

Bylaw 15201

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 1009

WHEREAS City Council at its meeting of February 22, 2001, gave third reading to Bylaw 12800, as amended; and

WHEREAS Council considers it desirable to amend the text of the Edmonton Zoning Bylaw in order to implement the Downtown Plan;

NOW THEREFORE after due compliance with the relevant provisions of the Municipal Government Act RSA 2000, ch. M-26, as amended, the Municipal Council of the City of Edmonton duly assembled enacts as follows:

1. Bylaw 12800, as amended, The Edmonton Zoning Bylaw is hereby further amended by:

a) adding a new subsection 6.1(26):

Façade means the exterior outward face of a building. Typically, the façade of interest is that surface that serves as the front of that building and faces a building's primary street. Buildings on the corner of two streets or a street and an alley present two public façades.

b) adding a new subsection 6.1(30) as follows:

Floor Plate means the total floor area of a Storey within a building or structure contained within the outside surface of the exterior walls, provided that in the case of a wall containing windows, the glazing line of windows may be used.

c) adding a new subsection 6.1(64) as follows:

Public Amenity Space means a space in the form of such things as an open space, park, plaza furnishings and includes locations of art, seating areas and other amenities at grade that are complementary to the adjacent streetscape and are visually and physically accessible to the public.

- d) adding a new subsection 6.1(80):

Street Wall means a series of continuous building façades that are typically parallel to the road right-of-way.

- e) adding a new subsection 6.1(84):

Tower means a building within the boundary of the Capital City Downtown Area Redevelopment Plan over 26 m tall with special design constraints applying to life/safety measures, structural support, wind, sunlight, and skyline impacts.

- f) Renumbering Section 6.1 accordingly;
- g) adding “Excluding the area within the Downtown Special Area,” at the beginning of the last sentence of Section 54.2(1)(b);
- h) deleting the existing second row in the table “Schedule 1 – Vehicular Parking Requirement”, “Residential and Residential-Related (Except for Residential-Related Under Downtown Area Redevelopment Plan)” within subsection 54.2 Schedule 1 and replacing it with:
- “Residential and Residential-Related Uses”;
- i) adding a row to the top of the table “Schedule 1 – Vehicular Parking Requirement” within subsection “54.2 Schedule 1” as follows:

Schedule 1(A) Areas Outside of the Downtown Special Area

- j) deleting the row “Residential and Residential-Related (Within the Boundaries of the Downtown Area Redevelopment Plan)” and rows numbered 8 and 9 below it within subsection 54.2 Schedule 1;
- k) deleting the row “Non-residential Use Classes (Outside the Boundaries of the Downtown Area Redevelopment Plan)” within subsection 54.2 Schedule 1 and replacing it with:
- “Non-residential Use Classes”;
- l) deleting the row “Non-residential Use Classes (Within the Boundaries of the Downtown Area Redevelopment Plan)” and row number 44 within subsection 54.2 Schedule 1;
- m) renumbering row numbers 10 through 43 within subsection 54.2 Schedule 1 accordingly;

- n) adding a new table below the existing table within subsection 54.2 Schedule 1 as follows:

Schedule 1(B) Areas Within the Downtown Special Area							
Residential and Residential-Related Uses							
	Number of Required Parking Spaces by Zone						
Area of Application	CCA	CMU	HA	HDR	JAMSC	RMU	UW
1. Bachelor Suite or Bed Sitting Room							
Minimum Parking Requirement per unit	0	0	0	0.4	0	0	0
Maximum Parking Requirement per unit	0.5	0.5	0.5	0.5	0.5	0.5	0.5
2. 1 or more Bedroom Dwelling or Residential-Related Unit							
Minimum Parking Requirement per unit	0.4	0.4	0.4	0.4	0.4	0.4	0
Maximum Parking Requirement per unit	1.25	1.25	1.25	1.25	1.25	1.25	1.25
3. Visitor Parking							
Minimum Parking Requirement per unit	0	1.0 per 10 units	0	1.0 per 10 units	0	1.0 per 10 units	0
Maximum Parking Spaces	10	10	10	10	10	10	10
4. Other Parking Regulations	<div>1. Where visitor parking is required, it must be readily available to an entrance of the building and be clearly identified as visitor parking.</div> <div>2. The Development Officer may accept Tandem Parking spaces of a number that is equivalent to the total required parking minus the total number of Dwellings and minus visitor parking. Visitor parking spaces shall not be in tandem.</div> <div>3. Where a Front Yard driveway provides access to a parking space that is not within the Front Yard, the Development Officer may consider this driveway as the provision of a second car parking space that is in tandem.</div> <div>4. Employee Parking for Live Work Units shall not be required.</div>						
5. All other Zones and Uses not listed above.	<div>1. All other Zones and Uses within the boundaries of the Capital City Downtown Area Redevelopment Plan not listed above shall meet the parking requirements established by the abutting Downtown Special Area Zone with the longest shared zoning boundary.</div>						

Non-Residential Uses							
	Number of Required Parking Spaces by Zone						
Area of Application	CCA	CMU	HA	HDR	JAMSC	RMU	UW
5. Any development within a Commercial Use Class not listed separately in this table							
Minimum Parking Space Required (space/sq. m of GFA)	1.0 per 400m ²	1.0 per 300m ²	1.0 per 400m ²	1.0 per 350m ²	1.0 per 400m ²	1.0 per 400m ²	0
Maximum Parking Space Required (space/sq. m of GFA)	1.0 per 200m ²	1.0 per 200m ²	1.0 per 200m ²	1.0 per 100m ²	1.0 per 100m ²	1.0 per 100m ²	1.0 per 200m ²
6. Convenience Retail Stores	No parking is required						
7. Restaurants, Bars and Neighbourhood Pubs, Specialty Food Services	Less than 50 occupants and 60m ² of Public Space, no parking is required. Zero minimum parking requirement for the UW zone.						
8. All other Zones and Uses not listed above	All other Zones and Uses within the boundaries of the Capital City Downtown Area Redevelopment Plan not listed above shall meet the parking requirements established by the abutting Downtown Special Area Zone with the longest shared zoning boundary.						

- o) adding the following zones to section 55.2(1)(c): CMU, CCA, UW, JAMSC, and HA;
- p) deleting the words MSC and EZ and replacing with JAMSC and UW, respectively, throughout the Edmonton Zoning Bylaw;
- q) deleting Section 910 in its entirety and replacing it with:

910. DOWNTOWN SPECIAL AREA ZONING REGULATIONS

910.1 General Purpose

To designate the Downtown area as a Special Area and to adopt the following land use regulations to achieve the objectives of the Capital City Downtown Plan.

910.2 Application

The designation, location and boundaries of each zone affected or created in Section 910 shall apply, as indicated in the Downtown Zoning Map, Appendix 1 to this Section. The following Appendices also apply to this Section: Appendix 2 Downtown Maximum Floor Area Ratio Map and Appendix 3 Downtown Maximum Height Map.

910.3 Zones Created by Special Area Provisions

Specific zones, as contained in Sections 910.5, 910.6, 910.7, 910.8, 910.9, 910.10 and 910.11, have been created in accordance with Section 900 of the Zoning Bylaw.

All Regulations in the Zoning Bylaw shall apply to development in the CCA, CMU, HA, HDR, JAMSC, RMU and UW, unless such Regulations are specifically excluded or modified therein.

Where a discrepancy exists between the Special Area regulations and general zoning regulations, the Special Area regulations shall prevail.

910.4 DOWNTOWN WIDE REGULATIONS:

The following Zoning Regulations are common to all the Downtown Special Area Zones. Further regulation may be described under individual zones.

1. Vehicular Parking

- a. Parking that is part of the building podium shall be screened in a way that does not disrupt the continuity of the Street Wall and the character of the zone, and shall be limited to no more than 12m in Height from grade. Screens may include, but are not limited to, public art and street fronting retail uses.
- b. Parkade(s) developed below grade shall be permitted to be built to the property line.
- c. Parkade(s) developed below grade on streets identified as neighbourhood streets in the Urban Design Framework for Downtown Streets within the Capital City Downtown Plan, Bylaw 15200 are to be located sufficiently below grade, or a suitable alternative, to provide a minimum of 1.2m soil depth to contribute to healthy root development.
- d. No portion of an above grade parking garage on the ground (first) floor shall be allowed for a minimum depth of 8.0 m from any front façade facing a Public Roadway, other than a lane. Vehicular Access shall be from the abutting lane.
- e. Surface Parking Lots:
 - i. No surface parking shall be allowed, other than accessory parking that is located at the rear of a building and is accessed from the abutting alley;
 - ii. A minimum 4m landscaped setback shall be provided from any property line abutting a Public Roadway, other than a lane, for any surface parking area;
 - iii. The storage of materials inclusive of accumulated snow on non-accessory parking surface lots shall be in a location away from the public roadway to improve safety and visibility; and
 - iv. Lighting for the non-accessory surface parking lots shall be a minimum of 6 LUX.

2. Access

- a. Vehicular access to parking structures and sites shall be from the abutting alleys to maintain an uninterrupted street façade and enhance the pedestrian experience, except where there is no alley or where steep slopes inhibit access, only then shall access be from the street.
- b. Driveway ramps for underground parkades shall not exceed a slope of 6% for the first 4.5m from the property line, or as prescribed by the Transportation Department.
- c. For residential, residential related, hotel, and institutional uses, passenger drop-off areas and lay-bys on private properties may be allowed within the Front Setback, provided there is adequate space available and that sidewalk continuity is maintained to the satisfaction of the Transportation Department.

3. Bicycle Parking and Facilities

- a. For non-Residential Uses with a gross floor area over 5,000 m² change rooms, showers, and covered, secured parking areas shall be provided to the satisfaction of the Development Officer. LEED™ standards shall be utilized to calculate the required areas.

4. Garbage and Services

- a. Any trash collection area or storage area, shall be located adjacent to the lane and shall be within the principle building.
- b. The gates and/or doors of the garbage enclosure must not open or encroach into the abutting road right-of-way.

5. Signage

- a. The Development Officer shall have regard for visual harmony and the compatibility of the proposed sign with the architectural character and finish of the development and with the design, location and appearance of other signs on the development.
- b. A Comprehensive Sign Design Plan in accordance with the Provisions of Section 59.3. may be required at the discretion of the Development Officer,

6. Weather and Environmental Influences

- a. Buildings and public spaces shall be designed with materials and forms to increase pedestrian comfort and the use of public streets and open spaces using design initiatives outlined in the policies on Winter City Design and Urban Design within the Capital City Downtown Plan, Bylaw 15200.
- b. Developments shall provide protection from inclement weather such as canopies, awnings, sunshades overhangs or colonnades, designed to fit the character of the block or building.

7. Exterior Lighting

- a. 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 well-lit environment for pedestrians, and to accentuate architectural elements, roof tops and public art.
- b. Exterior lighting associated with the development shall be designed such that it has no negative impact on an adjacent property.
- c. Detailed exterior lighting plans may be required for major developments at the discretion of the Development Officer.

8. Transparency

- a. The ground floor level portion of the façade abutting a Public Roadway, other than a lane, shall be comprised of transparent, non-reflective, non-tinted, non-obscured glazing.

- b. Blank walls or non-transparent surfaces shall not exceed 20% of the linear building frontage at grade, where fronting onto a Public Roadway, other than a lane. Blank walls or non-transparent surfaces on buildings with non-Residential Uses shall not exceed 6.0m in width, except if the surface is designed to accommodate Public Art, then the maximum width shall be no wider than 10.0m.

910.5 (CCA) - CORE COMMERCIAL ARTS ZONE

1. General Purpose

The purpose of this Zone is to provide a Zone for a variety of high density and quality development that accommodates office, retail, service, institutional, residential, arts and entertainment Uses and meet the land use objectives for the Commercial Cultural Core. The intent is to further strengthen the Downtown's central area by providing continuous retail at grade, enhancing arts and entertainment activities, accommodating Residential Uses and making the Core more pedestrian friendly.

2. Permitted Uses

- a. Apartment Housing
- b. Apartment Hotels
- c. Auctioneering Establishments
- d. Bars and Neighbourhood Pubs, for less than 200 occupants and 240 m2 of Public Space
- e. Broadcasting and Motion Picture Studios
- f. Business Support Services
- g. Child Care Services
- h. Commercial Schools
- i. Community Recreation Services
- j. Convenience Retail Stores
- k. General Retail Stores
- l. Government Services
- m. Health Services
- n. Hotels
- o. Indoor Participant Recreation Services
- p. Limited Contractor Services
- q. Minor Amusement Establishments
- r. Minor Home Based Business and Major Home Based Business
- s. Minor Alcohol Sales and Major Alcohol Sales
- t. Personal Service Shops

- u. Professional, Financial and Office Support Services
- v. Private Education Services and Public Education Services
- w. Private Clubs
- x. Public Libraries and Cultural Exhibits
- y. Religious Assembly
- z. Residential Sales Centre
- aa. Restaurants
- bb. Specialty Food Services
- cc. Fascia On-premises Signs
- dd. Projecting On-premises Signs
- ee. Temporary On-premises Signs, not including portable signs

3. Discretionary Uses

- a. Automotive and Minor Recreation Vehicle Sales/Rentals, within an enclosed Building.
- b. Bars and Neighbourhood Pubs, for more than 200 occupants and 240m2 of Public Space
- c. Boarding and Lodging Houses
- d. Carnivals, within an enclosed building
- e. Convenience Vehicle Rentals
- f. Custom Manufacturing Establishments
- g. Exhibition and Convention Facilities
- h. Extended Medical Treatment Services
- i. Fleet Services
- j. Funeral, Cremation and Interment Services
- k. Live Work Units
- l. Major Amusement Establishments
- m. Major Secondhand Stores
- n. Minor Impact Utility Services
- o. Minor Secondhand Stores
- p. Mobile Catering Food Services
- q. Motels
- r. Natural Science Exhibits
- s. Nightclubs

- t. Non-accessory Parking
- u. Protective and Emergency Services
- v. Recycled Materials Drop-off Centres, within an enclosed building
- w. Spectator Entertainment Establishments
- x. Veterinary Services
- y. Warehouse Sales
- z. Fascia Off-premises Signs
- aa. Projecting Off-premises Signs
- bb. Temporary Off-premises Signs

4. Development Regulations for Permitted and Discretionary Uses

The following regulations shall apply to all Permitted and Discretionary Uses.

