

(DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION

1. General Purpose

To facilitate the development of a mixed-use development with commercial and high density residential uses that provide for an active and inviting pedestrian oriented streetscape fronting onto 104 Street NW and 103 Avenue NW.

2. Area of Application

The provision shall apply to Lots 171 & 172, Block 4, Plan NB1; as shown on Schedule "A" of the Bylaw adopting this DC2 provision.

3. Uses

- a. Apartment Hotels
- b. Apartment Housing
- c. Bars and Neighbourhood Pubs
- d. Breweries, Wineries and Distilleries
- e. Cannabis Retail Sales
- f. Child Care Services
- g. Commercial Schools
- h. Community Recreation Services
- i. Convenience Retail Stores
- j. Convenience Vehicle Rentals
- k. Creation and Production Establishments
- l. General Retail Stores
- m. Government Services
- n. Group Homes
- o. Health Services
- p. Hotels
- q. Household Repair Services
- r. Indoor Participant Recreation Services
- s. Limited Contractor Services

- t. Live Work Units
- u. Lodging Houses
- v. Media Studios
- w. Minor Alcohol Sales
- x. Minor Amusement Establishments
- y. Minor Home Based Business and Major Home Based Business
- z. 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
- aa. Non-accessory Parking
- bb. Pawn Stores
- cc. Personal Service Shops
- dd. Private Clubs
- ee. Professional, Financial and Office Support Services
- ff. Protective and Emergency Services
- gg. Public Education Services and Private Education Services
- hh. Public Libraries and Cultural Exhibits
- ii. Religious Assembly
- jj. Residential Sales Centre
- kk. Restaurants
- ll. Secondhand Stores
- mm. Special Event
- nn. Specialty Food Services
- oo. Urban Gardens
- pp. Urban Outdoor Farms
- qq. Veterinary Services
- rr. Fascia On-premises Signs
- ss. Temporary On-premises Signs

4. Development Regulations

- a. The development shall be in general conformance with Appendices I - VI, to the satisfaction of the Development Officer.
- b. The maximum Floor Area Ratio (FAR) shall be 16.
- c. The maximum number of Dwellings shall be 310.
- d. The maximum building Height shall be 103 m, excluding the mechanical penthouse.
- e. The podium shall be a minimum of 7 m in Height and maximum of 18 m in Height, not including the podium parapet.
- f. The Tower Floor Plate shall not exceed 850 m²
- g. The minimum building Setbacks shall be:
 - i. 0 m from the east Lot line;
 - ii. 0 m from the north Lot line;
 - iii. 0 m from the west Lot line; and
 - iv. 0 m from the south Lot line.
- h. Notwithstanding Section 4.1(g) of this Provision, the portions of the Parking Garage below Grade shall not be subject to required Setbacks and can extend to all Lot lines provided there is sufficient soil depth maintained to support any required Landscaping above.
- i. The minimum Tower Stepbacks and Setback shall be:
 - i. 0 m Setback from the south property line;
 - ii. 3 m Setback from the west property line;
 - iii. 2.4 m Stepback from the Podium on the north side; and
 - iv. 7 m Stepback from the Podium on the east side.
- j. Notwithstanding Section 44 of the Zoning Bylaw: Platform Structures including balconies; or any other architectural features which are of a similar character may project into the required Setbacks provided that the following minimum distances are maintained from the Lot Lines:
 - i. 0 m from the east Lot line;
 - ii. 0 m from the north Lot line;
 - iii. 0 m from the west Lot line; and
 - iv. 0 m from the south Lot line.
- k. Where a setback is provided, architectural features and structures, including the building envelope and weather protection features including awnings, canopies and arcades may project to the property line

- l. Notwithstanding Section 48 of the Zoning Bylaw, required Separation Space shall be reduced to the required Setbacks.
- m. A minimum Amenity Area of 4 m² per Dwelling shall be provided and can be private and/or communal. This may be achieved through the use of balconies, terraces/patios on top of the podium base, rooftop terraces/patios, and indoor communal Amenity Areas.
- n. Amenity Area for Commercial Uses shall not be required.

