

Bylaw 18847

Bylaw to amend Bylaw 11648, as amended,
being the Central McDougall/Queen Mary Park Area Redevelopment Plan

WHEREAS pursuant to the authority granted to it, City Council on March 5, 1998, passed Bylaw 11648, as amended, being a bylaw to adopt the Central McDougall/Queen Mary Park Area Redevelopment Plan; and

WHEREAS an application was received by City Planning to amend Bylaw 11648, as amended, the Central McDougall/Queen Mary Park Area Redevelopment Plan;

WHEREAS City Council considers it desirable to amend Central McDougall/Queen Mary Park Area Redevelopment Plan;

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 Central McDougall/Queen Mary Park Area Redevelopment Plan is hereby further amended by.
 - a. deleting “(DC1) DIRECT DEVELOPMENT CONTROL PROVISION (Area 1 - Precinct ‘C’)” and replacing with “(DC1) DIRECT DEVELOPMENT CONTROL PROVISION (Area 1 - Precinct ‘C’)” attached as Schedule “A”, and forming a part of this Bylaw.

- b. deleting “(DC1) DIRECT DEVELOPMENT CONTROL PROVISION (Area 6 - Precinct ‘C’)” and replacing with “(DC1) DIRECT DEVELOPMENT CONTROL PROVISION (Area 6 - Precinct ‘C’)” attached as Schedule “B”, and forming a part of this Bylaw.
- c. deleting “Map 11 - Central McDougall - Zoning” and replacing with “Map 11 - Central McDougall - Zoning” attached as Schedule “C”, and forming a part of this Bylaw.

READ a first time this	13th	day of	May	, A. D. 2019;
READ a second time this	13th	day of	May	, A. D. 2019;
READ a third time this	13th	day of	May	, A. D. 2019;
SIGNED and PASSED this	13th	day of	May	, A. D. 2019.

THE CITY OF EDMONTON


MAYOR


CITY CLERK

A/

SCHEDULE “A”

**(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. Apartment Housing
- b. Child Care Services
- c. General Retail Stores
- d. Group Home
- e. Health Services
- f. Limited Group Home
- g. Lodging Houses
- h. Minor Home Based Business
- i. Non-Accessory Parking
- j. Personal Service Shops
- k. Professional, Financial, and Office Support Services
- l. Religious Assembly, where lawfully existing at the time of the passage of this Bylaw
- m. Residential Sales Centre
- n. Restaurants, for less than 100 occupants and 120 m² of Public Space
- o. Specialty Food Services, for less than 40 occupants and 48 m² of Public Space
- p. Stacked Row Housing, including Row Housing, only when incorporated at the lower levels of a high rise building
- q. Fascia On-premises Signs
- r. Freestanding On-premises Signs

- s. Projecting On-premises Signs
- t. Temporary On-premises Signs, not including portable Signs

4. Development Regulations

- a. The overall Site development shall be in accordance with the urban design criteria established herein and in the central McDougall/Queen Mary Park Area Redevelopment Plan for this Precinct.
- b. Prior to the issuance of any Development Permit, the owner shall provide proof satisfactory to the Development Officer in consultation with Alberta Environment, the Capital Health Authority, and the Transportation Department that, if necessary, the lands have been remediated to allow the intended uses.
- c. The maximum Floor Area Ratio of any development shall be 5.0, except that the Development Officer may use variance power to increase this maximum to 6.0 for developments with larger individual unit floor plates, and which comply with the Density provisions of this Provision.
- d. The maximum Density shall be 500 Dwellings/ha.
- e. The maximum Height shall be 45.0 m or 15 Storeys.
- f. No Front, Rear, or Side Yards are required.
- g. A 2.0 m building Setback shall be provided at the Rear of a building. Landscaping shall be provided within the 2.0 m building Setback to provide an improved appearance of the Lane.
- h. No Amenity Area or Private Outdoor Amenity Area is required for any development subject to this Provision.
- i. Apartment Housing with Commercial Uses on the ground floor shall have access at Grade that is separate from the commercial premises.
- j. Access to Parking Garages or parking areas shall only be from an abutting Lane. If no Lane is present, access may be taken from an abutting public roadway, to the satisfaction of the Transportation Department. However, in no instance shall access be taken from 105 Avenue or 105 Street.
- k. Loading, storage, and trash collection areas shall be located in such a manner to be screened from view from adjacent sites, public roadways, and Light Rail Transit lines in accordance with the provisions of Section 55 of the Zoning Bylaw.
- l. Underground driveway ramps for Apartment Housing and Stacked Row Housing, including Row Housing developments must not exceed a slope of 6% and the ramp must be at Grade at the property line, to the satisfaction of the Transportation Department.
- m. No surface vehicular parking areas are permitted abutting any public roadway, other than a Lane. Notwithstanding the proceeding clause, surface vehicular

