaped edge.
 - B. Landscaping within the Setback areas shall include a minimum of one tree per 25 m² and one shrub per 6 m².

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- b. Notwithstanding 8.a.,8.a.vi.B., and Section 55, a minimum of 29 trees and 200 shrubs shall be provided within Area 4.
- c. Notwithstanding Section 8.a.vi of this Provision, the requirement for a landscaping buffer along the LRT Right-of-way shall be 2.0 m, in compliance with Section 55 of this Bylaw.
- d. Landscaping is not required within any Setback area abutting the Main Street.
- e. Decorative and security lighting shall be designed and finished in a manner consistent with the architectural theme of the development and will be provided to ensure a well-lit environment for pedestrians, and to accentuate architectural elements and public art.
- f. Exterior lighting associated with the development shall be designed, located or screened so as to reduce impacts on adjacent off-site residential units.
- g. Amenity Areas
 - i. A minimum Amenity Area of 7.5 m² per Dwelling shall be provided for all Dwellings located on the ground floor.
 - ii. Notwithstanding Section 46.3(a) of the Zoning Bylaw, Amenity Area may include balconies with a minimum depth of 1.8 m.

9. Other Regulations**Sustainability Targets**

- a. Development of the Site shall meet the environmental standards equivalent to the LEED-ND Silver certification level, although the developer is not required to seek LEED certification.
- b. As per the requirements of the Certified Green Buildings credit, a minimum of one building shall be designed to meet the requirements of the LEED™ Green Building Rating System, Canada NC 1.0, 2009, as amended, to achieve a LEED Silver standard, although the developer is not required to seek LEED certification. The Owner may choose which supplementary green sustainable targets will be implemented, and, at his/her discretion, may indicate additional targets in excess of the Silver standard score to provide for flexibility at the implementation stage. Upon submission of a Development Permit application, the applicant must submit a detailed report, endorsed by a registered professional engineer or architect, indicating how the LEED Silver points will be achieved upon construction completion. This report must be approved by the Development Officer prior to the issuance of the Development Permit.
- c. Upon completion of the building, the Owner shall provide a report by a professional Architect or Engineer that demonstrates, to the satisfaction of the Development Officer, that the design and construction of the building meets the

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target LEED Silver points described in Section 9.2.

- d. No building encroachment shall be permitted on an existing utility ROW (Registration Number 1905FK) for the deep combined sewer tunnel.
- e. Notwithstanding Section 9(d) of this provision, for any building(s) that may need to encroach on the said utility ROW for site planning efficiency and site geometry reasons, the Development Officer shall ensure that a Geotechnical Stress and Interaction Analysis is submitted, and the encroachment approved prior to issuance of the Development Permit in consultation with Development Services. The applicant may also be required to undertake inspection of the sewer tunnel prior to start of construction.
- f. Prior to the issuance of any Development Permit, the owner shall provide a Remedial Action Plan or remediation report, and/or a Risk Management Plan for review to show that the lands have been remediated, or that there is a satisfactory plan to remediate the lands as part of construction and prior to occupancy to allow the intended uses. Further environmental information may be required by the Development Officer in consultation with the Environmental Planning Unit in order to show the property is suitable for development.
- g. 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, increased 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 entrapments 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 prepared by a qualified security consultant, 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.
- h. Prior to the issuance of a Development Permit for any buildings greater than 20.0m in Height, a Qualitative (CFD) Wind Impact Study shall be submitted for review. The development shall incorporate design features to minimize adverse microclimatic effects such as wind tunneling, snow drifting, rain sheeting both on and off Site, consistent with the recommendations of the Qualitative (CFD) Wind Impact Study.
- i. A Sun Shadow Study shall be submitted with the Development Permit application for any new development over 20.0 m in Height.