5. Signage

- a. Signs shall comply with the regulations found in Schedule 59H of the Zoning Bylaw.
- b. For all Sign applications, the Development Officer, in consultation with the Heritage Planner, shall review the application in context with the surrounding development, such as, but not limited to, the architectural theme of the area; any historic designations; the requirements of any Statutory Plan; and any streetscape improvements. The Development Officer may require revisions to the application to mitigate the impact of a proposed Sign, and may refuse an application for a Development Permit that adversely impacts the built environment.

6. Parking, Access, Loading, and Storage

- a. The development shall provide parking in accordance with Section 54.2 Schedule 1(B) – Areas Within the Downtown Special Area (HA Zone) of the Zoning Bylaw. The Development Officer may consider a variance if a Parking Demand Study is submitted in conjunction with an application for Development Permit to justify any variance in parking requirements.
- b. Vehicular parking shall be provided within an underground Parking Garage.
- c. Vehicular access and egress shall be provided from the Lane abutting the Site.
- d. The driveway ramp for the underground Parking Garage shall not exceed a slope of 10% for a minimum of 5 m inside the property line and the ramp must be at Grade at the property line.
- e. Retaining Walls bordering the underground driveway/Parking Garage ramp must not exceed a Height of 0.3 m for a distance of 3.0 m from the Lot line and no portion of the wall may encroach onto road right-of-way. Should the owner/applicant wish to increase this Height, adequate sight line data must be provided to ensure vehicles can exit safely to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination.
- f. Bicycle Parking shall be provided in the amount of 40% of the number of vehicular parking spaces required under Section 54.2 Schedule 1(B) Areas Within the Downtown Special Area (HA Zone) of the Zoning Bylaw. At least 10% of Bicycle Parking spaces shall be short term spaces.
- g. Visitor Bicycle Parking shall be provided in the public realm adjacent to the Site, either on or off-Site, and be to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination.
- h. Loading, storage, and waste collection areas shall be located within the building. The waste collection area shall be accessed from the abutting Lane and be designed to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination and Waste Management Services.

- i. Any underground parking access card devices must be located on site, a minimum of 3.0 m inside the property line.
- j. A minimum of one (1) Off-street Loading space shall be provided for the Site.

7. Landscaping

- a. Notwithstanding Section 55.3(1)(a) of the Zoning Bylaw, the provision of trees and shrubs shall be in general conformance with Appendix II and to the satisfaction of the Development Officer.
- b. A detailed Landscape Plan prepared by a registered AALA Landscape Architect shall be submitted with an application for a Development Permit for the building, in general conformance with Appendix II and to the satisfaction of the Development Officer.
- c. The selection of plant materials shall consider plants and shrubs that provide colour throughout the year to enhance the appearance of the development.
- d. Landscaping that extends onto or over City-owned lands shall be developed in accordance with Traffic Bylaw 5590 and the City Design and Construction Standards.
- e. An arborist report and tree preservation plan, to the satisfaction of the Development Officer in consultation with Urban Forestry, shall be submitted with the Development Permit application to determine the impact of the proposed development, including excavation and construction, on the existing boulevard trees along 104 Street NW. If required by the Development Officer, an air spading tool shall be used to determine the amount and size of roots that may need to be cut for the parkade/foundation wall. If the arborist report indicates that the development will unduly compromise the ongoing viability and health of a tree or trees:
 - i. each tree shall be removed and replaced by a new tree within an enhanced growing medium at the cost of the owner; or
 - ii. each tree shall be retained and protected as per the City's Corporate Tree Management Policy C456A to the satisfaction of the Development Officer in consultation with Urban Forestry.

8. Urban Design Regulations

- a. The podium shall emphasize the use of materials such as brick, pressed metal, glass and traditional stone in general conformance with Appendices III – VI.
- b. The portion of the podium adjacent to 104 Street NW shall be compatible with the visual continuity of the adjacent streetscapes which is characterized by buildings with a similar rhythm, alignment and Setbacks.
- c. Active commercial frontages shall be developed for the portions of the Facades indicated as Retail/Commercial Uses in Appendix I in accordance with the following regulations and in general conformance with Appendices III to VI to the satisfaction of the Development Officer:
 - i. Building entrances and windows shall be oriented to front onto public roadways on the east and south sides of the building;
 - ii. The placement and type of windows shall allow viewing into the building to promote a positive pedestrian-oriented environment; and

