

(DC1) Direct Development Control Provision
DC1 Area 2

1. General Purpose

The purpose of this Provision is to facilitate the development of a pedestrian friendly and transit-supportive area that is characterized by its mix of commercial and residential uses, directing the most intensive development around station areas while creating a sensitive transition to the south.

2. Area of Application

This Provision shall apply to land within the boundaries of the 104 Avenue Corridor Area Redevelopment Plan south of 104 Avenue between 123 Street and 112 Street, as shown on Schedule A attached to the Bylaw adopting this Provision and as identified on Appendix “1” attached.

3. Uses

- a. Apartment Hotels
- b. Apartment Housing
- c. Bars and Neighbourhood Pubs
- d. Business Support Services
- e. Child Care Services
- f. Commercial Schools
- g. Convenience Retail Stores
- h. Creation and Production Establishments
- i. General Retail Stores
- j. Government Services
- k. Health Services
- l. Hotels
- m. Household Repair Services
- n. Indoor Participant Recreation Services
- o. Live Work Unit
- p. Media Studios
- q. Minor Alcohol Sales
- r. Major Alcohol Sales
- s. Minor Amusement Establishments

- t. Minor Home Based Business
- u. Major Home Based Business
- v. Minor Impact Utility Service
- w. Non-accessory Parking
- x. Personal Service Shops
- y. Private Clubs
- z. Private Education Services
- aa. Professional, Financial and Office Support Services
- bb. Public Education Services
- cc. Public Libraries and Cultural Exhibits
- dd. Residential Sales Centre
- ee. Restaurants
- ff. Secondhand Stores
- gg. Specialty Food Services
- hh. Spectator Entertainment Establishments
- ii. Veterinary Services
- jj. Fascia On-premises Signs
- kk. Major Digital Signs
- ll. Minor Digital Off-premises Signs
- mm. Minor Digital On-premises Signs
- nn. Minor Digital On-premises Off-premises Signs
- oo. Projecting On-premises Signs
- pp. Temporary On-premises Signs

4. Development Regulations

- a. The overall Site development shall be in accordance with the urban design criteria established herein, the 104 Avenue Corridor Area Redevelopment Plan, as amended, and in general conformance with the attached appendices, to the satisfaction of the Development Officer.
- b. The maximum Floor Area Ratio shall be 5.0.
- c. The site is to consist of 3 sub-areas, as illustrated in Appendix 2, solely for the purpose of allocating Height.

- i. The maximum Building Height shall not exceed the following:

Sub-Area	Height (m)
1	50
2	40
3	23

- d. Building setbacks shall be as follows:
- i. Minimum 3.0 m and Maximum 4.5 m adjacent to all Streets and Avenues.
 - ii. A minimum 3.0 m shall be provided from the south property line; except when abutting an alley, no Setback is required.
 - iii. The Development Officer may increase the Setback for the purposes of public realm improvements, to accommodate a particular architecture style or street related activities such as sidewalk cafes and patios, and for separation of public and private spaces for Residential Uses.
- e. A minimum average Amenity Area of 7.5 m² per Dwelling shall be provided. Amenity areas may include meeting rooms, fitness facilities, outdoor space, and shall be exempt from Floor Area Ratio calculations.
- f. Notwithstanding Section 46.3 of the Zoning Bylaw, balconies with a minimum depth of 1.5 m may be used to satisfy required Amenity Area.
- g. Non-residential or mixed-use buildings over 2000 m² shall provide Amenity Area equivalent to a minimum of 3% of the Floor Area of non-residential Uses, to a maximum of 6%. Amenity Area may include interior landscaped open spaces, arcades, atriums, plazas and gardens and shall be exempt from Floor Area Ratio calculations.
- h. With each Development Permit application for a building over 20 m in Height, a detailed Wind Impact Study shall be submitted that is prepared by a qualified, registered Professional Engineer, and shall be based on a computer model simulation analysis, prepared to professional standards.
- i. With each Development Permit application for a building over 20 m in Height, a Sun Shadow Study shall be submitted.
- j. The development shall incorporate design features to minimize adverse microclimatic effects such as wind tunneling, snow drifting, rain sheeting, shadowing, and loss of sunlight, both on and off-Site, consistent with recommendations of appropriate studies to the satisfaction of the Development Officer.
- k. Prior to the issuance of any Development Permit, a Crime Prevention through Environmental Design Assessment shall be provided to the satisfaction of the Development Officer to ensure that the development provides a safe urban environment in accordance with the guidelines and principles established in the Design Guide for a Safer City (City of Edmonton, 1995).

