

Charter Bylaw 18615

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 2683

WHEREAS Lots 153-156, Block 5, Plan B2; located at 10305 and 10321 - 106 Street NW, Downtown, Edmonton, Alberta, are specified on the Zoning Map as (UW) Urban Warehouse Zone; and

WHEREAS an application was made to rezone the above described property to (DC2) Site Specific Development Control Provision;

NOW THEREFORE after due compliance with the relevant provisions of the Municipal Government Act RSA 2000, ch. M-26, as amended, the Municipal Council of the City of Edmonton duly assembled enacts as follows:

1. The Zoning Map, being Part III to Bylaw 12800 The Edmonton Zoning Bylaw is hereby amended by rezoning the lands legally described as Lots 153-156, Block 5, Plan B2; located at 10305 and 10321 - 106 Street NW, Downtown, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (UW) Urban Warehouse Zone to (DC2) Site Specific Development Control Provision.
2. The uses and regulations of the aforementioned DC2 Provision are annexed hereto as Schedule "B".

3. The sketch plan annexed hereto as Schedule "A" and the uses and regulations of the DC2 Provision shown on Schedule "B" annexed hereto are hereby incorporated into the Zoning Bylaw, being Part IV to Bylaw 12800, The Edmonton Zoning Bylaw.

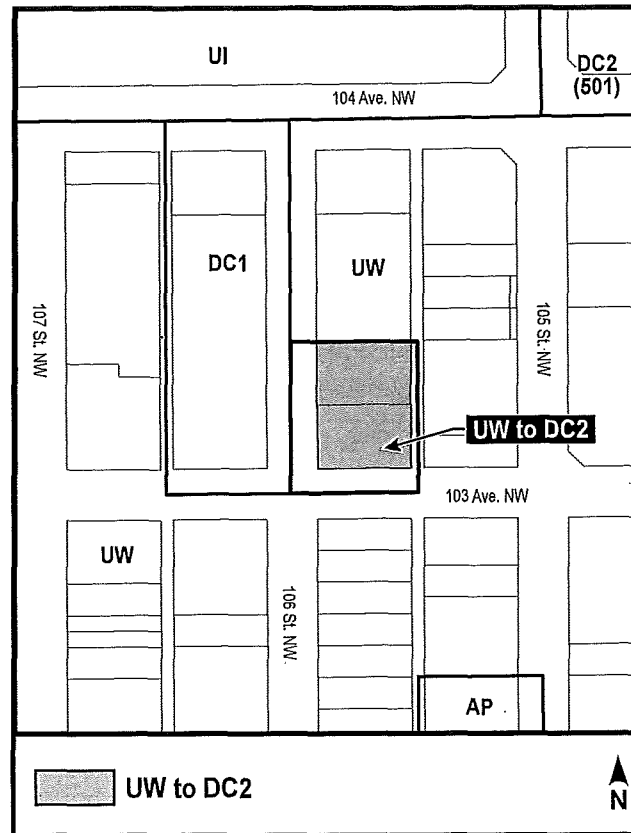
READ a first time this	26th	day of	November	, A. D. 2018;
READ a second time this	26th	day of	November	, A. D. 2018;
READ a third time this	26th	day of	November	, A. D. 2018;
SIGNED and PASSED this	26th	day of	November	, A. D. 2018.

THE CITY OF EDMONTON

MAYOR

CITY CLERK

CHARTER BYLAW 18615



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

To accommodate a high density residential tower on a podium allowing a mix of other uses with a design that ensures the integration of the building within the Warehouse Campus Neighbourhood including active and inviting pedestrian oriented streetscapes.

2. Area of Application

This Provision shall apply to Lot 153-156, Block 5, Plan B2; located on the northeast corner of 106 Street NW and 103 Avenue NW, as shown on Schedule "A" of the Bylaw adopting this Provision, Downtown.

