

(DC1) DIRECT DEVELOPMENT CONTROL PROVISION

ROSSDALE (AREA C)

*Bylaw 15789
August 29, 2011*

1. Area of Application

The lands east ~~and west~~ of 105 Street **and west of 104 Street** south of 96 Avenue, designated as Area C and shown on Appendix I and on Schedule "C" - Map.

2. Rationale

To accommodate predominately high density residential mixed use development including Live Work uses located at the ground level that supports that creation of a liveable "urban village" environment.

3. Uses

- a. Apartment Housing
- b. Boarding and Lodging Houses
- c. Live Work Unit
- d. Minor Home Based Business
- e. Residential Sales Centre, limited to the sale of onsite residential dwelling units and leasing of commercial premises
- f. Fascia On-premises Signs
- g. Temporary Freestanding On premises Signs, limited to project identification, building construction identification and real estate advertising signs during construction and initial sale excluding portable signs
- h. Projecting On-premises Signs

4. Development Regulations

4.1 General

- a. The overall Site development shall be in general accordance with the urban design regulations of this Provision and the West Rosedale Urban Design Plan for Area C.
- b. The maximum Floor Area Ratio of Area C shall be 3.0.
- c. The maximum Density shall be 445 Dwellings/ha.
- d. Buildings fronting onto 105 Street **and 104 Street** shall not be less than 2 storeys, nor 8.0 metres in Height and shall not exceed 6 storeys nor 24.0 metres in Height.
- e. Buildings fronting on 96 Avenue shall not be less than 4 storeys nor 18.0 metres in Height and shall not exceed 6 storeys nor 26.0 metres in Height.
- f. Front building Setbacks from the property line shall be as specified in Table 1: Front Building Setbacks.

Table 1: Front Building Setbacks

Location of Front Building Face	Building Setback (m)
105 Street	5.0 m
104 Street	5.0 m
96 Avenue	0.0 m (no setback)
Lane East of 105 Street	3.0 m
Lane West of 105 Street	3.0 m

- g. Rear and Side building Setbacks shall be 3.0 m.
- h. Notwithstanding Section 46, a minimum Amenity Area of 7.5 m² per Dwelling shall be provided as per Section 46 and may be located on balconies or aggregated to courtyards, balconies, roof top patios/gardens, grade level display gardens and terraces.
- i. There shall be no exterior display or advertisement for Live Work Units other than an identification plaque or sign a maximum of 20 cm x 30.5 cm in size located on the ground floor building face, where appropriate.
- j. All mechanical equipment, including roof mechanical units, shall be screened in a manner compatible with the architectural character of the building or concealed by incorporating it within the building and is not included in building height.
- k. The owner shall provide funds for landscaping and streetscape improvements to the portion(s) of road right(s)-of-way for 96 Avenue and 105 Street and **96 Avenue and 104 Street and** the lane right(s)-of-way for the lanes located directly to the ~~west and~~ east of 105 Street abutting the Site (from private property line to the new curb) that are identified by the West Rosedale Urban Design Plan to the satisfaction of the Development Officer in consultation with Infrastructure Services and Transportation Services. These funds shall be paid to the City of Edmonton to undertake required streetscape improvements as a condition of the approval of a Development Permit.
- l. As a condition of the Development Permit the Development Officer shall require that any development be preceded by a topsoil stripping program that must be the subject of a Historic Resources Monitoring Program for archaeology. The Historic Resources Monitoring Program and any work resulting from this monitoring program is to be conducted by an archaeologist qualified to hold an Archaeological Research Permit within the Province of Alberta. In order to conduct the Historic Resources Impact Assessment, the archaeological consultant must submit "r;An Application for an Archaeological Research Permit – Mitigative Research Project: ~~to the Historic Resources Management Branch to the Alberta Culture, Multiculturalism and Status of Women.~~
- m. The monitoring program is to be carried out under snow-free, unfrozen ground conditions.
- n. The Historic Resources Monitoring Program shall include the entire subject site. Topsoil stripping must be taken to a depth where undisturbed subsoils are clearly visible in order to expose any burial vaults that may exist. The archaeological consultant must confirm any such features identified.
- o. Depending upon the results of the archaeological monitoring program, additional salvage, protection or preservation measures may be required.

