

Bylaw 18099

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 2411

WHEREAS the lands shown on Schedule "A" and legally described on Schedule "B", located and generally bounded by 111 Street NW on the east, the lane west of 123 Street NW on the west, and one block north and south of 104 Avenue NW, 104 Avenue Corridor, Edmonton, Alberta, are specified on the Zoning Map as (DC1) Direct Development Control Provision; and

WHEREAS an application was made to rezone the above described property to (DC1) Direct 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 on Schedule "B", located and generally bounded by 111 Street NW on the east, the lane west of 123 Street NW on the west, and one block north and south of 104 Avenue NW, 104 Avenue Corridor, Edmonton, Alberta, which lands are shown on the sketch plan attached as Schedule "A", from (DC1) Direct Development Control Provision to (DC1) Direct Development Control Provision.
2. The uses and regulations of the aforementioned DC1 Provisions are attached as Schedules "C", "D", "E", and "F".

3. The sketch plan attached as Schedule "A" and the uses and regulations of the DC1 Provisions shown on Schedule "C", "D", "E", and "F" attached are hereby incorporated into the Zoning Bylaw, being Part IV to Bylaw 12800, The Edmonton Zoning Bylaw.

READ a first time this	10th	day of	July	, A. D. 2017;
READ a second time this	10th	day of	July	, A. D. 2017;
READ a third time this	10th	day of	July	, A. D. 2017;
SIGNED and PASSED this	10th	day of	July	, A. D. 2017.

THE CITY OF EDMONTON

MAYOR

CITY CLERK



LEGAL DESCRIPTIONS	ADDRESS	TO
Lot 29, Block D, Plan 7726AH	10302 - 121 Street NW	DC1
Lots 126-132, Block 11, Plan B4	10304 - 111 Street NW	DC1
Lot 28, Block D, Plan 7726AH	10308 - 121 Street NW	DC1
Lot 27, Block D, Plan 7726AH	10312 - 121 Street NW	DC1
Lot 26, Block D, Plan 7726AH	10316 - 121 Street NW	DC1
Lot 5, Block D, Plan 7726AH	10317 - 122 Street NW	DC1
Units 1-4, Plan 8120539	10318A - 121 Street NW	DC1
Units 1-4, Plan 8020851	10322 - 121 Street NW	DC1
Lot 6, Block D, Plan 7726AH	10323 - 122 Street NW	DC1
Lot 5, Block 3, Plan 4044AC	10324 - 122 Street NW	DC1
Units 1-40, Plan 7521106	10325 - 120 Street NW	DC1
Lot 7, Block D, Plan 7726AH	10327 - 122 Street NW	DC1
Lot 23, Block D, Plan 7726AH	10328 - 121 Street NW	DC1
Lot 6, Block 3, Plan 4044AC	10328 - 122 Street NW	DC1
Lot 44A, Block 20, Plan 3374RS	10330 - 120 Street NW	DC1
Lots 8-9, Block D, Plan 7726AH	10331 - 122 Street NW	DC1
Lots 342-343, Block 19, Plan 4423AJ	10332 - 119 Street NW	DC1
Plan 7726AH, Block D, Lot 22	10332 - 121 Street NW	DC1
Lot 7, Block 3, Plan 4044AC	10332 - 122 Street NW	DC1
Units 1-143, Plan 9323115	10333 - 121 Street NW	DC1
Units 1-36, Plan 0721855	10335 - 117 Street NW	DC1
Lot 21, Block D, Plan 7726AH	10336 - 121 Street NW	DC1
Lot 59, Block 19, Plan 4423AJ	10339 - 120 Street NW	DC1
Lot 20, Block D, Plan 7726AH	10340 - 121 Street NW	DC1
Units 1-4, Plan 8120158	10342 - 121 Street NW	DC1
Lot 341, Block 19, Plan 4423AJ	10344 - 119 Street NW	DC1
Units 1-31, Plan 8922055	10345 - 118 Street NW	DC1
Units 1-63, Plan 0423552	10346 - 117 Street NW	DC1
Units 1-4, Plan 8020783	10346 - 121 Street NW	DC1
Lot 17, Block D, Plan 7726AH	10350 - 121 Street NW	DC1
Lot F, Block 3, Plan 2806RS	10350 - 122 Street NW	DC1
Lot 16, Block D, Plan 7726AH	10354 - 121 Street NW	DC1
Lot 125A, Block 11, Plan 1282RS	10360 - 111 Street NW	DC1
Lot 118A, Block 11, Plan 1282RS	10371 - 112 Street NW	DC1
Units 1-470, Plan 0325697	10403 - 122 Street NW	DC1
Lots 9-10, Block 9, Plan RN22	10420 - 122 Street NW	DC1
Lot 12, Block 22, Plan RN22	10422 - 123 Street NW	DC1
Lot 13A, Block 22, Plan 8021184	10432 - 123 Street NW	DC1
Lot 11, Block 9, Plan RN22	10434 - 122 Street NW	DC1
Lots 14-16, Block 22, Plan RN22	10436 - 123 Street NW	DC1
Lot 3, Block 9, Plan RN22	10437 - 123 Street NW	DC1
Lot 2, Block 9, Plan RN22	10441 - 123 Street NW	DC1
Lots 12-13, Block 9, Plan RN22	10446 - 122 Street NW	DC1
Lot 15, Block 8, Plan 0926268	10504 - 122 Street NW	DC1

