

**Strathcona Junction
Direct Development Control Provision**

June 18, 2012

(DC1) DIRECT DEVELOPMENT CONTROL PROVISION

1. Purpose

The purpose of this Provision is to provide transition for the area to become a pedestrian-oriented, urban style commercial mixed Use area, while respecting the character of 104 Street and Gateway Boulevard. This Provision enhances the pedestrian environment by incorporating pedestrian scaled architecture, amenities and landscaping. It allows for industrial, commercial and limited residential Uses.

2. Area of Application

This Provision applies to properties generally located between 63 Avenue and 79 Avenue between the Lane west of 104 Street and the CPR rail line to the east, as shown on Schedule "A" map of this Bylaw, adopting this Provision.

The DC1 area is divided into three areas as shown in Appendix 1. Area 1 is adjacent to 104 Street, Area 2 is adjacent to the west side of Gateway Boulevard, and Area 3 is on the east side of Gateway Boulevard.

3. Uses

- a. Animal Hospitals and Shelters
- b. Auctioneering Establishments
- c. Automotive and Equipment Repair Shops
- d. Broadcasting and Motion Picture Studios
- e. Business Support Services
- f. Carnivals, for periods not exceeding seven consecutive days
- g. Commercial Schools
- h. Convenience Retail Stores
- i. Custom Manufacturing Establishments
- j. Equipment Rentals
- k. Flea Markets
- l. Fleet Services
- m. Funeral, Cremation and Internment Services
- n. General Retail Stores
- o. Government Services
- p. Greenhouses, Plant Nurseries and Market Gardens
- q. Health Services

- r. Household Repair Services
- s. Indoor Participant Recreation Services
- t. Limited Contractor Services
- u. Major Alcohol Sales, only on Sites east of 104 Street
- v. Major Amusement Establishments
- w. Major Secondhand Stores
- x. Minor Alcohol Sales
- y. Minor Amusement Establishments
- z. Minor Secondhand Stores
- aa. Natural Science Exhibits
- bb. Personal Service Shops
- cc. Private Clubs
- dd. Private Education Services
- ee. Professional, Financial and Office Support Services
- ff. Protective and Emergency Services
- gg. Recycled Materials Drop-off Centres
- hh. Religious Assembly excluding rectories, manses, dormitories, convents, monasteries and other residential buildings
- ii. Residential Sales Centre
- jj. Restaurants
- kk. Special Industrial Uses
- ll. Specialty Food Services
- mm. Spectator Entertainment Establishments
- nn. Veterinary Services
- oo. Fascia On-premises Signs
- pp. Fascia On-premises Minor Digital Signs
- qq. Projecting On-premises Signs
- rr. Roof On-premises Signs
- ss. Temporary On-premises Signs, not including portable signs

4. Additional Uses – Area 1

- a. Apartment Hotels
- b. Apartment Housing
- c. Bars and Neighbourhood Pubs

- d. Child Care Services
- e. General Industrial Uses, existing at the time of the adoption of this Bylaw, excluding vehicle body repair and paint shops
- f. Hotels
- g. Live Work Units
- h. Motels
- i. Nightclubs
- j. Public Education Services
- k. Public Libraries and Cultural Exhibits

5. Additional Uses – Area 2

- a. Apartment Housing
- b. Bars and Neighbourhood Pubs
- c. Child Care Services
- d. General Industrial Uses
- e. Hotels
- f. Motels
- g. Nightclubs
- h. Public Education Services
- i. Public Libraries and Cultural Exhibits
- j. Warehouse Sales
- k. Freestanding On-premises Signs
- l. Recycling Depots

6. Additional Uses – Area 3

- a. General Industrial Uses
- b. Nightclubs
- c. Warehouse Sales
- d. Freestanding On-premises Signs

7. General Development and Design Regulations

- a. The overall Site development shall be in general accordance with the Strathcona Junction Area Redevelopment Plan.

