

Section 11.1. Downtown (DT) Land Use District

(1) Application

This section applies to the areas designated as Downtown District (DT) as identified in Schedule A of this Bylaw, and Figure 23(a).

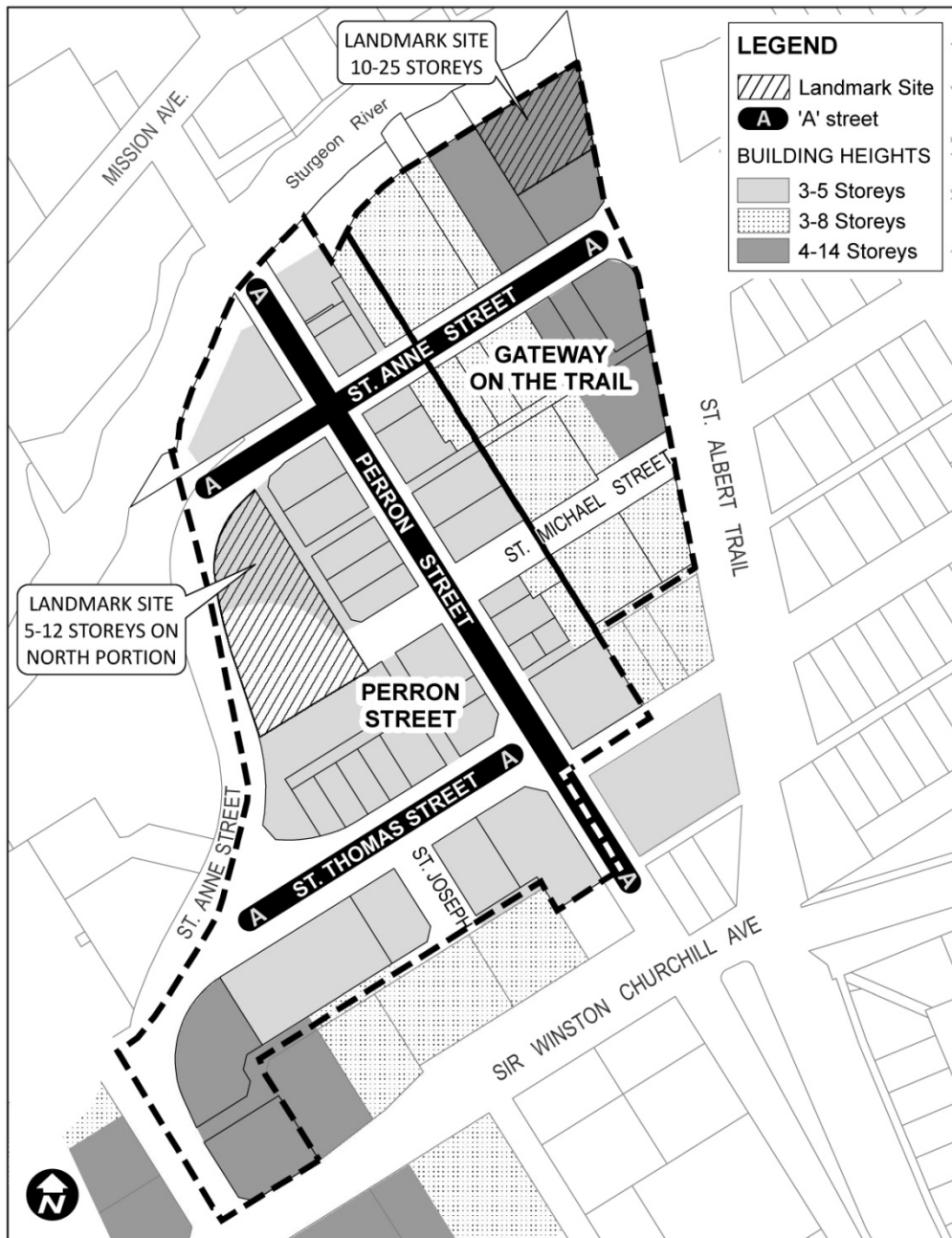


Figure 23 (a): Downtown District Perron Street and Gateway on the Trail Character Areas Identified.