Lot 26, Block 1, Plan 1320377	10505 - 122 Street NW	DC1
Lot 6, Block 8, Plan 6654MC	10505 - 123 Street NW	DC1
Lot 3, Block 21, Plan 1425753	10507 - 121 Street NW	DC1
Lot 12, Block 23, Plan 7621109	10528 - 123 Street NW	DC1
Units 1-164, Plan 0520183,	10535 - 122 Street NW	DC1
Lot 10, Block 23, Plan 408KS	10540 - 123 Street NW	DC1
Lots 2-3, Block 8, Plan RN22	10543 - 123 Street NW	DC1
Lot 10, Block 23, Plan 408KS	10544 - 123 Street NW	DC1
Lot 1, Block 8, Plan RN22	10549 - 123 Street NW	DC1
Lot 6, Block 9D, Plan 0020365	11204 - 104 Avenue NW	DC1
Lot 1, Block 14D, Plan 1282RS	11215 - 104 Avenue NW	DC1
Lot 1, Block 9D, Plan 9121905	11410 - 104 Avenue NW	DC1
Lot 2, Block 14D, Plan 1282RS	11525 - 104 Avenue NW	DC1
Lot 66A, Block 16, Plan 7921610	11603 - 104 Avenue NW	DC1
Lot1, Plan 9422589	11604 - 104 Avenue NW	DC1
Lot 2, Block 21, Plan 1425753	11904 - 104 Avenue NW	DC1
Lot A, Block 20, Plan 8432ET	12041 - 104 Avenue NW	DC1
Blocks A-B, Plan 5747CL	12206 - Stony Plain Road NW	DC1
Lot 14, Block 9, Plan 7721247	12220 - Stony Plain Road NW	DC1
Units 1-50, Plan 8321021	12225 - Stony Plain Road NW	DC1
Lot 1, Block 9, Plan RN22	12225 - 105 Avenue NW	DC1
Lot 11, Block 22, Plan RN22	12302 - Stony Plain Road NW	DC1
Lot 13, Block 23, Plan 7621109	12310 - 105 Avenue NW	DC1
Lots 1-4, Block 22, Plan 4116AK	12315 - Stony Plain Road NW	DC1

**SCHEDULE "C"****(DC1) DIRECT DEVELOPMENT CONTROL PROVISION  
DC1 Area 1****1. General Purpose**

The purpose of this Provision is to facilitate the development of a pedestrian friendly and transit-supportive area that is characterized by its strong mix of retail, office, entertainment, and residential uses and its accessibility, open spaces, and sensitive interface between developments.

**2. Area of Application**

This Provision shall apply to land within the boundaries of the 104 Avenue Corridor Area Redevelopment Plan north of 104 Avenue NW between 121 Street NW and 112 Street NW, as shown on Schedule A attached to the Bylaw adopting this Provision and as identified on Appendix "1" attached.