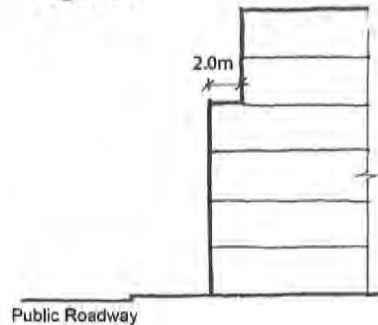
- b. Within the areas identified in Appendix 2 as Future Avenues, where road right-of-way has not been dedicated or a public easement has not been obtained on private property, development shall be restricted as follows:
 - i. no new buildings shall be allowed to be constructed;
 - ii. temporary developments, including tents, covered enclosures and Signs shall be allowed on an interim basis; and
 - iii. the width of a Future Avenue where development is restricted shall be the same width of the existing road right-of way of the avenue of which the Future Avenue is an extension, unless otherwise prescribed by Transportation Services.
- c. Construction of roadways within areas identified in Appendix 2 as Future Avenues shall be as follows:
 - i. construction of roadways within the Future Avenues shall be a requirement of comprehensive developments (new buildings or major expansions) on Sites that include or that abut a Future Avenue, whether it is public road right-of-way or an easement on private property, except where a building already exists within the Future Avenue and is to be retained;
 - ii. roadway construction shall include the entire area of the Future Avenue; and
 - iii. Construction of Future Avenue roadways shall be designed to:
 - A. allow vehicular traffic to and from Gateway Boulevard and/or connecting portions of existing avenue stubs east of 104 Street;
 - B. have sidewalks on both sides with a minimum clear walking width of 2.0 m and mid-block crosswalks at logical locations;
 - C. minimize the number of vehicular accesses crossing the sidewalks to the Future Avenue;
 - D. have pedestrian-oriented street lighting;
 - E. have street trees and curbside parking on at least one side but not necessarily the same side; and
 - F. be to the satisfaction of the Sustainable Development and Transportation Services Departments.
- d. At the discretion of the Development Officer in consultation with the Transportation Services Department, a Traffic and/or Parking Impact Assessment

prepared by a registered Professional Engineer shall be required as part of the application for a development permit. Issuance of the development permit shall be subject to there being sufficient capacity on the adjacent roadway network, adequate access to and from the Site and where warranted a Development Agreement to construct or pay for the construction of any offsite improvements needed to accommodate the additional pedestrian and/or vehicular traffic associated with the development.

- e. Buildings shall not exceed 14.0 m nor four Storeys, except that buildings east of 104 Street in Area 1 and within Area 2 shall be permitted an increase in Height up to 23.0 m, not to exceed six Storeys, provided that:

- i. any building above four Storeys is subject to a minimum 2.0 m Stepback for that portion of the building above four Storeys (see Figure 1); and
- ii. massing and sun/shadow impacts are addressed to the satisfaction of the Development Officer.

Figure 1

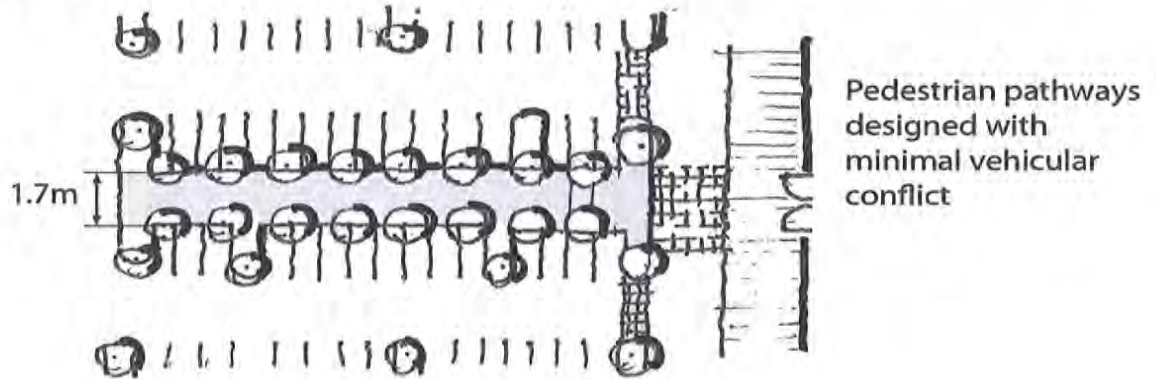


- f. The maximum Floor Area Ratio shall be:
 - i. 4.0 for office and commercial developments and mixed office, commercial and residential developments; and
 - ii. 2.0 for industrial developments.
- g. Building entrances shall be at street level.
- h. All buildings over one Storey in Height shall be designed to include a discernable top, middle and bottom by use of different architectural elements and treatments to break up vertical massing.
- i. Façade treatments of new or substantially renovated buildings shall incorporate canopies, awnings or arcades, entrance features or other features to enhance pedestrian comfort and visual interest along the street.
- j. On Corner Lots the Façade treatment shall wrap around the side of the building to provide a consistent profile facing both public roadways, and special treatments such as a corner entrance shall be considered.

