

(DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION

1. General Purpose

To accommodate a high rise residential Tower that is compatible with adjacent land uses and that supports the pedestrian friendly landscape of 124 Street by providing an active and inviting commercial frontage.

2. Area of Application

This Provision shall apply to Lots 5 to 7, Block 19, Plan RN22, located mid-block on the east side of 124 Street NW between 102 Avenue NW and Jasper Avenue NW; as shown on Schedule “A” of the Charter Bylaw adopting this Provision, Oliver.

3. Uses

- a. Apartment Hotels
- b. Bars and Neighbourhood Pubs
- c. Breweries, Wineries and Distilleries
- d. Business Support Services
- e. Cannabis Retail Sales
- f. Child Care Services
- g. Commercial Schools
- h. Convenience Retail Stores
- i. Creation and Production Establishments
- j. General Retail Stores
- k. Government Services
- l. Group Home
- m. Health Services
- n. Hotels

- o. Household Repair Services
- p. Indoor Participant Recreation Services
- q. Limited Group Home
- r. Liquor Stores
- s. Live Work Unit
- t. Lodging Houses
- u. Media Studios
- v. Minor Amusement Establishments
- w. Minor Home Based Business
- x. Multi-unit Housing
- y. Personal Service Shops
- z. Private Education Services
- aa. Professional, Financial and Office Support Services
- bb. Residential Sales Centre
- cc. Restaurants
- dd. Secondhand Stores
- ee. Special Event
- ff. Specialty Food Services
- gg. Veterinary Services
- hh. Fascia Off-premises Signs
- ii. Fascia On-premises Signs
- jj. Freestanding Off-premises Signs
- kk. Freestanding On-premises Signs
- ll. Major Digital Signs

- mm. Minor Digital Off-premises Signs
- nn. Minor Digital On-premises Off-premises Signs
- oo. Minor Digital On-premises Signs
- pp. Projecting On-premises Signs
- qq. Temporary Off-premises Signs
- rr. Temporary On-premises Signs

4. Development Regulations for Uses

- a. Commercial Uses shall be located on the ground floor only, except for Hotels and Apartment Hotels which may be located above the ground floor.
- b. Residential Sales Centre(s) shall be limited to the sale of on-Site condominium or rental units.
- c. Signs shall comply with Schedule 59F of the Zoning Bylaw.
- d. A Comprehensive Sign Design Plan shall be submitted with the Development Permit Application for building construction, to the satisfaction of the Development Officer.
- e. 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.

5. Development Regulations for Site Layout and Built Form

- a. The Site shall be developed in general accordance with the attached Appendices.
- b. The maximum Height of the building shall be 82.0 m, not including the mechanical penthouse, elevator, and parapet above.
- c. The maximum Floor Area Ratio shall be 11.
- d. The maximum Height of the podium shall not exceed 13.5 m, not including the podium parapet.

- e. The maximum Tower Floor Plate shall be 665.0 m².
- f. Building Setbacks shall be in general accordance with Appendix 1, Illustrative Site Plan, and shall be:
 - i. 0.0 m from the north Lot line;
 - ii. 0.0 m from the east Lot line;
 - iii. 0.0 m from the south Lot line;
 - iv. 1.5 m from the west Lot line for Lots 5 and 6;
 - v. 0.0 m from the west Lot line for Lot 7.
- g. Minimum Tower Stepbacks shall be in general accordance with the attached Appendices, and shall be:
 - i. 8.0 m from the north Lot line;
 - ii. 8.0 m from the east Lot line;
 - iii. 4.0 m from the south Lot line;
 - iv. 5.0 m from the west Lot line for Lots 5 and 6;
 - v. 3.5 m from the west Lot line for Lot 7.
- h. Platform Structures in the form of balconies above the podium may project a maximum of 1.5 m into Tower Stepbacks.
- i. The maximum length of any Tower face shall be 28.5 m.
- j. The maximum number of Dwelling Units shall be 215.

6. Development Regulations for Building Design and Features

- a. The Tower shall be comprised of a podium and Tower configuration.
- b. 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, masonry, cement panels, stone, and/or glazing.