parking shall be permitted on an interim basis only on Lot 271, Block 2, Plan 0729263; and Lot 268, 269, 270, Block 2, Plan B, as further detailed in section 1(x).

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

costs for relocating/abandoning sewer lines as a result of street/lane closures will be the responsibility of the owner.

- t. All mechanical equipment, including roof mechanical units, shall be concealed by screening in a manner compatible with the architectural character of the building or concealed by incorporating it within the building.
- u. The owner shall submit a Crime Prevention Through Environmental Design (CPTED) Assessment that shall be reviewed and accepted by the Development Officer prior to the issuance of a Development Permit to ensure that development on the Site provides a safe urban environment in accordance with the guidelines and principles established in the Design Guide for a Safer City.
- v. Child Care Services; General Retail Stores; Health Services; Personal Service Shops; Professional, Financial, and Office Support Services; Restaurants; and Specialty Food Services shall only be permitted when designed as an integral and secondary component of a residential development consisting of 50 Dwellings or more, and shall not be developed above the lowest Storey of a building.
- w. Signs shall comply with the regulations in Schedule 59B of the Zoning Bylaw. Portable Signs shall not be permitted on any Site.
- x. The following regulations shall apply to surface Non-accessory Parking:
 - i. Surface Non-accessory Parking shall be permitted on the following parcels: Lot 268, 269, 270, Block 2, Plan B3.
 - ii. Any Development Permit approved for surface Non-accessory Parking shall be temporary in nature and limited to a maximum of three (3) years commencing on December 12, 2016.
 - iii. Notwithstanding the other Development Regulations and the Appendices of this Zone, after the three year period, renewal of the surface Non Accessory Parking Use may be considered in one (1) year increments up to a maximum of an additional three (3) years at the discretion of the Development Officer provided that the owner/developer has obtained a Building Permit and commenced construction of at least one mixed-use Tower of at least 23.0 m in Height.
 - iv. Directional and information signage consistent in design, colour, symbols and graphics shall be provided to:
 - 1. Direct patrons to pedestrian exits;
 - 2. Direct patrons to vehicular exits;
 - 3. identify areas for patrons to locate their vehicles;
 - 4. Advise patrons to lock their vehicles and remove all valuables;
 - 5. Advise patrons of the presence of security patrols; and
 - 6. Advise patrons of the presence of security cameras.