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(2) Purpose

The purpose is to provide for a vibrant downtown that includes a mixture of employment opportunities, commercial, institutional, government and medium to high-density residential land uses with a focus on high-quality design of any development including the public realm. Development in the Downtown should be compact, attractive, pedestrian-friendly and compatible with surrounding areas, and be a unique, recognizable neighbourhood. Developments within this land use district should provide a variety of housing options, the provision of commercial and residential uses within the same structure, and an appropriate mix of uses to create a community where residents have the opportunity to live, work and play.

For marketing purposes, the Downtown District will be referred to as the Perron District.

To facilitate this, character areas are defined in accordance with the Downtown Area Redevelopment Plan (DARP) as shown on Figure 23(a). The transition between these character areas is expected to be seamless, and not a defined hard line. The character areas include:

(a) **Perron Street**

The Perron Street character area will provide the primary area for active street level commercial retail uses with moderately scaled buildings characterized by continuous storefront retail and pedestrian-oriented development.

(b) **Gateway on the Trail**

The Gateway on the Trail character area will provide an area for active street level uses and a wide array of uses including residential, professional office, and commercial uses that are of a scale and density appropriate to its prominent location along, or adjacent to, St. Albert Trail and its role as the primary entry point and gateway to Downtown.

(3) Permitted and Discretionary Land Uses

For a use to be considered either a permitted or discretionary use in the DT, it must conform with all subsections of Section 11.1 (3). In addition, the general regulations of Part 6, Sections 8.1 through 8.19, and Sections 9.1 through 9.11 will apply to the Downtown District unless otherwise specified in this District.

(a) **Ground Storey**

- (i) on 'A' streets as shown on Figure 23(a), ground storeys shall house non-residential uses, with active retail uses preferred adjacent to the street.
- (ii) the ground storey of buildings that have building frontages facing the river shall house non-residential uses, with active retail uses preferred.
- (iii) for discretionary uses on the ground storey along 'A' streets, the Development Officer will consider:
 - (A) interface and interaction of the proposed use with the streetscape; and
 - (B) generation of and attraction for pedestrians.

(b) **Upper Storeys**

- (i) no non-residential use is permitted above a residential use.

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(c) Uses, whether permitted (p) or discretionary (d), shall be in accordance with the following tables:

(i) Non-Residential Uses

Use Categories	Perron character area	Gateway character area
a. art gallery	(p)	(p)
b. artist studio	(d)	(d)
c. business support service	(d) for ground storey on 'A' streets, otherwise (p)	(d) for ground storey on 'A' streets, otherwise (p)
d. cannabis retail store (BL12/2018)	(d)	(d)
e. cinema	(p)	(p)
f. community hall	(d)	(d)
g. convenience store	(d)	(p)
h. day care facility	(d)	(d)
i. drinking establishment	(d)	(d)
j. financial institution	(d) for ground storey on 'A' streets, otherwise (p)	(d) for ground storey on 'A' streets, otherwise (p)
k. general retail store with a gross floor area up to 400 sq.m	(p)	(p)
l. general retail store with a gross floor area over 400 sq.m	(d)	(d)
m. general service;	(d) for ground storey on 'A' streets, otherwise (p)	(d) for ground storey on 'A' streets, otherwise (p)
n. government service	(d) for ground storey on 'A' streets, otherwise (p)	(d) for ground storey on 'A' streets, otherwise (p)
o. grocery store	(d)	(d)
p. health service	(d) for ground storey on 'A' streets, otherwise (p)	(d) for ground storey on 'A' streets, otherwise (p)
q. hotel	(d)	(p)
r. household repair service	(d)	(d)
s. indoor recreation service	(d) for ground storey on 'A' streets, otherwise (p)	(d) for ground storey on 'A' streets, otherwise (p)
t. liquor store	(d)	(d)
u. pool hall	(d) ground storey, otherwise (p)	(d) ground storey, otherwise (p)
v. professional office	(d) for ground storey on 'A' streets, otherwise (p)	(d) for ground storey on 'A' streets, otherwise (p)
w. public utility building	(d)	(d)
x. residential sales centre	(d) for ground storey on 'A' streets, otherwise (p)	(p)
y. religious assembly	(d)	(d)
z. restaurant	(p)	(p)
aa. school, commercial	(d) for ground storey on 'A' streets, otherwise (p)	(d) for ground storey on 'A' streets, otherwise (p)
bb. shopping centre	(d)	(d)
cc. specialty store	(p)	(p)
dd. take-out restaurant	(p)	(p)