SCHEDULE "B"**10. Public Improvements and Contributions**

- a. Prior to the issuance of any development permit, the owner shall enter into an Agreement with the City of Edmonton to contribute \$9.15 per m² of gross Floor Area of the development towards the following community amenity contributions, in any combination:
 - i. For the acquisition of public art. The art will be acquired through an art procurement process administered by the owner(s). The following shall apply to these contributions:
 - A. Artworks shall be created by a professional artist;
 - B. Artworks shall be within private property, excluding the interior of the building, and shall be in a location(s) that is publicly viewable, to the satisfaction of the Development Officer;
 - C. The art will be acquired through an art procurement process administered by the owner(s) and all costs related to the procurement of artworks, operation and future maintenance shall be the responsibility of the owner;
 - D. If a development application has not been made within five (5) years of the date of passage of this Bylaw, the Public Art contributions shall be increased from that point forward according to the annual rate of national inflation as determined by Statistics Canada; and/or
 - ii. Towards the funding of an on-Site public amenity such as, or any contribution of, publicly accessible open spaces and Family Oriented Dwelling units with three or more bedrooms or the partial or whole funding of off-site public amenities such as streetscape improvements, public park improvements and improvements to Community League facilities.
- b. In addition to contributions outlined in 10(a), within Area 4, prior to the issuance of a Development Permit for construction of a principal building, the owner shall enter into an Agreement between the City and the owner to Contribute \$271,728 to:
 - i. the creation of on-Site Public Amenities, such as public art, a minimum of 286.75 sq m. of publicly accessible open space (registered by way of easement) at a rate of \$300/sq. metre (or up to \$500/sq. metre with evidence of costs) or Family Oriented Dwelling units with three or more bedrooms at a rate of \$35,000 per unit, with more specific details to be determined at the Development Permit Stage between the Owner and City Administration; or

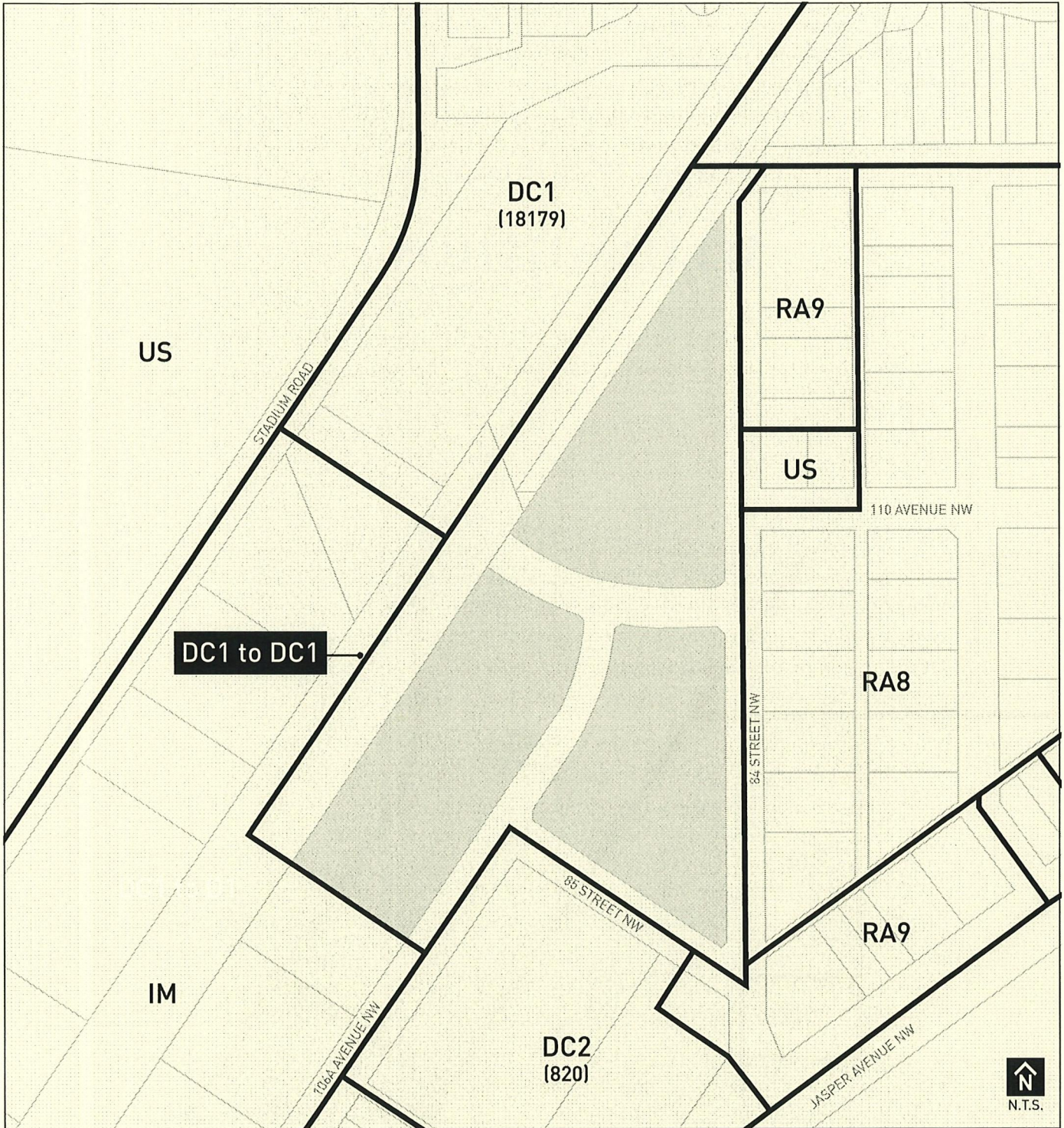
SCHEDULE "B"