- v. Lighting for the Site shall be a minimum of 6 lux or 1 foot-candle to provide a safe and secure pedestrian environment.
 - 1. Lighting shall be arranged, installed and maintained so as to reduce visual and light impacts on adjacent off-site residential units as well as provide a safely lit pedestrian environment.
- vi. A minimum 3.0 m landscaped Setback shall be provided along the perimeter of the Site. The buffer should visually screen parked vehicles but not completely obstruct views into and out of the parking lot for the purpose of supporting pedestrian safety and security.
- vii. The following shall be provided within the 3.0 m Setback Area:
 - 1. One (1) tree for each 15 m around the perimeter of the site. For tree requirements, only deciduous species shall be allowed.
 - 2. Dense shrubs greater than 12" in height, grassed areas and solid fences shall not be permitted.
- viii. Every access must be hardsurfaced from the curbface to 10.0 m into the site.
- ix. Concrete wheel stops shall be provided.
- x. All parking facilities shall be clearly demarcated, have adequate storm water drainage and storage facilities.
- xi. The storage of materials inclusive of accumulated snow on Non-Accessory Parking surface lots shall be in a location away from the public roadway to improve safety and visibility.
- xii. Prior to the issuance of the Development Permit, the developer shall enter into an agreement to contribute funds to the Central McDougall Community League for the creation of a public amenity, with specific details to be determined at the Development Permit stage between the Owner and City Administration in consultation with the Central McDougall Community League. These funds will be submitted to the City of Edmonton and disbursed accordingly to the Central McDougall Community League. A minimum amount of \$150,000 shall be provided prior to the issuance of a Development Permit.
- xiii. At the time of development permit application, provisions must be made, to the satisfaction of the Development Officer in consultation with Urban Transportation, for barrier-free parking stalls.
- y. Passenger Drop-off
 - i. Passenger Drop-off Spaces located on-site shall be located so as to provide for safe and efficient movement of vehicles onto and from the site and within the site.
 - ii. Passenger Drop-off Spaces shall be a minimum of 7.0 m in length and a minimum of 2.6 m in width when oriented parallel to the flow of traffic

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.

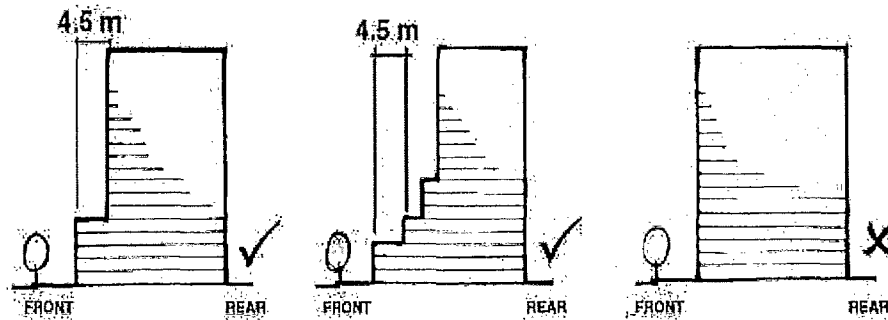
- iii. At the time of development permit application, provision must be made, to the satisfaction of the Development Officer in consultation with Urban Transportation, for pedestrians that are being dropped off or picked up to safely enter and exit the site.

5. Urban Design Regulations

- a. Where the ground (first) floor of any development is designed for Commercial Uses, the building shall be constructed to the Front property line. The Development Officer may allow a building Setback from the Front property line of up to 2.5 m, only to accommodate street related activities such as sidewalk cafés, colonnades, arcades, or plazas. The 2.5 m building Setback shall not be used exclusively for Landscaping.
- b. Where the ground (first) floor of any development is designed for Residential Uses, the building shall be constructed to the Front property line. The Development Officer may allow a building Setback from the Front property line of up to 4.5 m, only to provide physical separation from the abutting street for the Dwelling units provided this Setback accommodates patios, courtyards, terraces, or other private amenity space directly associated with the abutting Dwelling unit. The 4.5 m building Setback for Residential Uses shall not be used exclusively for Landscaping.
- c. There shall be a minimum of 3 and a maximum of 5 Storeys of a building immediately abutting a public roadway, other than a Lane. Any portion of a building exceeding a Height of 5 Storeys or 17.5 m shall be set back a minimum of 4.5 m from the lower portion of the building adjacent to a public roadway, other than a Lane.

Explanatory Note

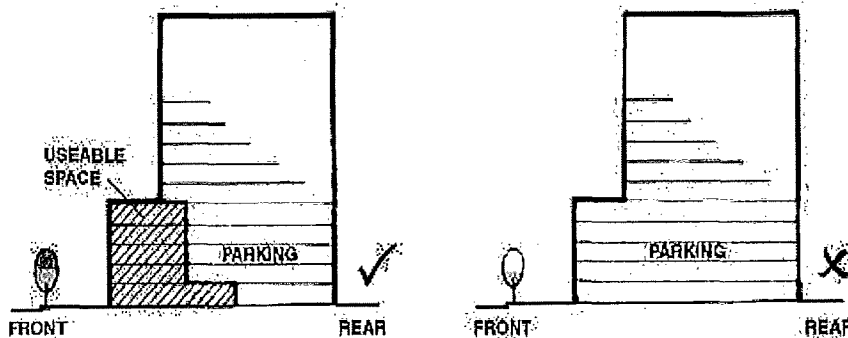
A 4.5 m setback between the front of the building and upper building storeys is intended to reduce the perceived mass of a building and promote the pedestrian scale of the street. The following graphic representation provides a possible conceptual application of this regulation for interpretive purposes.