- a. Floor Area Ratio
 - i. the maximum Floor Area Ratio east of 100 Street shall be 8.0;
 - ii. the maximum Floor Area Ratio west of 100 Street shall be 12.0; and
 - iii. Notwithstanding 4(a)(ii), the maximum Floor Area Ratio shall be 13.1 for the area bounded on the east by 100 Street, on the north by Jasper Avenue, on the south by Macdonald Drive and on the west by the north/south Lane and pedestrian walkway.
- b. Building Height:
 - i. the maximum permitted Height shall not exceed 150 m;
 - ii. the maximum discretionary Height shall not exceed 200 m;
 - iii. the above permitted and discretionary Height is subject to the provisions of the City Centre Protection Overlay; and
 - iv. where the maximum Height exceeds 150 m, the Development Officer shall ensure the design of the built form, its profile, sculpting, and detailing, as well as the quality of its material is such that it is a significant positive addition to the City's skyline.
- c. Building Setbacks:
 - i. Buildings shall have a front Setback between 1.5 to 2.5m, except that:
 - A. the Setback on the north side of 103A Avenue between 97 and 101 Street shall be 10.0m;
 - B. the Setback for properties fronting on the south side of 103A Avenue between 97 and 101 Street shall be 5.0m;
 - C. the Setback for properties fronting on the south side of 104 Avenue between 101 and 103 Streets shall be 5.0m;

- D. the Setback from the front property line for all other buildings not covered by subsection b) and c) located west of 100 Street and south of 103A Avenue, and west of 101 Street and south of 104 Avenue shall have a zero to 2.5m front Setback;
 - ii. Buildings shall be built to the side property lines; and
 - iii. Notwithstanding the above, the Development Officer shall have regard for the existing block face Setback and consideration of the Urban Design Framework for Downtown Streets within the Capital City Downtown Plan, Bylaw 15200 in determination of the Setback.
 - d. Amenity Areas
 - i. A minimum amenity area of 3% of gross floor area of residential uses, to a maximum of 6% shall be required for buildings over 2000m² to the satisfaction of the Development Officer. Amenity areas may include meeting rooms, fitness facilities, outdoor space, and shall be exempt from FAR calculations.
 - ii. Non-residential buildings on sites of less than 1350m² shall not be required to provide Amenity Area.
 - iii. Non-residential or mixed-use buildings on sites greater than 1350m² shall provide a minimum Amenity Area of 3% on the non-residential uses to a maximum of 6% of the development. Amenity Areas may include interior landscaped open spaces, arcades, atriums, plazas and gardens and shall be exempt from FAR calculations.
 - e. Vehicular Parking
 - i. Parking shall be in accordance with Section 54 of the Zoning Bylaw; except for conversions to residential uses where there is existing parking, additional parking shall not be required.
 - f. Landscaping
 - i. Landscaping shall be in accordance with Section 55 of the Zoning Bylaw, except that:
 - A. Trees shall be provided in accordance with subsection 55.8. For development consisting of Residential Use Classes, the number of trees provided shall be one tree for each 25 m² of any required Yard or Setback at grade.
 - B. For tree requirements, only deciduous species shall be allowed on any Yard or Setback abutting a Public Roadway, other than a lane.
 - g. Signs shall comply with the regulations found in Schedule 59F.

5. Urban Design Regulations

- a. Street Interface

- i. Buildings shall reflect the street types identified in the Urban Design Framework for Downtown Streets within the Capital City Downtown Plan, Bylaw 15200, emphasizing specific boulevard treatments to enhance the pedestrian oriented character of the Commercial Cultural Core.
 - ii. Buildings shall be designed to accommodate Commercial Uses to strengthen the pedestrian oriented shopping area through the following:
 - A. The ground Storey shall have a minimum Height of 3.5m,
 - B. Architectural treatment of new developments and substantial renovations shall have windows on the front façade of the building at each storey, and the placement and type of windows shall allow viewing into the building,
 - C. Major shopping complexes and large-format stores over 2000m² shall contain smaller scale retail spaces with direct access to the street to maintain a rhythm of fine-grained retail establishments at grade. All street level Commercial Uses that abut a street shall provide a primary direct access to the street,
 - D. A minimum of 60% of street frontage for retail, services, and other commercial uses, and
 - E. The ground floor elevation shall not exceed the elevation of the abutting public sidewalk by more than 0.3 m, at the discretion of the Development Officer where the grade or other site conditions require greater grade separation.
 - iii. The development of the abutting public realm shall be in accordance with the standards outlined in the Urban Design Framework for Downtown Streets within the Capital City Downtown Plan, Bylaw 15200.
 - iv. Public Amenity Area
 - A. Building setback areas, including useable outdoor spaces, shall continue the public sidewalk paving materials, finish, and pattern. In addition, soft landscaping may be required at the Discretion of the Development Officer.
- b. Street Wall Design
- i. The building façade that comprises a portion of the Street Wall shall range in Height from 9m to 26m. The Development Officer may vary street wall heights in consideration of the following:
 - A. The visual, sun/shadowing, and other microclimatic impacts on adjacent residential development; and
 - B. The recommendations, and mitigative measures specified in any required technical studies.
 - ii. Infill developments shall ensure that the Height of the building façade or podium base is within 7m of the adjacent buildings façade or podium.

- c. Entrances and Corners
 - i. Ground level retail uses shall open to the street rather than an internal atrium.
 - ii. In mixed-use buildings, residential uses shall have access at grade that is separate from the commercial premises.
 - iii. 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.
 - iv. Buildings shall be designed and oriented to face the front property line with entrances that are clearly visible, except on double fronting streets where the building shall be designed to front both the street and the avenue.
- d. Tower Floor Plate, Stepbacks, and Spacing
 - i. Buildings greater than 26m in Height shall be allowed in the form of a podium plus Tower composition or other configuration that ensures design treatments are compatible with the façades of adjacent buildings in the immediate area.
 - ii. The mid-level of Towers shall employ building Stepback, Tower spacing and sculpting to reduce building mass and augment views, light and privacy.
 - A. Towers shall Stepback from the front podium wall a minimum of 4.5m.
 - B. The minimum space between non-residential Towers shall be 20m.
 - C. The minimum space between a residential Tower and any other Tower shall be 25 m.
 - D. The Development Officer may vary the Tower spacing in consideration of the following:
 - 1. The visual sun/shadowing, and other microclimatic impacts on adjacent residential development; and
 - 2. The recommendations, and mitigative measures specified in any required technical studies.
 - iii. Towers, whether in the form of freestanding independent structures, or a number of associated structures within a complex shall be designed, oriented and constructed to maximize views, articulate the downtown skyline, and allow sunlight penetration at the street level, in public spaces, plazas, parks and amenity areas.
 - iv. Developments less than 26m in Height on sites 700m² or less, may not be required to provide Floor Plate reduction.
- e. Building Façade, Materials, and Exterior Finishing
 - i. Building façades shall incorporate architectural design details or features that recognize the predominant urban character of the street, as identified in

the Urban Design Framework for Downtown Streets within the Capital City Downtown Plan, Bylaw 15200.

- ii. Building façades must be strongly articulated at regular increments to add variety, rhythm, and a human scaled dimension along the block face.
 - iii. Building design and façades shall incorporate treatments such as awnings, canopies, window openings, reveals, offsets, multiple entrances, arcades, columns, quality materials, interesting design, fenestrations, double Height entrances, parks, plazas, appropriate landscaping, colour, and other architectural features.
 - iv. Buildings shall emphasize horizontal and vertical elements as well as finer grain elements including windows, balconies, shadow lines and textures to distinguish between residential and non-residential buildings.
 - v. Building materials shall be sustainable, durable, high quality and appropriate for the development within the context of the Commercial Cultural Core district. The contextual fit, design, proportion, quality, texture and application of various finishing materials shall be to the satisfaction of the Development Officer.
 - vi. All exposed building facades shall have consistent and harmonious exterior finishing materials,
 - vii. Infill developments shall be sensitive to the rhythm, articulation, design character, scale, façade and materials colours and textures of the block face.
- f. Roof Tops and Skyline Effects
- i. The top level(s) of Towers shall contribute to the ‘signature’ of the building and the City’s skyline through sculpting of the upper floors and roofs.
 - ii. Rooftops of Towers shall be designed with penthouses to accommodate mechanical penthouses, reduce the heat island effect, facilitate energy efficiency and contribute to a distinctive and unique Downtown skyline. The design of the roof may include a combination of green roofs, solar panels, patios, and public or private open spaces.
 - iii. All minor mechanical equipment on a roof of any building shall be concealed by screening in a manner compatible with the architectural character of the building, or concealed by incorporating it within the building.
 - iv. Wherever podium roofs are visible from adjacent developments, the development shall provide enhancements to improve rooftop aesthetics. Enhancements may include patios, gardens, green roofs or additional Amenity Area.
 - v. The Tower Floor Plate(s) of the top 4 floors shall be reduced a further 10% to 15%, to the satisfaction of the development officer, through Stepbacks to create the articulation, visual interest, and reduced massing effects.

6. Additional Development Regulations for Specific Uses and Streets

- a. Prior to January 1, 2016, for new buildings, Residential Uses shall not exceed 90% of gross floor area and shall not be developed as stand-alone buildings or at grade. After January 1, 2016, for new buildings, Residential Uses shall not exceed 70% of gross floor area and shall not be developed as stand-alone buildings or at grade.
- b. Notwithstanding Section 92, Live Work Units shall comply with the following regulations:
 - i. Live Work Units may be located above grade with or without direct access to grade;
 - ii. For units at grade, the business portion of the unit shall front onto a road; and
 - iii. Employee parking shall not be required.
- c. Notwithstanding the requirements of subsection 910.5(4)(a), Hotels shall be allowed an additional Floor Area Ratio of 4.0 where the Development Officer is satisfied that new developments fit within the urban context of the area and that adverse environmental impacts, such as sun shadow and wind are minimized.

910.6 (CMU) - COMMERCIAL MIXED-USE ZONE

1. General Purpose

The purpose of this Zone is to provide a Zone for medium intensity development that accommodates a mix of predominantly commercial, office, institutional and business Uses as a secondary office commercial area while emphasizing retail activities, entertainment and service Uses at grade. The intent is to accommodate the existing commercial development west of 109 Street; and to allow Conversion to residential and related Uses.

2. Permitted Uses

- a. Apartment Hotels
- b. Apartment Housing
- c. Bars and Neighbourhood Pubs, for less than 200 occupants and 240m² of Public Space
- d. Business Support Services
- e. Child Care Services
- f. Commercial Schools
- g. Community Recreation Services
- h. Convenience Retail Stores
- i. General Retail Stores

- j. Government Services
- k. Health Services
- l. Hotels
- m. Indoor Participant Recreation Services
- n. Limited Contractor Services
- o. Major Alcohol Sales and Minor Alcohol Sales
- p. Major Home Based Business and Minor Home Based Business
- q. Minor Amusement Establishments
- r. Personal Service Shops
- s. Private Education Services and Public Education Services
- t. Private Clubs
- u. Professional, Financial and Office Support Services
- v. Public Libraries and Cultural Exhibits
- w. Religious Assembly
- x. Residential Sales Centre
- y. Restaurants
- z. Specialty Food Services
- aa. Spectator Entertainment Establishments
- bb. Fascia On-premises Signs
- cc. Projecting On-premises Signs
- dd. Temporary On-premises Signs, not including portable signs

3. Discretionary Uses

- a. Auctioneering Establishments
- b. Bars and Neighbourhood Pubs, for more than 200 occupants or 240m² of Public Space
- c. Boarding and Lodging Houses
- d. Broadcasting and Motion Picture Studios
- e. Carnivals
- f. Convenience Vehicle Rentals
- g. Custom Manufacturing Establishments
- h. Equipment Rentals
- i. Fleet Services
- j. Funeral, Cremation and Interment Services

- k. Live Work Units
- l. Minor Impact Utility Services
- m. Minor Service Stations
- n. Minor Secondhand Stores
- o. Mobile Catering Food Services
- p. Nightclubs
- q. Non-accessory Parking
- r. Outdoor Amusement Establishments
- s. Outdoor Participant Recreation Services
- t. Protective and Emergency Services
- u. Spectator Sports Establishments
- v. Fascia Off-premises Signs
- w. Freestanding On-premises Signs
- x. Roof Off-premises Signs
- y. Roof On-premises Signs

4. Development Regulations for Permitted and Discretionary Uses

The following regulations shall apply to Permitted and Discretionary Uses.