3. Uses

- a. Apartment Housing
- b. Bars and Neighbourhood Pubs
- c. Breweries, Wineries and Distilleries
- d. Business Support Services
- e. Cannabis Retail Services
- f. Child Care Services
- g. Convenience Retail Stores
- h. Creation and Production Establishments
- i. General Retail Stores
- j. Government Services
- k. Group Homes
- l. Health Services
- m. Hotels
- n. Indoor Participant Recreation Services
- o. Limited Group Homes
- p. Live Work Units
- q. Lodging Houses
- r. Major Alcohol Sales
- s. Minor Alcohol Sales
- t. Major Home Based Business
- u. Minor Home Based Business

- v. Personal Service Shops, excluding Body Rub Centres
- w. Professional, Financial and Office Support Services
- x. Private Clubs
- y. Private Education Services
- z. Public Libraries and Cultural Exhibits
- aa. Residential Sales Centre
- bb. Restaurants
- cc. Secondhand Stores
- dd. Specialty Food Services
- ee. Veterinary Services
- ff. Fascia On-premises Signs
- gg. Projecting On-premises Signs
- hh. Temporary On-premises Signs
- ii. Urban Gardens
- jj. Urban Indoor Farms

4. Development Regulations

4.1 General

- a. The development shall be in general conformance with the attached Appendices to the satisfaction of the Development Officer.
- b. Indoor Participant Recreation Services shall only be developed above the ground Storey.
- c. Each Restaurant and Specialty Food Service Use shall be limited to a maximum of 235 m² of Public Space, excluding exterior patio/deck space which can be to a maximum of 50% of the interior Public Space.
- d. Each Bars and Neighbourhood Pubs Use shall be limited to 100 occupants and 120 m² of Public Space.
- e. Breweries, Wineries and Distilleries shall only be allowed if developed in combination with a Restaurant or Bar and Neighbourhood Pub and the total Public Space, including any private non-sale hospitality area, does not exceed the Public Space allowed for a Restaurant or Bar and Neighbourhood Pub as described in this Provision.
- f. Temporary On-premises Signs shall be limited to project advertising associated with a Residential Sales Centre and shall not include trailer mounted or signs with changeable canopy.
- g. The maximum Height shall be 126.0 m.

- h. The maximum Floor Area Ratio shall be 11.0.
- i. The maximum number of Dwellings shall be 320.
- j. The maximum combined Floor Area for Commercial Uses shall be 840 m².
- k. The Height of the Street Wall along 106 Street NW and 103 Avenue NW shall not be less than 13.0 m or more than 19.5 m. The Street Wall is measured from Grade to the top of the parapet.
- l. The minimum setback from 106 Street NW and 103 Avenue NW shall be 1.5 m.
- m. Tower Setbacks from Lot lines shall apply to the storeys of the development above the Street Wall and shall be as follows, as shown in Appendix III:
 - i. Minimum 22.0 m on the south;
 - ii. Minimum 13.0 m on the west;
 - iii. Minimum 6.5 m on the north; and
 - iv. Minimum 8.0 m on the east.
- n. Notwithstanding Section 44 of the Zoning Bylaw, balconies shall not project more than 2.0 m into the Tower Setbacks.
- o. A minimum of 7.5 m² per Dwelling shall be provided as Amenity Area on the Site. Of this, a minimum of 300 m² of Common Amenity Area shall be provided within the building for use by residents. Common Amenity Area shall include, but is not be limited to, change room facilities, fitness rooms, residential meeting rooms, courtyard and Rooftop Terraces.
- p. The maximum Tower Floor Plate shall be 650 m².
- q. A Development Permit for excavation for the purpose of remediation is required prior to excavation of the Site.
- r. Prior to the issuance of a Development Permit, except for Development Permits for demolition, excavation, shoring or signage, additional Environmental Site Assessment work, an Environmental Risk Management Plan and Remedial Action Plan, as required by the Development Officer, shall be submitted and reviewed to the satisfaction of the Development Officer in consultation with City Planning (Environmental Planner). The Development Officer shall impose any Development Permit conditions necessary, prior to the release of the drawings for Building Permit review, to ensure that the Site is suitable for the full range of uses contemplated in the Development Permit application.
- s. Prior to the issuance of a Development Permit, except for Development Permits for demolition, excavation, shoring or signage, the Site shall be remediated and a Remediation Report, along with any required updates to the Risk management Plan, shall be submitted and reviewed to the satisfaction of the Development Officer in consultation with City Planning (Environmental Planner).
- t. Signs shall conform to Schedule 59F and be in accordance with the General Provisions of Section 59 of the Zoning Bylaw.

- u. The Development Officer shall have regard for visual harmony and the compatibility of a proposed sign with the architectural character and finish of the development and with the design, location and appearance of other signs on the development.
- v. A Comprehensive Sign Design Plan in accordance with the Provisions of Section 59.3 shall be submitted to the satisfaction of the Development Officer,
- w. Prior to the issuance of any Development Permit, except for the purpose of excavation only, 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).
- x. 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 that:
 - i. the maximum Height shall be 50.0 m; and
 - ii. the maximum Floor Area Ratio shall be 6.0.