- d. All developments shall provide a minimum 7.5 m building Setback from the Rear property line above the podium level of the building.
- e. All developments shall provide a minimum 2.0 m building Setback from the Side property lines above the podium level of the building.
- f. No portion of an above Grade Parking Garage on the ground (first) floor shall be allowed for a minimum depth of 10.0 m from any building façade facing a public roadway, other than a Lane.
- g. No portion of an above Grade Parking Garage above 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 ((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.
- m. Blank walls (with or without windows) of vehicular Parking Garages shall not be developed adjacent to, or visible from, any public roadway.
- n. To ensure a high standard of development, building design plans shall be submitted with a Development Permit application. Such plans shall be to the satisfaction of the Development Officer and shall include details of overall site layout, exterior building treatment and colour scheme, perimeter and internal landscaping, fencing and screening, and surface vehicular parking layout.
- o. The finishing of the podium portion of any development shall consist of materials such as glass and glazed window wall systems, brick, stone, architectural concrete, and/or precast coloured concrete.
- p. The use of stucco as a finishing material is not permitted on the podium portion of any development. The use of stucco on the tower portion of any development shall be limited to a maximum of 15% of the exterior surface area of the tower.
- q. Development on a Site shall incorporate functional and decorative lighting to enhance the appearance of the building during the winter months, and, if applicable, to provide additional lighting for the 105 Avenue corridor.
- r. Where Commercial Uses are developed on the ground (first) floor of a building that is built to the Front property line, weather protection in the form of a canopy at least 2.0 m wide or any other method suitable to the architectural style of the building or street theme, shall be provided one Storey above sidewalk level to provide a comfortable environment for pedestrians.

- s. The Development Officer, in consultation with the Heritage Planner, shall ensure that development within the podium portion of any development immediately adjacent to the A. MacDonald Building and the Carter Residence complements the colour and materials of these historic buildings, which are both designated Municipal Historic Resources.
- t. Buildings shall be designed through their massing and location, to avoid adverse microclimatic effects such as wind tunnelling, snow drifting, rain sheeting, shadowing, and loss of sunlight, both on and off-site. The Development Officer may require the submission of a Wind Impact Statement or Study, and/or a Sun Shadow Impact Study to determine that proposed development achieves these objectives.
- u. Main building entrances for any Use shall be designed for universal accessibility. Level changes from the sidewalk to entrances of buildings shall be minimized. Sidewalk furniture and other elements shall be located out of the travel path to ensure they are not obstacles to building access.
- v. The upper two to four Storeys of high rise buildings shall step back from the lower levels of the tower portion of the building and provide distinctive shaping or sculpting of the roof line to contribute to a unique and interesting skyline.

6. Development Guidelines

- a. Apartment 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.

(DC1) DIRECT DEVELOPMENT CONTROL PROVISION (AREA 6 – PRECINCT ‘C’)**1. General Purpose**

To allow for the existing building on-site as of the date of this bylaw to be used for commercial purposes while ensuring future buildings 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.

2. Area of Application

This Provision shall apply to Lot 1, Block 5, Plan 9921814, located at 10505 – 106 Street NW; as shown on Schedule “A” of this Bylaw adopting this Provision, Central McDougall.

