

(DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION

1. General Purpose

To accommodate a mixed use development comprised of a podium and Tower with ground oriented commercial uses along Jasper Avenue and 123 Street and ground oriented residential uses along 123 Street that promote a walkable and vibrant public realm.

2. Area of Application

This provision shall apply to the lands legally described as Lot 18, Block 19, Plan RN22, Lot 19, Block 19, Plan RN22 and Lot 20, Block 19, Plan RN22, located at 12312 Jasper Avenue NW and 10110 123 Street NW, shown in Schedule “A” of the Bylaw adopting this Provision.

3. Permitted Uses

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

- o. Hotels
- p. Household Repair Services
- q. Indoor Participant Recreation Services
- r. Live Work Units
- s. Lodging Houses
- t. Major Alcohol Sales
- u. Major Home-Based Business
- v. Market
- w. Media Studios
- x. Minor Alcohol Sales
- y. Minor Home-Based Business
- z. Nightclubs
- aa. Non-accessory Parking
- bb. Private Clubs
- cc. Protective and Emergency Services
- dd. Personal Service Shops
- ee. Public Education Services
- ff. Professional, Financial and Office Support Services
- gg. Private Education Services
- hh. Public Libraries and Cultural Exhibits
- ii. Residential Sales Centre
- jj. Restaurants
- kk. Row Housing
- ll. Second-hand Stores
- mm. Special Event

- nn. Specialty Food Services
- oo. Urban Gardens
- pp. Urban Indoor Farm
- qq. Urban Outdoor Farms
- rr. Veterinary Services
- ss. Warehouse Sales
- tt. Fascia On-Premises Signs
- uu. Fascia Off-Premises Signs
- vv. Free-Standing On-Premises Signs
- ww. Free-Standing Off-Premises Signs
- xx. Major Digital Signs
- yy. Minor Digital Off- Premises Signs
- zz. Minor Digital On- Premises Signs
- aaa. Minor Digital On- Premises Off- Premises Signs
- bbb. Projecting On-premises Signs
- ccc. Temporary On-premises Signs

4. Development Regulations for Uses

- a. Each Restaurant Use shall be limited to a maximum of 460 m² of Public Space, excluding exterior patio/deck/terrace space which can be to a maximum of 50% of the interior Public Space.
- b. Each Specialty Food Services Use shall be limited to a maximum 300 m² of Public Space, excluding exterior patio/deck/terrace space which can be to a maximum of 50% of the interior Public Space
- c. Each Bar and Neighbourhood Pub Use shall be limited to a maximum of 300 m² of Public Space, excluding exterior patio/deck space.
- d. Each Nightclub Use shall be limited to 240 m² of Public Space, if the Site is adjacent to or across a Lane from a Site zoned residential.
- e. Breweries, Wineries and Distilleries shall only be allowed if developed in combination with a Restaurant or Bar and Neighbourhood Pub as described in this

provision.

- f. Restaurants, Speciality Food Services, Bar and Neighbourhood Pub and Nightclub Uses shall be permitted to have a patio / deck / terrace on the podium rooftop, not exceeding an area of 200 m². This area shall not be included in the calculation of Public Space as described in this provision.
- g. Each Secondhand Stores Use shall be limited to a maximum 275 m² of Floor Area.
- h. Residential Sales Centres shall be limited to the marketing of the on-Site condominium or rental Dwellings.
- i. Sign shall comply with the regulations found in Schedule 59H.
- j. A Comprehensive Sign Design Plan in accordance with Section 59.3 of the Zoning Bylaw shall be prepared for the development and submitted with the Development Permit application for the principal building.
- k. Temporary On-premises Signs shall be limited to project advertising associated with an on-Site Residential Sales Centre and shall not include trailer mounted or signs with changeable copy.