- a. Floor Area Ratio (FAR):
 - i. the maximum Floor Area Ratio east of 109 Street shall be 7.0. An additional Floor Area Ratio of 3.0 may be allowed where the Development Officer is satisfied that new developments are compatible with the urban context of the area and that adverse environmental impacts, such as sun shadow and wind are minimized. In such cases, the application shall be processed as a Class B application; and
 - ii. the maximum Floor Area Ratio west of 109 Street shall be 4.0.
- b. Building Height:
 - i. the maximum Height east of 109 Street and north of 100 Avenue shall be 70.0 m. An additional Height of 15m may be allowed where the Development Officer is satisfied that new developments are compatible with the urban context of the area and that adverse environmental impacts, such as sun shadow and wind are minimized. In such cases, the application shall be processed as a Class B application.
 - ii. The maximum Height east of 109 Street and south of 100 Avenue shall not exceed 50m except that, for sites with an area over 3,716 m² an additional

height of 10 m may be allowed where the Development Officer is satisfied that new developments are compatible with the urban context of the area and that adverse environmental impacts, such as sun shadow and wind are minimized. In such cases, the application shall be processed as a Class B application.

iii. The maximum Height west of 109 Street shall be 20.0m.

c. Building Setbacks:

- i. Buildings shall have a front Setback of 1.5m, except that the front Setback shall be:
 - A. 1.5 to 4.0m along the east side of 109 Street;
 - B. 0.0m Setback along the west side of 109 Street; and
 - C. 3.0m along 108 Street, all to the satisfaction of the Development Officer.
- ii. 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.
- iii. Buildings shall be built to the side property lines; and
- iv. Notwithstanding the above, the Development Officer shall have regard for the existing block face Setback and consideration of the Urban Design Framework for Downtown Streets within the Capital City Downtown Plan, Bylaw 15200 in determination of the front Setback.

d. Amenity Areas:

- i. An minimum amenity area of 3% of gross floor area of residential uses, to a maximum of 6%, shall be required for buildings over 2000m² to the satisfaction of the Development Officer. Amenity areas may include meeting rooms, fitness facilities, outdoor space, and shall be exempt from FAR calculations. The Development Officer will review amenity area provision to ensure it meets the intent.
- ii. Non-residential buildings on sites of less than 1350m² shall not be required to provide amenity area.
- iii. Non-residential or mixed-use buildings on sites greater than 1350m² shall provide a minimum amenity area of 3% on the non-residential uses, to a maximum of 6%. Amenity areas may include interior landscaped open spaces, arcades, atriums, plazas and gardens and shall be exempt from FAR calculations.
- iv. Developments on sites larger than 3000m² shall provide:
 - A. An additional 5% of the site area developed as open space in the form of parks, plazas, atriums and publicly accessible spaces at grade for the benefit of residents or tenants; and

- B. In large developments, mid block breaks and access shall be provided to facilitate pedestrian access to other walkways, laneway or interior courtyards.
- e. Vehicular Parking
 - i. Parking shall be in accordance with Section 54 of the Zoning Bylaw except for conversions to residential uses where there is existing parking, additional parking shall not be required.
- f. Landscaping
 - i. Landscaping shall be in accordance with Section 55 of the Zoning Bylaw, except that:
 - A. Trees shall be provided in accordance with subsection 55.8. For development consisting of Residential Use Classes, the number of trees provided shall be one tree for each 25 m² of any required Yard or Setback at grade; and
 - B. For tree requirements, only deciduous species shall be allowed on any Yard or Setback abutting a Public Roadway, other than a lane.
- g. Signs shall comply with the regulations found in Schedule 59F.

5. Urban Design Regulations

- a. Street Interface
 - i. Developments in this zone shall reflect the street types identified in the Urban Design Framework for Downtown Streets within the Capital City Downtown Plan, Bylaw 15200.
 - ii. Developments shall be designed to accommodate office, institutional, retail and service uses to strengthen the area as a pedestrian oriented shopping area through the following:
 - A. The ground Storey shall have a minimum Height of 3.5m;
 - B. Buildings located along identified shopping streets shall provide and maintain a rhythm of fine-grained retail establishments with direct access to the street and contain numerous shop fronts, entrances, variety of textures and building materials to enhance the pedestrian environment;
 - C. A minimum of 50 % at Grade Frontage shall be developed for Commercial Uses; and
 - D. The ground floor elevation shall not exceed the elevation of the abutting public sidewalk by more than 0.3 m, at the discretion of the Development Officer where the grade or other site conditions require greater grade separation.
 - iii. The development of the abutting public realm shall be in accordance with the standards outlined in the Urban Design Framework for Downtown Streets within the Capital City Downtown Plan, Bylaw 15200.

iv. Public Amenity Area

- A. Building setback areas, including useable outdoor spaces, shall continue the public sidewalk paving materials, finish, and pattern. In addition, soft landscaping may be required at the Discretion of the Development Officer.

b. Street Wall Design

- i. The building façade that comprises a portion of the Street Wall shall range in Height from 9m to 26m. This Height may be reduced at the discretion of the Development Officer to respect building Height proportionality or to accommodate podium gardens, restaurants/cafes or natural slope of the site.
- ii. At grade residential developments shall provide separate, individual access at grade and feature identifiable doorways, landscaped terraces, pedestrian lighting, and patios. They shall ensure adequate privacy through the provision of screening and at least a 0.75m grade separation above the adjacent City sidewalk.
- iii. The building façade that comprises a portion of the Street Wall shall ensure that the Height of the building façade or podium base is within 7m of the adjacent block face.
- iv. The maximum building frontage for Sites abutting a commercial shopping street shall be 15.24 m or consistent with the building frontage of other Sites abutting the shopping street and, where the building frontage for Sites abutting the commercial shopping street exceeds 15.24 m or the consistent development pattern for the street, the front façade of the building shall be designed to break the appearance into 15.24 m sections or modules consistently sized with other buildings on the shopping street.
- v. All new development and major renovations shall create a pedestrian-friendly environment on the shopping street, which may include such things as entrance features, outdoor sitting areas, canopies, landscaping and other features that lend visual interest and a human scale to development along the street.
- vi. Architectural treatment of new developments and substantial renovations shall ensure that each Storey has windows on the front façade of the building, and that the placement and type of windows shall allow viewing into the building to promote a positive pedestrian-oriented shopping street.

c. Entrances and Corners

- i. On Corner Lots the façade treatment shall wrap around the side of the building to provide a consistent profile facing both public roadways.
- ii. In mixed-use buildings, residential uses shall have access at grade that is separate from the commercial premises.
- iii. Commercial or institutional entrances shall address the street in a prominent manner.

- iv. Buildings at corners shall provide courtyards, major entryways or distinctive architectural features consistent with the building or Influences on the other corners of the Intersection to enhance pedestrian circulation and, where applicable, enhance axial views.
 - v. Buildings shall be designed and oriented to face the front property line with entrances that are clearly visible, except on double fronting streets where the building shall be designed to front both the street and the avenue.
- d. Tower Floor Plate, Stepbacks, and Spacing
- i. Towers, whether in the form of freestanding independent structures, or a number of associated structures within a complex shall be designed, oriented and constructed to maximize views, articulate the downtown skyline, and allow sunlight penetration at the street level, in public spaces, plazas, parks and amenity areas.
 - ii. For buildings greater than 26m in height, the maximum residential Floor Plates shall not exceed 900m², but in no case shall it exceed 80% of the podium floor plate, to the satisfaction of the Development Officer.
 - iii. Developments less than 26m may not be required to provide Floor Plate reduction.
 - iv. Developments taller than 26m shall be stepped back at least 3.0m from the front podium wall to maintain human scaled buildings and to allow for solar access at the sidewalk level.
 - v. The mid-level of Towers shall employ building setback, Tower spacing and sculpting to reduce building mass and augment views, light and privacy.
 - vi. The minimum space between Towers shall be 25m. 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 mitigative measures specified in any required technical studies.
 - vii. Towers on the south side of 100 Avenue and adjacent to 108 streets shall be narrower in width to accentuate views of the Legislature and promote sunlight penetration at the ground level, to the satisfaction of the Development Officer.
- e. Building Façade, Materials, and Exterior Finishing
- i. Building façades shall incorporate architectural design details or features that recognize the predominant urban character of the Street, as identified in the Urban Design Framework for Downtown Streets within the Capital City Downtown Plan, Bylaw 15200.
 - ii. Building design and façade shall incorporate treatments such as awnings, canopies, window openings, reveals, offsets, multiple entrances, arcades,

columns, quality materials, interesting design, fenestrations, double Height entrances, parks, plazas, appropriate landscaping, colour, and other architectural features.

- iii. Buildings taller than 26m shall be allowed in the form of a podium plus Tower composition that ensures design treatments are compatible with the façades of adjacent, older institutional or historic buildings in the immediate area; and that maintain a human scale environment.
 - iv. 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 shall be used to distinguish residential buildings from office Towers.
 - v. All exposed building Tower faces shall have consistent and harmonious exterior finishing materials,
 - vi. Building materials must be sustainable, durable, high quality and appropriate for the development within the context of the Capital City District. The contextual fit, design, proportion, quality, texture and application of various finishing materials shall be to the satisfaction of the Development Officer.
 - vii. Infill developments shall be sensitive to the rhythm, articulation, design character, scale, façade and materials colours and textures of the block face.
- f. Roof Tops and Skyline Effects
- i. For the area north of 100 Avenue, the following regulations shall apply:
 - A. The top level(s) of Towers shall contribute to the ‘signature’ of the building and the City’s skyline through sculpting of the upper floors and roofs.
 - B. Rooftops of Towers shall be designed with penthouses to accommodate mechanical penthouses, reduce the heat island effect, facilitate energy efficiency and contribute to a distinctive and unique Downtown skyline. The design of the roof may include a combination of green roofs, solar panels, patios, and public or private open spaces.
 - C. All minor mechanical equipment on a roof of any building shall be concealed by screening in a manner compatible with the architectural character of the building, or concealed by incorporating it within the building.
 - D. Wherever podium roofs are visible from adjacent developments, the development shall provide enhancements to improve rooftop aesthetics. Enhancements may include patios, gardens, green roofs or additional Amenity Area.
 - E. The Tower Floor Plate(s) of the top 4 floors shall be reduced a further 10% to 15%, to the satisfaction of the development officer, through Stepbacks to create the articulation, visual interest, and reduced massing effects.

- ii. For the area south of 100 Avenue, the following regulations shall apply:
 - A. All mechanical equipment on a roof of any building shall be concealed by screening in a manner compatible with the architectural character of the building, or concealed by incorporating it within the building.
 - B. The roof design may include a combination of green roofs, solar panels, patios or private or public open spaces.

6. Additional Development Regulations for Specific Uses and Streets

- a. Prior to January 1, 2016, for new buildings, Residential Uses shall not exceed 85% of gross floor area in mixed-use buildings. After January 1, 2016, for new buildings, Residential Uses shall not exceed 70% of gross floor area in mixed-use buildings.
- b. Buildings fronting onto 109 Street and 100 Avenue shall provide at least 60% of at-grade street frontage for retail and other commercial and service Uses.
- c. Business Frontage for establishments located at grade shall not exceed 30m along 109 Street and 100 Avenue.
- d. Notwithstanding Section 92, Live Work Units shall comply with the following regulations:
 - i. Live Work Units may be located above grade with or without direct access to grade;
 - ii. For units at grade, the business portion of the unit shall front onto a road; and
 - iii. Employee parking shall not be required.
- e. Notwithstanding the requirements of subsection 910.6(4)(a), Hotels shall be allowed an additional Floor Area Ratio of 4.0 where the Development Officer is satisfied that new developments fit within the urban context of the area and that adverse environmental impacts, such as sun shadow and wind are minimized.
- f. Notwithstanding subsection 11.4(2) and the requirements of subsection 910.6(4)(b) and having regard for 910.6(6)(e), additional height may be allowed to accommodate the additional Floor Area Ratio for Hotel Uses where the Development Office is satisfied that new developments fit within the urban context of the area and that adverse environmental impacts, such as sun shadow, wind and massing are minimized. In such cases, the application shall be processed as a Class B application.

910.7 (HA) - HERITAGE AREA ZONE

1. General Purpose

The purpose of this Zone is to establish a special heritage character Zone, in which the existing concentration of historical resources shall be preserved, rehabilitated and reused, and to ensure new developments are pedestrian friendly and compatible in scale,

function, built form and design continuity with the historical, architectural and urban village character of the area.

2. Permitted Uses

- a. Apartment Hotels
- b. Apartment Housing
- c. Bars and Neighbourhood Pubs, for less than 100 occupants and 120 m2 of Public Space
- d. Boarding and Lodging Houses
- e. Business Support Services
- f. Child Care Services
- g. Commercial Schools
- h. Community Recreation Services
- i. Convenience Retail Stores
- j. Government Services
- k. Hotels
- l. Household Repair Services
- m. Indoor Participant Recreation Services
- n. Limited Contractor Services
- o. Live Work Units
- p. Minor Alcohol Sales
- q. Minor Amusement Establishments
- r. Minor Home Based Business and Major Home Based Business
- s. Personal Service Shops
- t. Public Education Services and Private Education Services
- u. Professional, Financial and Office Support Services
- v. Public Libraries and Cultural Exhibits
- w. Religious Assembly
- x. Residential Sales Centre
- y. Restaurants, for less than 100 occupants and 120 m2 of Public Space
- z. Row Housing
- aa. Specialty Food Services, for less than 100 occupants and 120 m2 of Public Space
- bb. Stacked Row Housing

3. Discretionary Uses

- a. Auctioneering Establishments
- b. Bars and Neighbourhood Pubs, for more than 100 occupants and 120 m2 of Public Space
- c. Broadcasting and Motion Picture Studios
- d. Carnivals
- e. Convenience Vehicle Rentals
- f. Custom Manufacturing Establishments
- g. Flea Markets
- h. Fleet Services, limited to the area north of 103 Avenue and east of the north-south lane east of 104 Street
- i. Fraternity and Sorority Housing
- j. General Retail Stores
- k. Group Homes
- l. Health Services
- m. Major Secondhand Stores
- n. Minor Impact Utility Services
- o. Minor Secondhand Stores
- p. Nightclubs, but not to exceed 200 occupants and 240 m2 of Public Space, if the Site is adjacent to or across a Lane from a Site zoned residential
- q. Non-accessory Parking
- r. Private Clubs
- s. Protective and Emergency Services
- t. Restaurants, for more than 100 occupants and 120 m2 of Public Space
- u. Specialty Food Services, for more than 100 occupants and 120 m2 of Public Space
- v. Temporary Shelter Services
- w. Veterinary Services
- x. Warehouse Sales
- y. Fascia On-premises Signs
- z. Projecting On-premises Signs
- aa. Temporary On-premises Signs, not including portable Signs

4. Development Regulations

The following regulations shall apply to Permitted and Discretionary Uses.