- k. Where a Hotel is to be developed, a maximum 30% of the first Storey Frontage along the public roadway shall be used for lobbies, with the remaining floor space used for Commercial Uses.
- l. Signage shall be provided with the intent to complement a pedestrian-oriented environment. Signs shall comply with the regulations found in Schedule 59 E, except that:
 - i. the maximum Height of a Freestanding Sign shall be 6.0 m;
 - ii. a Projecting Sign may be used to identify businesses that are located entirely at or above the second Storey level; and
 - iii. the top of a Projecting Sign on a building two Storeys or higher shall not extend more than 75 cm above the floor of the second or third Storey, nor higher than the windowsill level of the second or third Storey.
- m. The number of vehicular accesses to sites will be minimized by means of limiting access to an adjacent alley, cross lot access or as a shared access with an adjacent land owner where possible.
- n. Loading docks shall be fully screened from public roadways other than a Lane and from Future Avenues as identified in Appendix 2.
- o. The following development regulations shall apply to parking:
 - i. the minimum vehicular parking requirements of Section 54.2, Schedule 1 of the Zoning Bylaw shall not be exceeded by more than 10% for surface parking lots to the satisfaction of the Development Officer and Transportation Services.
 - ii. development will locate and organize vehicular parking to improve the safety and attractiveness of adjacent streets and any open spaces by:
 - A. integrating any above-ground parking structures with building design, and having commercial or other active Uses at grade facing adjacent streets, parks and open spaces;
 - B. designing pedestrian routes within surface parking lots of over 30 stalls to connect building entrances, open spaces, parking spaces, public sidewalks, future transit stops and any other pedestrian destinations as illustrated in Figure 2, this shall include:
 - I. a barrier-free pathway with a minimum clear width of 1.7m;
 - II. landscaping along both sides of the pathway;
 - III. pedestrian-scale lighting to illuminate and define the route;

- IV. orientation of parking spaces to minimize the number of traffic aisles that pedestrians must cross;
- V. wheel stops or other barriers to ensure vehicles do not overhang into the pedestrian pathway; and
- VI. a clear division from vehicular areas.

Figure 2



- iii. in addition to the requirements of subsection 55.4 of this Bylaw, landscaping shall be used to separate public pathways (including sidewalks) from the parking lot and to separate the parking lot from a public or internal private roadway; and
- iv. on Sites where surface parking is proposed and comprises an area of 1500 m² or greater, a concept plan shall be provided for new development applications demonstrating how a minimum Floor Area Ratio of 0.8 could be achieved through future phases of development. Such concept plans are intended to illustrate how future densification could be accommodated without prejudicing future development, and shall not imply a commitment or obligation to such future development.
- p. All mechanical equipment, including roof mechanical units, shall be concealed by screening so that the equipment is not visible from the viewpoint of a pedestrian viewing the building from any abutting public or private roadway, in a manner compatible with the architectural character of the building or concealed by incorporating it within the building.
- q. Prior to the issuance of any Development Permit, the owner shall provide proof, through a Phase 1 Environmental Impact Assessment, and, where required, subsequent environmental impact assessments, satisfactory to the Development Officer in consultation with Alberta Environment and Water, Alberta Health Services and the Transportation Services Department that the lands have been

remediated or are otherwise suitable to allow the intended Uses in the following cases:

- i. any development permit for a change of Use to a residential Use, or for a change of Use that includes an accessory residential Use, including Apartment Housing, Apartment Hotels and Live Work Units; and
 - ii. at the discretion of the Development Officer, any Development Permit for a new structure or additions not covered in (i) above.
- r. The following regulations shall apply to Apartment Housing and Live Work Unit developments where permitted in Area 1 and Area 2:
- i. Apartment Housing shall only be allowed above non-residential uses;
 - ii. Apartment Housing shall not be permitted in Area 2 unless a detailed risk assessment completed to the satisfaction of the City of Edmonton's Sustainable Development Department provides assurance that risk levels are acceptable.
 - iii. the housing component of any mixed-use building shall be designed and sited to minimize any impacts from the commercial component of the development related to noise, traffic, circulation or loss of privacy;
 - iv. where Apartment Housing development contains two or more Dwellings, a minimum of 7.5 m² of Amenity Area per Dwelling is required, in accordance with the provisions of Section 46 of this Bylaw; and
 - v. a noise study prepared by a registered professional shall be submitted with any residential Development Permit application. If the study demonstrates that exterior Façade sound levels at any edge of the Site exceed Leq 60 dBA in a 24-hour period, then any Development Permit shall include a requirement for mitigation measures that would achieve a projected interior noise level of 45 dBA.
- s. Green building and Landscaping features such as geothermal heating, solar orientation, natural ventilation, green roofs, bioswales, rain gardens and permeable pavement should be considered as part of new development and conversions in order to minimize their environmental impact.
- t. Public art should be considered for inclusion within publicly accessible open spaces to make the buildings and their open spaces more attractive and interesting.
- u. Auctioneering Establishments and Equipment Rentals, as a Use are permitted provided that all goods and equipment are contained within an enclosed building.

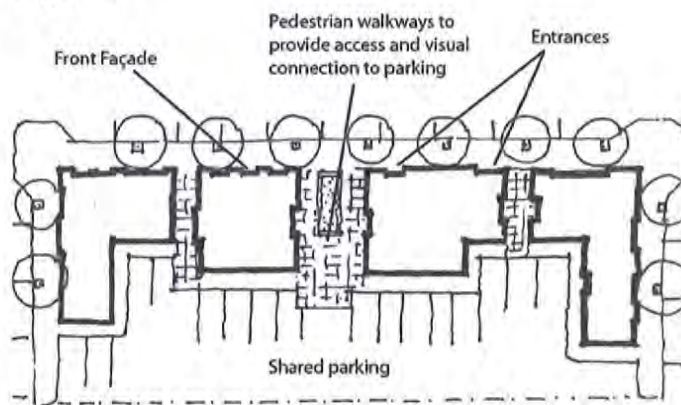
8. Additional Development and Design Regulations – Area 1

- a. Buildings shall be built to the front and side property lines. The Development Officer may allow building Setbacks up to 2.5 m to accommodate street related activities such as sidewalk cafes, architectural features and Landscaping that contribute to the pedestrian-oriented character of the area.
- b. The maximum Frontage for Sites abutting 104 Street shall be 10.06 m and where the Frontage for Sites abutting 104 Street exceeds 10.06 m, the front Façade of the building shall be designed to break the appearance into 10.06 m sections or modules, each with its own entrance.
- c. A minimum of 50% of the width of the ground floor level portion of the front Façade shall be comprised of clear, non-reflective glazing.
- d. Development on Sites that abut the existing north-south Lane located east of 104 Street shall be designed to:
 - i. facilitate pedestrian connections between the development and the Lane;
 - ii. maximize sight lines between the development and the Lane with potential lighting and where possible through building and window orientation;
 - iii. improve the overall appearance of the development abutting the Lane through building and Site design; and
 - iv. provide adequate parking and loading facilities accessed by the Lane so as to minimize the need for parking along 104 Street and the avenues.
- e. A minimum landscaped Yard of 6.0 m shall be required where the Rear or Side Lot Line of the Site abuts a Residential Zone.
- f. A minimum 2.0 m landscaped Yard shall be required where the Rear or Side Lot Line of the Site abuts the Lane on the west side of 104 Street.
- g. Development on Sites between Allendale Road, 105 Street, the Lane south of 64 Avenue and the Lane west of 104 Street shall be oriented to Allendale Road and 105 Street. There shall be a minimum setback of 6.0 m from lane south of 64 Avenue and a minimum landscaped yard of 2.0 m and site planning and building massing shall minimize the sun-shadow effect on properties to the north.
- h. Bars and Neighbourhood Pubs shall be for less than 200 occupants or 240 m² of Public Space.
- i. Nightclubs shall only be permitted on the east side of 104 Street, for less than 200 occupants and 240 m² of Public Space, provided the Use does not share a Site with, nor a Site that is abutting any residential or residential related Uses.