**3. Uses**

- a. Apartment Hotels
- b. Apartment Housing
- c. Bars and Neighbourhood Pubs
- d. Business Support Services
- e. Child Care Services
- f. Commercial Schools
- g. Convenience Retail Stores
- h. Creation and Production Establishments
- i. Gas Bars
- j. General Retail Stores
- k. Government Services
- l. Health Services
- m. Hotels
- n. Household Repair Services
- o. Indoor Participant Recreation Services
- p. Live Work Unit
- q. Media Studios
- r. Minor Alcohol Sales

- s. Major Alcohol Sales
- t. Minor Amusement Establishments
- u. Minor Home Based Business
- v. Major Home Based Business
- w. Minor Service Stations
- x. Minor Impact Utility Service
- y. Nightclubs
- z. Non-accessory Parking
- aa. Personal Service Shops
- bb. Private Clubs
- cc. Private Education Services
- dd. Professional, Financial and Office Support Services
- ee. Public Education Services
- ff. Public Libraries and Cultural Exhibits
- gg. Residential Sales Centre
- hh. Restaurants
- ii. Secondhand Stores
- jj. Specialty Food Services
- kk. Spectator Entertainment Establishments
- ll. Veterinary Services
- mm. Fascia On-premises Signs
- nn. Major Digital Signs
- oo. Minor Digital Off-premises Signs
- pp. Minor Digital On-premises Signs
- qq. Minor Digital On-premises Off-premises Signs
- rr. Projecting On-premises Signs
- ss. Temporary On-premises Signs

#### **4. Development Regulations**

- a. The overall Site development shall be in accordance with the urban design criteria established herein, the 104 Avenue Corridor Area Redevelopment Plan, as amended, and in general conformance with the attached appendices, to the satisfaction of the Development Officer.

- b. For the purpose of this Provision, “Streets” are defined as Public Roadways or private streets as identified in Appendix 2.
- c. The maximum Floor Area Ratio shall be 5.0.
- d. The site is to consist of 3 sub-areas, as illustrated in Appendix 2, solely for the purpose of allocating Height.
- e. The maximum Building Height shall not exceed the following:

Sub-Area	Height (m)
1	50
2	40
3	23

- f. Building Setbacks shall be:
  - i. minimum 3.0 m and maximum 4.5 m along 104 Avenue NW and 116 Street NW;
  - ii. minimum 0.0 m to a maximum of 3.0 m abutting all other Streets;
  - iii. minimum 3.0 m Abutting Lot4MR, Block 21, Plan 1425753 (the Park west of 121 Street NW); and
  - iv. the Development Officer may increase the Setback for the purposes of public realm improvements, to accommodate a particular architecture style or street related activities such as sidewalk cafes and patios, and for separation of public and private spaces for Residential Uses.
- g. Notwithstanding Section 4(f) of this Bylaw and the definition of Setback in Zoning Bylaw 12800, the Development Officer, in consultation with Integrated Infrastructure Services, shall have regard to the approved concept plan or the preliminary Engineering Drawings for the West LRT line in determining building setbacks along 104 Avenue, and may calculate a building setback from the LRT easement line to accommodate future LRT operations where required. These setbacks shall range from 3.0m to 4.5m, but may be increased by the Development Officer for the purposes of public realm improvements.
- h. A minimum average Amenity Area of 7.5 m<sup>2</sup> per Dwelling shall be provided. Amenity areas may include meeting rooms, fitness facilities, outdoor space, and shall be exempt from Floor Area Ratio calculations.
- i. Balconies with a minimum depth of 1.5 m may be used to satisfy required Amenity Area.
- j. Non-residential or mixed-use buildings with a gross Floor Area over 2000 m<sup>2</sup> shall provide Amenity Area equivalent to a minimum of 3% of the Floor Area of non-residential Uses, to a maximum of 6%. Amenity Area may include interior landscaped open spaces, arcades, atriums, plazas and gardens and shall be exempt from Floor Area Ratio calculations.
- k. For the purpose of this Provision, Amenity Area cannot be used to fulfill the requirements of the community accessible open space network.



- l. At the Development Permit stage, a generalized concept plan shall be submitted for all new building development or substantial redevelopment to illustrate how the required minimum community accessible open space and circulation network will be provided, demonstrating the viability of these elements as the site intensifies.
- m. A Wind Impact Statement shall be submitted with each Development Permit application for a development having a Height greater than 20.0 m. At the discretion of the Development Officer, a detailed Wind Impact Study may be required to be submitted and be based on a computer model simulation analysis. A Wind Impact Statement and Wind Impact Study shall be prepared by a qualified, registered Professional Engineer, to professional standards.
- n. With each Development Permit application for a building over 20 m in Height, a Sun Shadow Study shall be submitted.
- o. 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 appropriate studies, to the satisfaction of the Development Officer.
- p. Prior to the 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).