- a. Floor Area Ratio (FAR):
 - i. the maximum Floor Area Ratio north of 102 Avenue shall be 8.0; and
 - ii. the maximum Floor Area Ratio south of 102 Avenue shall be 10.0.
- b. Building Height:
 - i. the maximum Height shall not exceed 115.0 m; and
 - ii. the above permitted height is subject to the provisions of the City Centre Protection Overlay.
- c. Setbacks:
 - i. buildings shall be built to the front and side property lines. The Development Officer, in consultation with the Heritage 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 historical character of the area. The Development Officer may allow a building Setback of 3.0 m for residential buildings and may allow the required Private Outdoor Amenity Area to be within the 3.0 m building Setback.
- d. Amenity Areas:
 - i. a minimum Amenity Area of 3% of the non-residential Floor Area shall be provided and such Amenity Area shall be exempted from Floor Area calculations to a maximum of 6% of the Floor Area of the development. Such Amenity Areas may include courtyards, interior landscaped open space, arcades, plazas, atriums and seating areas;
 - ii. non-residential buildings of less than 1,394 m² shall not be required to provide the 3% Amenity Area; and
 - iii. Amenity Area for Apartment Housing shall not be required.
- e. Vehicular Parking
 - i. Parking shall be in accordance with Section 54 of the Zoning Bylaw except additional parking shall not be required when existing and designated historical buildings are being rehabilitated or converted to Residential Uses.
- f. Landscaping
 - i. Landscaping shall be in accordance with Section 55 of the Zoning Bylaw, except that:
 - A. Trees shall be provided in accordance with subsection 55.8. For development consisting of Residential Use Classes, the number of trees provided shall be one tree for each 25 m² of any required Yard or Setback at grade; and

- B. For tree requirements, only deciduous species shall be allowed on any Yard or Setback abutting a Public Roadway, other than a lane.
- g. Signs shall comply with the regulations found in Schedule 59H.

5. Urban Design Regulations

- a. Street Interface
 - i. Public Amenity Area
 - A. Building setback areas, including useable outdoor spaces, shall continue the public sidewalk paving materials, finish, and pattern. In addition, soft landscaping may be required at the Discretion of the Development Officer.
- b. Tower Floor Plate, Stepbacks, and Spacing
 - i. Building setback, Tower spacing and sculpting shall be used to reduce building mass and augment views, light and privacy.
 - A. For buildings greater than 20m in height, the maximum residential Floor Plate shall not exceed 900m², but in no case shall it exceed 80% of the podium Floor Plate, to the satisfaction of the Development Officer.
 - B. Towers shall Stepback from the Street Wall shall be a minimum of 4.5m.
 - C. The minimum space between Towers shall be 25m. The Development Officer may vary the Tower spacing in consideration of the following:
 - 1. The visual, sun/shadowing, and other microclimatic impacts on adjacent residential development; and
 - 2. The recommendations, and mitigative measures specified in any required technical studies.
- c. Roof Tops and Skyline Effects
 - i. The top level(s) of Towers shall contribute to the 'signature' of the building and the City's skyline through sculpting of the upper floors and roofs.
 - ii. Rooftops of Towers shall be designed with penthouses to accommodate mechanical penthouses, reduce the heat island effect, facilitate energy efficiency and contribute to a distinctive and unique Downtown skyline. The design of the roof may include a combination of green roofs, solar panels, patios, or public or private open spaces.
 - iii. All minor mechanical equipment on a roof of any building shall be concealed by screening in a manner compatible with the architectural character of the building, or concealed by incorporating it within the building.
 - iv. Wherever podium roofs are visible from adjacent developments, the development shall provide enhancements to improve rooftop aesthetics.

Enhancements may include patios, gardens, green roofs or additional Amenity Area.

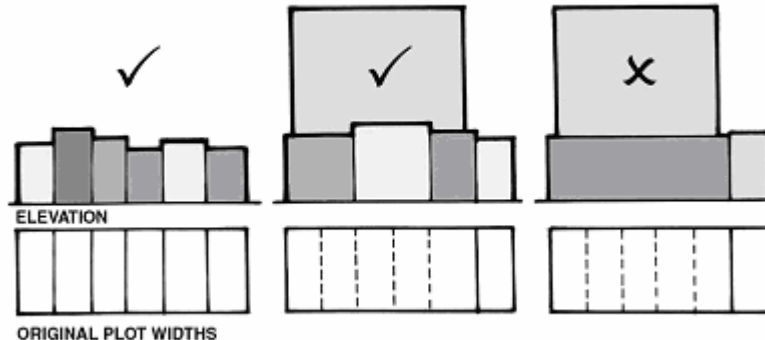
- v. The Tower Floor Plate(s) of the top 4 floors shall be reduced a further 10% to 15%, to the satisfaction of the development officer, through Stepbacks to create the articulation, visual interest, and reduced massing effects.

d. Other Regulations

- i. New buildings or additions shall recognize the scale, architecture and the built form of the existing historical structures within the general area, particularly those on the same block face. Developments on larger consolidated parcels should break up their façades facing public roadways to be reflective of the original plot widths or widths of the surrounding historic warehouses.

Explanatory Note

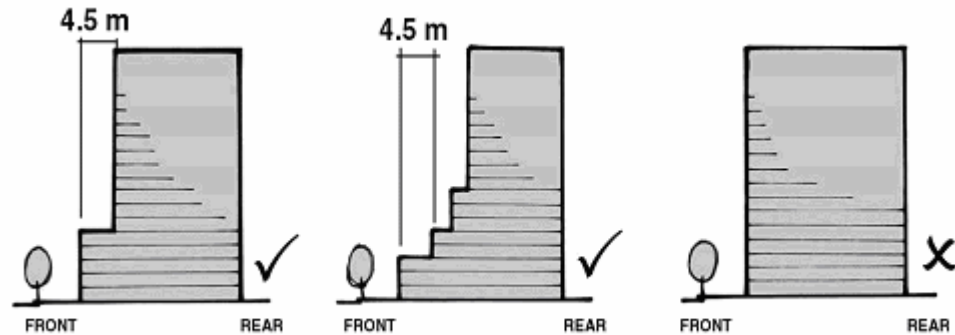
Buildings that are designed with regard for, or to recognize, the scale, architecture and general characteristics of the surrounding built form - so that they fit into the physical landscape around them - contribute to the overall good urban design of the community. The following graphic representation provides a possible conceptual application of this regulation for interpretive purposes.



- ii. Any front elevation abutting a public roadway other than a lane shall be no greater than 5 Storeys or 20.0 m in Height. Any portion of the building Height greater than this shall be stepped back from the property line. Any buildings taller than 5 Storeys shall have a minimum of 3 Storeys where the building façade is built to the property line abutting the street. The Development Officer may allow a greater building Height and number of podium Storeys for the podium provided that the Height fits contextually with adjacent buildings.

Explanatory Note

A 4.5 m Setback between the front of the building and upper building Storeys is a common technique used to reduce the perceived mass of a building and promote the pedestrian scale of the street. The following graphic representation provides a possible conceptual application of this regulation for interpretive purposes.

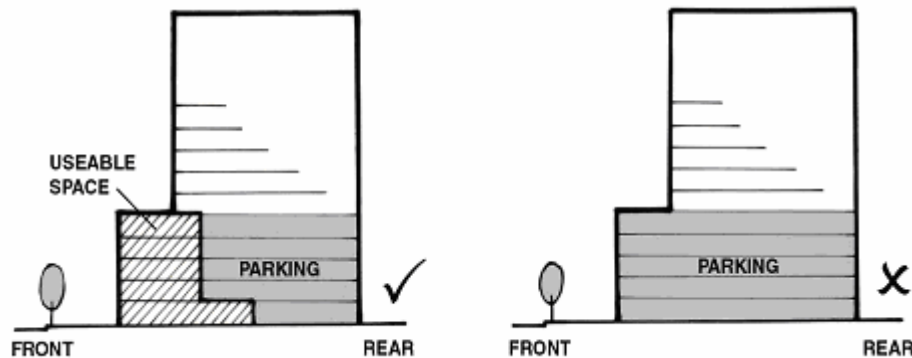


- iii. No portion of an above Grade Parking Garage on the ground (first) floor shall be allowed for a minimum depth of 10.0 m from any building façade facing a public roadway, other than a lane.
- iv. No portion of an above Grade Parking Garage above the ground (first) floor up to 5 Storeys shall be allowed for a minimum depth of 6.0 m from any building façade facing a public roadway, other than a lane.

Explanatory Note

Community identity, stability of ownership, and residential character all require that a relationship be developed between residents, businesses, and the neighbourhood.

Minimum setbacks for useable space, separating above-ground parking from the front of a building, provides an opportunity for a range of building uses that bind people more fully to the community and thereby contribute to the character and identity of an area. The following graphic representation provides a possible conceptual application of these regulations [iii) and iv)] for interpretive purposes.



- v. At least 80% of the floor elevation of the ground (first) floor shall be no

higher than 0.75 m above the mean Grade of the adjacent public sidewalk or public park, at the property line.

- vi. Balconies shall not be allowed within the first 5 Storeys of a building on those portions of the building facing a public roadway, other than a lane.

Explanatory Note

The building façade is pronounced by not allowing balconies to break up and obscure building features and the building fits in to the surrounding urban fabric.

The following graphic representation provides a possible conceptual application of this regulation for interpretive purposes.

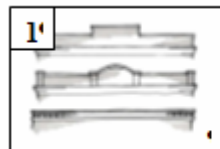
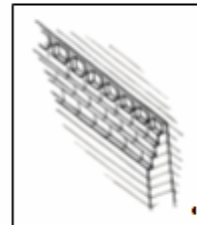
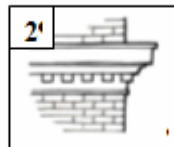
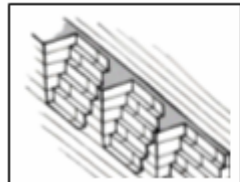
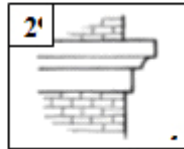
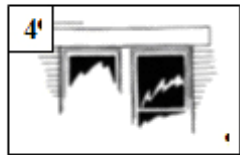
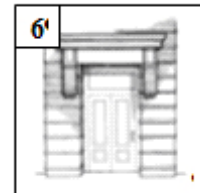
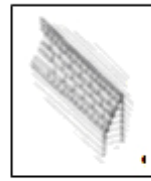
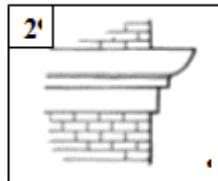


e. Architectural Treatment:

- i. The building shall include the following design elements to reduce the perceived mass and add architectural interest. These requirements shall apply consistently to all building façades within the first 5 Storeys or 20.0 m that face a public roadway, other than a lane:
 - A. All exposed building façades shall be architecturally treated to create a unified building exterior; and
 - B. Building façades shall incorporate architectural design details or features that recognize the heritage character of the area.

Explanatory Note

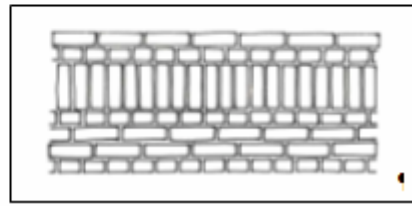
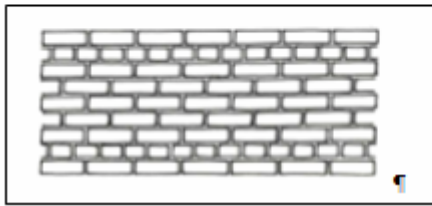
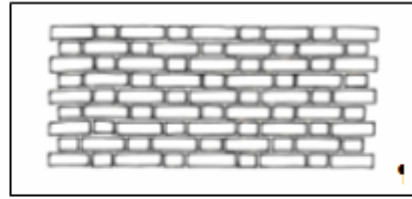
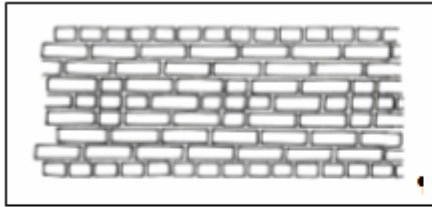
Architectural detailing includes such features as those shown below. The following graphic representations provide possible conceptual applications of this regulation for interpretive purposes.



- ii. Brick shall be used as the predominant cladding material (more than 50% of the exterior cladding excluding windows and entrances) within the first 5 Storeys or 20.0 m of a new building.

Explanatory Note

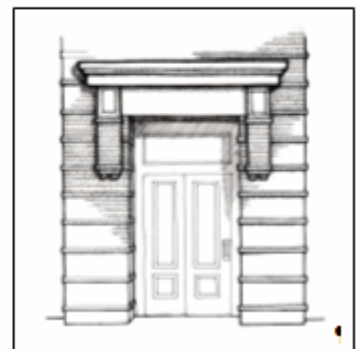
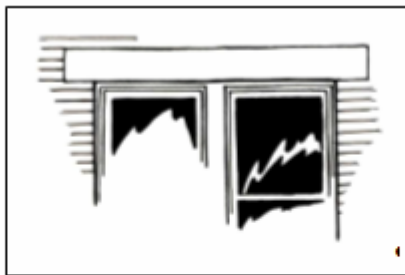
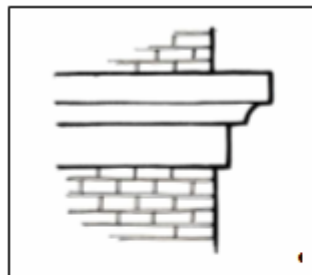
Brick is a high quality building material that creates a range of texture and pattern that helps add architectural interest to a building. Different configurations of brick work are employed to add unique character to buildings. The following graphic representations provide possible conceptual applications of this regulation for interpretive purposes.



- iii. The architectural treatment of the building up to the first 5 Storeys or 20.0 m shall adhere to the general alignment of the horizontal elements and vertical elements of the adjacent buildings along the same block face.

Explanatory Note

Horizontal and vertical building elements combine to create rhythm to the street and interest in the built form. The following graphic representations provide possible conceptual applications of this regulation for interpretive purposes.



- iv. All new buildings shall establish a unique building architecture that recognizes the historic character of the area but is not a duplication of surrounding buildings subject to the (HA) Heritage Area Zone regulations.