4.2 Parking, Loading and Waste

- a. Notwithstanding Section 54 of the Zoning Bylaw, the development shall provide a minimum of 275 and a maximum of 325 on-site vehicular parking spaces, including a minimum of 10 visitor parking spaces.
- b. All vehicular parking for all Uses, including visitor parking, shall be provided below Grade.
- c. Vehicular access and egress shall be provided off the rear Lane abutting the development.
- d. The driveway/ramp to the underground Parking Garage must not exceed a slope of 10% for a minimum distance of 5.0 m inside the Lot line and the ramp must be at Grade at the Lot line. Any underground parking access card devices must be located on Site, a minimum of 3.0 m inside the property line.
- e. Retaining walls bordering the underground driveway/Parking Garage ramp, must not exceed a Height of 0.3 m for a distance of 3.0 m from the Lot line and no portion of the wall may encroach onto road right-of-way. Should the owner/applicant wish to increase this Height, adequate sight line data must be provided to ensure vehicles can exit safely.
- f. The development shall provide a minimum of 250 indoor bicycle parking spaces developed in accordance with Section 54 of the Zoning Bylaw.
- g. Notwithstanding Section 54 of the Zoning Bylaw, a minimum of one off-street vehicular loading space 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.

- h. Loading, storage and waste collection areas shall be concealed from view from adjacent sites and public roadways in accordance with the provisions of Section 55 of the Zoning Bylaw.
- i. Any waste collection area or storage area shall be located adjacent to the Lane, within the principal building and designed to the satisfaction of the Development Officer in consultation with Waste Management Services and Subdivision and Development Coordination. Gates and/or doors of the waste enclosure must not open or encroach into road right-of-way.

4.3 Landscaping

- a. Notwithstanding Section 55 of the Zoning Bylaw, Landscaping for the Site shall be in general conformance with Appendix II.
- b. A detailed Landscape Plan for the Site, including all existing and proposed utilities within the road right-of-way shall be submitted by a registered AALA Landscape Architect as part of a Development Permit application for review and approval by the Development Officer.
- c. The Landscape Plan shall include pavement materials, exterior lighting, street furniture elements, pedestrian seating area, sizes and species of new and existing tree plantings, and other Landscaping elements as applicable.

4.4 Architecture and Urban Design

- a. With the exception of emergency exits and stairwells, glazing on the ground floor portion of the Façade abutting 106 Street NW and 103 Avenue NW shall only contain glazing that is transparent, non-reflective, untinted and unobscured to the satisfaction of the Development Officer.
- b. Blank walls or non-transparent surfaces (excluding glazing) shall not exceed 50% of the linear building frontage at Grade, where fronting onto 106 Street NW and 103 Avenue NW.
- c. Architectural treatment of the ground storey fronting 106 Street NW and 103 Avenue NW shall ensure that windows are used and that the placement and type of windows shall allow viewing into the building to promote a positive pedestrian-oriented shopping street with individual at-grade entrances.
- d. The portion of the development below the Tower shall be differentiated from the Tower by distinct architectural treatment.
- e. The following shall apply to the podium of the Tower:
 - i. Façades shall incorporate architectural design details or features that reflect the predominant urban warehouse character of the area to the satisfaction of the Development Officer.
 - ii. Building materials must be sustainable, durable, high quality and appropriate for the development within the context of the urban warehouse campus neighbourhood. The contextual fit, design, proportion, quality,

texture and application of various finishing materials shall be to the satisfaction of the Development Officer.

- iii. Brick shall be used as the predominant exterior cladding material.
- f. The building shall be oriented to face 106 Street NW and 103 Avenue NW.
- g. Decorative and security lighting shall be designed and finished in a manner consistent with the architectural theme of the development and shall be provided to ensure a well-lit and safe environment for pedestrians, and to accentuate architectural elements, rooftops and public art. 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 to the satisfaction of the Development Officer.
- h. 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.