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ee. theatre	(p)	(p)
ff. veterinary clinics without outdoor kennels, pens, runs, or other similar enclosures	(d)	(d)

(ii) Residential Uses

Use Categories	Perron character area	Gateway character area
a. apartment building	-	(d)
b. dwelling unit	(p) above ground storey	(p) above ground storey
c. family day home	(p) except on ground storey on 'A' streets	(d) on ground storey, otherwise (p)
d. home occupation	(p) except on ground storey on 'A' streets	(d) on ground storey, otherwise (p)
e. live / work unit (BL 14/2008)	(d)	(d)
f. townhousing	(d)	(d)
g. mixed use building, all uses with in the building must meet requirements of 11.1(3).	(p)	(p)
h. supportive housing	(p) except on ground storey on 'A' streets	(p) except on ground storey on 'A' streets
i. long term care housing	(p) except on ground storey on 'A' streets	(p) except on ground storey on 'A' streets

(iii) Other

Use Categories	Perron character area	Gateway character area
a. parking lot at finished grade	Not permitted on 'A' Streets, otherwise (d)	(d)
b. parking structure	(d), if on 'A' street, must have ground storey non-residential uses in accordance with Section 11.15 (3)	(d)
c. bicycle parking	(p)	(p)
d. park	(p)	(p)
e. plaza	(p)	(p)
f. wall mural	(d)	(d)
g. accessory development to a use listed in (i), (ii) or (iii)	(d)	(d)

(4) Pre-Application Requirements

In addition to the application requirements of Section 3.3 of this Bylaw, an applicant for a development permit within the DT Land Use District must submit, to the satisfaction of the Development Officer:

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- (a) A conceptual site development plan showing the subject area and adjacent areas within the DT district as well as the proposed building types and locations, development phasing, vehicular and pedestrian routes and connectivity with the rest of Downtown, and amenity areas in accordance with the purpose of this District;
- (b) Design drawings illustrating the colour scheme and building materials in accordance with Section 11.1 (8);
- (c) Elevation drawings demonstrating how the building contributes to the streetscape;
- (d) *Urban Design Recommendations Report* as per Section 11.1 (5); and
- (e) Any other studies that may be requested by the Development Officer including but not limited to:
 - (i) Crime Prevention Through Environmental Design (CPTED) study to be submitted at the time of a development permit application;
 - (ii) sun/shadow and/or wind study for buildings greater than eight (8) storeys in height; or
 - (iii) geotechnical report.

(5) Urban Design Review

There are two types of reviews:

(a) **External Urban Design Review**

An External Urban Design Review is required for any development that:

- (i) has a total building footprint greater than 2,500 sq. m;
- (ii) is located on a Landmark Site identified in Figure 23(a);
- (iii) is located on a corner;
- (iv) is greater than eight (8) storeys in height; or
- (v) in the opinion of the Development Officer is deemed to have significant impact on the subject Character Area's urban design.

This review will result in an *Urban Design Recommendations Report* from a City-designated reviewer. This *Urban Design Recommendations Report* is a requirement of the development permit application and will include recommendations from the reviewer that may range from acknowledgement of positive design qualities of the proposal to suggestions for a design that better complies with the City's policies and plans related to downtown.

Applicants are expected to consider and implement, wherever possible, any recommendations of the *Urban Design Recommendations Report* into the final application.

(b) **Internal Urban Design Review**

If a development does not require an External Urban Design Review, but an applicant wishes to receive recommendations related to urban design, they may request an Internal Urban Design Review by Planning and Development staff prior to submission of an application. This review will result in an *Urban Design Recommendations Report* from

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staff designated by the Development Authority and will include recommendations that may range from acknowledgement of positive design qualities of the proposal, to suggestions for design that better complies with the City's policies and plans related to downtown.

Applicants are expected to consider and implement, wherever possible, any recommendations of the *Urban Design Recommendations Report* into the final application.