5. Parking, Loading and Storage

- a. Vehicular and Bicycle Parking shall be provided in accordance with Section 54 of the Zoning Bylaw.
- b. Notwithstanding Section 5(a) of this Provision, required Residential and Residential-Related Uses shall provide Off-street Vehicular Accessory Parking spaces as follows:

	Minimum Number of Required Parking Spaces	Maximum Number of Required Parking Spaces
Bachelor Suite or Bed Sitting Room	0.2	.5
1 Bedroom Dwelling or Residential-Related Unit	.4	.75
2 or more Bedroom Dwelling or Residential-Related Unit	.8	1.25
Visitor Parking	1 per 10 Dwellings	1 per 7 Dwellings

- c. Notwithstanding Section 5(a) of this Provision, non-Residential Uses shall provide Off-street Vehicular Accessory Parking spaces as follows:

	Minimum Number of Required Parking Spaces	Maximum Number of Required Parking Spaces
Any development within a Non-Residential Use Class not listed separately in this table	1.0 space per 400 m ² of gross Floor Area	1.0 space per 200 m ² of gross Floor Area
Convenience Retail Stores	No spaces required	
Restaurants, Bars and Neighbourhood Pubs, and Specialty Food Services with less than 200 occupants and 240 m ² of Public Space	No spaces required	

- d. The Development Officer may consider, in consultation with Transportation Services, a vehicular parking reduction if a Parking Demand Study is submitted in conjunction with an application for a Development Permit justifying any reduction in vehicular parking requirements.
- e. Notwithstanding Section 5(a) of this Provision, Bicycle Parking spaces for Residential Uses shall be provided in a safe, secure, indoor location at a minimum rate of 40% of the number of Off-street Vehicular Parking Spaces required under

Section 5(b) of this Provision, with 5 Bicycle Parking spaces being the minimum to be provided.

- f. For non-Residential Uses with a gross floor area over 5,000 m² change rooms, showers, and covered, secured bicycle parking areas shall be provided to the satisfaction of the Development Officer. LEED™ standards shall be utilized to calculate the required areas.
- g. All residential vehicular parking shall be provided in below or above Grade Parking Garages, with the exception of visitor parking which may be located at the rear of buildings.
- h. Parking Garages developed below Grade shall be permitted to be built to the property line.
- i. Parking Garages developed below Grade adjacent to a Public Roadway, other than a lane, are to be located sufficiently below Grade, or a suitable alternative, to provide a minimum of 1.2 m soil depth to contribute to healthy root development.
- j. Above Grade parking Garages that are part of the building podium shall be screened in a way that does not disrupt the continuity of the Street Wall, and shall be limited to no more than 12 m in Height. Screens may include, but are not limited to, public art and street fronting retail uses.
- k. No portion of an above Grade Parking Garage shall be allowed for a minimum depth of 8.0 m from any front Façade facing a Public Roadway, other than a lane.
- l. Non-accessory Parking at-grade and above Grade is prohibited.
- m. Surface vehicular parking is prohibited between the front of a building and the street to limit the impact on the pedestrian environment.
- n. Vehicular access to parking structures and sites shall be from the abutting alleys to maintain an uninterrupted street façade and enhance the pedestrian experience.
- o. Vehicular and servicing access shall be designed to minimize the visual impact through screening, orientation, and other applicable techniques to the satisfaction of the Development Officer.
- p. No parking, loading, storage, waste collection, outdoor service or display area shall be permitted within required Setbacks.
- q. Loading, storage and trash collection areas shall be concealed from view from adjacent public roadways and sites in accordance with the provisions of Section 55 of the Zoning Bylaw. Trash collection and storage areas shall be located within the building. Trash collection areas shall be designed to the satisfaction of the Development Officer in consultation with Waste Management and Transportation Services.