9. Additional Development and Design Regulations – Area 2 and Area 3

- a. No single General Retail Store or Warehouse Sales establishment shall exceed 6,500 m² of Floor Area.
- b. The front Façade of a building shall be built to the property line abutting a public roadway other than a Lane or to the edge of an area identified in Appendix 2 as a Future Avenue. The Development Officer may allow buildings to be set back up to 2.5 m to accommodate street related activities, such as sidewalk cafes, architectural features and Landscaping that contribute to the pedestrian-oriented shopping character of the area.

Figure 3

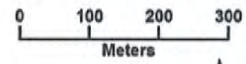
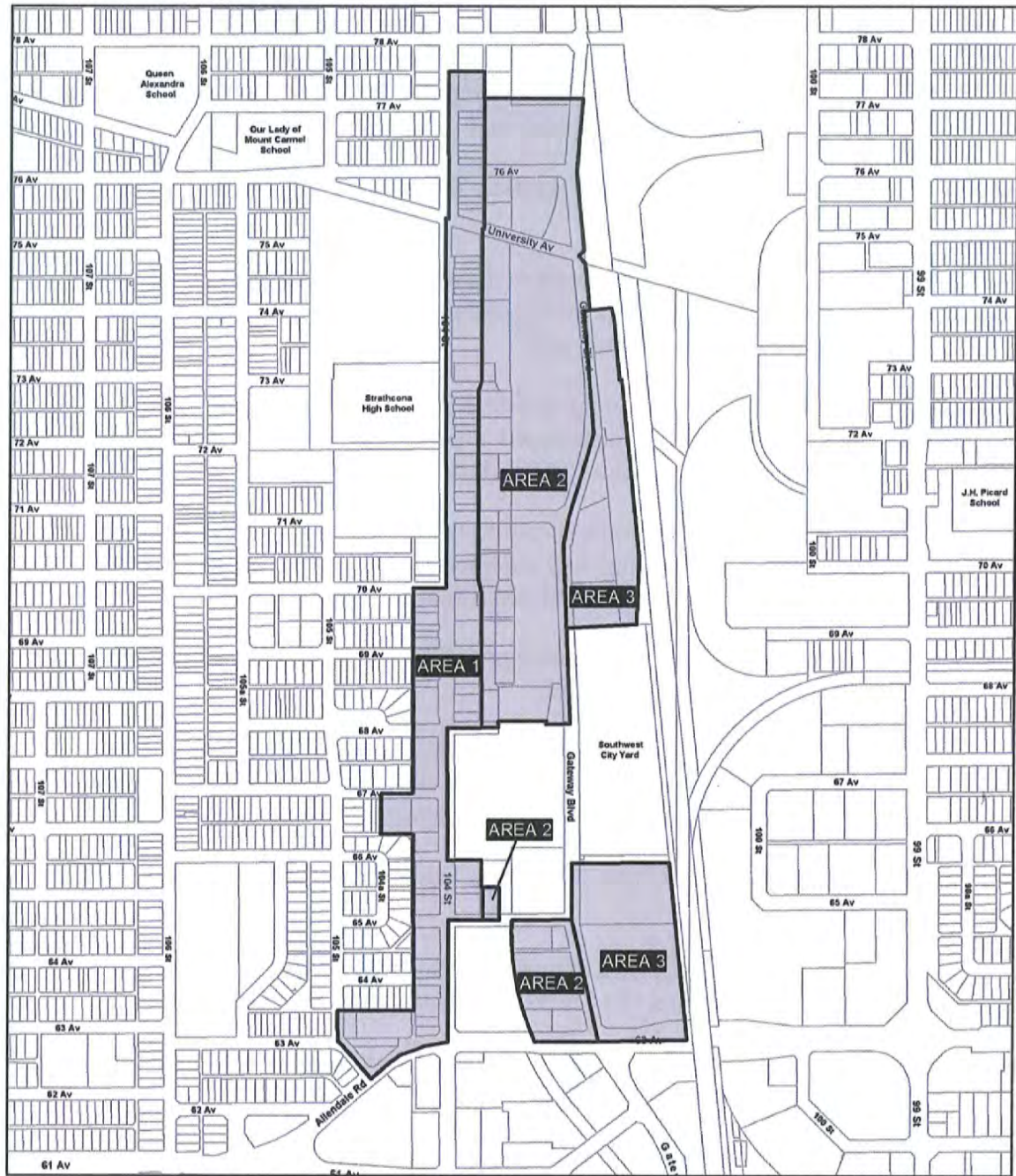