- p. Prior to issuance of the development permit, the Development Officer shall insure that a signed agreement has been executed between the City and the Owner, requiring the owner to provide the City at the time of development permit approval the option to purchase 5% of the proposed number of residential units at 85% of the list price, or as prescribed in any future City of Edmonton affordable housing policy initiatives.
- q. Universal accessibility and universal design shall be developed as follows:
 - i. The main building entrance and the first level parkade lobby entrance to mid and high rise buildings shall be designed to meet universal accessibility standards as follows:
 - A. Main entrance doors to meet universal design standards;
 - B. Level changes from the sidewalk to the main entrance of a building shall be minimized and where required shall be graded to allow for universal access; and
 - C. Sidewalk furniture and other elements shall be located out of the travel path to ensure they are not obstacles to building access
- r. Building developments shall comply with LEED Canada certification process policies, deadlines, guidelines, and instructions as are published by the Canadian Building Green Council in their Policy Manual on the date of application for Development Permit. Developments must be registered with the Canadian Build Green Council (CaGBC) to earn a LEED Canada Certification rating of 'Silver', or higher. Developments must establish sustainable targets and receive third party verification.
- s. The owner shall submit a Crime Prevention Through Environmental Design (CPTED) Assessment that shall be reviewed and accepted by the Development Officer prior to the issuance of a Development Permit to ensure that development on the Site provides a safe urban environment in accordance with the guidelines and principles established in the Design Guide for a Safer City.
- t. Signs in the areas identified for active Residential Frontage, in Appendix I, shall comply with Schedule 59B of the Zoning Bylaw.

4.2 Vehicular Circulation, Parking and Access

- a. Access to underground parking and servicing shall be provided from the alley, as illustrated in Appendix I.
- b. All onsite vehicular parking shall be located underground, except ~~abutting the west side of 105 Street~~ where the provision of parking completely underground would cause unnecessary hardship or practical difficulties specific to the situation of the grades and slope changes from the street to the lane of those lands. In this instance, the following shall apply:
 - i. The parking structure may project above grade, provided that the visible portion is screened by Dwelling units accommodated in that development.
 - ii. No portion of the above grade parking garage shall be allowed to front onto a street or the public amenity areas, except for entries, where sloped ramps shall be allowed to the satisfaction of the Transportation Department.
 - iii. The above grade portion adjacent to the lane of the structured parking shall be screened appropriately with architectural treatments and/or landscaping

and shall not have an uninterrupted length exceeding 15 m to the satisfaction of the Development Officer.

- c. Vehicular Parking on the site shall be developed in accordance with parking requirements ~~for the Downtown Area Redevelopment Plan~~ as stipulated in Section 54, ~~Schedule 1~~ of the Edmonton Zoning Bylaw.
- d. Underground parking facilities shall be designed to maintain an attractive pedestrian environment and to not interfere with the viability of landscaping in any setback and public space. Adequate soil depth for landscaping such as trees, shrubs and grass over a parkade shall be provided to the satisfaction of the Development Officer.
- e. Service and emergency response vehicles shall have clear and effective access to the buildings on site.
- f. A minimum of 1 bicycle parking space shall be provided per residential unit in a weather-protected, well-lit, and secure area.
- g. Visitor bicycle parking shall be provided in an amount equal to 10% of the number of vehicular parking spaces required under Section 54.2, Schedule 1B to a maximum of 50 bicycle parking spaces. In no case shall fewer than 5 visitor bicycle parking spaces be provided.
- h. Garbage collection shall be located within parking structures or buildings and if at grade shall be screened from view of the adjacent residential sites. Gates and/or doors of garbage enclosures shall not open or encroach into public road right-of-way.

4.3 Landscaping

- a. The landscape plan required under Section 55.3 of the Zoning Bylaw shall include landscaping as it relates to the design of special feature areas identified in the Urban Design Plan. Outdoor amenity spaces shall be landscaped for the purpose of achieving pedestrian connectivity and opportunities for recreation and social interaction; and should create a sense of place, character and identity through such features as benches, pedestrian level lighting, waste receptacles and other means integrated with the landscaping and placed along public walking routes through the site to the satisfaction of the Development Officer notwithstanding Section 55.
- b. Display gardens shall be provided within the setback of any residential frontage adjacent to any public sidewalk, mid block pedestrian connection or mews. The display garden is to incorporate low parapet walls, a walk, gate, and stairs to a stoop at the front entrances, with the balance of the area for a patio and/or soft landscaping such as low shrub planting, ornamental grasses and/or flowers. The retaining wall is to be built at the property line.
- c. The lane rights-of-way east ~~and west~~ of 105 Street shall incorporate boulevard street tree planting and paved boulevard sidewalks to the satisfaction of the Development Officer in consultation with the Transportation Department.
- d. Residential units on the ground floor shall have access to a private outdoor amenity space with a minimum single horizontal dimension of 1.8 m to ensure adequate usable space.
- e. A landscaping feature with focus on shrub planting, or acceptable alternatives, integrated with other site elements shall be provided in the Front, Side, and Rear Yard Setbacks. Lawns are not an acceptable landscaping feature for display gardens.