6. Circulation Network

- a. A circulation network shall be established to define and expand the street grid, increasing connectivity, rationalizing development parcels, and guiding development.
- b. 114 Street NW and pedestrian pathways at 113 and 115 Street shall be extended through Lot 1, Block 14D, Plan 1282RS to connect to 104 Avenue.
- c. 114 Street and the pedestrian pathways shall be developed in general accordance with Streets and Lanes section of the 104 Avenue Corridor Area Redevelopment Plan, as amended, and the following to the satisfaction of the Development Officer and Transportation Services:
 - i. 114 Street:
 - A. a pedestrian boulevard consisting of a sidewalk and landscaping including boulevard trees and street furniture on both sides of the carriage way;
 - B. one vehicle travel lane in each direction and on-street parallel parking on both sides of the carriage way.
 - ii. 113 and 115 Street pedestrian pathways:
 - A. The owner(s) shall design and construct two pedestrian pathways with a publicly accessible internal minimum clear width 3.0 m hardscaped active transportation pathway, including lighting and landscaping providing a high quality north/south active transportation route from 104 Avenue to 113 and 115 Street.
 - iii. Prior to the release of drawings for Building Permit review, the owner(s) shall enter into a Public Access Easement with the City of Edmonton to ensure public access along the hardscaped active transportation pathways and, if 114 Street is not a dedicated roadway, the north / south alignment of 114 Street NW connecting 103A Avenue NW to 104 Avenue NW. The easement shall make the private property owner(s) responsible for the maintenance and liability.
- d. The extension of 114 Street, and 113 and 115 Street pedestrian pathways will occur concurrently with the closures of portions of 103 A Avenue to facilitate the conversion of 103 A Avenue to a lane.
- e. The circulation network shall be developed and phased with concurrent adjacent major development permit applications for new development.

7. Landscaping

- a. A Landscape Plan prepared by a registered Landscape Architect shall be submitted prior to the issuance of any development permit to the satisfaction of the Development Officer as per Section 55 of the Zoning Bylaw.
- b. The Landscape Plan shall include pavement materials, exterior lighting, street

furniture elements, pedestrian seating area, sizes and species of new tree plantings, and other detailed Landscaping elements. The Landscape Plan shall include design of the adjacent Street and public realm where applicable.

- c. Landscaping within the Setback adjacent to 104 Avenue NW and 116 Street NW shall be developed to provide an enhanced pedestrian experience and a public realm that seamlessly transitions from public to private property by:
 - i. continuing the public sidewalk paving materials, finish, and pattern to compliment the adjacent streetscape. Soft landscaping may be required at the discretion of the Development Officer; and
 - ii. providing design measures to reduce the environmental impacts of higher levels of vehicular traffic on the pedestrian experience.
- d. Landscaping on the Site shall consider the use of plant materials that provide colour throughout the year to enhance the appearance of the development during cold weather months.

8. Signage

- a. Signs shall comply with the General Provisions of Section 59 and the regulations found in Schedule 59F of the Zoning Bylaw.
- b. A Comprehensive Sign Design Plan in accordance with the Provisions of Section 59.3 shall be required to the satisfaction of the Development Officer.
- c. Notwithstanding Section 8(a) of this Provision, Major Digital Signs, Minor Digital On-premises Signs, Minor Digital Off-premises Signs, and Minor Digital On-premises Off-premises Signs, shall comply with the regulations found in Schedule 59F.2 and 59F.3.
- d. Any application for a Major or Minor Digital Sign Use may require the submission of a Traffic Safety Study prepared by a qualified engineer and shall be to the satisfaction of the Development Officer in consultation with Transportation Services.
- e. Major or Minor Digital Signs shall not be installed on a Freestanding Sign.

9. Urban Design

Street Interface

- a. Buildings shall promote a positive street environment that is welcoming to pedestrians and encourages increased pedestrian activity at the sidewalk level by:
 - i. For buildings located along identified locations for required at-grade commercial frontage in Appendix 2, provide and maintain commercial establishments with direct access to the street which contain numerous shop fronts, entrances, variety of textures and building materials to enhance the pedestrian environment.

- b. Buildings designed to accommodate Commercial Uses shall strengthen the pedestrian shopping experience by conforming with the following:
 - i. the ground storey shall have a minimum Height of 3.5 m;
 - ii. the geodetic elevation of the top of the floor on the level that is directly above Grade shall not exceed the geodetic elevation of the abutting public sidewalk by more than 0.3 m; and
 - iii. a minimum of 70% of the linear building frontage of the ground Storey Facades shall be comprised of transparent, non-reflective, non-tinted, unobscured glazing, where fronting onto a Public Roadway, other than a lane. Linear frontage shall be measured at 1.5 above the finished Grade of the adjacent boulevard.

