

**(DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION****1. General Purpose**

To accommodate a pedestrian-friendly mixed-use development adjacent to the Strathearn LRT Station.

**2. Area of Application**

This Provision shall apply to Lots 1, 8, and a portion of 7, Block 5; all in Plan 2528 H.W.; Lot 1A, Block 5, in Plan 1663MC; located north of 95 Avenue and west of 87 Street, as shown in Schedule “A” of the Charter Bylaw adopting this Provision, Strathearn.

**3. Uses**

1. Apartment Hotels
2. Bars and Neighbourhood Pubs
3. Breweries, Wineries and Distilleries
4. Business Support Services
5. Cannabis Retail Sales
6. Child Care Services
7. Convenience Retail Stores
8. Creation and Production Establishments
9. Flea Market, limited to the sale of items such as produce, handicrafts and artifacts
10. General Retail Stores
11. Government Services
12. Group Homes
13. Health Services
14. Household Repair Services
15. Indoor Participant Recreation Services
16. Limited Group Homes
17. Liquor Stores
18. Live Work Unit
19. Major Home Based Business
20. Market
21. Minor Home Based Business
22. Media Studios
23. Multi-Unit Housing
24. Non-accessory Parking
25. Personal Service Shops
26. Private Education Services
27. Professional, Financial and Office Support Services
28. Residential Sales Centre
29. Restaurants
30. Specialty Food Service

31. Special Event
32. Urban Gardens
33. Veterinary Services
34. Fascia On-premises Signs
35. Projecting On-premises Signs
36. Temporary On-premises Signs

#### **4. Development Regulations for Uses**

1. The maximum Gross Floor Area for non-Residential or non-Residential-Related Uses shall be 6,505 m<sup>2</sup>.
2. Breweries, Wineries and Distilleries shall only be developed in conjunction with a Restaurant or Bar and Neighbourhood Pub.
3. Convenience Retail Stores and Minor or Major Alcohol Sales shall be limited to the ground level Storey of the development.
4. Personal Services Shops shall not be developed as Body Rub Centres.
5. Notwithstanding Section 85(4) of the Bylaw, Liquor Stores may be located within 100 meters of any Site being used for community or recreational activities, public or private education, or public lands at the time of the application for the Development Permit, as defined in section 85(4)(b) of this Bylaw, and such a location shall not require the Development Officer to grant a variance.
6. Signs:
  - a. Signs shall comply with the General Provisions of Section 59 and the regulations found in Schedule 59F of the Zoning Bylaw.
  - b. Temporary On-premises Signs shall be limited to project advertising associated with a Residential Sales Centre and shall not include trailer mounted signs or signs with changeable copy.
  - c. A Comprehensive Sign Design Plan in accordance with the Provisions of Section 59.3 of the Zoning Bylaw shall be submitted with the Development Permit application for the principal buildings to the satisfaction of the Development Officer.
7. Notwithstanding Section 90 of the Zoning Bylaw, outdoor seating associated with Specialty Food Services, Restaurants, Bars and Neighbourhood Pubs is permitted to abut or be across a Lane from a Site with a residential development provided design techniques to mitigate the effects of noise and light shall are provided, to the satisfaction of the Development Officer
8. Breweries, Wineries and Distilleries shall comply with the regulations found in Section 99 of the Zoning Bylaw, except that:
  - a. Any Outdoor Public Space is permitted to abut or be across a Lane from a Site with a residential development provided it is designed to accommodate seating or gathering and exhibits design techniques to

mitigate the effects of noise and light, to the satisfaction of the Development Officer.

9. Notwithstanding Section 91 of the Zoning Bylaw, the following regulations shall apply to Flea Markets:
  - a. No minimum distance from residential development shall be required;
  - b. No additional parking shall be required;
  - c. May be located outdoors;
  - d. No direct vehicular access to arterial roadways shall be required; and
  - e. May be of a temporary nature.