- iii. A minimum of 70% of the linear frontage of commercial ground floor Façade fronting onto a public roadway shall consist of transparent glazing. Linear frontage shall be measured as the horizontal plan at 1.5 m above Grade.
- d. Residential and Commercial Uses located at Grade shall have well defined individual accesses at Grade, in general conformance with Appendix I.
- e. Above the podium of the building only Residential Uses and Residential-Related Uses shall be permitted.
- f. Weather protection in the form of a canopy or other architectural element that is visible and distinct from the rest of the Façade shall be provided above the main residential entrance on 103 Avenue NW and shall not be subject to Section 44 of the Zoning Bylaw.
- g. Where a setback is provided, architectural features and structures, including the building envelope and weather protection features including awnings, canopies and arcades may project to the property line
- h. The Tower of the building shall be finished with high quality, durable materials such as, but not limited to, brick, metal, acrylic stucco, concrete, architectural panels, and/or glass, in general conformance with Appendices III to VI.
- i. The Tower shall contribute to the signature appearance of the building and the City's skyline through treatment of the upper floors and roofline.
- j. The rooftop of the Tower 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 Collectors, patios, or public or private open spaces.
- k. Where the podium roof is visible from adjacent developments, the development shall provide enhancements to improve rooftop aesthetics. Enhancements may include patios, gardens, green roofs or additional Amenity Area.
- l. The minimum space between Towers shall be 25 m. The Development Officer may reduce the Tower spacing in consideration of the following:
 - i. The visual, sun/shadowing, and other microclimatic impacts on adjacent residential development; and
 - ii. The recommendations, and mitigative measures specified in any required
- m. Decorative and security lighting shall be designed and finished in a manner consistent with the design and finishing of the development and shall be provided to ensure a well-lit environment for pedestrians, to accentuate artwork and building elements, and to highlight the development at night time and in winter months. Exterior lighting associated with the development shall be designed to minimize impact on an adjacent property. A detailed exterior lighting plan shall be provided to the satisfaction of the Development Officer.
- n. All mechanical equipment, including roof mechanical units and Parking Garage intake/exhaust vents shall be concealed by screening in a manner compatible with the architectural character of the building, or concealed by incorporating it within the building.

9. Other Regulations

- a. A Crime Prevention through Environmental Design Assessment shall be prepared and submitted with the Development Permit application. Prior to the issuance of the Development Permit, recommendations of the assessment shall be incorporated into the design of the building to the satisfaction of the Development Officer to ensure that the development provides a safe urban environment in accordance with the guidelines and principles established in the Design Guide for a Safer City (City of Edmonton, 1995).
- b. A Wind Impact Study shall be prepared by a qualified, registered Professional Engineer and submitted with the Development Permit application for the principal building. Prior to the issuance of the Development Permit, any mitigation measures recommended by the study shall be incorporated into the design of the building, to the satisfaction of the Development Officer, to ensure the space around the building is fit for the intended Uses and that the balconies and terraces of the adjacent building to the south are anticipated to be comfortable for sitting relative to expected wind levels.
- c. A Sun Shadow Study shall be prepared and submitted for review by the Development Officer and prior to the issuance of the Development Permit. Any mitigation measures recommended by the study shall be incorporated into the design of the building, to the satisfaction of the Development Officer to ensure the shadow impacts are adequately mitigated.
- d. Notwithstanding the other Development Regulations and Appendices of this Provision and Section 720.3(2) of the Zoning Bylaw, in the event that the owner/developer does not obtain a Development Permit and commence construction of the building within 10 years of the passage of the Bylaw adopting this Provision, development shall be in accordance with the Heritage Area Zone (HA) pursuant to the Zoning Bylaw 12800.