Massing and Building Articulation

- c. Any development with a building Height greater than 23.0 m shall
 - i. provide a minimum 3.0 m Stepback from the podium wall between 6.0 m and 23.0 m of Height;
 - ii. Provide a minimum 6.0 m Setback of the Floor Area above 23.0m from the south property line; except when abutting an alley, no Setback is required.
- d. Notwithstanding Section 9(c)i of this Provision, any development with a building Height greater than 40.0 m shall be developed in the form of a podium plus Tower configuration and shall comply with the following criteria:
 - i. a proportional podium shall be required, the minimum and maximum Height of which shall be 6.0 m and 23.0 m respectively;
 - ii. a minimum 3.0 m Tower Stepback from the podium wall shall be provided;
 - iii. Tower Floor Plates shall not exceed 900 m²;
 - iv. for Towers greater than 50.0 m in Height, the Tower Floor Plate above the podium shall not exceed 750 m²;
 - v. the minimum space between Towers shall be 25.0 m. The Development Officer may vary Tower spacing in consideration of the following:
 - A. the visual, sun/shadowing, and other microclimatic impacts on adjacent residential development; and
 - B. the recommendations, and mitigation measures specified in any required technical studies;
 - vi. the Tower shall be differentiated from the podium, but shall reinforce some of the design details, materials, and architectural expression from the podium;

- vii. Towers shall be designed, oriented and constructed to articulate the skyline and maximize views and sunlight penetration in public spaces, plazas, parks and Amenity Areas; and
- viii. Towers shall contribute to the 'signature' of the building and the City's skyline through treatment of the upper floors and roofs. The Tower shall provide articulation, visual interest and reduced massing effects by a combination of sculpting of the building, variation of materials/color or other means to the satisfaction of the Development Officer.

Entrances and Corners

- e. On corners, Façade treatment shall wrap around the side of the building to provide a consistent profile facing Public Roadways, other than a lane.;
- f. In mixed-use buildings, residential entrances shall be designed separately from commercial or institutional entrances and address the street in a prominent manner;
- g. Commercial or institutional entrances shall address the street in prominent manners;
- h. Buildings at corners shall provide courtyards, major entry ways or distinctive architectural features consistent with the style of the building or influences on the other corners of the intersection to enhance pedestrian circulation and, where applicable, enhance axial views;
- i. Buildings shall be designed and oriented to face the front property lines with entrances that are clearly visible, except on Double Fronting Sites where the building shall be designed to front both the street and avenue;
- j. At Grade residential developments shall provide separate, individual access at Grade and feature identifiable doorways, landscaped terraces, pedestrian lighting, and patios where appropriate. To ensure adequate privacy, the applicant shall provide screening to indicate separate individual access to each unit;
- k. For residential developments, the geodetic elevation of the top of the floor on the level that is directly above Grade shall be greater than the geodetic elevation of the abutting sidewalk by at least 0.75 m.

Building Façade, Materials, and Exterior Finishing

- l. Building materials on the lower Storeys along public roadways, except lanes, shall be used to improve visual quality and permeability of the building to promote a positive pedestrian environment.
- m. The lower portion of the Façades of buildings, including bases and podiums must be strongly articulated at regular increments to add variety, rhythm and a human scaled dimension along the street. This may include:
 - i. the provision of awnings, canopies, window openings, reveals, offsets, multiple entrances arcades, columns, pilasters, materials and colour or other architectural features; and

- ii. the provision of quality materials, interesting design, fenestrations, inviting entrances and superior landscaping.
- n. All exposed building Facades shall have consistent and harmonious exterior finishing materials.
- o. Building materials must be sustainable, timeless, durable, high quality and appropriate for the development within the context of the corridor.
- p. Buildings shall emphasize the architectural treatment of the horizontal and vertical elements as well as finer grain elements such as windows, balconies, shadow lines and textures to distinguish residential buildings from office Towers.

Roof Tops

- q. All mechanical equipment 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. Wherever podium roofs are visible from existing adjacent developments, the development shall provide enhancements to improve rooftop aesthetics. Enhancements may include patios, gardens, green roofs or additional Amenity Area.

Lighting

- s. Decorative and security lighting shall be designed and finished in a manner consistent with the architectural theme of the development and will be provided to ensure a safe, well-lit environment for pedestrians, to ensure no negative impact on an adjacent property and to accentuate architectural elements, roof tops and public art in accordance with Sections 51 and 58 of the Zoning Bylaw.
- t. Detailed exterior lighting plans may be required for major developments at the discretion of the Development Officer.