6. Additional Development Regulations for Specific Uses and Streets

- a. Fleet Services Use shall be allowed only in the form of an enclosed building.
- b. Non-accessory surface parking lots shall provide a minimum 2.0 m landscaped Setback from any property line abutting a public roadway and Lane in addition to the Landscaping requirements set forth in Section 55 of the Zoning Bylaw.
- c. Notwithstanding Section 92, Live Work Units shall comply with the following regulations:
 - i. Live Work Units may be located above grade with or without direct access to grade;
 - ii. For units at grade, the business portion of the unit shall front onto a road; and
 - iii. Employee parking shall not be required.
- d. Notwithstanding the requirements of subsection 910.7(4)(a), for new buildings, Residential Use Classes and Hotels shall be allowed an additional Floor Area Ratio of 4.0 where the Development Officer is satisfied that new developments fit within the urban context of the area and that adverse environmental impacts such as sun shadow and wind are minimized.
- e. Notwithstanding subsection 11.4(2) and the requirements of subsection 910.7(4)(b) and having regard for 910.7(6)(d), additional height may be allowed to accommodate the additional Floor Area Ratio for Residential Uses Classes and Hotels where the Development Officer is satisfied that new developments fit within the urban context of the area and that adverse environmental impacts, such as sun shadow, wind and massing are minimized. In such cases, the application shall be processed as a Class B application.

910.8 (HDR) - HIGH DENSITY RESIDENTIAL ZONE

1. General Purpose

The purpose of this Zone is to accommodate high density housing with minor local commercial uses in a predominantly residential environment and to support the concept of a livable urban village with a strong sense of identity and place, where community activities and amenities are focused on a neighbourhood main street.

2. Permitted Uses

- a. Apartment Hotels
- b. Apartment Housing

- c. Boarding and Lodging Houses
- d. Child Care Services
- e. Live Work Units
- f. Minor Home Based Business
- g. Residential Sales Centre
- h. Row Housing
- i. Fascia On-premises Signs
- j. Projecting On-premises Signs

3. Discretionary Uses

- a. Convenience Retail Stores
- b. Duplex Housing
- c. Garage Suites
- d. Garden Suites
- e. Group Homes
- f. Major Home Based Business
- g. Personal Service Shops
- h. Professional, Financial and Office Support Services
- i. Religious Assembly
- j. Secondary Suites
- k. Semi-detached Housing
- l. Single Detached Housing
- m. Freestanding On-premises Signs, in a location where such Signs lawfully existed as of the Effective Date of this Bylaw.
- n. Temporary On-premises Signs

4. Development Regulations

The following regulations shall apply to Permitted and Discretionary Uses.

- a. Site Area
 - i. The minimum Site area for buildings shorter than 26m in Height shall be 600 m²;
 - ii. The minimum Site area for buildings taller than 26m in Height shall be 800 m²; and

- iii. Notwithstanding the above, smaller sites may be developed at the discretion of the Development Officer, provided the general intent of the zone and sub-area are met in terms of land use, building design and amenity provisions.
- b. Floor Area Ratio (FAR):
 - i. the maximum total Floor Area Ratio for all combined Uses shall be 4.5;
 - ii. the maximum Floor Area Ratio for Residential Uses shall be 4.0; and
 - iii. the maximum Floor Area Ratio for non-residential Uses shall be 0.5.
- c. Residential Density
 - i. For Sites greater than 1350 m² the maximum Density shall be 500 dwellings/ha; and
 - ii. For Sites less than 1350 m² the maximum Density shall be 370 Dwellings/ha.
- d. Building Height:
 - i. The maximum Height shall not exceed 50m except that, for sites with an area over 3,716 m² an additional height of 10 m may be allowed where the Development Officer is satisfied that new developments are compatible within the urban context of the area and that adverse environmental impacts, such as sun shadow and wind are minimized. In such cases, the application shall be processed as a Class B application.
- e. Yards
 - i. the minimum Front Yard shall be 3.0 m, except that buildings fronting onto 99 Avenue and 104 Street (the "local main street") shall not require a Front Yard;
 - ii. the maximum Front Yard shall be 4 m;
 - iii. the minimum Rear Yard shall be 3 m;
 - iv. the minimum Side Yard shall be 1.0 m per Storey, to a maximum of 6.0 m, except that a total of at least 2.0 m shall be provided in all cases. A Side Yard shall be not less than 4.5 m when it abuts a flanking public roadway other than a Lane; and
 - v. notwithstanding the above, the Development Officer shall have regard for the existing block face Setback and consideration of the Urban Design Framework for Downtown Streets within the Capital City Downtown Plan, Bylaw 15200 in determination of the Setback.
 - vi. notwithstanding the above, a minimum Yard of 4.0 m shall be provided

abutting 105 Street.

f. Amenity Areas

- i. An minimum amenity area of 3% of gross floor area of residential uses, to a maximum of 6% shall be required for buildings over 2000m² to the satisfaction of the Development Officer, but in no case shall the Amenity area be less than 6 m² per unit. Amenity areas may include meeting rooms, fitness facilities, outdoor space, balconies, and shall be exempt from FAR calculations. The Development Officer will review amenity area provision to ensure it meets the intent.
- ii. A minimum Private Outdoor Amenity Area of 15m² per dwelling shall be provided where any part of the dwelling unit is contained at grade.
- iii. Developments shorter than 26m on sites 700m² or less, shall be designed to provide common outdoor open space at grade, podium level or roof level and shall have a minimum amenity area of 45m².

g. Vehicular Parking

- i. Parking shall be in accordance with Section 54 of the Zoning Bylaw; except where:
 - A. Additional parking shall not be required for Conversions to Residential Uses; and
 - B. Visitor parking may be provided at grade located at the rear of buildings and accessed from abutting lanes.

h. Landscaping

- i. Landscaping shall be in accordance with Section 55 of the Zoning Bylaw, except that:
 - A. Trees shall be provided in accordance with subsection 55.8. For development consisting of Residential Use Classes, the number of trees provided shall be one tree for each 25 m² of any required Yard or Setback at grade; and
 - B. For tree requirements, only deciduous species shall be allowed on any Yard or Setback abutting a Public Roadway, other than a lane.
- i. Signs shall comply with the regulations found in Schedule 59B.

5. Urban Design Regulations

a. Street Interface

- i. Developments in this zone shall incorporate the street characteristics outlined in the Urban Design Framework for Downtown Streets within the Capital City Downtown Plan, Bylaw 15200, emphasizing the residential character of the neighbourhood.
 - ii. Along 99 Avenue and 104 Street, developments shall:
 - A. Provide a minimum ground floor Height of 3.5m;
 - B. Accommodate the conversion of smaller scale developments to pedestrian oriented retail uses such as small restaurants, cafes, specialty retail and design oriented establishments; and
 - C. Ensure that, for non-residential uses, the ground floor elevation does not exceed the elevation of the abutting public sidewalk by more than 0.3 m, at the discretion of the Development Officer where the grade or other site conditions require greater grade separation.
 - iii. Public Amenity Area
 - A. Building setback areas, including useable outdoor spaces, shall continue the public sidewalk paving materials, finish, and pattern. In addition, soft landscaping may be required at the Discretion of the Development Officer.
- b. Street Wall Design
 - i. The Height of the building façade that comprises a portion of the Street Wall shall not exceed 20m, and may be composed of townhouses, stacked town houses, apartment units or non-residential uses, or parkade.
 - ii. Ground oriented dwellings shall feature identifiable doorways, landscaped terraces, pedestrian lighting and patios.
- c. Entrances and Corners
 - i. In mixed-use buildings, residential entrances shall be designed separately from commercial or institutional entrances and address the street in a prominent manner.
 - ii. At grade residential developments shall provide separate, individual access at grade and feature identifiable doorways, landscaped terraces, pedestrian lighting, and patios. They shall ensure adequate privacy through the provision of screening and at least a 0.75m grade separation above the adjacent City sidewalk.

- d. Tower Floor Plate, Stepbacks, and Spacing
 - i. Towers, whether in the form of freestanding independent structures, or a number of associated structures within a complex shall be designed, oriented and constructed to foster the residential character of the neighbourhood, articulate the Downtown skyline and, maximize views as well as sunlight penetration in public spaces, plazas, parks and amenity areas.
 - ii. The mid-level of Towers shall employ building stepback, Tower spacing and sculpting to reduce building mass and augment views, light and privacy.
 - A. Towers shall Stepback from the front podium wall a minimum of 3.0m.
 - B. The portion of the Tower which is greater than 20m in Height, is limited to a maximum Floor Plate of 900 m², but in no case shall exceed 80% of the podium Floor Plate, to the satisfaction of the Development Officer.
 - C. The minimum space between Towers shall be 25m. The Development Officer may vary Tower spacing in consideration of the following:
 - 1. The visual, sun/shadowing, and other microclimatic impacts on adjacent residential development; and
 - 2. The recommendations, and mitigative measures specified in any required technical studies.
- e. Building Façade, Materials, and Exterior Finishing
 - i. 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:
 - A. The provision of awnings, canopies, window openings, reveals, offsets, multiple entrances arcades, columns, pilasters, materials and colour or other architectural features; and
 - B. The provision of quality materials, interesting design, fenestrations, inviting entrances and superior landscaping.
 - ii. All exposed building faces shall have consistent and harmonious exterior finishing materials.
 - iii. Building materials must be sustainable, timeless, durable, high quality and appropriate for the development within the context of the urban sub-area. The contextual fit, design, proportion, quality, texture and application of various finishing materials shall be as determined by Development Officer.
 - iv. Building materials on the lower floors of mid and high rise developments and along secondary commercial streets shall be used so as to improve visual

quality and permeability of the building.

- v. Residential and mixed-use infill developments shall transition to and be compatible with the design character, scale, façade and materials of adjacent buildings within the Block.
- f. **Roof Tops**
 - i. All mechanical equipment on a roof of any building shall be concealed by screening in a manner compatible with the architectural character of the building, or concealed by incorporating it within the building.
 - ii. The roof design may include a combination of green roofs, solar panels, patios or private or public open spaces.
- g. **Public Spaces**
 - i. Developments shall provide 5% of the site area as open space in the form of atriums and communal open spaces for the benefit of residents or tenants.
 - ii. A Public Space, in the form of a park, plaza furnishings and location of art, seating areas and other amenities at grade shall be complementary to the adjacent streetscape and be visually and physically accessible to the public to the satisfaction of the Development Officer. The Public Space may be located within a required Yard.

6. Additional Development Regulations for Specific Uses and Streets

- a. Personal Service Shops, Convenience Retail Stores and Professional, Financial and Office Support Services shall not be in any free standing structure and shall not be developed above the second floor, except in the case of Conversion of Dwellings to non-residential uses adjacent to 99 Avenue and 104 Street.
- b. Notwithstanding Section 92, Live Work Units shall comply with the following regulations:
 - i. Live Work Units may be located above grade with or without direct access to grade;
 - ii. For units at grade, the business portion of the unit shall front onto a road; and
 - iii. Employee parking shall not be required.
- c. Any Setback abutting a public roadway, other than a lane, may require an additional landscaping at the discretion of the Development Officer.
- d. The Development Officer shall ensure that the streetscape designs adjacent to 105 Street and 97 Avenue shall provide design measures to reduce the environmental impacts of higher levels of vehicular traffic on the pedestrian experience.

910.9 (JAMSC) – JASPER AVENUE MAIN STREET COMMERCIAL ZONE

1. General Purpose

The purpose of this Zone is to provide a Zone that accommodates at-grade, predominantly retail commercial, office and service Uses suitable for the Downtown's Main Street, Jasper Avenue, and to ensure that infill developments and the retrofitting and preservation of historical and older buildings incorporate human scale design characteristics to enhance a revitalized, dynamic Main Street atmosphere.

2. Permitted Uses

- a. Apartment Hotels
- b. Apartment Housing
- c. Bars and Neighbourhood Pubs, for less than 200 occupants and 240m² of Public Space
- d. Broadcasting and Motion Picture Studios
- e. Business Support Services
- f. Child Care Services
- g. Commercial Schools
- h. Community Recreation Services
- i. Convenience Retail Stores
- j. General Retail Stores
- k. Government Services
- l. Health Services
- m. Hotels
- n. Indoor Participant Recreation Services
- o. Major Alcohol Sales and Minor Alcohol Sales
- p. Major Amusement Establishments and Minor Amusement Establishments
- q. Major Home Based Business and Minor Home Based Business
- r. Personal Service Shops
- s. Private Clubs
- t. Professional, Financial and Office Support Services
- u. Private Education Services and Public Education Services
- v. Public Libraries and Cultural Exhibits
- w. Religious Assembly

- x. Residential Sales Centre
- y. Restaurants
- z. Spectator Entertainment Establishments
- aa. Specialty Food Services
- bb. Fascia On-premises Signs
- cc. Projecting On-premises Signs
- dd. Temporary On-premises Signs, not including portable signs

3. Discretionary Uses

- a. Auctioneering Establishments
- b. Automotive and Minor Recreation Vehicle Sales/Rentals, within an enclosed Building.
- c. Bars and Neighbourhood Pubs, for more than 200 occupants and 240m² of Public Space
- d. Boarding and Lodging Houses
- e. Carnivals
- f. Convenience Vehicle Rentals
- g. Custom Manufacturing Establishments
- h. Equipment Rentals
- i. Household Repair Services
- j. Limited Contractor Services
- k. Major Secondhand Stores
- l. Minor Impact Utility Services
- m. Minor Secondhand Stores
- n. Mobile Catering Food Services
- o. Nightclubs
- p. Non-accessory Parking
- q. Protective and Emergency Services
- r. Warehouse Sales
- s. Fascia Off-premises Signs
- t. Freestanding On-premises Signs
- u. Roof Off-premises Signs

- v. Roof On-premises Signs

4. Development Regulations

The following regulations shall apply to Permitted and Discretionary Uses.

- a. Floor Area Ratio:

- i. the maximum Floor Area Ratio shall be 7.0. An additional Floor Area Ratio of 3.0 may be allowed where the Development Officer is satisfied that new developments are compatible within the urban context of the area and that adverse environmental impacts, such as sun shadow and wind are minimized. In such cases, the application shall be processed as a Class B application.