- c. A building's main entrance(s) shall be located on its front Façade. See Figure 3.
- d. A minimum of 50% of the width of the ground floor level portion of the front Façade shall be comprised of clear, non-reflective glazing.
- e. Where a Façade of a building facing Gateway Boulevard, or any Avenue or Future Avenue as shown in Appendix 2 (either as a public or private roadway), is more than 15 m long, any new buildings or substantial renovations of existing buildings shall be designed to add architectural interest and reduce the perceived mass of the building. This shall be done through features that articulate the Façade at minimum 15 m intervals, through one or more of the following:
 - i. The use of non-reflective glazing;
 - ii. Recessions and projections that may include arcades, porticos, colonnades, awnings, or public spaces; and
 - iii. The use of colour, texture and materials.
- f. The following additional regulations shall apply to General Retail Stores or Warehouse Sales establishments having a single Floor Area greater than 3,000 m² to the maximum 6,500 m²:
 - i. at the development permit stage, a generalized, non-binding concept plan shall be submitted for all new building development or substantial redevelopment of existing buildings for the purpose of illustrating how the

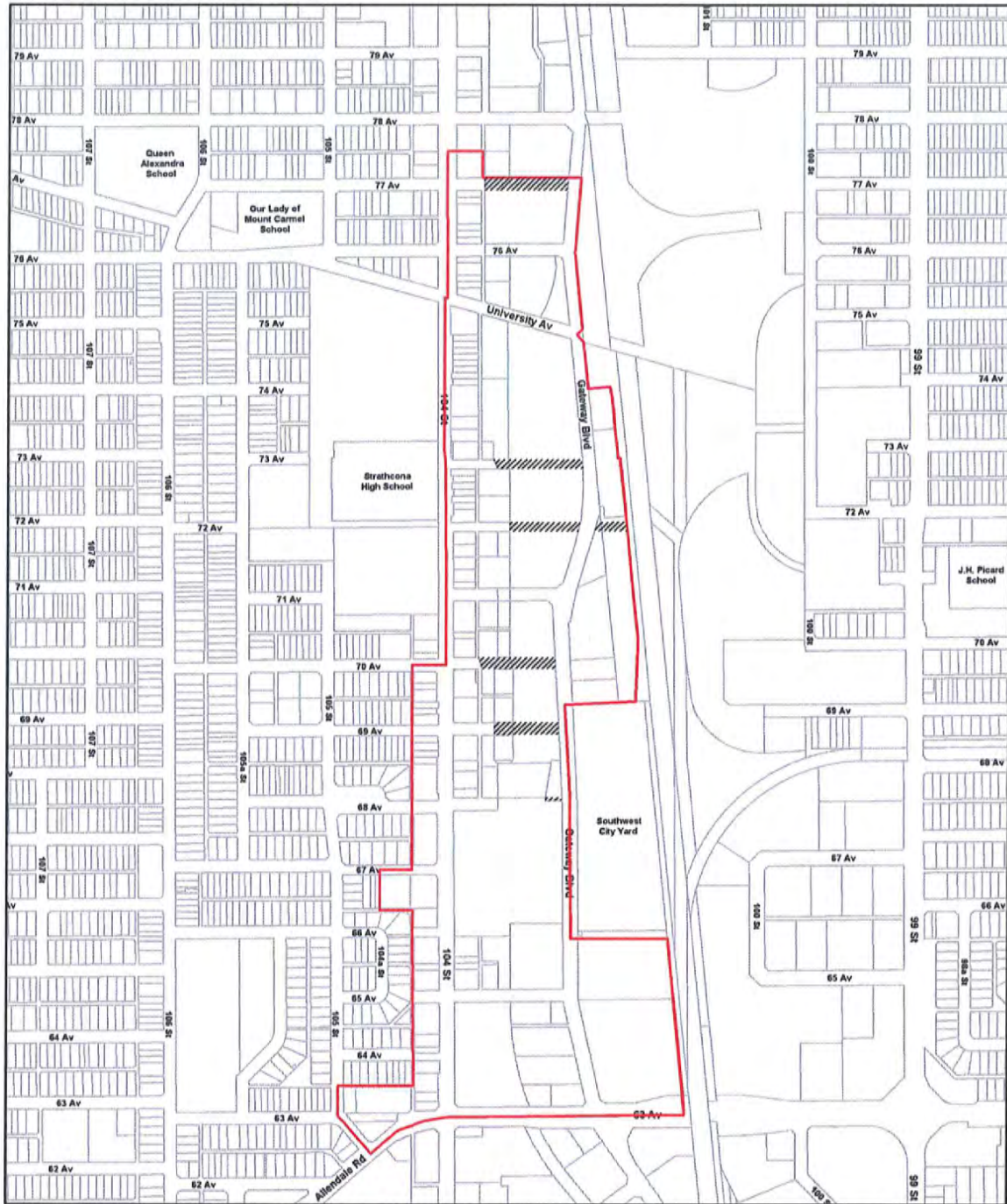
- proposed development will integrate with existing and future surrounding and on-site development. The concept plan shall show the location of existing and future buildings, parking areas, vehicular and pedestrian routes and amenity area(s).
- ii. the building shall be a minimum of two Storeys and shall incorporate a mix of uses including at grade retail commercial and a minimum of one of the following uses: office commercial and/or residential located above non-residential uses. Non-retail uses shall be a minimum of 60% of the Floor Area of the General Retail Store or Warehouse Sales establishments. Exposed roof area above the first Storey shall have some amount of landscaping and be physically accessible for use; or if not a flat surface, must provide a visually interesting roof line; and
 - iii. buildings shall be designed to support street-level pedestrian activity with features such as multiple independent entrances, extensive clear glazing, canopies and awnings. Facades along Gateway Boulevard are exempted from this but will be required to be articulated and architecturally enhanced.
- g. The following regulations shall apply along the west side of Gateway Boulevard:
- i. landscaped Yards with a minimum depth of 4.5 m shall be provided adjacent to the west side of Gateway Boulevard. The Development Officer may use variance power to reduce this requirement to a minimum depth of 3.0 m provided that the average depth of the landscaped Yard is not less than 4.5 m;
 - ii. the Setback for buildings along the west side of Gateway Boulevard shall be no greater than the landscaped Yard as determined in subsection 9(g)(i);
 - iii. a hardsurfaced shared use path with a minimum width of 3.0 m is required either on public road right of way or private property by means of a public access easement along the west side of Gateway Boulevard. The following regulations shall apply to shared use paths on the west side of Gateway Boulevard:
 - A. subdivision applications may require the dedication of additional road right-of way along the west side of Gateway Boulevard to accommodate pathways with a minimum width of 3.0 m;
 - B. where no subdivision occurs, a public access easement is required located on private property along the west side of Gateway Boulevard to accommodate pathways with a minimum width of 3.0 m;