10. Height Incentives

Notwithstanding Section 4(c) of this Provision, in Sub Area 1, additional Height up to a maximum of 80.0 m, may be granted subject to the preceding regulations and all of the regulations of this Section 10 being complied with:

- a. Notwithstanding Section 4(b) of this Provision, FAR may be increased to a maximum of 7.0 to allow the development of additional Height.

Affordable Housing

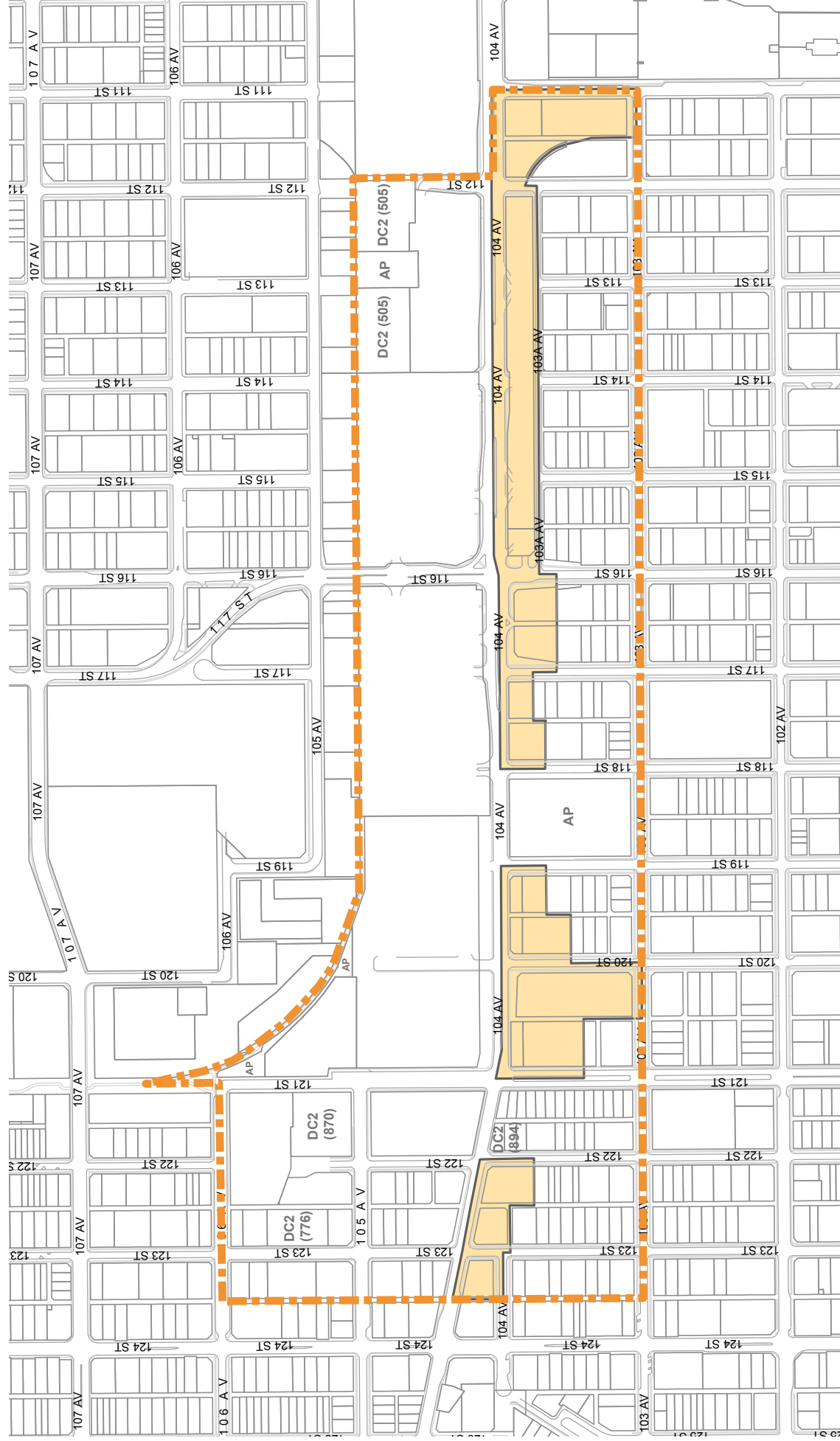
- b. Prior to the issuance of a Development Permit, the Development Officer shall ensure that a signed agreement has been executed between the City and the Owner, requiring the owner to provide the City at the time of development permit approval, the option to purchase 5% of the proposed number of residential dwelling units at 85% of market value or the equivalent value as cash in lieu to the City.

