

SCHEDULE "B"

(DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION

DC2.XXX

1. General Purpose

To develop a mixed use commercial and multi-unit residential development that is sensitive in scale to the surrounding neighbourhood and contributes to a pedestrian commercial shopping street.

2. Area of Application

This Provision shall apply to Lots 21 and 22, Block 57, Plan RN39B; located on the northeast corner of 124 Street and 109 Avenue, as shown on Schedule "A" of the Charter Bylaw adopting this Provision, Westmount.

3. Uses

- a. Business Support Services
- b. Child Care Services
- c. Convenience Retail Stores
- d. General Retail Stores
- e. Health Services
- f. Indoor Participant Recreation Services
- g. Live-work Unit
- h. Major Home-based Businesses
- i. Media Studios
- j. Minor Home-based Businesses
- k. Multi-unit Housing
- l. Personal Services Shops
- m. Private Education Services
- n. Professional, Financial and Office Support Services
- o. Residential Sales Centre

- p. Restaurants
- q. Specialty Food Services
- r. Urban Gardens
- s. Fascia On-premises Signs
- t. Freestanding On-premises Signs
- u. Projecting On-premises Signs

4. Development Regulations for Uses

- a. Commercial Uses shall be located on the ground floor and oriented towards 124 Street and 109 Avenue, and the internal corridor.
- b. Multi-unit housing shall be permitted only in buildings where the first Storey contains Commercial Uses fronting 124 Street, 109 Avenue and the internal lobby; with residential and/or Live Work Units on the ground floor with individual entrances at grade.
- c. Signs shall comply with Schedule 59B. A Comprehensive Sign Design Plan and Schedule, consistent with the overall intent of subsection 59.3, shall be prepared for the development and submitted, with the Development Application, to be approved by the Development Officer.
- d. Each Restaurant Use shall be limited to 200 seats and 240 m² of Public Space.
- e. Individual Specialty Food Services Use shall be limited to 100 seats and 120 m² of Public Space.
- f. Residential Sales Centre Use shall be limited to the sale of on-Site condominium or leasing of rental units.

5. Development Regulations for Site Layout and Built Form

- a. Development shall be in general conformance with Appendix 1, Site Plan.
- b. The maximum Floor Area Ratio shall be 3.7.
- c. The maximum Site coverage shall be 75%.
- d. The maximum number of Dwelling Units including Live Work units shall be 70.
- e. The maximum building Height shall not exceed 23.0 m.

- f. The minimum Setbacks shall be:
 - i. 1.0 m from the west lot line on 124 Street.
 - ii. 1.0 m from the south property line on 109 Avenue.
 - iii. 0.0 m from the north property line.
 - iv. 6.5 m from the east property line.
- g. On 124 Street the second to fourth story may project over the setback by 1.0 m, and above the fourth story the fifth and sixth storeys will have a step back of 4.5 m from the property line.
- h. On 109 Avenue the second to fourth storeys may project over the setback by 1.0 m, and above the fourth story the fifth and sixth storeys will have a step back of 4.5 m from the property line.
- i. On the north side of the building, the fifth and sixth storeys will have a step back of 3.3 m from the north property line.
- j. On the east side of the building facing the lane, the fifth and sixth storeys will have a setback of 9.0 m from the property line.

6. Development Regulations for Building Design and Features

- a. 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.
- b. The development shall create a pedestrian-friendly environment on 124 Street NW, and 109 Avenue NW 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 the development along the street.
- c. Architectural treatment of new developments shall ensure that Commercial units at grade have windows on the 124 Street NW and 109 Avenue NW facades 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.
- d. Active commercial Frontages shall be developed in accordance with the Site Plan, Appendix 1 as well as the following, to the satisfaction of the Development Officer:
 - i. A minimum of 70% of the ground floor commercial Facade fronting 124 Street NW shall have clear glazing.

- ii. The front Facade of the building shall be designed to break the appearance into a maximum of 12 m sections or modules along 124 Street NW.
- e. Building materials must be durable, of high quality and appropriate for the development within the urban context, design, proportion, quality, texture and application of various finishing materials shall be to the satisfaction of the Development Officer.

7. Development Regulations for Parking, Loading and Access

- a. Parking and trash collection shall be permitted within the east Setback adjacent to the Lane, in general accordance with Appendix 1.
- b. Bicycle Parking spaces shall be provided in accordance with the Zoning Bylaw and the following:
 - i. Bicycle Parking for Residential and/or Residential-related Use shall be provided at a rate of 0.5 spaces per Dwelling. Parking shall be provided in a safe and secure location in the underground Parking Garage or in another secure location within the building that is easily accessible to cyclists via access ramps, or a route through the building which facilitates easy and efficient transportation of bicycles.
 - ii. A minimum of 12 short-term Bicycle parking spaces shall be provided in publicly accessible and highly visible location(s).
- c. Parking, storage, and waste collection areas shall be located adjacent to the Lane. The waste collection area, and access to it, shall be designed to the satisfaction of the Development Officer in consultation with Waste Management Services and Subdivision and Development Coordination (Transportation).
- d. Loading will occur in a marked area along 109 Avenue NW to the satisfaction of the Development Officer and Subdivision and Development Coordination (Transportation).

8. Development Regulations for Landscaping, Lighting and Amenity Areas

- a. Landscaping shall be provided in general accordance with the Site Plan, Appendix 1.
- b. 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. The Landscape Plan shall include decorative paving, benches, planters and lighting that are integrated with the adjacent public realm.
- c. Landscaping shall consider the use of plant materials that provide color throughout the year to enhance the appearance of the development during cold weather months.

- d. 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 124 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:
 - 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.
 - ii. Or 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 C456B to the satisfaction of the Development Officer in consultation with Urban Forestry.

9. Other Regulations

- a. 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.

10. Public Improvements and Contributions

- a. The community amenity contribution calculation results in an amount of \$57,880.28. To fulfill this contribution the following will be provided:
 - i. Publicly accessible open space shall be provided to the patio located adjacent to the lane resulting in a contribution of \$500.00 per sq m x 84 sq m = \$42,000.00.
 - ii. Streetscape improvements along the project frontage on 124 Street and 109 Avenue which results in a contribution of \$2860/m x 77m = \$220,220.00.

Appendix 1 Site Plan

Appendix 2 – 5 Building Elevations