#### **5. Development Regulations for Site Layout and Built Form**

1. The Site shall be developed in general conformance with Appendices to the satisfaction of the Development Officer.
2. Development Permit applications shall be permitted for development of the entire Site or for a portion of the site as part of a phased development strategy. A large portion of the development of the Transit Plaza shall be part of the first Development Permit application, to the satisfaction of the Development Officer.
3. The maximum number of Dwellings units shall not exceed 500.
4. The maximum Floor Area Ratio shall be 5.0.
5. The maximum Height shall be 81.0 m.
  - a. Rooftop indoor common amenity area shall not count towards maximum Height.
6. The Height of the podium shall be a minimum of 4.0 m and a maximum of 15.0 m.
7. The maximum Tower Floor Plate of the Tower shall be 850 m<sup>2</sup>.
8. The minimum distance between Towers shall be 20.0 m.
9. Tower spacing and floor plate variances shall be granted by the Development Officer if the owner can demonstrate, at any development stage, that the development has considered the following:
  - a. The visual sun/shadowing and other microclimatic impacts on the adjacent residential development; and
  - b. The recommendations and mitigative measures specified in any required technical studies.
10. The minimum building Setbacks shall be as follows:
  - a. South Lot Line – 1 m.
  - b. East Lot Line – 0 m for the first 50.0 m from the south lot line, a minimum of 4.5 m for the remainder.
  - c. West Lot Line – 0 m.
  - d. Lanes – 0m except for the north lane off 87 Avenue shall be a minimum of 3.0m

11. The minimum setback for Parking Garage developed below ground level shall be 0 m
12. The minimum Tower Setbacks shall be as follows:
  - a. South Lot Line – 4.5 m.
  - b. East Lot Line – 6.0 m
  - c. West Lot Line – 6.0 m.
  - d. Lanes – 3.0 m except for the north lane off 87 Avenue shall be a minimum of 6.0 m
13. The Development Officer may, for a portion(s) of the building, remove the Tower Setback requirement for the purposes of architectural expression and/or building entrance definition.
14. Where no Tower Setback is provided, a design element sufficient to reduce down washing effect wind has on all pedestrian walkways and Amenity Areas at ground level shall be provided as established by any required Wind Impact Statement.
15. Where a setback is provided, architectural features and structures, including the building envelope and weather protection features including awnings and canopies may project to the property line.
16. Platform Structures in the form of balconies shall be allowed to project a maximum of 1.8m into the tower setbacks

#### **6. Development Regulations for Building Design and Features**

1. All exterior building materials for the podium portion of the building shall be durable and high quality including, but not limited to masonry, stone, brick, metal cladding/panelling and/or glazing.
2. All Façades of the Tower shall use consistent and compatible high quality, durable exterior materials, such as, but not limited to, brick, metal cladding/paneling, acrylic stucco, masonry, stone, and/or glazing.
3. The top of Towers above 60.0 m in height shall contribute to the ‘signature’ of the building and the City’s skyline through a combination of, but not limited to: sculpting, a Step back, reduced floorplate size, variations of material, colour, providing a reduced height on a portion of the tower or other design methods that improve the visual interest of the building, in general accordance with the appendices.
4. The building shall be developed using a cohesive architectural language, consistent in concept, detail and material, which demonstrates attention to the design of all building faces.
5. Residential and Residential-Related Uses shall have a separate entrance at Grade from Non- Residential Uses. Entrances shall be differentiated through distinct architectural treatment.