10. Contributions

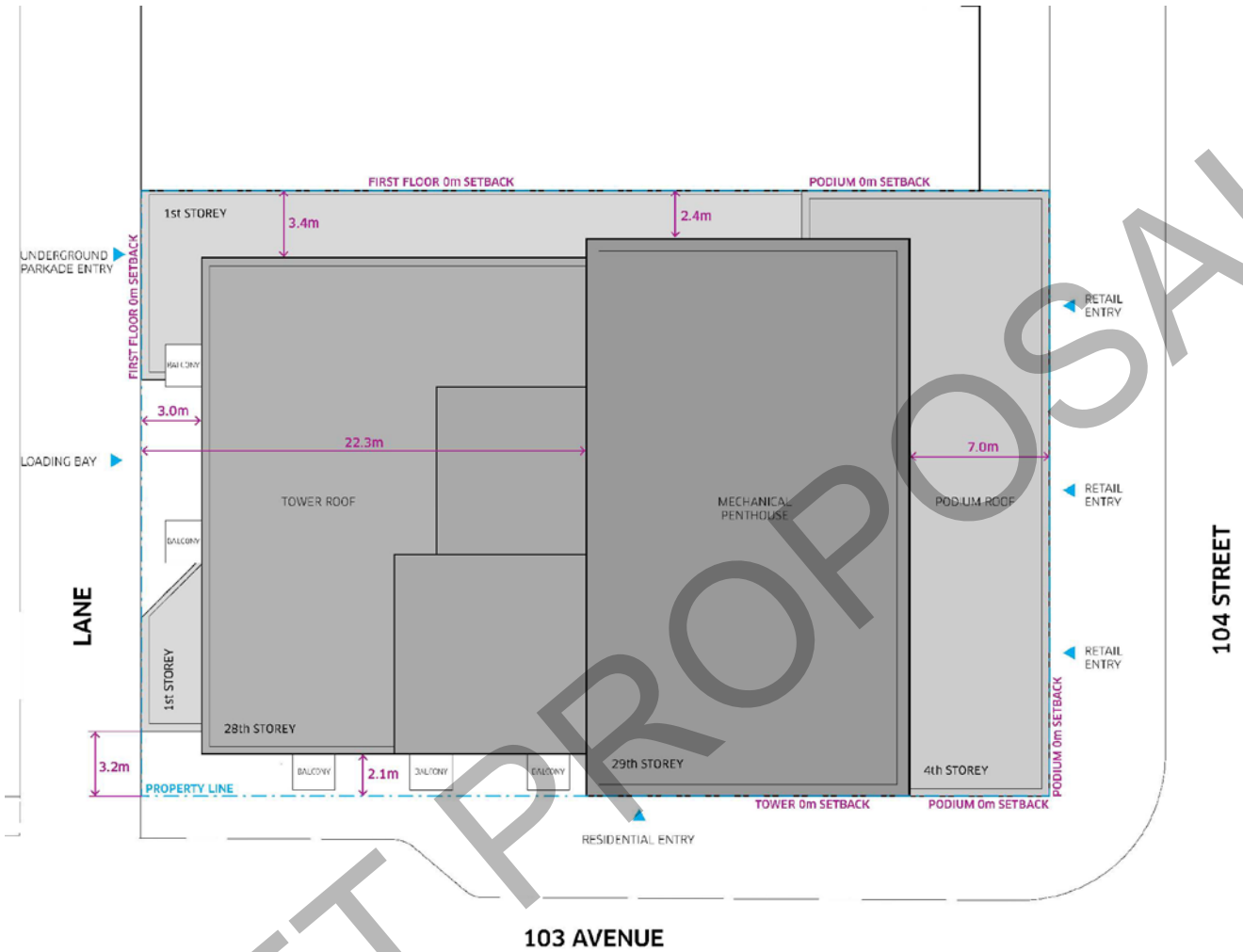
- a. Prior to the issuance of the Development Permit, details shall be provided to the satisfaction of the Development Officer that a maximum of \$208,683.75 shall be provided for community amenity contributions in the form of:
 - i. Improvements to the public realm directly abutting the site and/or within the general area. These improvements shall be designed to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination, City Operations and Integrated Infrastructure Services. Such improvements shall include but not be limited to:
 - A. Sidewalk upgrades, extra trees, benches, lights or bike racks
 - ii. Publicly-viewable art by a commissioned artist. The following shall apply to this contribution:
 - A. The owner shall enter into an agreement with the City of Edmonton detailing the requirements of this provision of artwork, to the satisfaction of the Development Officer.
 - B. Artworks shall be commissioned or purchased by the owner(s) and all cost and procedures related to the procurement of the artworks.
 - C. Artworks may be located on or within private property, including the south façade of the development and shall be in locations that are visible to the satisfaction of the Development Officer, and/or

- iii. Dwelling units with 3 or more bedrooms

11. Off-Site Improvements

- a. As a condition of Development Permit, the owner shall enter into a Servicing Agreement with the City of Edmonton for all off-Site improvements necessary to serve the development. The Agreement process includes an engineering drawing review and engineering approval process that will address the extent of off-Site improvements including access, servicing, and related street improvements required as a result of the development.