(c) Performance Standards

In addition to the *Urban Design Review Recommendations Report* all applications shall be considered with regard to the following Performance Standards:

- (i) site design contributes to streetscape and the character area;
- (ii) appropriate location of uses to support active streetscapes and fit within the character areas;
- (iii) high quality building design integrated with streetscape and surrounding buildings;
- (iv) pedestrian orientation; and
- (v) well-designed amenity areas.

(6) Development Regulations

(a) Building Height

Notwithstanding Section 1.8, the height of any principal building in this District is measured in storeys.

- (i) notwithstanding Section 3.14, building height regulations differing from those outlined in Figure 23(a) may be considered by the Development Officer with consideration for the transitions between adjacent building designs and heights fitting with the street interaction, adjacent uses, streetscape and design methodology;
- (ii) buildings shall have a minimum of three (3) storeys from grade before front stepbacks are introduced. Front stepbacks shall be a minimum of 3 m measured from the building frontage of the lower storeys. Additional front stepbacks may be required at higher storeys if, in the opinion of the Development Officer, it is necessary to enhance the pedestrian scale of the streetscape or to mitigate wind, sun or shadow impacts;
- (iii) any pedestal portion of the building shall be three (3) storeys. If in the opinion of the Development Officer, the building design addresses the Performance Standards of Section 11.1 (5)(c), that may be increased to five (5) storeys;
- (iv) a minimum separation distance of 25 m is required between tower components of buildings above three storeys on adjacent lots, measured from building frontage as measured at the first storey above the pedestal;

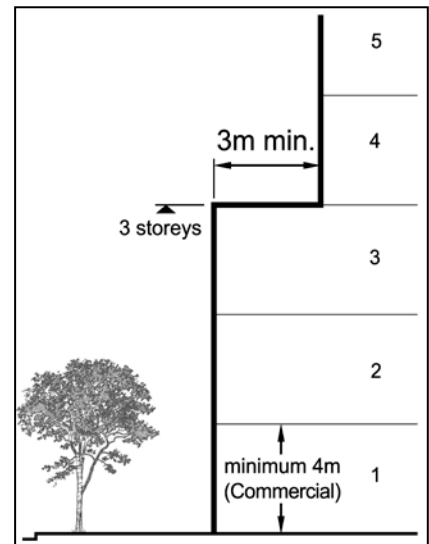


Figure 23(b): Building heights and stepbacks.

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- (v) antennas installed on the roof of buildings will be counted as a part of the total building or structure height; and
- (vi) telecommunications installations shall be in compliance with Section 6.24.

(b) Ground Storey Height: Commercial Uses

The ground storey height shall be a minimum of 4 m floor-to-floor height.

(7) Site Design Standards

(a) Building Frontage

- (i) buildings located on a corner shall comply with Section 6.7 (c);
- (ii) the build-to line shall be the front property line. The build-to line may be adjusted, up to 3 m back from the front property line, to accommodate a recessed entrance, rest area, courtyard, outdoor cafe, communal amenity space, building recess or similar amenity if, in the opinion of the Development Officer:
 - (A) the design of the building frontage and build-to line maintains the continuity of the streetscape;
 - (B) pedestrian amenity is maintained; and
 - (C) recessed entrances comply with Section 11.1 (8)(b).
- (iii) on each lot, the first three (3) storeys of a building frontage shall be built to a consistent build-to line for at least 80% of the required building frontage width. This may be reduced if, in the opinion of the Development Officer, the proposed development of the building frontage:
 - (A) accommodates a courtyard or plaza that is pedestrian oriented;
 - (B) is designed in such a way as to enhance and maintain the continuity of the streetscape and adjacent development;
 - (C) is landscaped in accordance with Section 6.13 and enhances and maintains the continuity of the streetscape to the satisfaction of the Development Officer; and
 - (D) site plan is designed and buildings are sited to maximize streetscape and pedestrian continuity and vehicle flow.
- (iv) a street wall or fence, (not less than 1 m or more than 2 m in height), or landscaping to the satisfaction of the Development Officer, is required along the

