

BYLAW 45-2017

A BYLAW OF STRATHCONA COUNTY IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF AMENDING BYLAW NO. 6-2015, AS AMENDED, BEING THE LAND USE BYLAW.

WHEREAS it is deemed advisable to amend the Land Use Bylaw;

NOW THEREFORE, the Council of Strathcona County, duly assembled, pursuant to the authority conferred upon it by the *Municipal Government Act, R.S.A. 2000, c. M-26*, and amendments thereto, enacts as follows:

That Bylaw 6-2015, as amended, be amended as follows:

1. That the boundaries of Areas I and II be amended as shown in Schedule "A" attached hereto.
2. That DC Direct Control District DC69 be deleted and replaced with Schedule "B" attached hereto.
2. That Urban Service Area Map U21 be amended to reflect the change set out in section 1 of this bylaw.
3. This bylaw comes into effect after third reading and upon being signed.

Read a first time this 4 day of July, 2017.

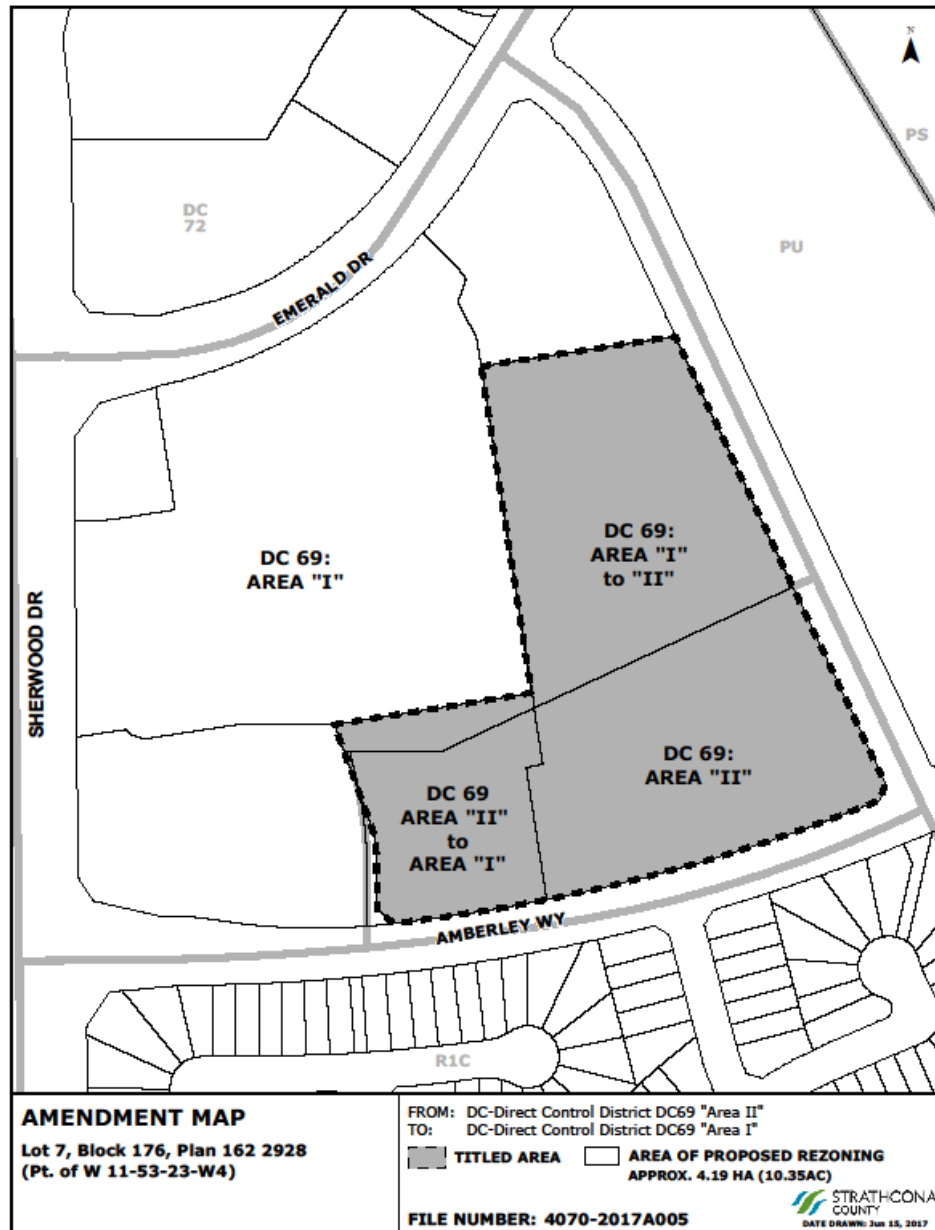
Read a second time this _____ day of _____, 2017.