- c. Architectural projections and fenestration shall be utilized on the Façades to create visual interest and to reduce the visual mass.
- d. High quality public facing art shall be provided on the south podium Façade and the eastern podium Façade to add interest and contribute to the improvement of the pedestrian public realm, to the satisfaction of the Development Officer, in accordance with Section 10c of this Provision, and in general accordance with the Appendices.
- e. The podium roof shall provide enhancements such as patios, gardens, green roofs, children play areas, and additional Amenity Area.
- f. All mechanical equipment, including roof mechanical units and Parking Garage 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. Ground level vents shall be oriented away from adjacent Sites or on-Site amenity or pedestrian circulation areas.
- g. The development shall create a pedestrian-friendly environment along 124 Street, which will include such things as individual entrances, glazing and transparency, landscaping and other features that lend visual interest and a human scale to the development along the street.
- h. The podium shall establish a unique building architecture that recognizes the character of 124 Street but is not a duplication of surrounding buildings.
- i. The podium shall recognize the scale, architecture and the built form of the existing structures within the general area, particularly those on the same block face.
- j. The podium shall be designed to include the use of different architectural elements and treatments, articulated Façades, materials, and colours to add variety, rhythm, break up the massing and provide a sense of human scale.
- k. The use of vinyl siding as a finishing material is prohibited for the development.
- l. Active commercial frontages in the podium facing 124 Street NW shall meet the following to the satisfaction of the Development Officer:

- i. Building entrances and windows shall be oriented to front onto the public roadway;
- ii. The placement and type of windows shall allow viewing into the building to promote a positive pedestrian-oriented street;
- iii. A minimum of 70% of linear frontage shall consist of transparent glazing. Linear frontage shall be measured as the horizontal plane at 1.5 m above Grade; and
- iv. The residential lobby shall have a separate entrance with individual signage from all other Non-Residential or Non-Residential-Related Uses.

7. Development Regulations for Parking, Loading, Storage and Access

- a. All vehicular parking will be accommodated within an underground parking garage.
- b. Vehicle access and egress shall be from the abutting Lane and in accordance with Appendix 1, Illustrative Site Plan, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation), as follows:
 - i. The entrance shall be designed to address safe traffic operations and maintain good sightlines associated with vehicle movements to and from the adjacent alley located along the east property line. Proposed walls or retaining walls bordering the parkade ramp shall not exceed a Height of 0.3 m for a distance of 3.0 m from the alley to ensure adequate sightlines can be met;
 - ii. Adequate sight lines shall be maintained for vehicles entering and exiting the parkade; and
 - iii. The driveway ramp to the parkade shall be at Grade at the property line and shall not exceed a slope of 6% for a distance of 4.5 m inside the property line, or to the satisfaction of the Development Officer in

consultation with Subdivision and Development Coordination (Transportation).

- c. Off-street vehicular accessory parking shall be provided as per Section 54.2 Schedule 1(C) – Transit Oriented Development and Main Street Overlay in the Zoning Bylaw.
 - i. Notwithstanding Section 54.2 of the Zoning Bylaw, the maximum number of off-street parking spaces shall be 227 spaces.
 - ii. Commercial parking may share on-Site visitor parking spaces through an owner-operated parking management program.
- d. Bicycle Parking Facilities shall be provided as per Section 54.3 of the Zoning Bylaw.
 - i. Bicycle Parking Facilities will be provided in safe and secure locations in the first level of the underground Parking Garage and the ground floor of the building.
 - ii. Notwithstanding the Zoning Bylaw, 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 to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation).
- e. A minimum of one (1) off-street loading space shall be provided for the Site, as shown in Appendix 1, Illustrative Site Plan.
- f. Loading and storage areas will be located in the Podium to the rear of the development and will be designed to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation).

8. Development Regulations for Landscaping, Lighting and Amenity Areas

- a. Notwithstanding Section 55.3.1 of the Zoning Bylaw, on Site Landscaping shall not be required within the building Setback area along 124 Street.