- ii. the Boyle Street Community League for off-site amenities within the Boyle Street neighbourhood, such as a community hall, community rink or public park improvements, with specific details to be determined at the Development Permit stage between the Owner and City Administration in consultation with the Boyle Street Community League.
- c. In addition to the contributions outlined in 10(a), within Area 4, prior to the issuance of a Development Permit for construction of a second principal building, the owner shall enter into an Agreement between the City and the owner to Contribute \$126,993 to:
- i. the creation of on-Site Public Amenities, such as public art, a minimum of 286.75 sq m. of publicly accessible open space (registered by way of easement) at a rate of \$300/sq. metre (or up to \$500/sq. metre with evidence of costs) or Family Oriented Dwelling units with three or more bedrooms at a rate of \$35,000 per unit, with more specific details to be determined at the Development Permit Stage between the Owner and City Administration; or
 - ii. the Boyle Street Community League for off-site amenities within the Boyle Street neighbourhood, such as a community hall, community rink or public park improvements, with specific details to be determined at the Development Permit stage between the Owner and City Administration in consultation with the Boyle Street Community League.
- d. The Owner shall enter into an Agreement(s) with the City of Edmonton for all off-site improvements necessary to serve the development to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation). The Agreement(s) shall include an engineering drawing review and approval process. Improvements to be addressed in the Agreement include but are not limited to the following:
- i. Construction of the portion of Main Street between 84 Street NW and LRT ROW with the first stage of development.
 - ii. Construction of the portion of Main Street between the eastern boundary of the LRT ROW and Stadium Road, including all roadway modifications and signalization at the intersection of Main Street and Stadium Road.
 - iii. Construction of an extension of 106A Avenue NW between 85 Street NW and Main Street.
 - iv. Improvements to the western portion of 106A Avenue NW south of 85

SCHEDULE "B"

Street NW and up to a distance of approximately 70.0 m. These improvements may include a provision of new curb, sidewalk, street lighting, and street trees.