4.5 Improvements and Contributions

- a. As a condition of a Development Permit, the owner shall enter in to a Servicing 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 drawings review and engineering approval process that will address the extent of off-site improvements including access, servicing and related street improvements required as a result of the development. It shall also address the repair of any damage to the abutting roadways, and/or sidewalks resulting from construction of the development, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination. The site shall be inspected by Subdivision and Development Coordination prior to the start of construction and once again when construction is complete.
- b. In addition to those items listed in Section 4.5(a) of this Provision, there shall also be provision, at the owner's expense, of upgraded paving and Landscaping of the pedestrian realm along 103 Avenue NW and 106 Street NW abutting the Site. These improvements shall be included within an agreement with the City of Edmonton. The final design of the improvements shall be in general conformance with the Downtown Streetscape Manual to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation), Urban Renewal and Parks and Roads (Urban Forestry).
- c. Prior to the issuance of a Development Permit for the construction of a principal building within this Provision, the Development Officer shall ensure that a signed agreement has been executed between the City and the Owner, requiring the Owner to provide the City the option to purchase 5% of the proposed number of residential Dwellings at 85% of the market price or, at the discretion of the owner,

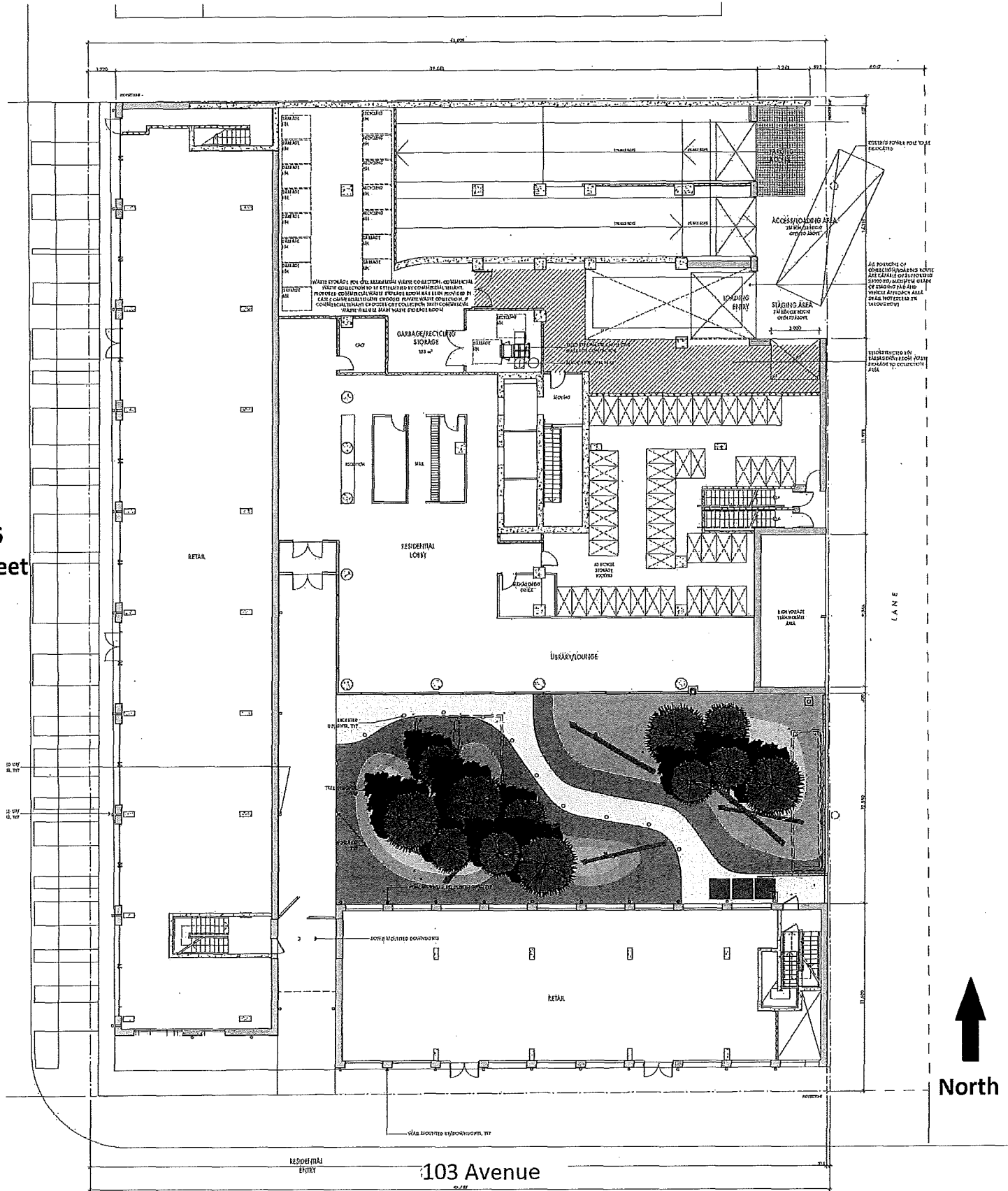
pay the equivalent cash in lieu to the City.