- f. The height of an exposed retaining wall or other building wall located within the Front and Rear Yard Setbacks shall not exceed 1.0 m.
- g. Trees shall be planted in the overall minimum ratio of one tree per 25 m² of landscaped area to be provided.
- h. Only deciduous trees shall be allowed on landscaped areas abutting public roadways not including alleys.
- i. A minimum of 10% of all trees planted shall be coniferous trees.
- j. Landscaping required in any Setback shall be provided in an amount 1.5 times greater than required under Section 55 of the Zoning Bylaw.

4.4 — Public Open Space and Pedestrian Circulation

- ~~a. Developments shall provide two publicly accessible amenity spaces with a minimum size each of 675 m² at the mid block point on the east side of 105 Street and as illustrated in Appendix I.~~
- ~~b. Developments shall provide Mid block publicly accessible amenity space through the site from the sidewalk along 105 Street to the lanes located directly east of 105 Street to break up massing and provide safe and inviting east-west routes to the block interior for pedestrians, as illustrated in Appendix I. The mid block publicly accessible open space shall incorporate landscaping, paved pedestrian walkways which are a minimum of 2 m in width, street and pedestrian scaled lighting where applicable, and be characterized by boulevard street tree planting along either side of the sidewalks that are spaced at approximately 6 m on centre.~~
- ~~c. The owner(s) shall register Public Access Easements for the mid block publicly accessible open spaces located between 105 Street and the lanes located directly east of 105 Street to ensure public access through the site. Easements shall make the private property owner(s) responsible for maintenance and liability. The areas having Public Access Easements shall be accessible to the public at all times.~~
- ~~d. The publicly accessible open spaces shall incorporate landscaping, street furniture and lighting.~~
- ~~e. Boulevard street trees shall be a minimum of 85 mm calliper and planted at intervals of every 6 m. on the road rights-of-way.~~
- ~~f. Pedestrian scale lighting shall be provided for Lanes and pedestrian paths.~~
- ~~g. A Pedestrian Circulation Plan shall be reviewed and approved by the Development Officer in consultation with Transportation Services prior to the issuance of a Development Permit.~~

4.45 Private Amenity Courtyards

- a. Private amenity courtyards shall be provided in general accordance with Appendix I. Each courtyard shall be landscaped with a focus on an appropriate combination of soft and hard landscaping.
- b. Enhanced landscaping treatment for private amenity courtyards shall provide common space for residents and include seating areas, pedestrian oriented lighting and tree planting and additional landscaping.
- c. The private amenity courtyards shall be provided with a minimum 15 m distance between buildings.

- d. On the ~~west and~~ east sides of 105 Street **and west sides of 104 Street**, adjacent to the alleys, the private common courtyards shall be defined or enclosed through the use of landscaping which may include a retaining wall or other building wall not exceeding 1.0m in Height.

5. Urban Design Regulations

5.1 Active Live Work Frontages

- a. Active Live Work frontages, as shown in Appendix I, shall be provided along 96 Avenue and shall be developed according to the following regulations:
 - i. At grade entrances for each unit shall be universally accessible, and shall have weather protection in the form of canopy or other architectural elements to create a comfortable environment for pedestrians;
 - ii. At least 70% of ground (first) floor building facades shall have clear glazing on the exterior; and
 - iii. Individual Live Work frontages shall not exceed 10 m.

5.2 Active Residential Frontages

- a. Active residential frontages for the Mid Rise buildings, as shown in Appendix I, shall include individual unit external accesses for Dwellings located on the ground floor and features such as bay windows, awnings, canopies, porches, stoops staircases, and/or projections of a maximum 0.9 m from the primary building face at front doors to create prominence and provide shelter.
- b. The ground (first) floor of any residential frontage, including associated entranceway, shall have a maximum grade separation of 1.0 m from any adjacent public sidewalk to allow for display gardens. 25% of residential frontages may have a grade separation greater than 1.0 m up to a maximum 1.5 m where sloping conditions apply.