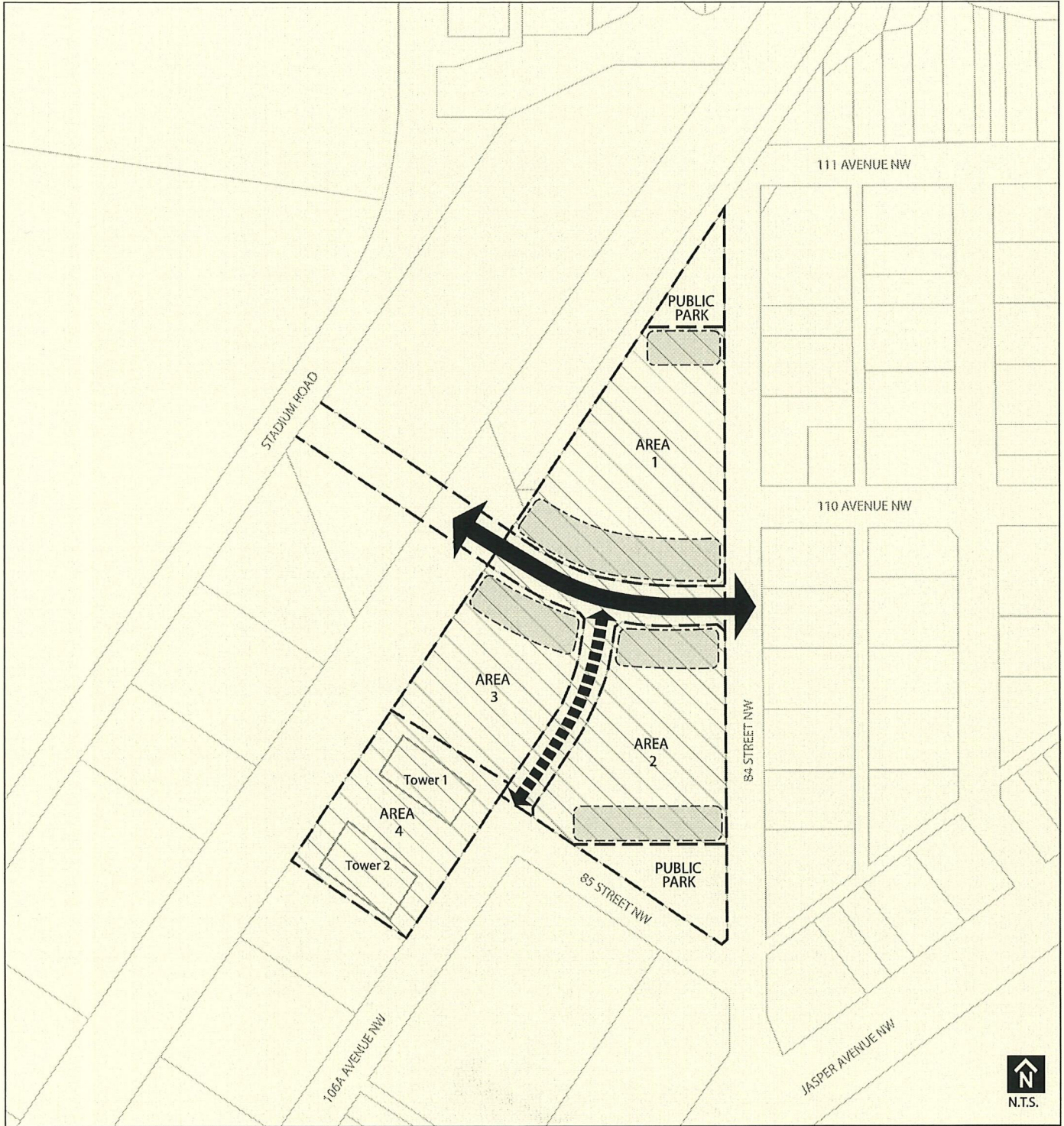
- v. Improvements to the northern portion of 85 Street NW between 106A Avenue NW and 84 Street NW. These improvements may include a provision of new curb, sidewalk, street lighting, and street trees.
- vi. Improvements to the western portion of 84 Street NW between 85 Street NW and 111 Avenue NW. These improvements may include a provision of new curb, sidewalk, street lighting, and street trees.
- vii. Construction of two Public Parks adjacent to the Site as per the approved Landscape Plan.
- viii. Construction of a pedestrian access to the south end of the Stadium LRT station.
- ix. Construction of a shared use path within the LRT right-of-way adjacent to the site.
- x. Construction of modifications to the intersection of Jasper Avenue and 84 Street, including a contribution toward the installation of traffic signals.