6. Ground level non-Residential Uses shall be designed and oriented to face a Public Roadway, other than a lane, the transit plaza and/or the pedestrian muse with entrances that are clearly visible.
  7. A weather protection element in the form of a canopy or other architectural element above the non-Residential Uses along the 95<sup>th</sup> Avenue shall be allowed to project a maximum of 1.8 m over the south Lot Line to promote pedestrian friendly development.
  8. For non-residential Uses on ground level, a minimum of 50 percent of the linear building Frontage of the ground Storey Façades shall be comprised of transparent, non-reflective, non-tinted, unobscured glazing, where fronting onto a Street. Linear Frontage shall be measured at 1.5 m above the finished Grade of the Abutting sidewalk.
  9. All residential or residential-related building Façades fronting onto a Public Roadway, other than a Lane, or onto an internal circulation network, shall have individual Dwellings with direct access at ground level to provide a transition from public to private space. The units at ground level shall include the following design elements:
    - a. hinged doorways;
    - b. built elements such as verandas, porches, patios, or building articulation, which feature or act as Privacy Screening between each unit; and
    - c. lighting scaled and directed towards pedestrian areas.
  10. All ground level Dwellings shall have an Amenity Area in front of each exterior entry that establishes a transition area between the Amenity Area and the Abutting public roadway (including a Lane), or the internal circulation network.
  11. All mechanical equipment, including roof mechanical units, shall be concealed by screening in a manner compatible with the architectural character of the building or concealed by incorporating it within the building.
  12. Waste collection, storage areas, and loading shall be located within the building and/or be screened from adjacent views to the satisfaction of the Development Officer in consultation with Waste Management Services.
- 7. Development Regulations for Parking, Loading, Storage and Access**
1. Vehicle parking shall be provided in a combination of underground and/or above grade Parking Garage which shall be part of the Podium.
  2. Vehicular access to underground and/or above grade Parking Garages shall be to the satisfaction of the Development Officer.
  3. At grade parking shall be permitted along the east lot line as generally shown in Appendix A.
  4. At grade parking shall incorporate landscape improvements to improve the aesthetics of the parking area.

5. Vehicular parking shall be provided as per the Zoning Bylaw, except that:
    - a. visitor parking shall be provided at a minimum rate of 0 visitor parking spaces for the first 14 Dwellings, and 1 visitor parking space per 14 Dwellings thereafter.
    - b. visitor parking spaces for Residential Uses may be shared with spaces for Non-Residential Uses through an owner-operated parking management program; and
    - c. Variances to the number of of-street vehicular accessory or non-Accessory parking spaces may be considered by the Development Officer if the owner can demonstrate through a Parking Impact Assessment or Parking Justification that a different amount is appropriate, to the satisfaction of the Development Officer in consultation with Parking Management Services.
  6. To avoid a monolithic slab from Parking Garages that are not wholly underground, massing shall be modulated using a variety of design techniques including elevation changes, terraces, step backs, and architectural features and a variety of plantings or other landscape features.
  7. A minimum of two off-street loading spaces at a minimum of 3.0m in width and by 6.0m in length shall be provided and accessed from the rear lane abutting the site. The Development Officer may vary the dimensions of the loading space in consultation with Subdivision and Development Coordination (Transportation).
  8. Bicycle parking shall be provided as per the Zoning Bylaw, except that:
    - d. Vertical or stacked racks may be used to satisfy bicycle parking requirements if it can be demonstrated that they can be safely and efficiently used.
- 8. Development Regulations for the Landscaping, Lighting, Parking, Access and Amenity.**
1. Landscaping
    - a. On-Site landscaping shall use plant materials that provide colour throughout the year to enhance the appearance of the development during the winter months.
    - b. Soil depth for landscaping in Outdoor Amenity Areas shall be of a sufficient depth to contribute to healthy root development for the tree or shrub species specified in the landscape plan.
    - c. A detailed Landscape Plan for the Site, prepared by a Landscape Architect registered with the Alberta Association of Landscape Architects (AALA), including all existing and proposed utilities and off-Site streetscape improvements within the road right-of-way shall be submitted as part of a Development Permit application to review and approval by the Development Officer.

2. Lighting
  - a. As part of a Development Permit application, a detailed exterior lighting plan shall be provided, which shows the location, orientation, and style of decorative and security lighting.
  - b. Light pathways may be oriented in a direction other than downwards if the purpose is to highlight architectural features or building elements, and does not illuminate beyond the Site boundary.
3. Amenity
  - a. Amenity Areas may include, but are not limited to, indoor or outdoor space, Platform Structures, and Rooftop Terraces and shall be exempt from Floor Area Ratio calculations.
  - b. Rooftops may be used to provide Common Amenity Areas and shall be provided in areas of at least 30 m<sup>2</sup>.