- b. Hard surfacing shall be provided within the 1.5 m building Setback from the west Lot line for Lots 5 and 6 to the satisfaction of the Development Officer.
- c. A detailed Landscape Plan, prepared by a registered AALA landscape architect, for the Site, shall be submitted for review and approval by the Development Officer, prior to the issuance of any Development Permit, except for a permit for excavation or shoring. Landscaping, both on-Site and off-Site, shall consider the use of plant materials that provide colour through the year to enhance the appearance of the development during cold weather months.
- d. 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 in accordance with Section 58 of the Zoning Bylaw, to accentuate public 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 in accordance with Section 51 of the Zoning Bylaw. A detailed exterior lighting plan shall be provided to the satisfaction of the Development Officer.
- e. A detailed exterior lighting plan shall be provided with a Development Permit application for construction of a new building to the satisfaction of the Development Officer.
- f. Minimum Amenity Area may be achieved through the use of balconies, terraces/patios on top of the podium base, Rooftop Terraces, and indoor communal Amenity Areas such as lounges and fitness areas.
- g. Platform Structures in the form of balconies with a minimum depth of 1.2 m may be used to satisfy required Amenity Area.

9. Other Regulations

- a. A Sun Shadow and Wind Impact Study shall be prepared and submitted with a Development Permit application for any building or portion of a building with a Height greater than 15.0 m. The development shall incorporate design features to

minimize adverse microclimatic effects such as wind tunneling, snow drifting, rain sheeting, shadowing, and loss of sunlight, both on and off-Site, consistent with recommendations of the Sun Shadow Impact Study and Wind Impact Study.

- b. Prior to issuance of any Development Permit, a Crime Prevention Through Environmental Design Assessment shall be provided to the satisfaction of the Development Officer to ensure that the development provides a safe urban environment in accordance with the guidelines and principles established in the Design Guide for a Safer City (City of Edmonton, 1995).
- c. Notwithstanding the other Development Regulations of this Provision, the Appendices of this Provision and Section 720.3(2) of the Zoning Bylaw, in the event that the owner/developer does not obtain a Building Permit and commence construction of the principal building under a valid Development Permit within 10 years of the passage of the Bylaw adopting this Provision, development of the Site shall be in accordance with this Provision, except the maximum FAR shall be 8.25.
- d. An arborist report and tree preservation plan, to the satisfaction of the Development Officer in consultation with Infrastructure Operations (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 124 Street. 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:
 - i. the arborist report indicates that the development will unduly compromise the ongoing viability and health of a tree or trees, each tree shall be removed and replaced by a new tree within an enhanced growing medium at the cost of the owner; or
 - ii. the arborist report indicates that the development will not unduly compromise the ongoing viability and health of a tree or trees, 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 Infrastructure Operations (Forestry).

10. Public Improvements and Contributions

- a. 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 shall include an engineering drawing, review and approval process. Improvements to be addressed in the agreement include, but are not limited to:
 - i. Repair of any damage to the abutting roadways, sidewalks and/or boulevards resulting from construction of the development, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination. The Site must be inspected by the City prior to the start of construction and once again when construction is complete.
- b. Prior to the issuance of the Development Permit, details shall be provided to the satisfaction of the Development Officer that a maximum of \$604,789.88 shall be provided for community 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. Such improvements shall include, but are not limited to:
 - A. Sidewalk upgrades, extra trees, benches, lights or bike racks.
 - B. Publicly-viewable art by a commissioned artist. The owner shall enter into an agreement with the City detailing the requirements of this provision of artwork, to the satisfaction of the Development Officer. Artworks may be located on or within private property, including the North, East, and South facades of the podium of the development and shall be in locations that are publicly visible to

the satisfaction of the Development Officer. Artworks shall be commissioned or purchased by the owner(s) and all costs and procedures related to the procurement of the artworks.

- ii. Family Oriented Dwellings with three or more bedrooms. Family Oriented Dwellings shall meet the definition of the Zoning Bylaw except that Amenity Area may be provided by direct access to balconies and patios.
- iii. Funding to the Oliver Community League towards the development of a community hall, community garden, and/or another amenity within the Oliver Neighbourhood.

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