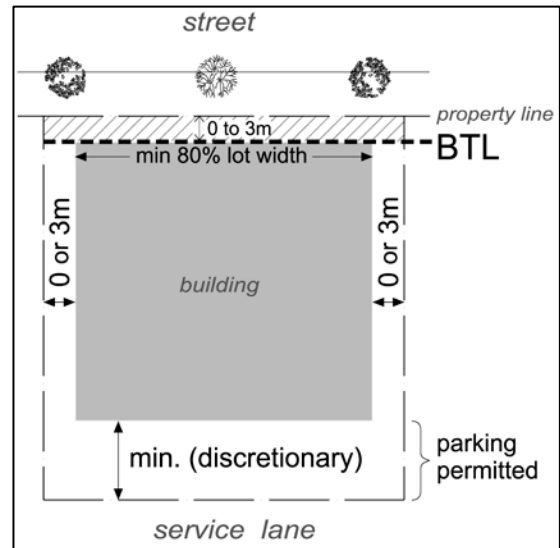


Figure 23(c): Sample site plan showing building setbacks.

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build-to line for any lot that is not occupied by a principal building. The height of the wall or fence shall be measured from the lowest point of the adjacent public sidewalk. The location of any build-to line will be determined by existing adjacent buildings.

(b) Building Frontage Variation

- (i) ground floor frontages on 'A' streets shall be divided into horizontal units to a maximum width of 15 m; and
- (ii) ground floor commercial uses greater than 400 sq. m shall:
 - (A) have a building frontage designed to resemble smaller retail units; or
 - (B) have actual smaller retail units along the building frontage with separate functioning entrances from the street; or
 - (C) have a building frontage design that, in the opinion of the Development Officer, enhances and maintains the continuity of the streetscape and supports pedestrian activity.

(c) Side Yard Setbacks

The first three (3) storeys of all buildings shall be developed to the side property lines except where, in the opinion of the Developer Officer, a setback of no less than 3 m may be permitted if:

- (i) it is to accommodate a rest area, courtyard, shopping court, outdoor cafe or similar amenity;
- (ii) pedestrian amenity and safety is maintained;
- (iii) the variance does not create a visual gap or discontinuity of the architectural form or rhythm of the streetscape; and/or
- (iv) to accommodate a pedestrian walkway or service lane.

(d) Rear Lot Setbacks

The rear yard building setback, to a maximum of 50% of the lot depth from the rear property line, shall be determined by the Development Officer taking into account:

- (i) adjacent and on-site uses;
- (ii) access to service lanes; and
- (iii) on-site parking requirements.

(e) Lot Coverage

Buildings may occupy the portion of the lot according to the following:

- (i) development shall be restricted to a maximum of 95% lot coverage to allow for door openings and access;
- (ii) for tower developments above eight (8) storeys, floor plates for storeys above the podium shall be no greater than 750 sq. m for residential and hotel uses; and generally no greater than 2,000 sq. m for all other uses.
- (iii) the Development Officer may impose a lot coverage limitation on a specific site to minimize any negative impacts of the development on:
 - (A) visual appearance of the streetscape and/or adjacent developments;

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- (B) appearance and function of pedestrian amenity areas; and
- (C) rear setback requirements as per Section 11.1(8)(c).

(e) Parking

- (i) there shall be no surface parking between buildings and a public street including St. Albert Trail;
- (ii) parking access from a public street shall only be permitted if, in the opinion of the Development Officer, the proposed access:
 - (A) is in compliance with City of St. Albert's current Municipal Engineering Standards and The Transportation Association of Canada;
 - (B) is necessary because access from a service lane is not feasible;
 - (C) does not front on to an 'A' street as identified on Figure 23(a); and
 - (D) will not interfere with the continuity of the streetscape, pedestrian movement or safety along a public street.
- (iii) parking lots, on-site parking and parking structures shall have pedestrian access to nearby pedestrian areas to the satisfaction of the Development Officer; and
- (iv) vehicle and pedestrian accesses shall be designed to reduce vehicle and pedestrian conflicts.