LEGEND


 DC1 TO DC1


APPENDIX 1

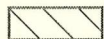



LEGEND

 SITE BOUNDARY

 MAIN STREET

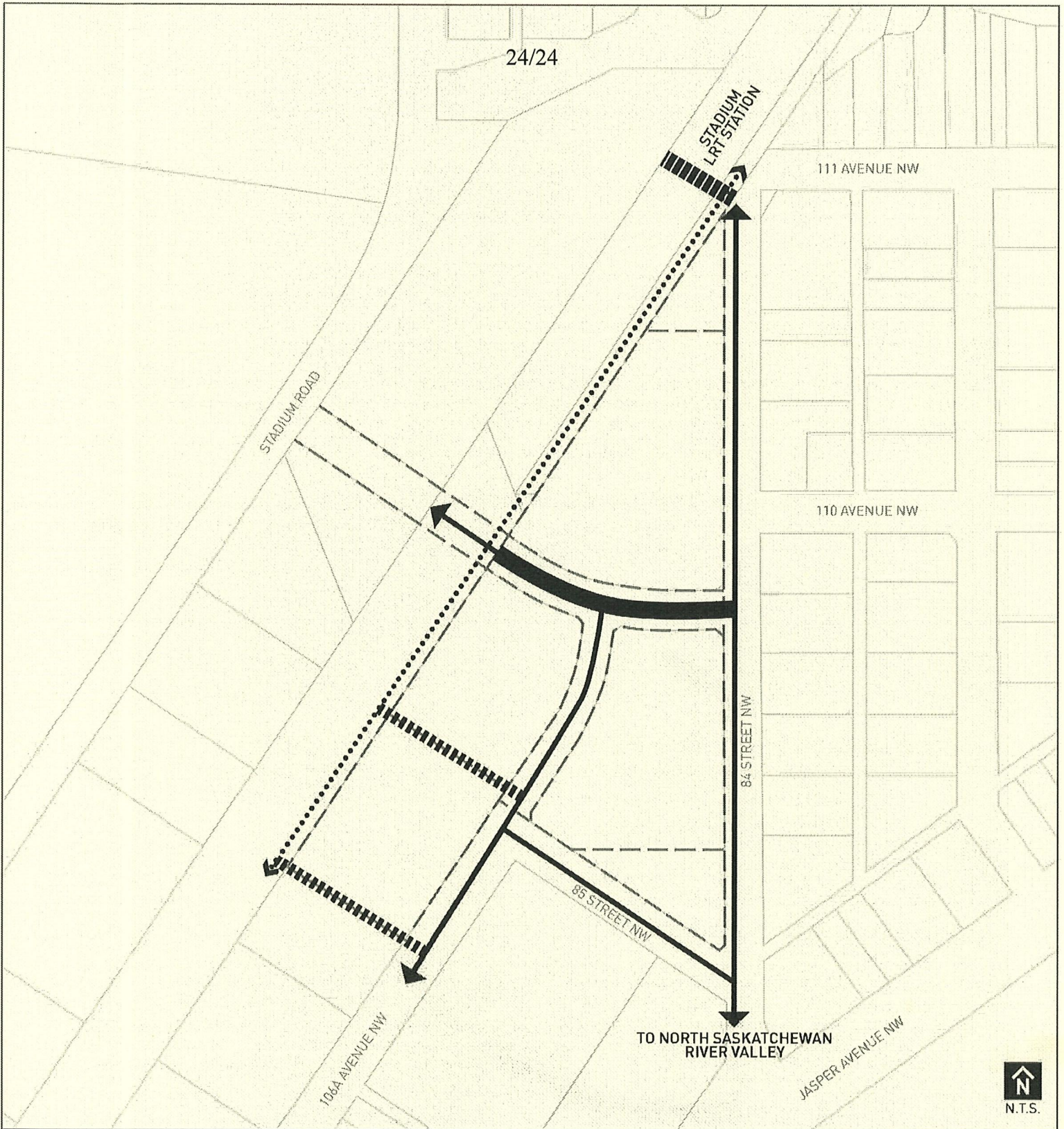
 PUBLIC ROADWAY

 RESIDENTIAL

 POTENTIAL MIXED-USE OR
FREESTANDING NON-RESIDENTIAL USES

APPENDIX 2





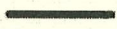
LEGEND



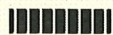
SITE BOUNDARY



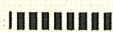
ENHANCED PEDESTRIAN SIDEWALK
(MINIMUM 2.0 METRES WIDE)



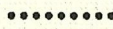
PEDESTRIAN SIDEWALK
(MINIMUM 1.0 METRE WIDE)



PEDESTRIAN ACCESS TO LRT STATION



PEDESTRIAN WALKWAY (Greenway)



POTENTIAL SHARED USE PATH

APPENDIX 3