3. Uses

- a. Apartment Housing
- b. Bars and Neighbourhood Pubs
- c. Breweries, Wineries and Distilleries
- d. Business Support Services
- e. Cannabis Retail Sales
- f. Child Care Services
- g. Convenience Retail Stores
- h. General Retail Stores
- i. Group Home
- j. Health Services
- k. Limited Group Home
- l. Lodging Houses
- m. Minor Alcohol Sales
- n. Minor Home Based Business
- o. Major Home Based Business
- p. Professional, Financial, and Office Support Services
- q. Residential Sales Centre
- r. Restaurants
- s. Specialty Food Services
- t. Stacked Row Housing only when incorporated at the lower levels of a high rise building
- u. Row Housing, only when incorporated at the lower levels of a high rise building
- v. Veterinary Services
- w. Fascia On-premises Signs
- x. Freestanding On-premises Signs

- y. Projecting On-premises Signs
- z. Temporary On-premises 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.
- b. Prior to the issuance of any Development Permit, the owner shall provide proof satisfactory to the Development Officer in consultation with Alberta Environment and Sustainable Resource Development, Alberta Health Services, and Transportation Services that, if necessary, the lands have been remediated to allow the intended uses.
- c. The maximum Floor Area Ratio of any development shall be 5.0, except that the maximum Floor Area Ratio shall be 6.0 for developments with larger individual unit floor plates.
- d. The maximum Density shall be 500 Dwellings/ha.
- e. The maximum Height shall be 45.0 m.
- f. Building Setbacks shall be as follows:
 - i. 0 m from Front Lot Line
 - ii. 0 m from Side Lot Line
 - iii. 2.0 m from Rear Lot Line
- g. Landscaping shall be provided within the 2.0 m rear building Setback to provide an improved appearance of the Lane.
- h. Apartment Housing with non-Residential and non-Residential Related Uses on the ground floor shall have access at ground level that is separate from the access for the non-Residential and non-Residential Related Uses.
- i. Access to vehicular Parking Garages or parking areas shall only be from the Abutting Lane.
- j. 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. If the rear or sides of a Site are used for surface vehicular parking, it shall be screened from view.
- k. Underground driveway ramps for Apartment Housing, Stacked Row Housing, and Row Housing developments must not exceed a slope of 6% and the ramp must be at Grade at the property line, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation).
- l. No surface vehicular parking areas are permitted Abutting any public roadway, other than a Lane.

- m. 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 shall 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 Development Officer in consultation with Appraisal Section of the Asset Management and Public Works Department, and the Community Services Department. The redevelopment levy shall be 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.
- n. The owner shall be responsible for the costs of the required streetscape improvements to the portion(s) of road right(s)- of-way Abutting a Site (from private property line to the new curb) that are identified by the 105 Avenue Corridor Study, and/or identified by the Development Officer in consultation with Community Services, City Planning, 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. The required 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.
- o. 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.
- p. The owner 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 Drainage Services. Costs for relocating/abandoning sewer lines as a result of street/lane closures will be the responsibility of the owner. These costs shall be paid to the City of Edmonton as a condition of the approval of the Development Permit.
- q. 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.
- r. For new buildings, 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

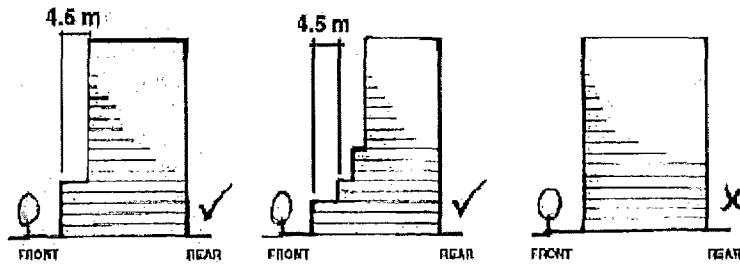
ensure that development on the Site provides a safe urban environment in accordance with the guidelines and principles established in the Design Guide for a Safer City.

- s. Non-Residential and non-Residential Related Uses shall only be permitted when designed as an integral and secondary component of a residential development consisting of 50 Dwellings or more and shall only be developed within the lowest 4 Storeys of a building.
- t. Signs shall comply with the regulations in Schedule 59B of the Zoning Bylaw.
- u. Restaurants shall be limited to 100 occupants and 120m² of Public Space.
- v. Specialty Food Services shall be limited to 40 occupants and 48m² of Public Space.