## **9. Other Regulations**

1. A Wind Impact Study shall be prepared and submitted with a Development Permit application for any building or portion of a building with a minimum Height of 23.0 m. The development shall incorporate design features to minimize adverse microclimatic effects such as wind tunnelling, snow drifting, and rain sheeting, both on and off Site, consistent with the recommendations of the Wind Impact Study.
2. As a condition of the Development Permit at the corner of 95A avenue and 87 street and prior to the release of drawings for Building Permit review, other than a Building Permit for excavation and foundation, the applicant and/or owner shall provide proof satisfactory to the Development Officer in consultation with Environmental and Energy Coordination Unit that, if necessary, the lands have been remediated to a level suitable for the allowable uses. The Development Officer shall not physically release the Development Permit for the purposes of a Building Permit, other than an excavation and Foundation Permit, until this Condition has been adequately satisfied.
3. Prior to the issuance of a Development Permit for any building, a Crime Prevention Through Environmental Design (CPTED) Assessment shall be provided to the satisfaction of the Development Officer to ensure that the development provides a safe urban environment in accordance with the guidelines and principles established in the Design Guidelines for a Safer City (City of Edmonton 1995).

## **10. Public Improvements and Contributions**

1. As a condition of any development permit, the owner shall enter into an Agreement with the City of Edmonton for off-Site improvements necessary to serve the development, such improvements to be constructed at the owner's cost.

The Agreement process includes an engineering drawing review and approval process. Improvements to address in the Agreement include, but are not limited to:

- a. Repair of any damage resulting from construction of the development to the abutting roadways, sidewalks and/or boulevard, including lanes not directly adjacent to the site but which may be used for construction purposes, to the satisfaction of Subdivision and Development Coordination (Transportation). The Site must be inspected by Subdivision and Development Coordination prior to the start of the construction and once again when construction is complete.
  - b. Required improvements to drainage infrastructure as indicated in the drainage Site Servicing Design Brief or alternatives to the satisfaction of the Development Officer in consultation with City Planning (Drainage).
2. Prior to the issuance of a Development Permit for:
- a. a building that contains 12 or more Dwelling units; or
  - b. a building that contains less than 12 Dwelling units, but is part of a Site with 12 or more Dwelling units in total;

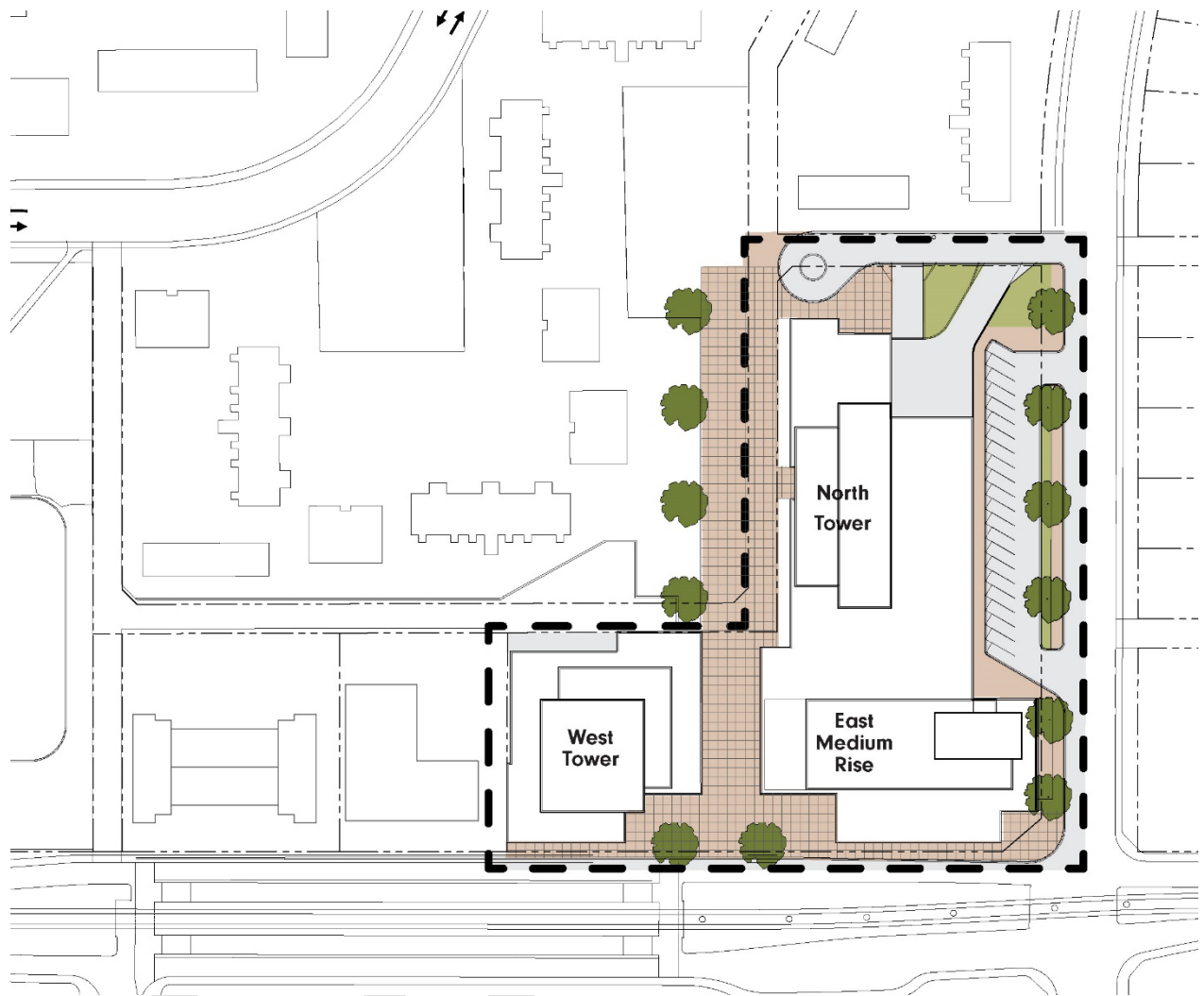
the Development Officer shall ensure a signed agreement has been executed between the City and the owner, requiring the owner to provide the City, at the time of each Development Permit approval, the option to purchase up to 5% of the proposed number of Dwelling units (rounded to the nearest Dwelling unit) in each building with Dwelling units, at 85% of market value or the equivalent value as cash in lieu (at the discretion of the owner) to the City. The City may exercise its option to purchase only in respect of Dwelling units that are individually titled.