- d. Prior to the issuance of a Development Permit, the owner shall enter into an agreement with the City of Edmonton whereby the owner shall provide a minimum contribution of \$200,000 towards the acquisition of public art. Such agreement shall require that:
 - i. Prior to the issuance of a Development Permit a public art plan shall be prepared and submitted to the City of Edmonton for review and approval by the Development Officer. The art will be acquired through an art procurement process administered by the owner/operator.
 - ii. The art shall be located on-Site and the exact location must be to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination.
 - iii. Upon completion of the building, the Owner shall demonstrate, to the satisfaction of the Development Officer, that the public art described in the public art plan submitted at the time of Development Permit application is located as specified.
 - iv. If a development application has not been made within five (5) years of the date of passage of this Bylaw, the Public Art contribution shall be increased from that point forward according to the annual rate of national inflation as determined by Statistics Canada

Appendix I - Site Plan

11/17

106
Street

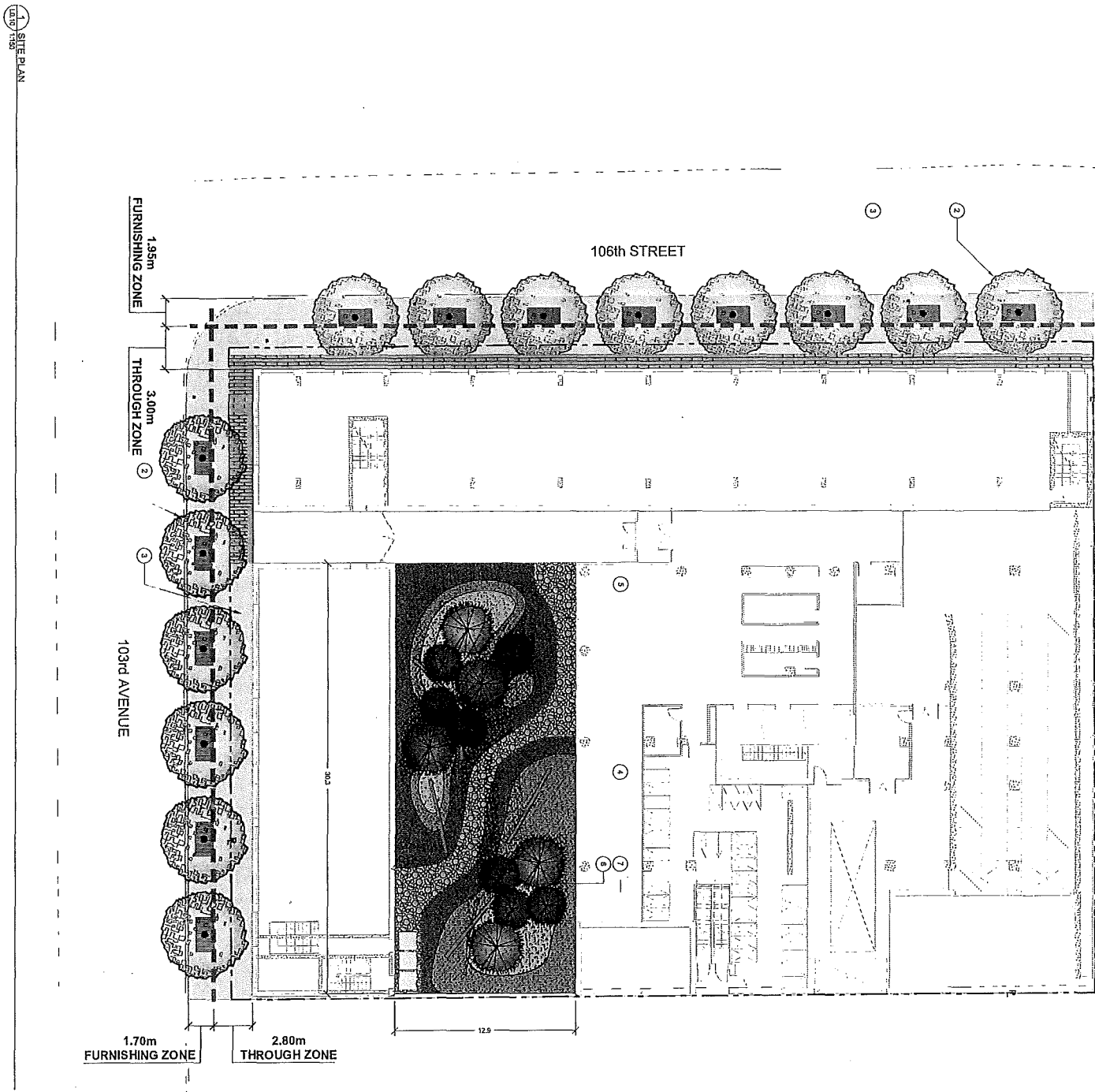


North

103 Avenue

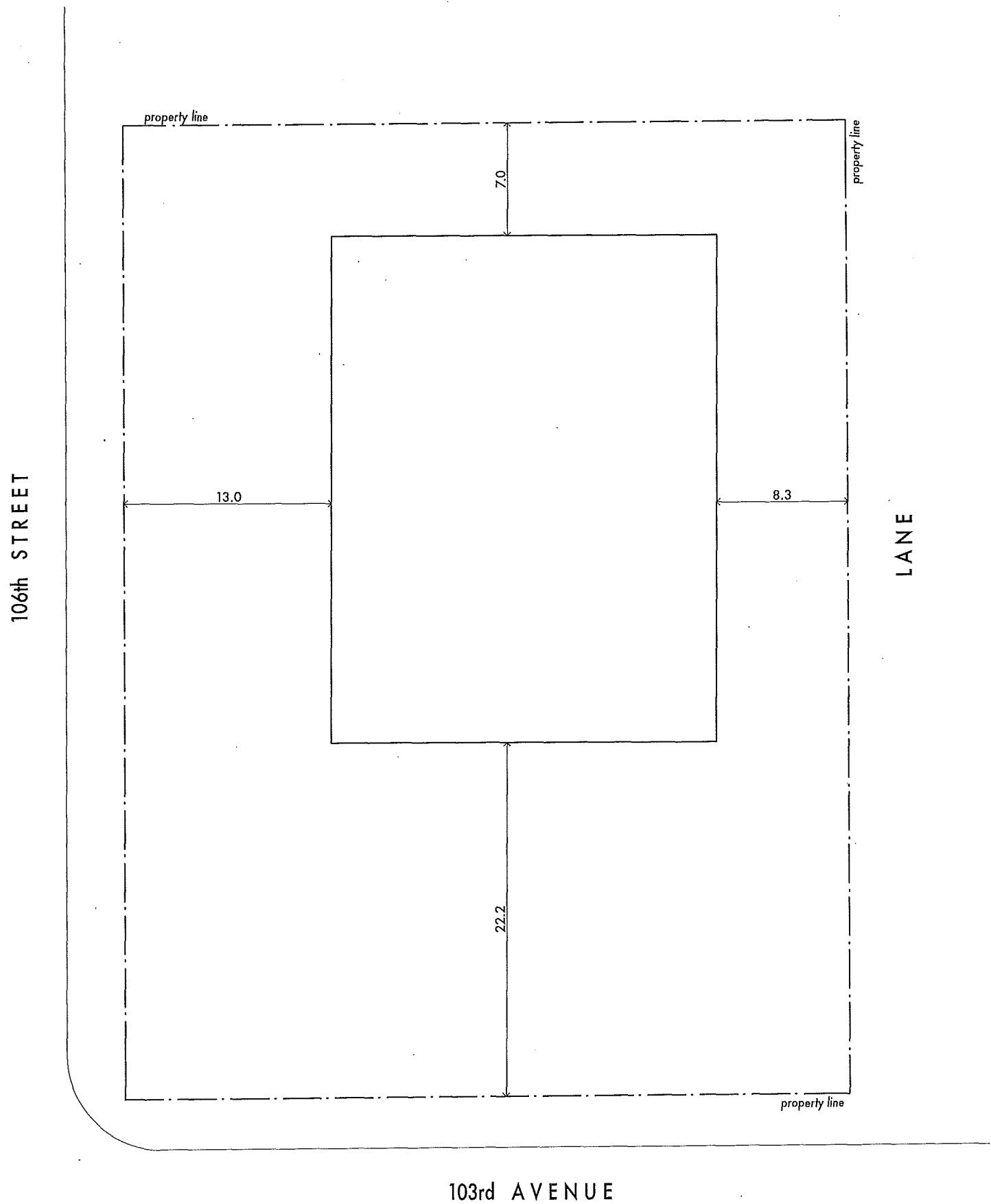
Appendix II - Landscape Plan 12/17

2018-09-17 7:00pm By: jmatthews