(f) On-Site and Surface Parking

Notwithstanding Part 7, Parking Regulations and Section 3.14 of this Bylaw:

- (i) on-site parking shall be located behind the primary building and accessed from a service lane;
- (ii) where a surface parking lot is adjacent to any public street or public open space, the lot must be screened to the satisfaction of the Development Officer.
- (iii) parking for residential uses shall be provided in below grade or structured parking facilities within the development site; and
- (iv) surface parking lots shall not exceed 2,000 sq. m in size.

(g) Parking Structures

- (i) the design of parking structures shall be vertically oriented and integrated with the streetscape;
- (ii) the ground storeys of parking structures facing 'A' streets must incorporate compatible non-residential uses in accordance with Section 11.1 (3);
- (iii) residential uses will not be permitted below parking levels;
- (iv) both internal and external design of the parking structure shall have regard to CPTED principles;
- (v) in order to reduce impacts, buildings frontage, including those visible from adjoining properties and/or public streets, shall incorporate a high degree of visual interest through the use of:

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- (A) color change;
 - (B) texture change;
 - (C) material module change;
 - (D) expression of architectural or structural bays through change in place no less than 30 cm in width, such as an offset, reveal or projecting rib; or
 - (E) any other feature that, in the opinion of the Development Officer, creates and identifiable pattern and sense of human scale.
- (vi) no uninterrupted length of building frontage shall exceed 30 m including any building frontage visible from adjoining properties and/or public street.

(h) Roof Top Mechanical

In addition to the requirements of Section 9.10 of this Bylaw, roof top mechanical equipment or elevator housing equipment shall be enclosed on the front, top and sides or be incorporated into the overall building design if necessary to the satisfaction of the Development Officer.

(i) Service Lanes

- (i) future service lanes shall be permitted in accordance with Figure 23(d);
- (ii) service lanes may be designed as multi-use, hard landscaped environments for safe and comfortable use by pedestrians and service vehicles;
- (iii) access to service lanes may be controlled through the installation of removable bollards; and
- (iv) waste and recycling pick up, delivery and other building functions shall be located to the rear of buildings adjacent to service lanes, or internal to blocks to ensure that servicing functions do not interfere with movements on public streets.

(j) Location of Utilities

- (i) the visibility of utility boxes shall be minimized by placing boxes in inconspicuous places, and/or by screening them with plantings. Screening should not interfere with access to the utility or traffic visibility.

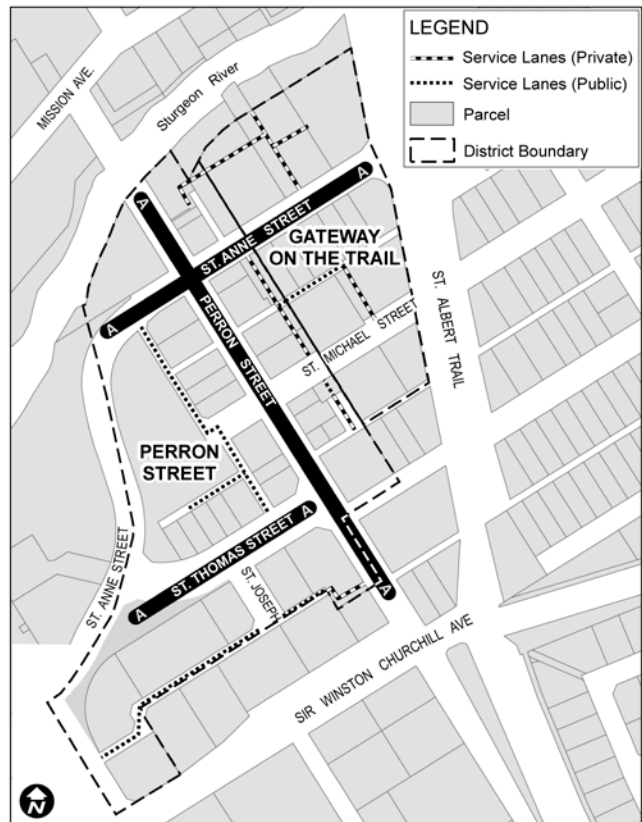


Figure 23(d): Downtown District Service Lanes.

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- (ii) services and utilities shall be buried, where practical. Where utility poles are necessary, their joint use shall be maximized to minimize their visual impact.