**5. Parking, Loading and Storage**

- a. Vehicular and Bicycle Parking shall be provided in accordance with Section 54 of the Zoning Bylaw.
- b. Required Residential and Residential-Related Uses shall provide Off-street Vehicular Accessory Parking spaces as follows:

	Minimum Number of Required Parking Spaces	Maximum Number of Required Parking Spaces
Bachelor Suite or Bed Sitting Room	0.2	0.5
1 Bedroom Dwelling or Residential-Related Unit	0.4	0.75
2 or more Bedroom Dwelling or Residential-Related Unit	0.8	1.25
Visitor Parking	1 per 10 Dwellings	1 per 7 Dwellings

- c. Non-residential Uses shall provide Off-street Vehicular Accessory Parking spaces as follows:

	Minimum Number of Required Parking Spaces	Maximum Number of Required Parking Spaces prior to LRT Operation	Maximum Number of Required Parking Spaces post LRT Operation on 104 Avenue NW.
Any development within a Non-Residential Use Class not listed separately in this table	1.0 space per 400 m <sup>2</sup> of gross Floor Area	n/a	1.0 space per 200 m <sup>2</sup> of gross Floor Area
Convenience Retail Stores	No spaces required		
Restaurants, Bars and Neighbourhood Pubs, and Specialty Food Services with less than 200 occupants and 240 m <sup>2</sup> of Public Space	No spaces required		

- d. The Development Officer may consider, in consultation with Transportation Services, a vehicular parking reduction if a Parking Demand Study is submitted in conjunction with an application for a Development Permit justifying any reduction in vehicular parking requirements.
- e. Bicycle Parking spaces for Residential Uses shall be provided in a safe, secure, indoor location at a minimum rate of 40% of the number of Off-street Vehicular Parking Spaces required under Section 5(b) of this Provision, with 5 Bicycle Parking spaces being the minimum to be provided.
- f. For non-Residential Uses with a gross Floor Area over 5,000 m<sup>2</sup>, change r, showers, and covered, secured bicycle parking areas shall be provided to the satisfaction of the Development Officer. LEED™ standards shall be utilized to calculate the required areas.
- g. All residential vehicular parking shall be provided in below or above Grade Parking Garages, with the exception of visitor parking which may be located at the rear or sides of buildings.
- h. Parking Garages developed below Grade shall be permitted to be built to the property line.
- i. Parking Garages developed below Grade adjacent to a Street are to be located sufficiently below Grade, or a suitable alternative, and shall provide a minimum of 1.2 m soil depth to contribute to healthy root development.
- j. Above Grade Parking Garages that are part of the building podium shall be screened in a way that does not disrupt the continuity of the Street Wall, and shall

not exceed 12 m in Height. Screens may include, but are not limited to, public art and street fronting retail uses.

- k. No portion of an above Grade Parking Garage shall be allowed for a minimum depth of 8.0 m from any front Façade facing a Street.
- l. Non-accessory Parking above Grade in Parking Garages is not permitted adjacent to 104 Avenue NW.
- m. Non-accessory Parking at Grade is prohibited except as provided in a Parking Garage.
- n. Surface vehicular parking should be located to the interior of blocks wherever possible and shall be screened from view from the Streets by buildings or Landscaping.
- o. Surface vehicular parking is prohibited between the front of a building and the Street to limit the impact on the pedestrian environment.
- p. Surface vehicular parking is prohibited adjacent to Pedestrian Priority Areas fronting on 104 Avenue NW as identified in the 104 Avenue Corridor Area Redevelopment Plan, as amended.
- q. Side lot surface vehicular parking shall be limited to no more than 20.0 m of consistent length adjacent to 104 Avenue NW.
- r. A minimum 3.0 m landscaped buffer shall be provided to reduce the visual impact on pedestrians of surface vehicular parking developed adjacent to a Street, to the satisfaction of the Development Officer.
- s. Surface vehicular parking lots shall provide pedestrian connections with the utilization of clearly demarcated walkways, lighting and signage systems to reduce pedestrian conflict with vehicles.
- t. Vehicular and servicing access is not permitted from 104 Avenue NW, 114 Street NW and 116 Street NW. Site access is provided by the Private Street network as identified in Appendix 2.
- u. Vehicular and servicing access shall be established to reduce disruption to pedestrian use of the Streets and designed to minimize the visual impact through screening, orientation, and other applicable techniques to the satisfaction of the Development Officer.
- v. Vehicular and service access shall be located off the Streets and shall be provided to the satisfaction of Transportation Services.
  - i. Below Grade vehicular and service access portals shall not be developed within the Street as defined by section 6(c) of this Provision.
- w. No parking, loading, storage, waste collection, outdoor service or display area shall be permitted within required Setbacks.
- x. To mitigate negative impacts on the pedestrian environment, loading, storage and waste collection should be located internal to the development parcels created by the identified Streets.