- b. Building Height:

- i. the maximum Height shall be 70m. An additional Height of 15m may be allowed where the Development Officer is satisfied that new developments are compatible within the urban context of the area and that adverse environmental impacts, such as sun shadow and wind are minimized. In such cases, the application shall be processed as a Class B application.

- c. Buildings Setbacks:

- i. Buildings abutting Jasper Avenue shall have a front Setback of zero to 2.5m;
- ii. Buildings abutting 109 Street shall have a Setback of 1.5 to 4.0m;
- iii. Buildings abutting 108 Street shall have a Setback of 3.0 to 4.5m;
- iv. Buildings abutting all other streets shall have a Setback of zero to 2.5m;
- v. Buildings shall be built to the side property lines; and
- vi. Notwithstanding the above, the Development Officer shall have regard for the existing block face Setback and consideration of the Urban Design Framework for Downtown Streets in determination of the Setback.

- d. Amenity Areas

- i. For Residential Uses, a minimum amenity area of 3% of gross floor area, to a maximum of 6% shall be required for buildings over 2000m² to the satisfaction of the Development Officer. Amenity areas may include meeting rooms, fitness facilities, outdoor space, balconies and shall be exempt from FAR calculations. The Development Officer will review amenity area provision to ensure it meets the intent.
- ii. Non-residential buildings on sites of less than 1350m² shall not be required

to provide Amenity Area.

- iii. Non-residential or mixed-use buildings on sites greater than 1350m² shall provide a minimum amenity area of 3% on the non-residential uses, to a maximum of 6%. Such Amenity Area may include interior landscaped open spaces, arcades, atriums, plazas and gardens and shall be exempt from FAR calculations.
- e. Landscaping
 - i. Landscaping shall be in accordance with Section 55 of the Zoning Bylaw, except that:
 - A. Trees shall be provided in accordance with subsection 55.8. For development consisting of Residential Use Classes, the number of trees provided shall be one tree for each 25 m² of any required Yard or Setback at grade; and
 - B. For tree requirements, only deciduous species shall be allowed on any Yard or Setback abutting a Public Roadway, other than a lane.
- f. Signs shall comply with the regulations found in Schedule 59F.

5. Urban Design Regulations

- a. Street Interface
 - i. Developments in this zone shall reflect the requirements outlined in the Urban Design Framework for Downtown Streets within the Capital City Downtown Plan, Bylaw 15200, emphasizing specific boulevard treatments to enhance the pedestrian oriented character of Jasper Avenue.
 - ii. Developments shall provide multiple points of interaction in the form of doorways, operable windows, and large display windows to facilitate pedestrian interaction.
 - iii. Developments shall provide the opportunity for street fronting convenience retail and service uses to strengthen Jasper Avenue and abutting side Streets as a pedestrian oriented shopping area through the following:
 - A. The ground Storey shall have a minimum Height of 3.5m;
 - B. Allowing conversions of large scale developments to pedestrian oriented retail uses such as small restaurants, cafes, specialty retail and design oriented establishments;
 - C. Providing, for larger developments over 1,860m², smaller scale retail spaces to maintain a rhythm of fine-grained retail establishments at

grade. All street level Commercial Uses that abut a Public Roadway, other than a lane, shall provide a primary direct access to the street;

- D. Providing Continuous ground-level retail and commercial uses using a perceived pattern of small shop frontages no more than 32 m in width at street level; and
- E. The ground floor elevation shall not exceed the elevation of the abutting public sidewalk by more than 0.3 m, at the discretion of the Development Officer where the grade or other site conditions require greater grade separation.

iv. Public Amenity Area

- A. Building setback areas, including useable outdoor spaces, shall continue the public sidewalk paving materials, finish, and pattern. In addition, soft landscaping may be required at the Discretion of the Development Officer.

b. Street Wall Design

- i. The portion of the building façade that comprises the Street Wall shall range in Height from 9m to 26m. This Height may be reduced at the discretion of the Development Officer to respect building Height proportionality or to accommodate podium gardens, restaurants/cafes or natural slope of the site.
- ii. The architectural treatment of the building up to the first 26m shall adhere to the general alignment of the horizontal and vertical elements of the abutting and adjacent buildings along the same block face.
- iii. Infill developments shall ensure that the Height of the building façade or podium base is within 7m of the adjacent buildings façade or podium.

c. Entrances and Corners

- i. Ground level retail uses shall open to the Public Roadway, other than a lane, rather than an internal atrium.
- ii. 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
- iii. Buildings shall be designed and oriented to face all Public Roadways, other than a lane.
- iv. Entrances for Apartments and Mixed-use Buildings shall be separate from Commercial Entrances and provide access at grade and feature identifiable

doorways, landscaped terraces and pedestrian lighting to ensure adequate privacy.

- d. Tower Floor Plate, Stepbacks, and Spacing
 - i. The typical built form along Jasper Avenue shall reflect retail commercial uses on the lower two floors, with residential or office Towers above, setback from the established Street Wall to create a continuous enclosure for the street.
 - A. The minimum space between Towers shall be 25m. The Development Officer may vary Tower spacing in consideration of the following:
 - 1. The visual, sun/shadowing, and other microclimatic impacts on adjacent residential development; and
 - 2. The recommendations, and mitigative measures specified in any required technical studies.
 - B. The mid-level of Towers shall be stepped back a minimum of 4.5m from the Street Wall and sculpted to reduce building mass and augment views, light and privacy at this level.
 - C. Stepbacks above the first and second floors of non residential buildings may be allowed to a maximum of 6m per level to accommodate restaurants, nightclubs, bars and entertainment activities.
 - ii. Tower Floor Plates shall be permitted to a maximum area of 900 m², but in no case shall exceed 85% of the podium Floor Plate.
 - iii. Buildings 26m or less are not required to provide Stepbacks
 - iv. Towers shall be allowed in the form of a podium plus Tower composition or other configuration that ensures design treatments are compatible with the façades of adjacent, older or historic buildings in the immediate area, and that maintain a human scale environment along Jasper Avenue.
- e. Building Façade, Materials, and Exterior Finishing
 - i. Building façades shall incorporate architectural design details or features that reflect the predominant urban character of Jasper Avenue, as identified in the Urban Design Framework for Downtown Streets within the Capital City Downtown Plan, Bylaw 15200.
 - ii. The building façades shall be strongly articulated at regular increments to add variety rhythm and a human scaled dimension along the block face.
 - iii. Building design and at street façade treatment shall provide awnings, canopies, window openings, reveals, offsets, multiple entrances, arcades,

columns, quality materials, interesting design, fenestrations, double Height entrances, parks, plazas, appropriate landscaping, colour, or other architectural features.

- iv. All exposed building faces shall have consistent and harmonious exterior finishing materials,
 - v. Exterior finishing materials must be durable sustainable, high quality and appropriate for the development within the context of the block face. The contextual fit, design, proportion, quality, texture and application of various finishing materials.
 - vi. Infill developments shall be sensitive to the design character, scale, façade and materials of adjacent buildings within the block face.
- f. **Roof Tops and Skyline Effects**
- i. The top level(s) of Towers shall contribute to the ‘signature’ of the building and the City’s skyline through sculpting of the upper floors and roofs.
 - ii. Rooftops of Towers shall be designed with penthouses to accommodate mechanical penthouses, reduce the heat island effect, facilitate energy efficiency and contribute to a distinctive and unique Downtown skyline. The design of the roof may include a combination of green roofs, solar panels, patios, or public or private open spaces.
 - iii. All minor mechanical equipment on a roof of any building shall be concealed by screening in a manner compatible with the architectural character of the building, or concealed by incorporating it within the building.
 - iv. Wherever podium roofs are visible from adjacent developments, the development shall provide enhancements to improve rooftop aesthetics. Enhancements may include patios, gardens, green roofs or additional Amenity Area.
 - v. The Tower Floor Plate(s) of the top 4 floors shall be reduced a further 10% to 15%, to the satisfaction of the development officer, through Stepbacks to create the articulation, visual interest, and reduced massing effects.
- g. **Public Spaces**
- i. Developments with frontage greater than 90m shall provide 5% of gross floor area as open space in the form of plazas, atriums and publicly accessible open spaces.

6. Additional Development Regulations for Specific Uses and Streets

- a. Residential Uses are not permitted at grade fronting Jasper Avenue.
- b. Buildings fronting onto Public Roadway, other than a lane, shall provide at least

80% of at grade street frontage for Commercial Uses.

910.10 (RMU) - RESIDENTIAL MIXED-USE ZONE

1. General Purpose

The purpose of this zone is to provide for primarily medium to high density residential mixed-use developments, with limited commercial, institutional, office and service Uses distributed on-site in a manner sensitive to the street environment and adjacent residential areas; to support an urban village where amenities are focused on a local main street; and to enhance the institutional and hotel cluster along the north edge of the sub-area.

2. Permitted Uses

- a. Apartment Housing
- b. Boarding and Lodging Houses
- c. Child Care Services
- d. Community Recreation Services
- e. Convenience Retail Stores
- f. Government Services
- g. Live Work Units
- h. Minor Home Based Business
- i. Personal Service Shops
- j. Professional, Financial and Office Support Services
- k. Public Libraries and Cultural Exhibits
- l. Residential Sales Centre
- m. Row Housing
- n. Stacked Row Housing
- o. Fascia On-premises Signs
- p. Projecting On-premises Signs

3. Discretionary Uses

- a. Apartment Hotels
- b. Bars and Neighbourhood Pubs, for less than 100 occupants and 120 m² of Public Space
- c. Commercial Schools
- d. General Retail Stores

- e. Group Homes
- f. Health Service
- g. Hotels
- h. Household Repair Services
- i. Indoor Participant Recreation Services
- j. Major Home Based Business
- k. Minor Amusement Establishments
- l. Minor Impact Utility Services
- m. Minor Secondhand Stores
- n. Veterinary Services
- o. Motels
- p. Natural Science Exhibits
- q. Private Clubs
- r. Professional, Financial and Office Support Services
- s. Protective and Emergency Services
- t. Public Education Services and Private Education Services
- u. Recycled Materials Drop-off Centres
- v. Religious Assembly
- w. Restaurants, for less than 100 occupants and 120 m² of Public Space
- x. Specialty Food Services, for less than 100 occupants and 120 m² of Public Space
- y. Spectator Entertainment Establishments
- z. Freestanding On-premises Signs
- aa. Temporary On-premises Signs

4. Development Regulations

The following regulations shall apply to Permitted and Discretionary Uses.

- a. Floor Area Ratio:
 - i. the maximum total Floor Area Ratio for all combined Uses shall be 5.5;
 - ii. the maximum Floor Area Ratio for Residential Uses shall be 4.0; and
 - iii. the maximum Floor Area Ratio for Non-residential Uses shall be 1.5.

- b. Residential Density:
 - i. the maximum Density shall be 500 Dwellings/ha.
- c. Building Height:
 - i. The maximum Height shall not exceed 50m except that, for sites with an area over 3,716 m² an additional height of 10 m may be allowed where the Development Officer is satisfied that new developments are compatible within the urban context of the area and that adverse environmental impacts, such as sun shadow and wind are minimized. In such cases, the application shall be processed as a Class B application.
- d. Yards:
 - i. the minimum Front Yard shall be 3.0 m;
 - ii. there shall be no Rear Yard required, except that residential buildings shall provide at least a 3.0 m Setback;
 - iii. there shall be no Side Yard required for non-residential buildings; and
 - iv. the minimum Side Yard Residential Uses shall be 1.0 m per Storey to a maximum of 6.0 m, except that a total of at least 2.0 m shall be provided in all cases. A Side Yard shall be not less than 3.0 m where it abuts a flanking public roadway, other than a Lane.
- e. Building Setbacks:
 - i. Buildings fronting onto 99 Avenue shall provide a Setback of 0m or align with adjacent buildings;
 - ii. Buildings fronting onto 100 Avenue shall provide a Setback of 1.5m or align with adjacent buildings;
 - iii. Buildings fronting onto 105 Street shall provide a Setback of 1.5 to 5m; and
 - iv. Buildings fronting onto all other Streets shall provide a Setback of 3.0m.
 - v. Notwithstanding the above, the Development Officer shall have regard for the existing block face Setback and consideration of the Urban Design Framework for Downtown Streets within the Capital City Downtown Plan, Bylaw 15200 in determination of the Setback.
- f. Amenity Areas
 - i. A minimum amenity area of 3% of gross floor area of residential uses, to a maximum of 6%, shall be required for buildings over 2000m² to the satisfaction of the Development Officer, but in no case shall be less than 6

m2 per unit. Amenity areas may include meeting rooms, fitness facilities, and outdoor spaces. The Development Officer will review amenity area provision to ensure it meets the intent.

- ii. A minimum amenity area of 3% of the non-residential floor area to a maximum of 6% shall be provided. Amenity areas may include courtyards, interior landscaped open space, arcades, plazas, atriums, gardens and seating areas.
- iii. Notwithstanding the above, non-residential buildings of sites less than 1390m² shall not be required to provide the 3% amenity area.
- iv. Amenity areas contained within the building footprint shall be exempt from FAR calculation.
- g. Vehicular Parking
 - i. Parking shall be in accordance with Section 54 of the Zoning Bylaw; except where:
 - A. Additional parking shall not be required for Conversions to Residential Uses; and
 - B. Visitor parking may be provided at grade located at the rear of the building and accessed from the abutting lane.
- h. Landscaping
 - i. Landscaping shall be in accordance with Section 55 of the Zoning Bylaw, except that:
 - A. Trees shall be provided in accordance with subsection 55.8. For development consisting of Residential Use Classes, the number of trees provided shall be one tree for each 25 m² of any required Yard or Setback at grade; and
 - B. For tree requirements, only deciduous species shall be allowed on any Yard or Setback abutting a Public Roadway, other than a lane.
 - i. Signs shall comply with the regulations found in Schedule 59B.