Read a third time and finally passed this _____ day of _____, 2017.

Mayor

Director, Legislative and Legal Services

Date Signed: _____





DC 69 DIRECT CONTROL DISTRICT**1) Purpose**

To establish a site specific Direct Control District that accommodates a mix of commercial uses, to meet the retail and service needs of the region and travelling public as well as an area of compatible medium density residential use. These commercial and residential areas will be master planned and feature enhanced urban design that acknowledges and respects the gateway role it plays for residents and visitors to Sherwood Park and Strathcona County.

2) Area of Application

This district shall apply to a portion of the NW and SW 11-53-23-W4, located within the Emerald Hills area, totaling approximately 10.25 ha (25.33 ac), as shown on attached Schedule A. The district is located north of Amberley Way, south of Emerald Drive, west of Ebony Boulevard and east of Sherwood Drive.

This master planned district is divided into two areas. Each Area is considered a Site for the purposes of application of the regulations.

- **AREA I**, +/- 6.89 hectares – Commercial
- **AREA II**, +/- 3.35 hectares – Medium Density Residential

3) Development Concept

The Emerald Hills Centre Sustainability Summary and Development Concept Plan, which has been approved by Strathcona County, applies to this district. This district ensures consistency and compatibility within all of the Emerald Hills Centre sites.

4) Area I – Commercial**4.1 Purpose**

To provide for a mix of low intensity business and commercial uses that are compatible with and complementary to Emerald Hills Centre. The proximity of Area I to Highway 16 makes it an ideal location for commercial uses that require good visibility and convenient access. The location of the lands near the intersection of Highway 16 and Sherwood Drive also provides a unique opportunity to create a grand urban entrance to Sherwood Park.

The stormwater management facility east of Ebony Boulevard anchors the eastern edge of Area I and complements the “gateway” nature of this prominent urban location as an area of high quality architectural, urban and landscape design which creates a signature entrance to Sherwood Park. Area 1 will be designed and landscaped to complement the stormwater management feature in conjunction with the goals and guidelines set out in the Emerald Hills Centre Sustainability Summary and Development Concept Plan to achieve the “gateway” elements of the development.

4.1.1 Area I – UsesUses

Business support service	Hotel(Bylaw 53-2015-Oct)
Commercial school	Health service, minor
Convenience vehicle rental	Neighbourhood pub
Drive through vehicle service	Personal service, establishment
Financial service	Recreation, indoor
Food service, drive-thru	Retail, alcohol*
Food service, restaurant	Retail, convenience

Food service, specialty
Gas Bar
Government service

Retail, general
Service station, minor
Vehicle repair, minor
Veterinary service, minor

4.1.2 Area I –Regulations

- a) The maximum floor area ratio is 0.5, except it is 2.0 for a Hotel.
- b) The maximum height is 15.0 m, except it is 20.0 m for a Hotel.
- c) The minimum setback from a side lot line shall be 3.0 m, except it is 6.0 m on a flanking road.
- d) The minimum lot width is 30.0 m.

Area II –Medium Density Residential

4.2 Purpose

To accommodate an area for medium density residential uses on planned site basis.

4.2.1 Area II – Uses

Uses

Dwelling, apartment
Dwelling, townhouse
Dwelling, stacked townhouse
Care Centre, major
Congregate housing

Senior citizen housing
Home business, minor*
Residential sales centre*

Refer to Part 6, Specific Use Regulations, for additional regulations pertaining to uses containing an asterisk (*).