5.3 Building Design and Live Work Units

- a. Buildings adjacent to 96 Avenue shall have a minimum Stepback of 1.0 m on all sides of the building above the second storey of the building.
- b. The minimum separation distance between buildings above the second storey shall be 20 m.
- c. Directly adjacent to 105 street **and 104 Street** the 2 storey base of the mid rise buildings may span the minimum 20 m separation distance to create a continuous building frontage along 105 Street, as illustrated in Appendix I.
- d. Live Work units shall be located only on the ground (first) floor of buildings adjacent to 96 Avenue.
- e. Residential development shall be provided above the ground (first) floor Live Work development adjacent to 96 Avenue and shall be accessed through a central entry or through individual entries along 96 Avenue. Where entrances to upper-floor residential units are provided along 96 Avenue, the entrances are to be

architecturally differentiated from entrances to individual business occupancy of the Live Work unit.

5.4 Architectural Treatment

- a. Buildings shall address on all sides the adjacent public roadways and lanes with individual entrances at grade that are clearly visible to lend a sense of occupancy to the street. Buildings on corner Sites shall incorporate architectural features to address both the street and avenue and shall distinguish the avenue intersection to give it prominence.
- b. Quality finishing materials for all development shall include materials such as glass and glazed window systems, metal, stone, brick, masonry fiber cement siding, acrylic stucco and wood panel.
- c. The use of vinyl and masonry stucco as a finishing material shall not be permitted.
- d. Buildings shall be sited along 96 Avenue and 105 Street **and 96 Avenue and 104 Street** in such a manner to create a well defined streetwall, framing views to the Alberta Legislature and the river valley, and creating a sense of entrance to downtown.
- e. Blank walls facing unto streets shall be avoided by extensive use of active residential and live work frontages, which allow for interaction between people in the building and people on the street to maintain an attractive streetscape.
- f. Building facades above two storeys shall be articulated through architectural features such as Stepbacks, recesses, projections, and/or changes in building materials or colours, with the prominent and majority material being glazing.
- g. Functional and decorative lighting shall be used to highlight the building's architectural features and enhance the appearance of the building year round.

5.5 Public Art

- a. At the time of development permit application, the owner shall submit a report that determines the gross floor area (GFA) of residential / commercial development excluding parkade areas in order to determine the amount owing towards Public Art commitment. The value of public art contribution shall be \$10 / m² proportional to the Gross Floor Area (GFA) of residential / commercial development, excluding parkade areas. The commitment may be staged in conjunction with the staged development. Prior to issuance of the Development permit, the Development Officer shall ensure a signed agreement has been executed between the City and the owner to implement one of the following options (of owner's choice):
 - i. Option 1: Installation of public art on site

The owner shall submit a Public Art Critical Path prepared by an art consultant to the Development Officer. A Public Artwork Critical Path is a detailed plan prepared by an Art Consultant for the accession of a specific artwork, which includes the theme / purpose of the artwork; placement of the artwork; the identification of critical stages, processes and dates of the accession of the Artwork; the final budget and payment

schedule for the Artwork. A Critical Path must be approved by Edmonton Arts Council. The owner shall install a Public Art within the development site. At the completion of installation, the owner shall submit to the Development Officer a detail accounting of all expenditures completed in relation to the Public Art implementation, including clear disclosure of full budget made available to the artist. Public Art installed on-site shall remain in the same ownership as the property(s), unless otherwise determined by the owner. Public art on a future condominium site shall be owned and maintained by the Condominium Association.

i. Option 2: Contribution towards Public Art off-site

The owner shall transfer the amount owing for the Public Art to the City wholly for its use, in consultation with Edmonton Arts Council, for the provision of Public Art on public property within the West Rosssdale Urban Design Plan Area.