Appendix I: Site Plan

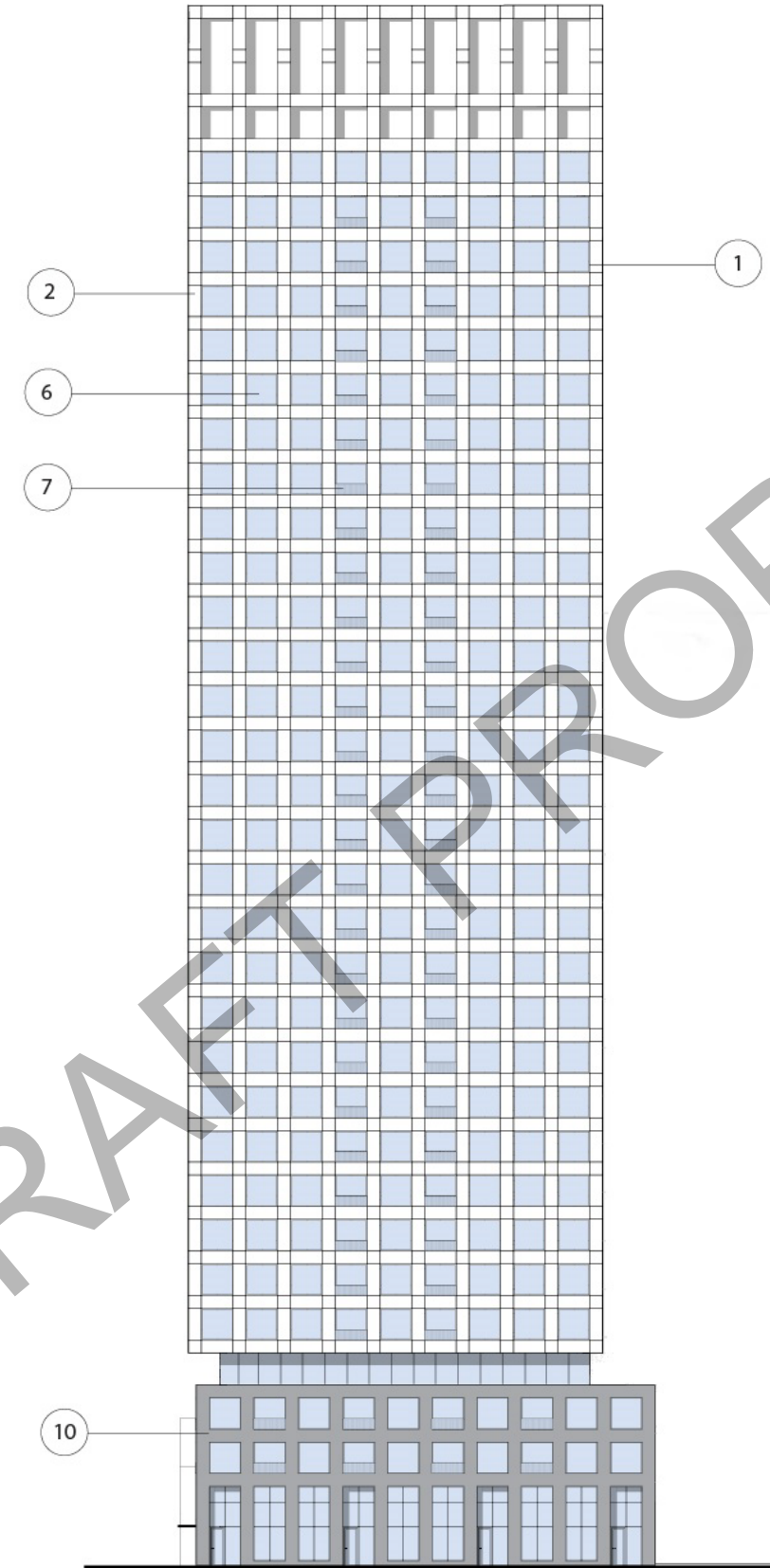


DRAFT PROPOSAL

Appendix II: Landscape Plan

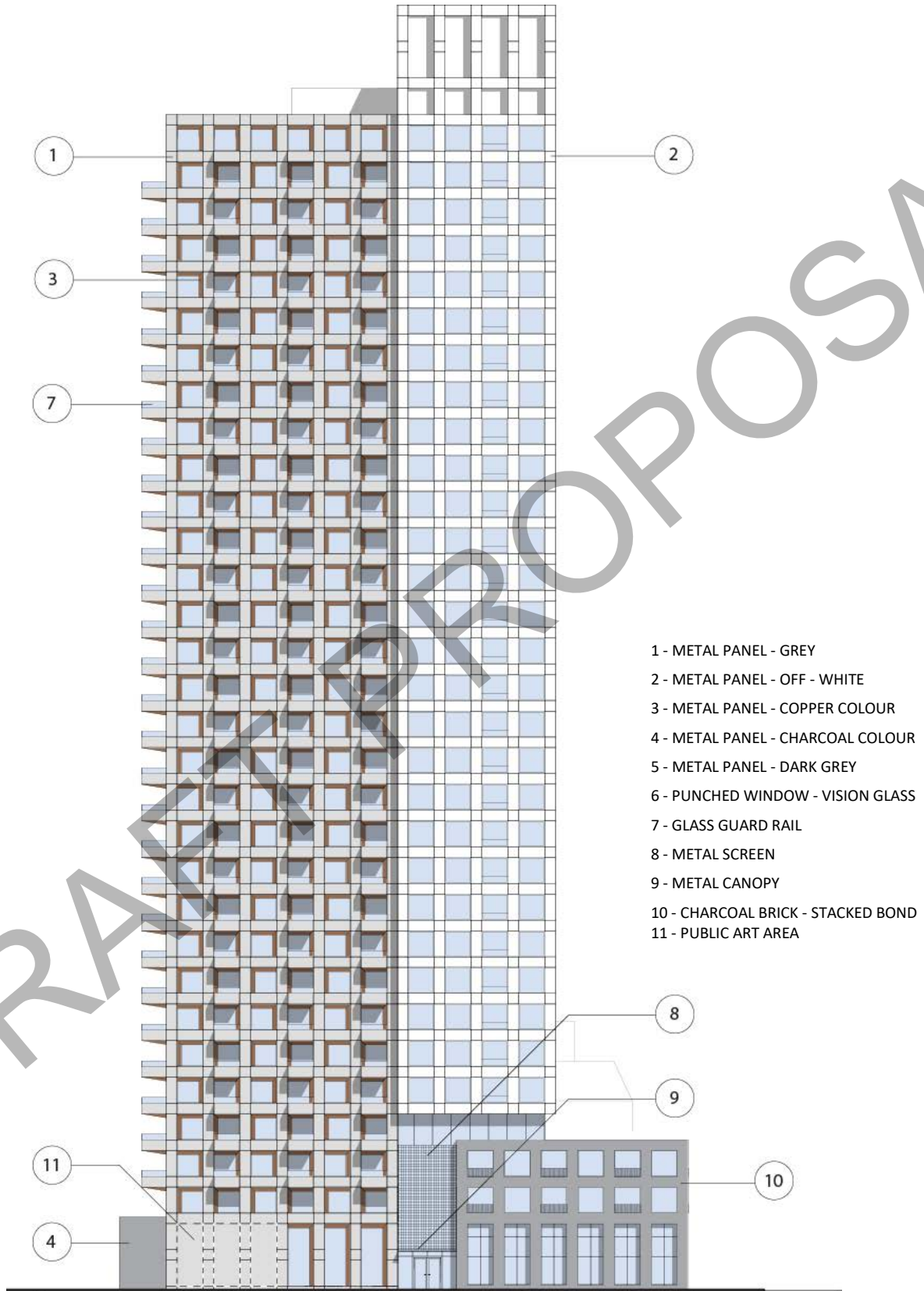


Appendix III: East Elevation

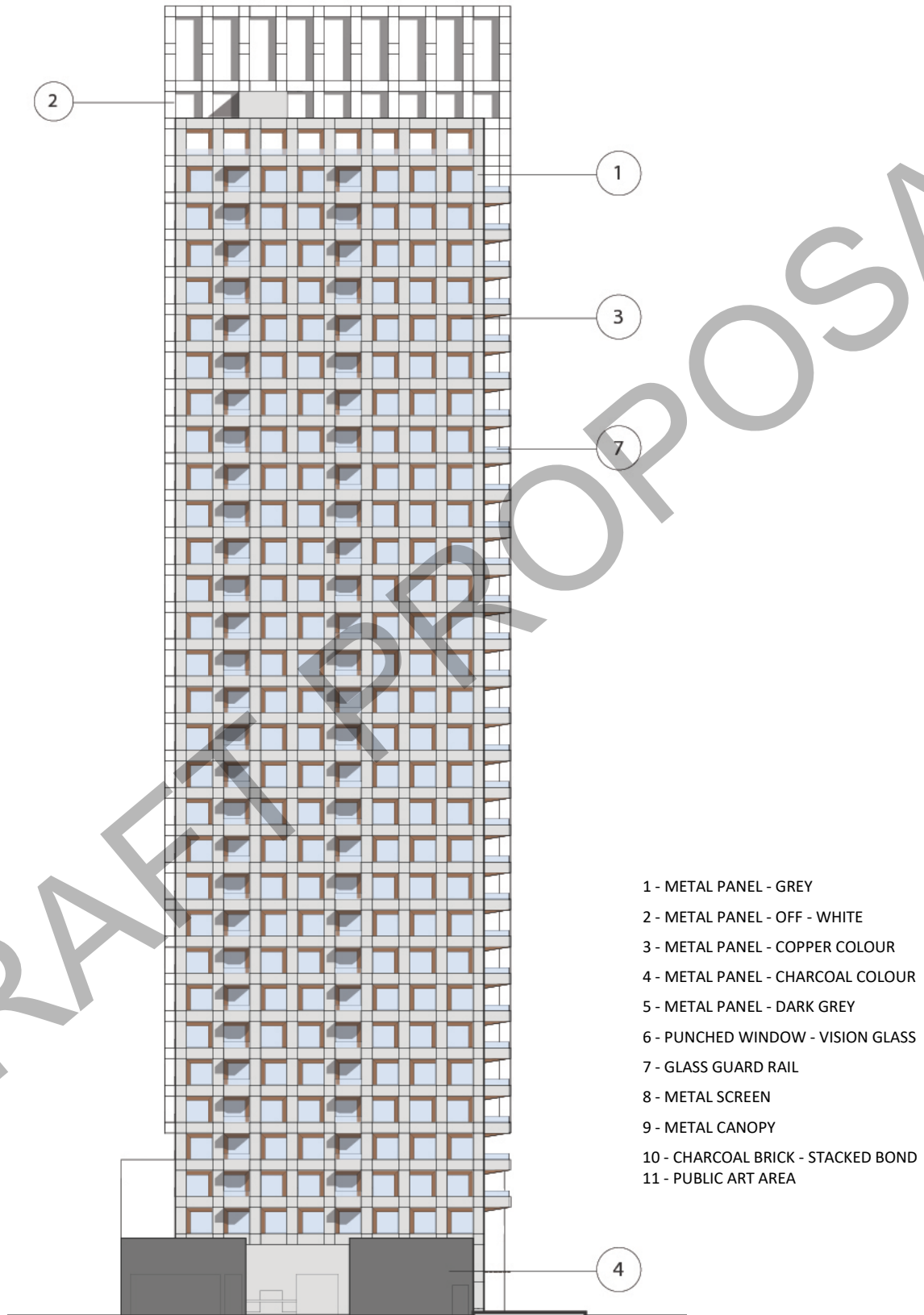


- 1 - METAL PANEL - GREY
- 2 - METAL PANEL - OFF - WHITE
- 3 - METAL PANEL - COPPER COLOUR
- 4 - METAL PANEL - CHARCOAL COLOUR
- 5 - METAL PANEL - DARK GREY
- 6 - PUNCHED WINDOW - VISION GLASS
- 7 - GLASS GUARD RAIL
- 8 - METAL SCREEN
- 9 - METAL CANOPY
- 10 - CHARCOAL BRICK - STACKED BOND
- 11 - PUBLIC ART AREA

Appendix IV: South Elevation



Appendix V: West Elevation



Appendix VI: North Elevation