5. Urban Design Regulations

- a. Street Interface:
 - i. Developments in this zone shall reflect the criteria outlined in the Urban Design Framework for Downtown Streets within the Capital City Downtown Plan, Bylaw 15200, to enhance the residential mixed-use character of the

area.

ii. Along 99 Avenue and 104 Street, developments shall:

- A. Provide a minimum ground floor Height of 3.5m;
- B. Accommodate the conversion of smaller scale developments to pedestrian oriented retail uses such as small restaurants, cafes, specialty retail and design oriented establishments; and
- C. Ensure, for non-residential uses, the ground floor elevation does not exceed the elevation of the abutting public sidewalk by more than 0.3 m, at the discretion of the Development Officer where the grade or other site conditions require greater grade separation.

iii. Public Amenity Area:

- A. Building setback areas, including useable outdoor spaces, shall continue the public sidewalk paving materials, finish, and pattern. In addition, soft landscaping may be required at the Discretion of the Development Officer.

b. Street Wall Design:

- i. The Height of the building façade that comprises a portion of the Street Wall shall range from 7m to 16m.
- ii. Buildings less than 26m in Height on sites 700m² or less shall feature building design and façade treatment at the lower three floors to strengthen the residential ambiance of the street or block and enhance the pedestrian environment.
- iii. Ground floor units shall be designed and articulated every 7.5m to differentiate individual dwelling units address and provide direct access to the street.
- iv. At grade residential developments shall provide separate, individual access at grade and feature identifiable doorways, landscaped terraces, pedestrian lighting, and patios. They shall ensure adequate privacy through the provision of screening and at least a 0.75m grade separation above the adjacent City sidewalk.

c. Entrances and Corners

- i. Corner Buildings shall provide courtyards, recessed major entry ways or other distinctive architectural features.
- ii. In mixed-use buildings, residential entrances shall be designed separate from

commercial or institutional entrances and address the street in a prominent manner.

- iii. Buildings shall be designed and oriented to face all Public Roadways, other than a lane.

d. Tower Floor Plate, Stepbacks, and Spacing

- i. The mid-level portion of Towers shall be sculpted to reduce building mass and augment views, light penetration at grade and privacy by utilizing building setbacks, Tower spacing and design elements.
 - A. The Tower shall be setback from the Street Wall a minimum of 3.0m.
 - B. The minimum space between Towers shall be 25m. The Development Officer may vary Tower spacing in consideration of the following:
 - 1. The visual, sun/shadowing, and other microclimatic impacts on adjacent residential development; and
 - 2. The recommendations, and mitigative measures specified in any required technical studies.
 - C. The portion of the building that is greater than 20m in Height is limited to a maximum Floor Plate of 900m².
- ii. Towers shall be designed, oriented and constructed to enhance the character of the neighbourhood, articulate the Downtown skyline and, maximize views and sunlight penetration in public spaces, plazas, parks and amenity areas.

e. Building Façade, Materials, and Exterior Finishing

- i. Building façades shall incorporate architectural design details or features that reflect the predominant urban character of the Street, as identified in the Urban Design Framework for Downtown Streets within the Capital City Downtown Plan, Bylaw 15200.
- ii. The building façades shall be strongly articulated at regular increments to add variety rhythm and a human scaled dimension along the Block face.
- iii. Building design and façade shall strengthen and visually enhance the pedestrian experience, and contribute to the urban vibrancy by providing treatments such as awnings, canopies, window openings, reveals, offsets, multiple entrances, arcades, columns, quality materials, interesting design, fenestrations, double Height entrances, parks, plazas, appropriate landscaping, colour, and other architectural features.
- iv. All exposed building faces shall have consistent and harmonious exterior finishing materials.

- v. Building materials must be sustainable, durable, high quality and appropriate for the development within the context of the urban sub-area. The contextual fit, design, proportion, quality, texture and application of various finishing materials shall be as determined by the Development Officer for major comprehensively designed developments.
- vi. Horizontal and vertical elements and a finer grain of elements such as windows, balconies, shadow lines and textures should be used to distinguish the residential buildings from non-residential buildings.
- vii. Infill developments shall be sensitive to the rhythm, articulation, colours and textures of adjacent structures.
- f. Roof Tops
 - i. All mechanical equipment on a roof of any building shall be concealed by screening in a manner compatible with the architectural character of the building, or concealed by incorporating it within the building.
 - ii. The roof design may include a combination of green roofs, solar panels, patios or private or public open spaces.
- g. Public Amenity Space
 - i. Developments shall provide 5% of gross floor area as open space in the form of atriums and communal open spaces.

6. Additional Development Regulations for Specific Uses and Streets

- a. Personal Service Shops, Convenience Retail Stores and Professional, Financial and Office Support Services shall not be in any free standing structure and shall not be developed above the second floor, except in the case of Conversion of Dwellings to non-residential uses adjacent to 99 Avenue and 104 Street.
- b. Notwithstanding Section 92, Live Work Units shall comply with the following regulations:
 - i. Live Work Units may be located above grade with or without direct access to grade;
 - ii. For units at grade, the business portion of the unit shall front onto a road; and
 - iii. Employee parking shall not be required.

910.11 (UW) – URBAN WAREHOUSE ZONE

1. General Purpose

The purpose of this zone is to develop a unique mixed-use business commercial, educational and residential neighbourhood, accommodating a diversity of uses, including residential, commercial, institutional, light manufacturing and assembly in a safe, walkable, human-scaled built environment that builds on the existing land use pattern and respects the architectural characteristics and functions of the area.

2. Permitted Uses

- a. Apartment Hotels
- b. Apartment Housing
- c. Bars and Neighbourhood Pubs, for less than 100 occupants and 120 m2 of Public Space
- d. Boarding and Lodging Houses
- e. Broadcasting and Motion Picture Studios
- f. Business Support Services
- g. Child Care Services
- h. Commercial Schools
- i. Community Recreation Services
- j. Convenience Retail Stores
- k. Custom Manufacturing Establishments
- l. General Retail Stores
- m. Government Services
- n. Hotels
- o. Household Repair Services
- p. Indoor Participant Recreation Services
- q. Limited Contractor Services
- r. Live Work Units
- s. Major Alcohol Sales and Minor Alcohol Sales
- t. Major Amusement Establishments and Minor Amusement Establishments
- u. Major Home Based Business and Minor Home Based Business
- v. Natural Science Exhibits
- w. Personal Service Shops
- x. Professional, Financial and Office Support Services

- y. Public Education Services and Private Education Services
- z. Public Libraries and Cultural Exhibits
- aa. Religious Assembly
- bb. Residential Sales Centre
- cc. Restaurants, for less than 100 occupants and 120 m2 of Public Space
- dd. Row Housing
- ee. Specialty Food Services, for less than 100 occupants and 120 m2 of Public Space
- ff. Stacked Row Housing
- gg. Veterinary Services
- hh. Fascia On-premises Signs
- ii. Projecting On-premises Signs
- jj. Temporary On-premises Signs, not including portable signs

3. Discretionary Uses

- a. Auctioneering Establishments
- b. Automotive and Equipment Repair Shops
- c. Automotive and Minor Recreation Vehicle Sales/Rentals, within an enclosed Building.
- d. Bars and Neighbourhood Pubs, for more than 100 occupants and 120 m2 of Public Space
- e. Carnivals
- f. Convenience Retail Stores
- g. Funeral, Cremation and Interment Services
- h. Equipment Rentals
- i. Exhibition and Convention Facilities
- j. Flea Markets
- k. Fleet Services
- l. Funeral, Cremation and Interment Services
- m. Greenhouses, Plant Nurseries and Market Gardens
- n. Health Services
- o. Major Secondhand Stores
- p. Minor Impact Utility Services
- q. Minor Secondhand Stores

- r. Minor Service Stations
- s. Mobile Catering Food Services
- t. Motels
- u. Nightclubs, but not to exceed 200 occupants and 240 m2 of Public Space if the Site is adjacent to or across a Lane from a Residential zoned Site
- v. Non-accessory Parking
- w. Outdoor Amusement Establishments
- x. Outdoor Participant Recreation Services
- y. Private Clubs
- z. Protective and Emergency Services
- aa. Rapid Drive-through Vehicle Services
- bb. Recycled Materials Drop-off Centres
- cc. Recycling Depots
- dd. Restaurants, for more than 100 occupants and 120 m2 of Public Space
- ee. Specialty Food Services, for more than 100 occupants and 120 m2 of Public Space
- ff. Spectator Entertainment Establishments
- gg. Spectator Sports Establishments
- hh. Temporary Shelter Services
- ii. Warehouse Sales
- jj. Fascia Off-premises Signs
- kk. Freestanding On-premises Signs
- ll. Roof Off-premises Signs
- mm. Roof On-premises Signs

4. Development Regulations

The following regulations shall apply to all Permitted and Discretionary Uses.

- a. Floor Area Ratio:
 - i. The maximum Floor Area Ratio shall be 6.0 except that, for sites with an area over 3,716 m2 an additional Floor Area Ratio of 1.0 may be allowed where the Development Officer is satisfied that new developments are compatible within the urban context of the area and that adverse environmental impacts, such as sun shadow and wind are minimized. In such cases, the application shall be processed as a Class B application.

b. Residential Density:

- i. The maximum Density shall be 500 Dwellings/ha.

c. Maximum Height:

The maximum Height shall not exceed 50m except that, for sites with an area over 3,716 m² an additional height of 10 m may be allowed where the Development Officer is satisfied that new developments are compatible within the urban context of the area and that adverse environmental impacts, such as sun shadow and wind are minimized. In such cases, the application shall be processed as a Class B application.

d. Building Setbacks:

- i. Buildings shall have a front Setback 1.5 to 3.0 m, except that buildings shall be setback 1.5 to 4.0 m along 109 Street and 3.0 to 4.5m along 108 Street;
- ii. Buildings shall have a front Setback of 5.0 m on the south side of 104 Avenue, excluding 105 Street to 104 Street; and
- iii. Notwithstanding the above, the Development Officer shall have regard for the existing block face Setback and consideration of the Urban Design Framework for Downtown Streets within the Capital City Downtown Plan, Bylaw 15200 in determination of the Setback.

e. Amenity Areas

- i. Residential Uses or residential conversions containing 3 or more dwelling units shall provide a minimum Amenity Area(s) of 3% of Gross Floor Area of Residential Uses, to a maximum total area of 6% to the satisfaction of the Development Officer, but in no case shall be less than 6 m² per unit. Amenity Areas may include, but are not limited to, meeting rooms, fitness facilities, balconies and outdoor spaces.
- ii. A minimum of 3% of Non-residential Floor Area shall be required to provide amenity area which may include courtyards, interior landscaped open space, arcades, plazas, atriums, gardens and seating areas;
- iii. Notwithstanding the above, non-residential buildings on sites less than 1,394m² shall not be required to provide the 3% amenity area.

f. Vehicular Parking

- i. Parking shall be in accordance with Section 54 of the Zoning Bylaw; except that additional parking shall not be required for Heritage Buildings, or conversion to residential development.

g. Landscaping

- i. Landscaping shall be in accordance with Section 55 of the Zoning Bylaw, except that:

- A. Trees shall be provided in accordance with subsection 55.8. For development consisting of Residential Use Classes, the number of trees provided shall be one tree for each 25 m² of any required Yard or Setback at grade; and
- B. For tree requirements, only deciduous species shall be allowed on any Yard or Setback abutting a Public Roadway, other than a lane.

- h. Signs shall comply with the regulations found in Schedule 59F.

5. Urban Design Regulations

a. Street Interface

- i. Buildings shall reflect the street status outlined in the Urban Design Framework for Downtown Streets within the Capital City Downtown Plan, Bylaw 15200, to enhance the pedestrian oriented character of the residential and commercial streets.
- ii. Buildings shall provide street fronting non-residential uses to strengthen 102 and 104 Avenues, 105 and 109 streets as commercial shopping streets area through the following:
- A. The ground Storey shall have a minimum Height of 3.5m;
- B. Architectural treatment of new developments and renovations shall ensure that each Storey has windows on the front façade of the building, and that the placement of type of windows shall allow viewing into the building; and
- C. The ground floor elevation shall not exceed the elevation of the abutting public sidewalk by more than 0.3 m, at the discretion of the Development Officer where the grade or other site conditions require greater grade separation.

iii. Public Amenity Area

- A. Building setback areas, including useable outdoor spaces, shall continue the public sidewalk paving materials, finish, and pattern. In addition, soft landscaping may be required at the Discretion of the Development Officer.

- b. Street Wall Design
 - i. The building façade that comprises a portion of the Street Wall shall range in Height from 12m - 26m.
 - ii. Developments shall ensure ground floor dwellings that front onto a Public Roadway, other than a lane, are designed and articulated every 7.5m to differentiate individual dwelling units address and provide direct access.
 - iii. At grade residential developments shall provide separate, individual access at grade and feature identifiable doorways, landscaped terraces, pedestrian lighting, and patios. They shall ensure adequate privacy through the provision of screening and at least a 0.75m grade separation above the adjacent City sidewalk.
- c. Entrances and Corners
 - i. Non-residential Uses at grade shall open to a Public Roadway rather than an internal atrium.
 - ii. In mixed use buildings, residential uses shall have access at grade that is separate from the commercial premises.
 - iii. Buildings shall provide courtyards, major entry ways or distinctive architectural features consistent with the historic theme of the building.
 - iv. Buildings shall be designed and oriented to face all Public Roadways, other than a lane.
- d. Stepbacks and Tower Spacing
 - i. The portion of the building that is above the established Street Wall shall Stepback a minimum of 4.5m.
 - ii. The minimum space between Towers shall be 25m. 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 mitigative measures specified in any required technical studies.
- e. Building Façade, Materials, and Exterior Finishing
 - i. Building façades shall incorporate architectural design details or features that reflect the predominant urban warehouse character of the area to the satisfaction of the Development Officer.
 - ii. Façades shall be designed to provide the following: awnings, canopies,

window openings, reveals, offsets, multiple entrances arcades, columns, pilasters, quality materials, colour, other architectural features, interesting design, fenestrations, double Height entrances, parks, plazas and appropriate landscaping or a combination suitable to the architectural style of the building.