5. Development Regulations for Site Layout and Built Form

- a. The development shall be in general conformance with the attached Appendices.
- b. The maximum Height of the Tower shall be 98.0 m.
- c. The maximum Height of the podium along Jasper Avenue shall be 10.0 m, not including the podium parapet.
- d. The maximum Height of the podium along 123 Street shall be 10.0 m, not including the podium parapet.
- e. The maximum Floor Plate of the Tower shall be 750 m².
- f. The maximum Floor Area Ratio (FAR) shall be 11.0.
- g. The maximum number of Dwellings shall be 305.
- h. Minimum Setbacks from the Lot lines shall be provided as follows:
 - i. From the north Lot line – 0 m
 - ii. From the south Lot line – 1 m
 - iii. From the east Lot line – 0 m

- iv. From the west Lot line – 0 m
- i. The minimum Tower setbacks from the Lot lines shall be as follows:
 - i. From the north Lot line – 12.0 m
 - ii. From the south Lot line – 3.0 m
 - iii. From the east Lot line – 2.5 m
 - iv. From the west Lot line – 9.5 m
- j. The maximum width of any Tower Façade shall be 34.0 m.
- k. The portions of the Parking Garage below ground level shall not be subject to required Setbacks and can extend to all Lot lines.
- l. A minimum Amenity Area of 7.5 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 Common Amenity Areas such as, but not limited to meeting rooms, communal cooking facilities, communal lounges and fitness areas.
- m. Amenity Area for Commercial uses shall not be required.
- n. Platform Structures in the form of balconies with a minimum depth of 1.2 m may be used to satisfy required Amenity Area.
- o. The minimum separation distance between Towers shall be 20.0 m. The Development Officer may vary 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
- p. Notwithstanding Section 48 of the Zoning Bylaw, required Separation Space shall be reduced to the required setbacks.

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

- a. All vehicular parking shall be provided in the underground Parking Garage for residential Uses.
- b. Vehicular access to the underground Parking Garage shall be provided from the rear Lane, in general conformance with the Appendices, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation).

- c. The maximum number of Off-street Vehicular Accessory Parking spaces shall be 205 parking spaces.
- d. Up to 40% of the required Off-street Vehicular Accessory Parking spaces may be of a length shorter than that required above, and shall be clearly signed as small car spaces, easily located and convenient to use.
- e. Up to 12 Off-street Vehicular Accessory Parking spaces may be provided as tandem if the tandem Parking is not used for visitor parking, tandem Parking does not block access to any other parking space and tandem Parking spaces are developed to provide parking for the same Dwelling.
- f. Variances to the number of off-street vehicular accessory parking spaces may be considered by the Development Officer if the owner can demonstrate through a Parking Impact Assessment, that the parking proposed is less or more than that required by this Provision and rationalizes any variance in parking requirements to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation).
- g. Accessory vehicular parking for Non-Residential and Non-Residential-Related Uses may share parking spaces with residential visitor parking through an owner-operated parking management program.
- h. A minimum of 85 Bicycle Parking spaces shall be provided within secured communal bicycle storage areas within the underground Parking Garage or in another secure location within the Podium or Tower that is easily accessible to cyclists via access ramps, or a route through the building which facilitates easy and efficient transportation of bicycles:
 - i. 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).
 - ii. Bicycle Parking may be located more than 15.0 m from a building's principal entrance.
- i. The underground Parking Garage ramp shall not exceed a slope of 6% for a minimum distance of 4.5 m inside the Lot line and the ramp must be at Grade at the Lot line, or to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination.
- j. Retaining walls bordering the underground Parking Garage ramp, shall not exceed a Height of 0.3 m at the Lot line nor 1.0 m within 1.0 m of the Lot line and no portion of the wall may encroach onto road right-of-way. The Development Officer may increase this Height if adequate sight line data is provided to ensure vehicles can exit safely to the satisfaction of the Development Officer, in consultation with Subdivision and Development Coordination.

- k. Loading, storage and waste collection areas shall be concealed from public roadways with the waste collection areas located within the buildings. 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.
- l. A minimum of one (1) Off-street Loading space shall be provided for the Site.

7. Development Regulations for Landscaping and Lighting

- a. 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.
- b. Building Setbacks at Grade in front of Commercial Uses shall be landscaped with hard surfacing and integrated with the pedestrian oriented public realm to create Public Amenity Space.
- c. Landscaping, both on-Site and off-Site, shall consider the use of plant materials that provide colour throughout the year to enhance the appearance of the development during the cold weather months.
- 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. Each tree shall be removed and replaced by a new tree within an enhanced growing medium at the cost of the owner. The owner shall be responsible for maintenance of the trees for a minimum of two years after installation.