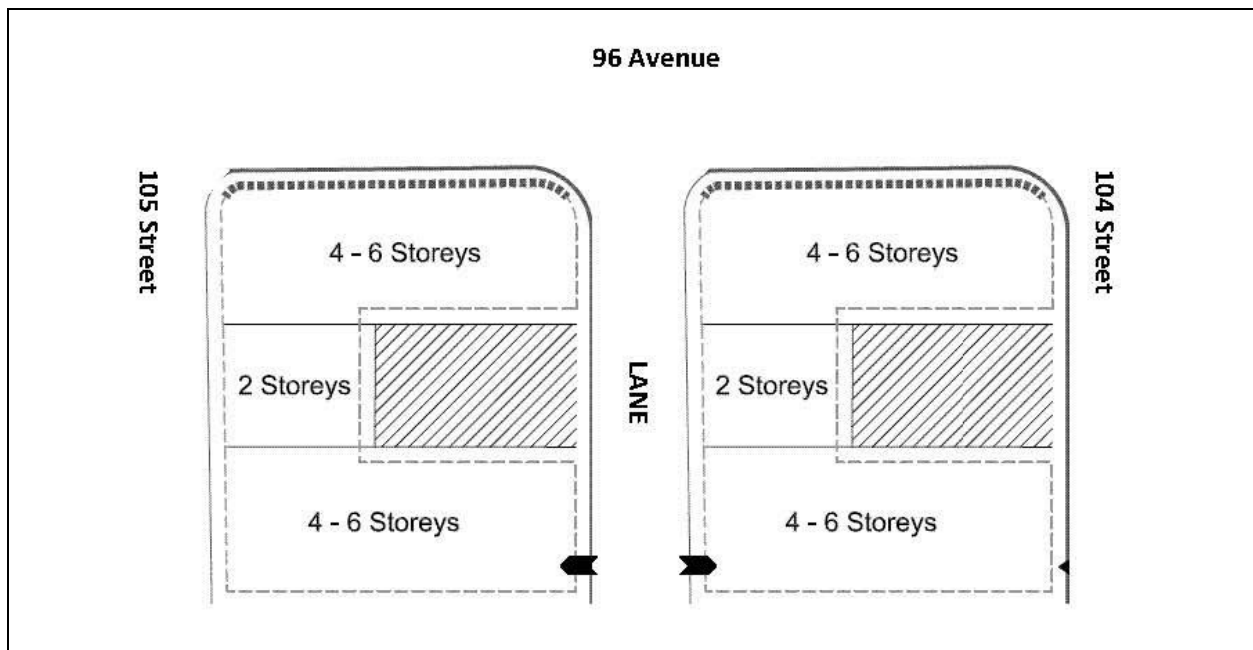
- b. Public Art shall consider commemoration of the archaeological/historical significance of the Rosssdale area.

6. Development Guidelines

- a. The design of rooftops visible from high-rise buildings should be carefully considered. Where physically and economically feasible, green roofs, rooftop gardens and patios should be provided to improve rooftop aesthetics and provide additional amenity space.
- b. Facades shall be treated with high quality materials and given vertical articulation and emphasis. Variation of building materials and colour shall be used to break monotony of long building facades.
- c. Separation space between dwellings and other elements of the development should be sited and oriented to minimize their impact on other Dwellings, considering such things as daylight, sunlight, ventilation, quiet, visual privacy and views.
- d. The creation of adverse micro-climatic affects due to building construction such as wind tunnelling, shadowing and loss of sunlight, on and off site, though the massing and location of buildings should be avoided.
- e. Buildings should be designed to include on site alternative energy sources.
- f. The incorporation of features such as recycling, water saving strategies, low-water landscaping, energy-efficient lighting, green roofs and other devices should be considered in building on site designs to reduce the consumption of energy and materials.
- g. Landscaping of Sites in this Area should consider the use of plant materials that are indigenous to the river valley. Plant materials that provide colour throughout the year should also be considered to enhance their appearance during the winter months.
- h. Additional bicycle parking racks may be placed on road right-of-way subject to the review and approval of Transportation Services.
- i. Parking, loading and passenger drop-off areas should be easily accessible and designed to minimize pedestrian-vehicle conflicts.

6.1 Off-site Improvements

- a. Prior to the issuance of a building permit, the owner shall enter into an agreement with the City of Edmonton for the off-site improvements necessary to serve the development. The Agreement Process includes an engineering drawing review and approval process. Improvements to be addressed in the Agreement shall include, but not be limited to the following:
 - i. Repair of any damage to the abutting roadways, sidewalks and/or boulevards resulting from construction of the development, to the satisfaction of Transportation Services. The site must be inspected by Transportation Services prior to the start of construction and once again when construction is complete;
 - ii. The potential upgrade of the alleys adjacent to the site;
 - iii. The relocation and/or alteration of existing utilities and installation of new utilities, including water utilities, as required by EPCOR Water; and
 - iv. The provision of landscaping and streetscape elements on public space.



Legend		Appendix I
----- Active Residential Frontage		Area C
..... Active Live / Work Frontage		
--- Pedestrian Walkways		
[. . .] Mid Block Publicly Accessible Open Space		
[/ / /] Private Courtyards		
[>] Parking Garage/Parkade Access		
NOTE: This map is a diagrammatic representation of the items listed in the legend.		West Rosedale Urban Design Plan Edmonton, Alberta
		Date: April 2011