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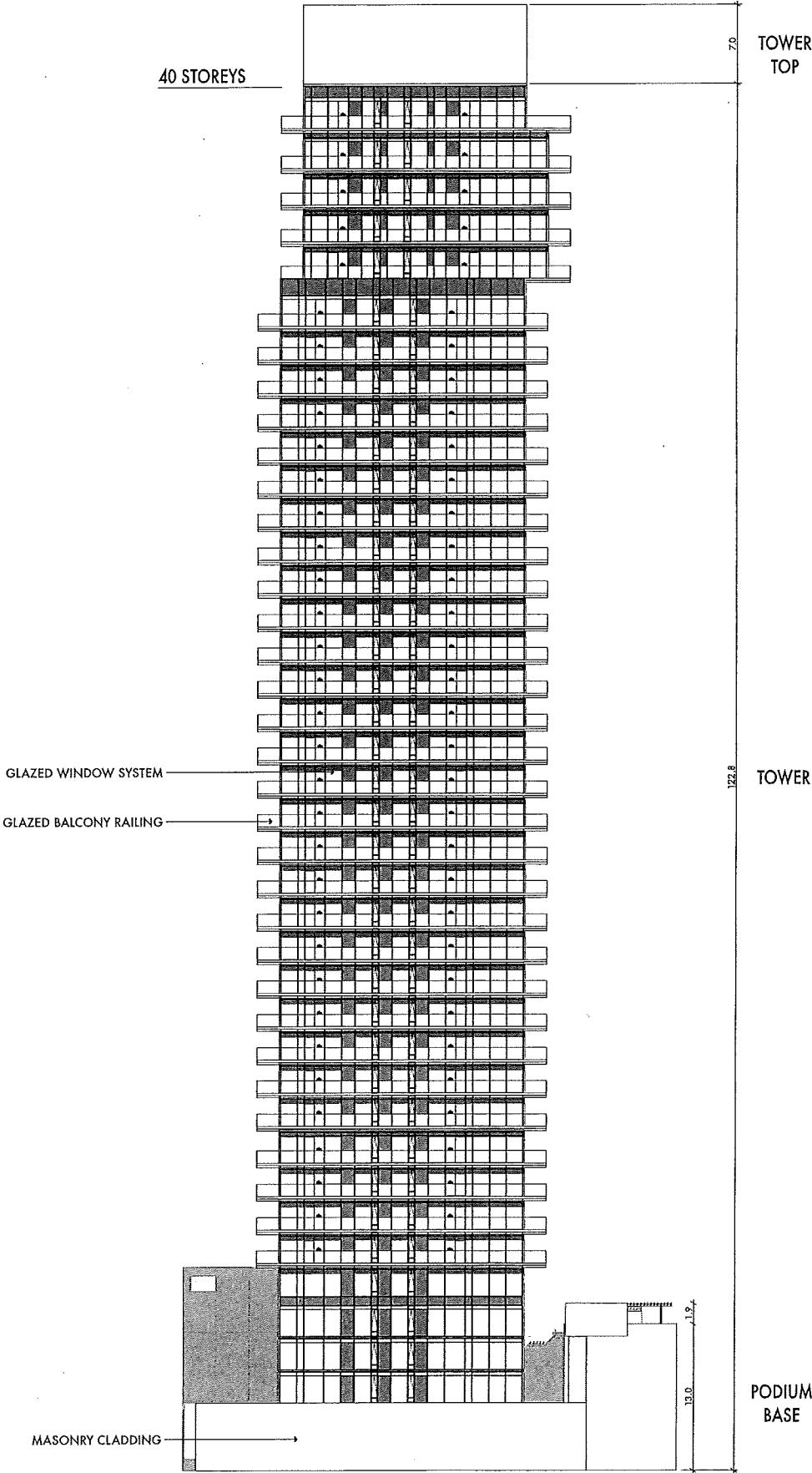


REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION
1	GENERAL APPROACH
2	1. THE COURTYARD IS DESIGNED TO PROVIDE INTERIOR VIEWS THAT CAPTURE THE ESSENCE OF THE NORTH FROM THE ENTRY CORRIDOR, LIBRARY AND THE CORRIDORS IN THE UPPER LEVELS.
3	2. GIVEN THE AMOUNT OF AVAILABLE LIGHT, THE NUMBER OF TREES MUST BE HIGH, BECAUSE THE TREES ARE COUPLED TO THE COURTYARD AND THE ENTRY CORRIDOR. THE TREES WILL GROW AT DIFFERENT RATES, THROUGH PLANNED LIKE RED CEDAR TREES.
4	STREET TREES - PER CITY LANDSCAPE STANDARD
5	STREET TREES - PER CITY LANDSCAPE STANDARD
6	STREET TREES - PER CITY LANDSCAPE STANDARD
7	STREET TREES - PER CITY LANDSCAPE STANDARD