8. Development Regulations for Building Design and Features

- a. The building shall be comprised of a podium and Tower configuration.
- b. The Tower shall provide articulation and visual interest through the variation of material/color or other means to the satisfaction of the Development Officer.
- c. The podium rooftops of the development shall improve rooftop aesthetics to the satisfaction of the Development Officer. Improvements to aesthetics shall include screening of mechanical equipment, appropriate roof surface material, colour and texture variations and / or hard or soft Landscaping.
- d. All mechanical equipment, including ground level 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.

- e. Exterior building materials shall be durable, high quality and appropriate for the development within the context of the immediately surrounding neighbourhood, including, but not limited to: masonry, stone, brick, metal cladding/panelling and/or glazing. The contextual fit, design, proportion, quality, colour, texture and application of various exterior finishing materials for the podium, Tower and ground oriented Dwellings, shall be determined at the Development Permit stage.
- f. The use of vinyl siding as a finishing material is prohibited for the development.
- g. Active commercial frontages in the south podium facing Jasper Avenue shall meet the following to the satisfaction of the Development Officer:
 - i. Building entrances, and windows shall be oriented to front a public roadway;
 - ii. The placement and type of windows shall allow viewing into the building to promote a positive pedestrian-oriented street;
 - iii. Weather protection, where appropriate, in the form of canopies or other architectural elements shall be provided to create a comfortable environment for pedestrians; and
 - iv. A minimum of 70% of the linear frontage shall consist of transparent glazing. Linear Frontage shall be measured as the horizontal plane at 1.5 m above Grade.
- h. All ground-oriented Dwellings that face 123 Street shall provide an individual external entrance at Grade oriented and clearly visible to be readable from and lend a sense of occupancy to the public roadway using features such as, but not limited to porches, staircases and stoops.
- i. A semi-private outdoor Amenity Area in front of each at-Grade Dwelling exterior entry shall be provided in a manner that establishes a transition area between the public roadway including a Lane, using landscape features such as decorative fencing, change in Grade, and/or built elements such as private enhance features and verandas or porches.
- j. Building Façades on the podium fronting onto Jasper Avenue shall be designed with detail and articulation at intervals ranging from 8.0 m to 16.0 m to create an attractive streetscape.
- k. 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 and safe environment for pedestrians in accordance with Section 58 of the Zoning Bylaw, 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 such that it has no negative impact on an adjacent property in accordance with Section 51 of the Zoning Bylaw. A detailed exterior lighting plan shall be provided with the Development

Permit application to the satisfaction of the Development Officer,

1. Yards, including useable outdoor spaces, shall continue the public sidewalk paving materials, finish, and pattern

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

- i. 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.
- ii. 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).

- b. Prior to the issuance of a development permit for:

- i. a building that contains 12 or more Dwelling units; or
- ii. 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.

- c. Prior to the issuance of the Development Permit, details shall be provided to the satisfaction of the Development Officer that a minimum of \$475,000 shall be provided towards community amenity contributions including but not limited to:
 - 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 are not limited to: Increased setbacks, sidewalk upgrades, extra trees, benches, lights or bike racks.

- ii. Upgrades to public parks or community facilities (including community league facilities) within the community.
- iii. Publicly-viewable art by a commissioned artist. The following shall apply to this contribution:
 - 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.
 - 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.
 - Artworks shall be commissioned or purchased by the owner(s) and all costs and procedures related to the procurement of the artworks.

10. Other Regulations

- a. Sun Shadow and Wind Impact Study may be required at the discretion of the Development Officer for submission 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 the recommendations of the Sun Shadow Impact Study and Wind Impact Study.
- b. Prior to the issuance of any Development Permit, except for the purpose of demolition and excavation, 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).
- 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 the (CB1) Low Intensity Business Zone and (CB3) Commercial Mixed Business Zone respectively.

Appendix A – Illustrative Site Plan

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Appendix B – Illustrative Landscape Plan

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Appendix C – Illustrative Elevations

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