

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

### **QUEEN MARY PARK**

#### **(AREA 2 - PRECINCT 'D') 11703, 11725, 11729, and 11807-105 Avenue NW**

##### **1. Area of Application**

Lands located between 105 Avenue and 106 Avenue, and between 106 Street and 108 Street; between 105 Avenue and 106 Avenue, and between the lane west of 109 Street and 115 Street; between 105 Avenue and 106 Avenue, on the east side of 117 Street; on the south side of 105 Avenue west of 117 Street; and between 106 Avenue and 107 Avenue, between 116 Street and 117 Street; designated as Precinct 'D' - Business Residential Mixed Use, as shown on Map 8.

##### **2. Rationale**

To accommodate a business residential mixed use node that creates a compatible and diverse mixture of residential, office, and commercial land uses at a human scale with a built form that has a strong relationship to the street and accommodates pedestrian activity along the 105 Avenue Multi-use Trail Corridor.

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

1. Apartment Housing
2. Boarding and Lodging Houses, for seniors housing only
3. **Breweries, Wineries, and Distilleries**
4. **Cannabis Retail Sales**
5. Child Care Services
6. Commercial Schools
7. General Retail Stores
8. Government Services
9. Health Services
10. Minor Home Based Business
11. Personal Service Shops
12. Private Clubs
13. Professional, Financial, and Office Support Services
14. Public and Private Education Services
15. Public Libraries and Cultural Exhibits
16. Religious Assembly, where lawfully existing at the time of the passage of this Bylaw
17. Residential Sales Centre
18. Restaurants, for less than 100 occupants and 120 m2 of Public Space

19. Specialty Food Services, for less than 100 occupants and 120 m<sup>2</sup> of Public Space
20. Stacked Row Housing, including Row Housing
21. Fascia On-premises Signs
22. Freestanding On-premises Signs
23. Projecting On-premises Signs
24. Temporary On-premises Signs, not including portable Signs

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

1. The overall Site development shall be in accordance with the urban design regulations established herein and in the Central McDougall/Queen Mary Park Area Redevelopment Plan for this Precinct.
2. 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.
3. The maximum Floor Area Ratio of any development shall be 3.0.
4. The maximum Density for residential developments shall be 300 Dwellings/ha.
5. The maximum Height shall be 6 storeys or 23.0 m.
6. No Front, Rear, or Side Yards are required.
7. 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.
8. No Amenity Area or Private Outdoor Amenity Area is required for any development subject to this Provision.
9. Apartment Housing with Commercial Uses on the ground floor shall have access at Grade that is separate from the Commercial premises.
10. 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 Transportation Department. However, in no instance shall access be taken from 105 Avenue except where there is no abutting Lane or an abutting public roadway other than 105 Avenue. Access to vehicular Parking Garages or parking areas from 105 Avenue must be in accordance with the 105 Avenue Corridor Study and to the satisfaction of the Transportation and Planning and Development Departments
11. Loading, storage, and trash collection areas shall be located in such a manner to be screened from view from adjacent sites and public roadways in accordance with the provisions of Section 55 of the Zoning Bylaw. If the Rear or Sides of a Site are used for surface vehicular parking, it shall be screened in accordance with the provisions of Section 55 of the Zoning Bylaw.
12. 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.

13. No surface vehicular parking areas are permitted abutting any public roadway, other than a Lane.
14. Vehicular and Bicycle Parking for all Uses shall be in accordance with Section 54 of the Zoning Bylaw.
15. 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.
16. 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 parkspace as identified in the Central McDougall/Queen Mary Park Area Redevelopment Plan.
17. 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.
18. 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.
19. 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.
20. 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.
21. 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.

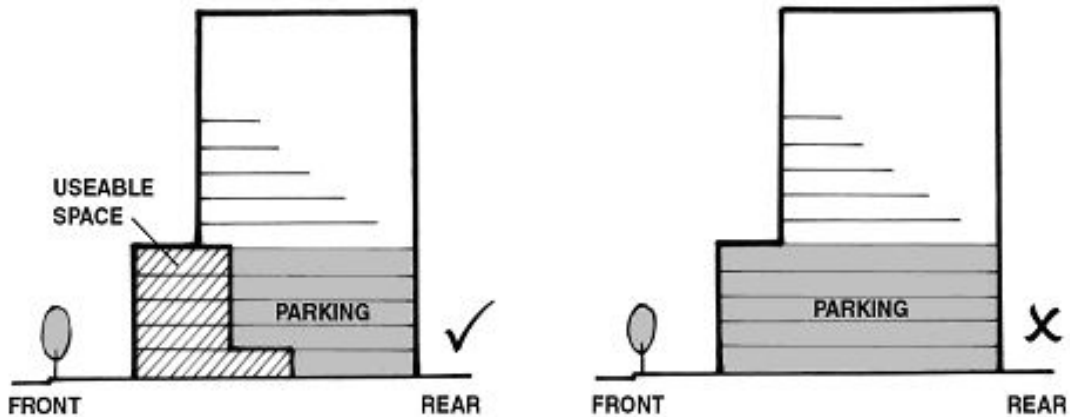
22. Signs shall comply with the regulations in Schedule 59B of the Zoning Bylaw. Portable Signs shall not be permitted on any Site.

## **5. Urban Design Regulations**

1. 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.
2. 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.
3. All buildings shall include design elements such as, but not limited to, articulation of the façade, the use of recessions and projections such as canopies, bay windows, and entrance features, and architectural features such as cornices, sign bands, pilasters, and parapets to reduce the perceived mass of the building, add architectural interest, and to promote the pedestrian scale of the abutting street.
4. 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.
5. No portion of an above Grade Parking Garage above the ground (first) floor 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 [(d) and (e)] for interpretive purposes.



1. 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.
2. 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.
3. 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.
4. 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.
5. Any building with a single wall length greater than 15.0 m visible from a public roadway shall comply with the following:
  1. the building façade shall include design elements, materials, and articulation that reduce the perceived mass of the building façade and add architectural interest.
1. Blank walls (with or without windows) of vehicular Parking Garages shall not be developed adjacent to, or visible from, any public roadway.
2. 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.
3. The finishing of the first 3 Storeys of any development shall consist of materials such as glass and glazed window wall systems, brick, stone, architectural concrete, and/or pre-cast coloured concrete.
4. The use of stucco as a finishing material is not permitted within the first 3 Storeys of any development. The use of stucco within the portion of any

- development above 3 Storeys shall be limited to a maximum of 15% of the exterior surface area of the portion of any development above 3 Storeys.
5. 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.
  6. 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.
  7. Buildings shall be designed through their massing and location, to avoid adverse microclimatic effects such as wind tunneling, 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.
  8. 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.

## **6. Development Guidelines**

1. Apartment Housing developments in this Precinct should incorporate 100 percent visitability and 10 percent adaptable suites to ensure universal accessibility.
2. 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.
3. 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.
4. 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.
5. A variety of residential housing forms should be encouraged throughout this Precinct to support an enhanced pedestrian environment.