4.2.2 Area II – Regulations

- a) The minimum area for a planned site shall be 0.8 ha.
- b) The maximum density shall be 150 units/ha, and shall not be less than 45 units/ha.
- c) The maximum site coverage for all buildings is 60%.
- d) Development Regulations – Dwelling, apartments, congregate housing and seniors citizen housing;
 - i. The maximum height for a principal building shall be 25.0m.
 - ii. The minimum setback from the lot line abutting Amberley Way and Ebony Boulevard shall be 4.5 m.
 - iii. The minimum setback from a side lot line shall be 2.0 m and an additional 1.5 m for each storey or partial storey after the third storey.
 - iv. The minimum setback from a side lot line that abuts an internal road shall be 4.5 m.
 - v. The minimum setback from a lot line that abuts a dwelling, townhouse or commercial use shall be 4.5 m.

- e) Development Regulations – Dwelling, townhouses and Dwelling, stacked townhouse
- i. The maximum height for a Dwelling, townhouse and Dwelling, stacked townhouse shall be 11.0 m.
 - ii. The maximum number of dwelling units within a stacked townhouse dwelling or townhouse dwelling shall be eight (8).
 - iii. The minimum setback from the lot line abutting Amberley Way and Ebony Boulevard shall be 4.5 m.
 - iv. Units abutting Amberley Way and Ebony Boulevard shall be accessed by a rear garage or internal parking area.
 - v. Side lot line setbacks:
 - a. The minimum setback from a side lot line shall be 1.2 m.
 - b. The minimum setback from a side lot line that abuts an internal road shall be 3.0 m.
 - c. The minimum setback from a lot line that abuts an apartment, congregate care or seniors citizen housing or commercial use shall be 4.5 m.
 - d.

5) Areas I and II – Design Standards

In addition to the requirements of the Design Standards Section of the Land Use Bylaw, the following standards shall be applicable to development within this district:

a) Area Design

- i) Design for commercial developments shall be compatible and complementary with the architectural theme, principal design elements, finishing materials, colors and roof styles established in Emerald Hills Centre. These elements shall be applied to each building, with minor variations, regardless of the staging sequence of development.
- ii) Designs will also be required to adhere to the Emerald Hills Centre Sustainability Summary and Development Concept Plan, which provide detailed design direction for evaluating development proposals to ensure consistency and compatibility for development within the Emerald Hills Centre in the areas of access and transportation, urban design, landscaping design and sustainability initiatives.

b) Buildings

- i) In order to ensure that high-quality, authentic materials that evoke the parkland image of Sherwood Park and Strathcona County are used in new development, commercial buildings shall be materials such as brick, stone or textured, split face block veneer, cast stone or tinted masonry to the satisfaction of the Development Officer. The following materials are prohibited in Area I:
 - Painted or unpainted concrete block facing public roadways or residential development.
 - Tilt-up concrete panels
 - Pre-fabricated steel or sheet metal panels
 - Reflective glass
 - Aluminum, vinyl, fiberglass, or asphalt siding
 - Wood siding

- ii) In order to ensure that high-quality, authentic materials that evoke the parkland image of Sherwood Park and Strathcona County are used in new development, residential buildings shall be materials such as clap-board siding (i.e. fiberboard, vinyl, aluminum), stucco, brick, stone or textured, split face block veneer, cast stone or tinted masonry to the satisfaction of the Development Officer. The following materials are prohibited in Area II:
 - Painted or unpainted concrete block facing public roadways
 - Tilt-up concrete panels.
 - Pre-fabricated steel or sheet metal panels
 - Reflective glass
 - Fiberglass, or asphalt
- iii) Projections from buildings such as awnings, porticos, eaves, unenclosed balconies, shade protection, and similar architectural features that are not considered part of the interior space of the building may project up to 1.2 m for apartment buildings and 0.6 m. for Townhouse buildings, into the minimum building setback, except along Amberley Way and Ebony Boulevard where the maximum projection is 0.2 m. Under no circumstances are buildings or building projections to encroach over a lot boundary.
- iv) Residential housing abutting Amberley Way and Ebony Boulevard shall be sited so that the principal entrance shall be fronting Amberley Way and Ebony Boulevard the reinforcing street orientated character of the area.
- v) In order to ensure that building colors are aesthetically pleasing and compatible with surrounding buildings, building colours shall consist of subtle, neutral or muted colors, with low reflectance. Colours including browns, grays, tans, beiges, and dark or muted greens, blues and reds can be considered. No more than two principal colors may be used on a façade. Bright, white or primary colours should be used only as accents, occupying a maximum of 10 percent of building facades. Variations to this colour palette may be approved at the discretion of the Development Officer.