- y. Off-street Vehicular Loading Facilities shall be concealed from view from adjacent Streets and Sites.
- z. Waste collection and storage areas shall be located within the building and shall be designed to the satisfaction of the Development Officer in consultation with Waste Management and Transportation Services.

## 6. Circulation Network

- a. A circulation network shall be established to define and expand the street grid, increase connectivity, rationalize development parcels, and guide development.
- b. Private Streets, as identified in Appendix 2, shall be designed and developed in a manner that is similar to a public roadway to the satisfaction of the Development Officer in consultation with Transportation Services. The Private Streets shall not be required to meet City Standards.
- c. Private Streets shall be developed in general accordance with Streets and Lanes section of the 104 Avenue Corridor Area Redevelopment Plan, as amended, and the following:
  - i. a pedestrian boulevard consisting of a sidewalk and Landscaping including boulevard trees and street furniture on both sides of the carriage way; and
  - ii. one vehicle travel lane in each direction and on-street parallel parking on both sides of the carriage way where possible.
- d. The owner(s) shall design and construct the “Greenway”, a publicly accessible internal minimum clear width 3.0 m hardscaped active transportation pathway, including lighting and Landscaping, connecting the existing Shared Use Path north of Lot 2, Block 21, Plan 1425753 to MacEwan University, as generally shown in Appendix 2. This shall be done to provide a high quality east/west active transportation route, in general accordance with Streets and Lanes section of the 104 Avenue Corridor Area Redevelopment Plan, as amended, and to the satisfaction of the Development Officer in consultation with Transportation Services.
- e. The owner(s) shall design and construct a publicly accessible internal minimum clear width 3.0 m hardscaped active transportation pathway, including lighting and Landscaping, connecting 104 Avenue NW at the 116 Street NW LRT Station to the Greenway as generally shown in Appendix 2 and to the satisfaction of the Development Officer in consultation with Transportation Services.
- f. Prior to the release of drawings for Building Permit review, the owner(s) shall enter into a Public Access Easement with the City of Edmonton to ensure 24 hour public access along the hardscaped active transportation pathways and the north /south Street in alignment with 114 Street NW. The easement shall make the private property owner(s) responsible for the maintenance and liability.
- g. The circulation network shall be developed and phased with concurrent adjacent Major Development Permit applications for new development or additions to existing development of 3000 m<sup>2</sup> of gross Floor Area or greater.

## **7. Landscaping**

- a. A Landscape Plan prepared by a registered Landscape Architect shall be submitted prior to the issuance of any Development Permit for the portion of the Site being developed, to the satisfaction of the Development Officer.
- b. The Landscape Plan shall include pavement materials, exterior lighting, street furniture elements, pedestrian seating area, sizes and species of new tree plantings, and other detailed Landscaping elements. The Landscape Plan shall include design of the adjacent Street and public realm where applicable.
- c. Landscaping within the Setback adjacent to 104 Avenue NW and 116 Street NW shall be developed to provide an enhanced pedestrian experience and a public realm that seamlessly transitions from public to private property by:
  - i. continuing the public sidewalk paving materials, finish, and pattern to compliment the adjacent streetscape. Soft Landscaping may be required at the discretion of the Development Officer; and
  - ii. providing design measures to reduce the environmental impacts of higher levels of vehicular traffic on the pedestrian experience.
- d. Landscaping on the Site shall consider the use of plant materials that provide colour throughout the year to enhance the appearance of the development during cold weather months.