(k) Outdoor Lighting

In addition to the requirements of Section 6.16 of this bylaw, the following will be considered:

- (i) excessive illumination and uplighting should be avoided;
- (ii) timing of illumination should coincide with anticipated activities;
- (iii) exterior lighting fixtures shall be in keeping with good design practice, and complement building design;
- (iv) development proposals shall clearly indicate exterior lighting fixture locations and types; and
- (v) all outdoor lighting within the Downtown District shall be of a design and style that are consistent with the purpose of this District to the satisfaction of the Development Officer in consultation with Public Works, and shall provide safety and security and, for fixtures in highly visible locations, add visual interest.

(l) Other

- (i) if development is adjacent to the Sturgeon River and Red Willow Park system environmental issues shall be considered, including water quality and quantity, and flooding in the overall site and building design; and
- (ii) buildings must be named, have a visible address number and include an exterior date stamp easily visible from a public street.

(8) Building Design and Architectural Standards

In addition to the requirements of Section 6.7 (1) of this Bylaw, the exterior of buildings located in the Downtown District must be designed in accordance with the following:

(a) Windows

- (i) the fenestration area is the area on the ground storey building frontages facing a public street that is a minimum of 0.6 m above the sidewalk and extending up to 2.4 m above the sidewalk;
- (ii) for ground storey building frontages facing 'A' streets, at least 70% of the fenestration area shall be transparent glazing that is not covered (either internally or externally) and that allows interior activity to be seen from the street. In addition, windows:

- (A) should have proportions of 2:3 (width: height) or narrower;
- (B) should use multiple-paned windows;

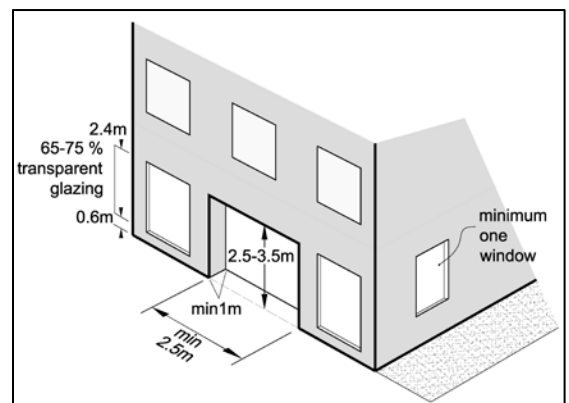


Figure 23(e): Building Frontage Design.

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- (C) should have window frame members of substantial depth and recessed from the building frontage to provide architectural interest in the streetscape;
- (D) for any building frontage facing any street other than an 'A' street, shall have transparent glazing for a minimum of 40% and a maximum of 70% of the fenestration area; and
- (E) shall have, at minimum, one transparent window on each of the ground storey and second storey of a building frontage that faces a surface parking lot, service lane, or pedestrian walkway that allows full viewing of the area.

(b) Doors and Entries

- (i) all non-residential ground storey units facing a public street shall have, at minimum, one direct functioning public entrance from that public street;
- (ii) all pedestrian entrances shall be encouraged to provide overhead weather protection;
- (iii) all commercial entrances along 'A' streets as identified in Figure 23(a) must have barrier-free access; and
- (iv) any development on a corner lot, shall be encouraged to have its main entrance angled on the corner. Otherwise, one entrance is required on each public street it faces.

(c) Building Projections

Building projections must be designed to the satisfaction of the Development Officer and have regard for the requirements of Section 11.1 (6)(c) in addition to the following:

- (i) balconies shall be designed as integral components of the building and shall not project over or into amenity spaces or City property;
- (ii) An awning or canopy or other architectural feature to protect pedestrians from the elements must:
 - (A) project a distance that, in the opinion of the Development Officer, provides ample protection for pedestrians;
 - (B) shall maintain a minimum 0.6 m setback from the outside edge of the curb line in keeping with the adjacent streetscape;
 - (C) have a vertical clearance of at least 2.5 m and at most 4 m above the sidewalk;
 - (D) have a sloping profile, or be designed so as to provide effective

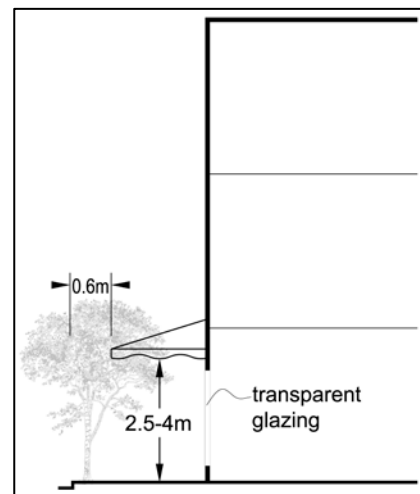


Figure 23(f): Awning and building projection requirements.