d) Lighting

- i) Lighting shall be in accordance with Part 3 of the Land Use Bylaw.

e) Community Amenities

- i) For every 100,000 square feet of commercial floor area developed an outdoor community amenity, area such as a patio or outdoor seating area for public use, shall be provided. Amenity areas shall be a contiguous area of a minimum of 1,000 square feet in area and shall be placed in a location that provides convenient access to the public, adjacent to the front façade or side of a building and connected by a walkway. The amenity areas shall include seating and landscaping to provide shade and relief from wind. Individual retail development of over 100,000 square feet shall include a central focal feature such as a clock tower, sculpture, play structure, etc. that reflects the heritage parkland image of Strathcona County and Sherwood Park within its required amenity area.
- ii) For each townhouse dwelling unit proposed, a minimum of 5 m²/per unit of landscaped usable open space shall be provided for common use within

the area. In this regard, the useable open space shall be developed into a contiguous common area(s) that is is/are accessible by all the residents within the development. Building setbacks and building code separations between buildings shall not be considered as usable open space.

- iii) Dwelling, apartments, congregate housing and seniors citizen housing shall have a minimum of 3.5 m²/per unit of common amenity space within the site including indoor and outdoor spaces with a minimum allocation of 50% to outdoor common amenity space. The common amenity space shall be accessible by all residents within the development, and may include rooftop spaces. Building setbacks and building code separations between buildings shall not be considered as common amenity space.

6) Parking, Loading and Circulation

In addition to the requirements of Part 4 of the Land Use Bylaw, the following standards shall be applicable to development within this district:

a) Areas I and II Standards

- i) This district shall provide for pedestrian connections between buildings such that potential conflict between on-site pedestrian and vehicular traffic is minimized. Pedestrian connections through vehicle circulation areas shall be visually distinguishable through landscape and urban design elements such as pavement markings, alternative paving materials, concrete bump-outs, signage, distinctive landscape elements, and/or raised surfaces.
- ii) The maximum length of a parking row shall be 26 parking stalls unless landscaping requirements require a different length.
- iii) Vehicular movement within the development area shall be designed in a manner that discourages cut through traffic from Emerald Drive, Ebony Boulevard and Amberley Way.

b) Area I Standards

- i) A well-defined pedestrian walkway shall be provided from adjacent roadway sidewalks to each principal customer entrance of a commercial building. Walkways shall be located so that the distance from the street and/or parking lot to the customer entrance is minimized. Walkways shall be at least 1.2 meters in width, and shall be distinguished through pavement material from the surrounding parking lot. Walkways shall be landscaped to provide separation of pedestrian connections.
- ii) Enhanced walkways shall be provided every 60 meters through the central core of the commercial development area in order to provide safe connection for pedestrians between the south and north; and the east and west development. These walkways shall be a minimum of 2.44 meters in width, with landscaping that creates visual distinction.
- iii) Sidewalks of at least 2.44 meters in width shall be provided along all front commercial building facades that abut public parking areas.
- iv) Bicycle parking shall be provided at the front of all buildings, located between the front of the building and parking lot in a manner that does not interrupt pedestrian access.

c) Area II Standards

- i) Apartments shall provide resident parking by use of underground parking.
- ii) The minimum visitor parking space requirement shall be 1 per 10.4 dwelling units.

7) Areas I – Landscaping and Screening

This district shall be required to comply with the requirements of the Landscaping and Screening section of the Land Use Bylaw, the Emerald Hills Sustainability Summary and the following:

- a) Landscaped islands are required at the ends of parking rows and shall be a minimum width of 2.0 meters. Trees shall be planted at the rate of one tree per 15m² and one shrub per 10m² of required island area.

8) Areas I and II – Additional Regulations

- a) The submission of Development Permit applications within this district shall adhere to the Emerald Hills Sustainability Summary and Development Concept Plan in order to achieve the sustainability goals and objectives within Emerald Hills.
- b) In addition to the regulations above, the listed uses are subject to the applicable regulations contained within the Land Use Bylaw, unless such regulation is specifically excluded or modified by the Direct Control Zoning District.

Development Permits:

- a) A Development Officer shall consider and decide upon all development permit applications within this District.
- b) A Development Officer may grant a variance for a development permit in accordance with Section 2.16 of the Land Use Bylaw.