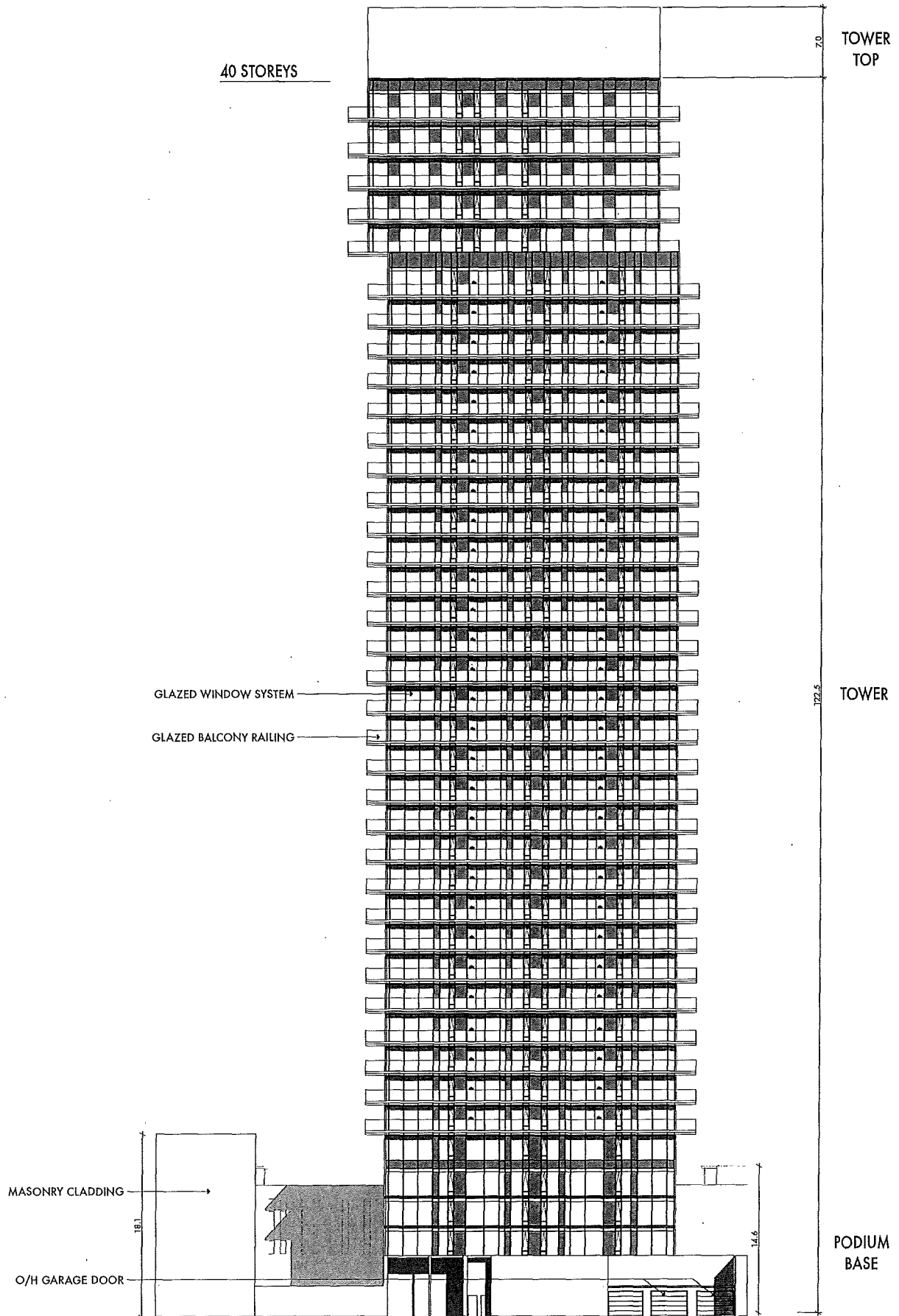


Appendix IV - North Elevation 14/17



Appendix V - East Elevation

15/17



Appendix VI - South Elevation 16/17