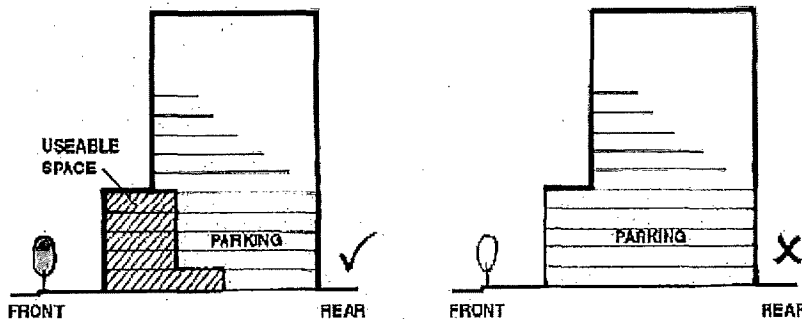
5. Urban Design Regulations

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

Explanatory Note 4.5 m stepback 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. Buildings shall provide a minimum 7.5 m building Setback from the Rear property line above the podium level of the building.
- e. Buildings shall provide a minimum 2.0 m building Setback from the Side property lines above the podium level of the building.
- f. No portion of an above Grade Parking Garage on the ground (first) floor shall be allowed for a minimum depth of 10.0 m from any building Façade facing a public roadway, other than a Lane.
- g. No portion of an above Grade Parking Garage above 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** - 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 non-Residential or non-Residential Related Use is provided at ground level Abutting a public roadway, other than a Lane,

- i. the principal entrance to the unit shall have direct external access to the adjacent public sidewalk, and
 - ii. 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 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.
- m. Blank walls (with or without windows) of vehicular Parking Garages shall not be developed adjacent to, or visible from, any public roadway.
- 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 non-Residential and non-Residential Related 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. The owner shall enter into an Encroachment Agreement with the City of Edmonton for the proposed canopies/overhangs, and any street related activities and public art that encroach on, over, or into road right-of-way.
- 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. 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. Apartment 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 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 should consider the use of plant materials that provide colour throughout the year to enhance their appearance during the winter months.





7. Development Regulations for Development existing at the time of passage of this Bylaw

- a. Notwithstanding Sections 4, 5, and 6 the development existing at the time of passage of this Bylaw shall be in accordance with the following regulations and in general accordance with Appendices I & II.
- b. The existing building may not be enlarged, added to, rebuilt, or structurally altered except for routine maintenance of the building or to add an outdoor patio as described in Section 7(i) below.
- c. There shall be a minimum of 18 on-site bicycle parking spaces.
- d. There shall be a minimum of 18 on-site vehicular parking spaces
- e. There shall be 1 on-site loading space.
- f. Landscaping shall use plant materials that provide colour throughout the year to enhance their appearance during the winter months.
- g. 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.

- h. Main building entrances for any Use shall be designed for universal accessibility through the use of a 2.0 m wide direct travel path, clear of any obstacles.
- i. Any outdoor patio area shall be:
 - i. restricted to Bars and Neighbourhood Pubs, Breweries, Wineries and Distilleries, Restaurants, or Specialty Food Services located on the ground floor of the existing building;
 - ii. designed to reflect the architectural character of the adjacent building and address the adjacent public roadways, particularly in terms of hard-surfacing materials, furniture style, quality of construction, materials and type of fencing selected for the area enclosure;
 - iii. designed to have an open appearance with a defined edge, such as a railing, fence, or a row of planters or pots. The use of planters, flower boxes and landscaping elements shall be used to enhance the patio atmosphere as well as to define the patio boundary. Plastic plants and ornamental trees are not permitted.
- j. Upon demolition of the building existing at the time of passage of this Bylaw, all new developments shall comply with the regulations stated in Sections 1 to 6.
- k. If the building existing at the time of passage of this Bylaw is damaged or destroyed to more than 75% of the value of the building above its foundations, then the building may not be repaired or rebuilt unless it complies with the regulations stated in Sections 1 to 6.

[illegible]

-  Area 1 - Precinct C
 Area 2 - Precinct D
 Area 5 - Precinct C
 Area 6 - Precinct C