3. As a condition of the first Development Permit for new building construction, the owner(s) shall enter into an Agreement with the City of Edmonton, for the provision of a transit plaza located adjacent to the south Lot Line in general conformance with Appendix A and shall:
- a. be a minimum area of 500 m<sup>2</sup>;
  - b. be openly accessible to the Public through the registration of a Public Access Easement in favour of the City of Edmonton;
  - c. incorporate hard and soft landscaping to integrate with the planned LRT station; and
  - d. have regard for Crime Prevention Through Environmental Design principles to provide safe and defensible space, clear sightlines into and through the site, adequate lighting, and provision of multiple access points.



4. Prior to the issuance of the Development Permit, details shall be provided to the satisfaction of the Development Officer that a minimum of \$782,071 shall be provided towards community amenity contributions including but not limited to:
  - a. 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 are not limited to:
    - i. Increased setbacks, sidewalk upgrades, planting boulevard trees, benches, lights or bike racks.
    - ii. upgrading of the north south Lane abutting the Site to a commercial standard, within the available right-of-way, to create visual and aesthetic continuity with the transit plaza.
    - iii. upgrading the east-west lane abutting the north Lot Line to a commercial standard within the available right-of-way;
  - b. Publicly-viewable art by a commissioned artist. The following shall apply to this contribution:
    - i. 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.
    - ii. Artworks may be located on or within private property and shall be in locations that are publicly visible to the satisfaction of the Development Officer.
    - iii. Artworks shall be commissioned or purchased by the owner(s) and all costs and procedures related to the procurement of the artworks.
  - c. A minimum of 5 Dwellings shall be developed as Family Oriented Dwellings by having the following characteristics:
    - i. have a minimum of three bedrooms;
    - ii. have access to a private Amenity Area.
    - iii. be located below the seventh storey of a building or within the Podium of the development;
    - iv. have dedicated bulk storage located within the building;
    - v. have enhanced bicycle storage

Appendix A – Site Plan



Appendix B – Elevations

South Elevation



Appendix B – Elevations

East Elevation



Appendix B – Elevations



North Elevation

Appendix B – Elevations

West Elevation