Public Art

- c. As a condition of the Development Permit and prior to the issuance of the Occupancy Permit, the owner(s) shall commission public art to the minimum value of \$9.00/m² of gross Floor Area of the Tower portion of the building.
- d. A committee with representation from the owner(s) and the Edmonton Arts Council shall oversee this Public Art Program, and, in consultation with the Development Officer shall determine the appropriate locations for artworks to be installed.
- e. Public art shall be located on-site and visible from the public realm.
- f. If a development application has not been made within five (5) years of the approval date of the Bylaw adopting this Provision, the Public Art contribution shall be increased from that point forward according to the annual rate of national inflation as determined by Statistics Canada.

Sustainable Building Design

- g. The building shall be designed to meet the requirements of the Green Building Rating System LEEDTM, Canada NC, 2009, as amended, to achieve a minimum LEED Silver standard or equivalent. The owner is not required to seek LEED certification and may choose which supplementary green sustainable targets will be implemented, and, at his/her discretion, may indicate additional targets in excess of the Silver standard score to provide for flexibility of implementation. Upon submission of a Development Permit application, the applicant must submit a detailed report, endorsed by a registered professional engineer or architect, indicating how the LEED Silver points, or equivalent, will be achieved upon construction competition. This report must be approved by the Development Officer prior to the issuance of the Development Permit.
- h. Upon completion of the building, the Owner shall provide a report by a professional Architect or Engineer that demonstrates, to the satisfaction of the Development Officer, that the design and construction of the building meets the target LEED Silver, or equivalent, as described in Section 10(g) of this Provision.



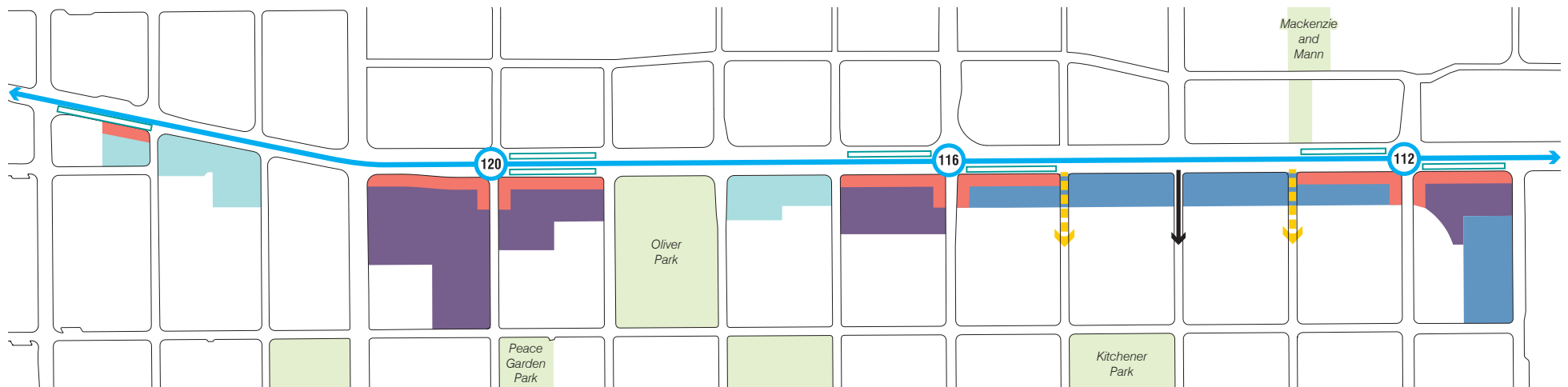
Legend

- Area 2
- 104 Corridor ARP Boundary

104 Avenue Corridor ARP

Appendix 1- Area 2

APPENDIX 2



- Sub Area 1
- Sub Area 2
- Sub Area 3
- Required at-grade Commercial Frontage

- Active Transportation Pathway
- Streets
- Proposed LRT Line
- Proposed LRT Stations