- iii. All exposed building façades shall be architecturally treated to create a unified, consistent and harmonious building exterior and finishing materials.
- iv. Building materials must be sustainable, durable, high quality and appropriate for the development within the context of the urban warehouse campus neighbourhood. The contextual fit, design, proportion, quality, texture and application of various finishing materials shall be to the satisfaction of the Development Officer.
- v. Brick shall be used as the predominant exterior cladding material unless otherwise required by provision 910.11.5(e)(vii).
- vi. Building materials on the lower floors of buildings shall improve visual access and permeability of the building(s), and to enhance the pedestrian experience at the street level.
- vii. Infill developments shall be sensitive to the historic design character, scale, façade and materials of adjacent buildings within the block face.
- f. Roof Tops
 - i. All mechanical equipment on a roof of any building shall be concealed by screening in a manner compatible with the architectural character of the building, or concealed by incorporating it within the building.
 - ii. The roof design may include a combination of green roofs, solar panels, patios or private or public open spaces.
- g. Public Amenity Spaces
 - i. Residential open spaces, parks, plazas furnishings and locations of art, seating areas and other amenities at grade shall be complementary to the adjacent streetscape and be visually and physically accessible to the public.

6. Additional Development Regulations for Specific Uses and Streets

- a. Notwithstanding Section 92, Live Work Units shall comply with the following regulations:
 - i. Live Work Units may be located above grade with or without direct access to grade;

- ii. For units at grade, the business portion of the unit shall front onto a road;
and
- iii. Employee parking shall not be required.

READ a first time this	day of	, A. D. 2010;
READ a second time this	day of	, A. D. 2010;
READ a third time this	day of	, A. D. 2010;
SIGNED and PASSED this	day of	, A. D. 2010.

THE CITY OF EDMONTON

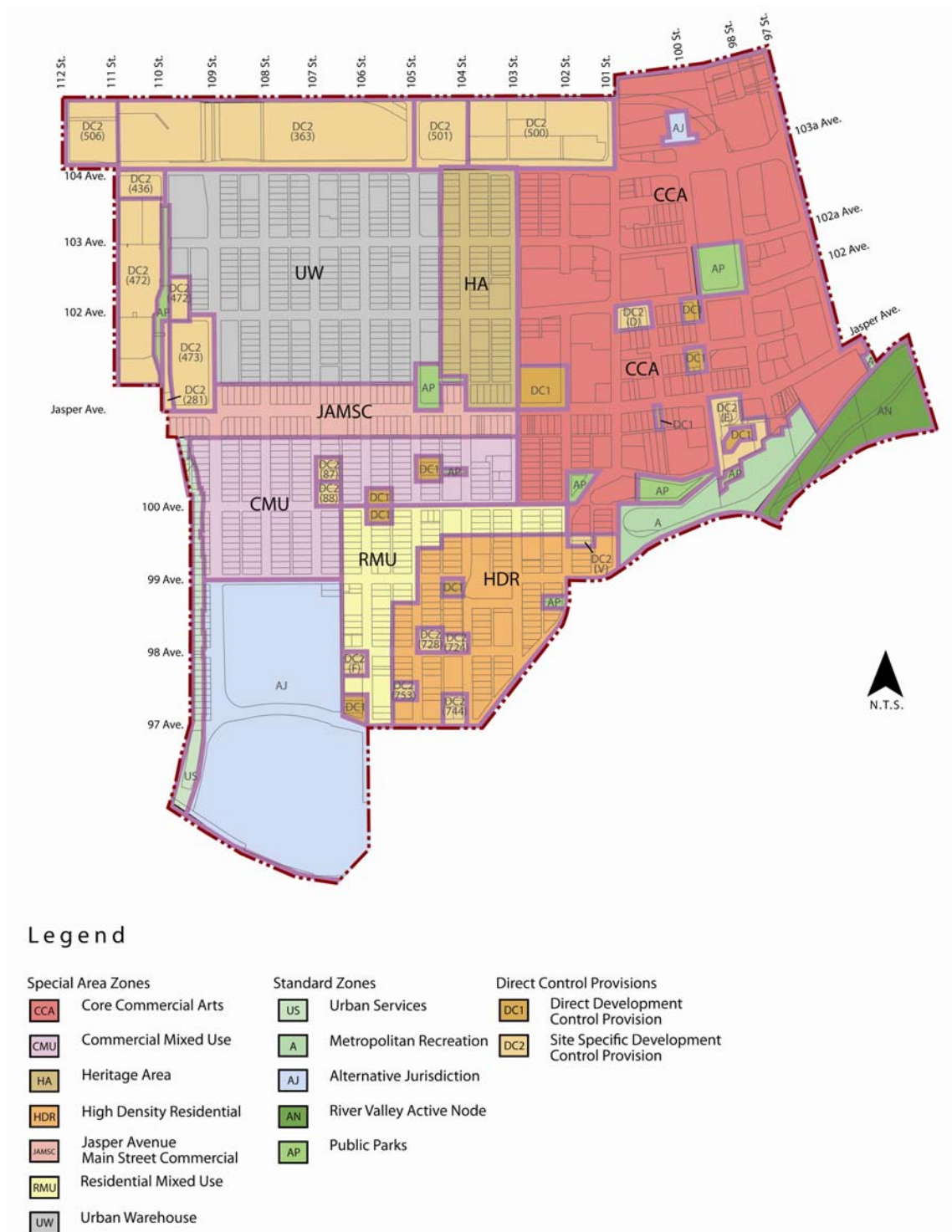
MAYOR

CITY CLERK

Special Area, Downtown

Appendix 1 to Section 910 of Bylaw 12800 as amended by Bylaw 15202 and subsequent appropriate Bylaws.

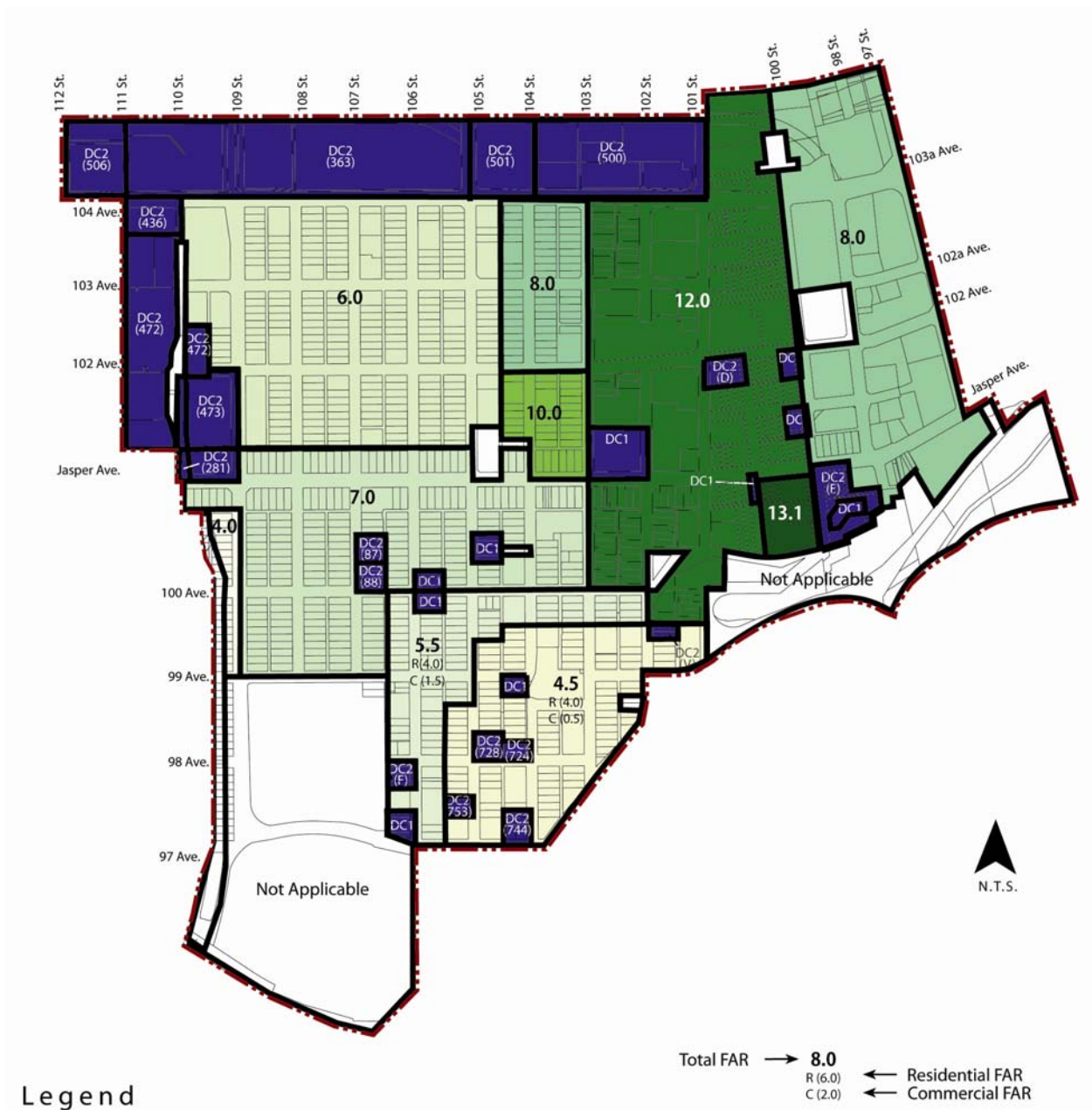
DOWNTOWN ZONING MAP



Special Area, Downtown

Appendix 2 to Section 910 of Bylaw 12800 as amended by Bylaw 15202 and subsequent appropriate Bylaws.

DOWNTOWN MAXIMUM FLOOR AREA RATIO MAP

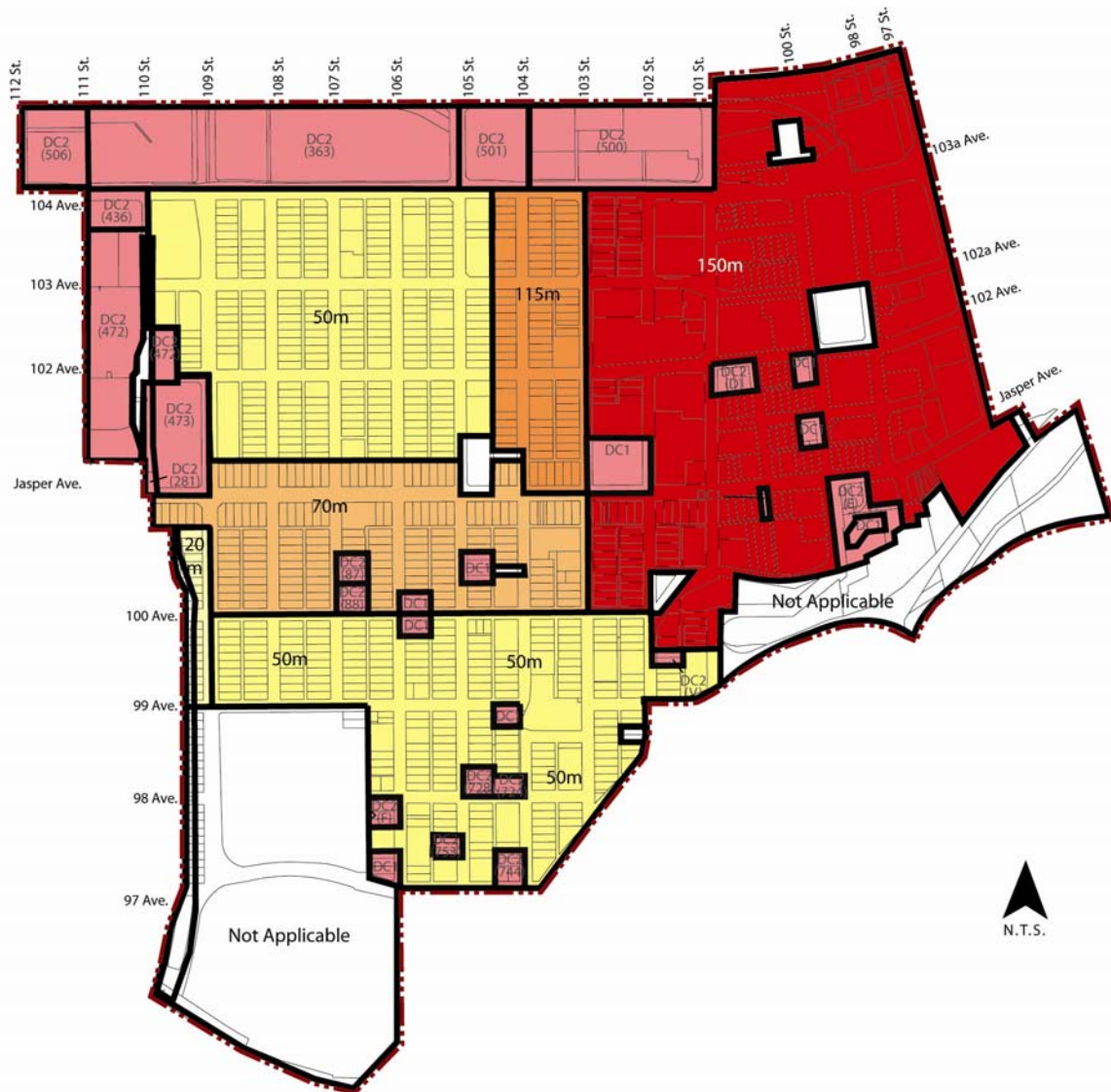


NB: Maximum F.A.R. shown does not include additional F.A.R. for specific uses or discretion, where granted by the Development Officer.

Special Area, Downtown

Appendix 3 to Section 910 of Bylaw 12800 as amended by Bylaw 15202 and subsequent appropriate Bylaws.

DOWNTOWN MAXIMUM HEIGHT MAP



Legend

- DC1 & DC2 (Direct Development Control Provisions)
Heights individually approved/established by City Council and remain unaltered
- Not Applicable

NB: Maximum height shown does not include discretionary height, where granted by the Development Officer.

The maximum allowable height shall not exceed that which has been established by the City Centre Airport Protection Overlay.