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- shedding of rain, be self-cleaning by rain and wind, and to minimize snow-loading;
- (E) be constructed of durable, colourfast material which minimizes the effects of dirt and discolouration (such as striped, patterned, dark-coloured and plasticized fabric);
 - (F) if glazing is incorporated into a canopy, it must be safety-glass, or fire-resistant and ultra-violet resistant plastic;
 - (G) awnings and canopies may be illuminated;
 - (H) if the frontage occurs on an inclined grade, the design of awnings, canopies, building recesses, or recessed arcades must be stepped or inclined to follow the incline to minimize differences in finished grades between the public sidewalk and the development;
- (iii) An awning or canopy or other architectural feature shall have regard for the following:
- (A) if awnings or canopies or their supporting structures encroach on City property, a written encroachment agreement is required;
 - (B) awnings and canopies may be illuminated;
 - (C) the design of awnings, canopies, building recesses, and recessed arcades must provide continuity and harmony between adjoining developments with respect to materials, colour and pitch; and
 - (D) signage on awnings and canopies must comply with the regulation of Schedule C Section C.6(2).

(d) Appearance of Building

The exterior finishes of buildings shall have regard for section 11.1 (6)(c), be of high quality materials and shall be finished to the satisfaction of the Development Officer in accordance with the following:

- (i) be of high quality design and include durable and attractive building finishing materials such as, but not limited to: brick, brick veneer, stone, marble, tile, glass, stamped concrete or a combination of any material mentioned;
- (ii) the use of vinyl siding on building frontages shall be prohibited;
- (iii) provide a variation in building materials and design treatments on the lower floors of buildings on a block to reduce perceived mass;
- (iv) appropriate materials for walls and fencing include wrought iron for fences, brick, or brick veneer for walls; or a combination of brick or brick veneer base wall and wrought iron fencing; and
- (v) for building frontages facing 'A' streets, a minimum of 70% of the non-glazed area of the ground and second storey building frontage that faces a public street, an exposed side façade or a residential district shall be finished in brick or other high quality finish to the satisfaction of the Development Officer.

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(e) Amenity Areas

- (i) For all non-residential amenity areas, landscaping and site design shall provide a clear distinction between the private and public realm. High quality landscaping and design shall be used to denote changes in exterior elevation or the use of materials to the satisfaction of the Development Officer;
- (ii) all residential developments shall provide at least one of the following forms of common amenity areas:
 - (A) an indoor / outdoor courtyard;
 - (B) a rooftop garden;
 - (C) an outdoor patio;
 - (D) a community room;
 - (E) a pool; or
 - (F) any other common amenity deemed appropriate by the Development Officer.
- (iii) residential common amenity areas must:
 - (A) if at ground level, be screened with a fence or wall with a minimum height of 1.2 m;
 - (B) have a landscape buffer, to the satisfaction of the Development Officer, at least 1 m wide if adjacent to a public area; or
 - (C) have some other means that, in the opinion of the Development Officer, clearly delineates the public and private space.
- (iv) underground garage vents should be integrated into hard surface areas with limited impact on pedestrian amenity or landscaped areas.

(9) Signage

In addition to the requirements of Schedule C of this Bylaw, the Development Officer shall consider the following with regard to signage:

(a) Pedestrian Scale

Signs in this district should be designed and built at a scale suitable for pedestrian interaction.

(b) Reflection of Building Image

Signs should enhance and complement the building's image. Materials, content and colours suggesting the building's use and occupancy, shall be of an appearance and a quality complementary to the building.

(c) Reflection of the Streetscape

Signage in the DT must be complementary to the streetscape and adjacent buildings.