- C. regardless of whether or not shared-use pathways are located within public road right-of-way or wholly or partially on private property, the following separations must be maintained:
 - I. 2.5 m between the eastern edge of shared-use pathway and the curb of Gateway Boulevard; and
 - II. 2.5 m between the western edge of the shared-use pathway and any building;
- D. where an applicant elects to move a shared-use pathway consistent with the regulations in 9(g), the cost of moving the pathway shall be paid by the applicant; and
- iv. in cases where an existing or future shared-use pathway is located within private property the Landscaped Yard may include the shared-use pathway or a portion of the shared-use pathway.
- h. Landscaping along the west side of Gateway Boulevard shall visually screen any parked vehicles, but not completely obstruct views so that adequate sight lines are maintained to support vehicular and pedestrian safety and security.
- i. Landscaped Yards with a minimum depth of 3.0 m shall be provided adjacent to the east side of Gateway Boulevard.
- j. Landscaping along the east side of Gateway Boulevard shall visually screen any parked vehicles, but not completely obstruct views so that adequate sight lines are maintained to support vehicular and pedestrian safety and security.
- k. Bars and Neighbourhood Pubs shall be for less than 200 occupants or 240 m² of Public Space.
- l. Nightclubs shall not be permitted to share a Site that includes, nor a Site that is adjacent to any residential or residential-related Uses.
- m. General Industrial Uses are permitted provided that all equipment and goods are contained within an enclosed building.
- n. Freestanding On-Premises Signs are permitted only on Sites abutting Gateway Boulevard.

APPENDIX 1 – DC1 Areas



APPENDIX 2 Building Construction Not Allowed



New Building Construction Not Allowed - Future Avenue