## **8. At-Grade Community Accessible Open Space Network**

- a. An at-Grade community accessible open space network shall be established to support increased density and livability.
- b. A diversity (size and programming) of open space shall be provided throughout the area and designed to accommodate year-round use. Open space shall include, but is not limited to: space devoted to public gatherings, child and family friendly activities, pedestrian movement and other social and recreational functions.
- c. A minimum of 0.603ha of at-Grade community accessible open space shall be developed on the sites as follows:
  - i. a minimum of 0.402 ha west of 116 Street NW shown as Block A in Appendix 3, and legally described as Lot 1, Plan 9422589 at the time of the passage of this bylaw;
  - ii. a minimum of 0.201 ha east of 116 Street NW shown as Block B in Appendix 3, and legally described as Lot 1, Block 9D, Plan 9121905 at the time of the passage of this bylaw; and
  - iii. The minimum at-grade community accessible open space shall be provided as site intensity surpasses the site FAR thresholds in the following manner:

	Site Threshold FAR	Minimum Total Open Space provided
<b>Block A</b>	1.0	0.2 ha
	2.0	0.402 ha
<b>Block B</b>	1.0	0.1 ha
	2.0	0.201 ha

*e.g. A minimum of 0.2 ha shall be provided when building intensity of Block A surpasses an FAR of 1.0.*

- d. The existing open space on Lot 6, Block 9D, Plan 0020365 shall be preserved (redevelopment is permitted), continue to function as a north south connection, and be excluded from minimum required open space calculations.
- e. The minimum required size of each open space area shall be 0.02 ha.
- f. One open space in Block A shall be a minimum of 0.1 ha.
- g. Open space shall have regard and respond to surrounding land Uses and scale of development.
- h. Open space shall be designed and located in accordance with the Parks and Open Space Criteria of the 104 Avenue Corridor Area Redevelopment Plan, as amended, to the satisfaction of the Development Officer.
- i. As a condition of Development Permit approval, the owner(s) shall register a Public Access Easement to ensure that public access to the required open space shall remain available between the hours of 5:00am to 11:00pm. The easement shall make the private property owner(s) responsible for maintenance and liability, to the satisfaction of the Development Officer.
- j. If Municipal Reserve is provided through the subdivision of Lot 1, Plan 9422589 to provide part of that parcel as land, the area provided will be deducted from the minimum total community accessible open space requirements.
- k. Open Space in excess of 0.603ha will not be required.

## 9. Signage

- a. Signs shall comply with the General Provisions of Section 59 and the regulations found in Schedule 59F of the Zoning Bylaw.
- b. A Comprehensive Sign Design Plan in accordance with the Provisions of Section 59.3 shall be required to the satisfaction of the Development Officer.
- c. Notwithstanding Section 9(a) of this Provision, Major Digital Signs, Minor Digital On-premises Signs, Minor Digital Off-premises Signs, and Minor Digital On-premises Off-premises Signs, shall comply with the regulations found in Schedule 59F.2 and 59F.3.
- d. Any application for a Major or Minor Digital Sign Use may require the submission of a Traffic Safety Study prepared by a qualified engineer and shall be to the satisfaction of Development Officer in consultation with Transportation Services prior to the issuance of a Development Permit.

- e. Major Digital Signs and Minor Digital Signs shall be permitted only if affixed to a building.

## **10. Additional Development Regulations**

- a. Vehicular-Oriented Uses, Gas Bars and Minor Service Stations or other Uses proposed with vehicular orientation and accessory drive-through's shall not be permitted Abutting 104 Avenue NW and 116 Street NW and shall be oriented towards the interior of the Site and away from all other Streets.
- b. Where a Use creates negative impacts (such as noise, light or odours) that could affect adjacent properties zoned for residential or other Uses within the same building and Site, adequate mitigation measures to reduce any negative impacts shall be provided to the satisfaction of the Development Officer. This may include: modification to site plans to situate such Uses or activities in an acceptable location; increased Setbacks; additional Landscaping and screening; noise attenuation measures; directional lighting; and any other measures as the Development Officer may deem appropriate.
- c. Notwithstanding the regulations found within this Provision, any development commenced under a Development Permit that was valid at the time of passage of this Provision, on Lot 2, Block 21, Plan 1425753, shall be exempt from Subsections 11 of this Provision. Such exemption shall no longer apply upon:
  - i. the addition of 100 m<sup>2</sup> or more of gross Floor Area; or
  - ii. the removal, demolition and rebuilding of the development.

## **11. Urban Design**

### **Street Interface**

- a. Buildings shall promote a positive street environment that is welcoming to pedestrians and encourages increased pedestrian activity at the sidewalk level by:
  - i. identifying pedestrian linkages and crossings through decorative paving, stamping, patterned concrete or brick;
  - ii. providing pedestrian oriented streetscape elements such as pedestrian level street lighting, Landscaping, benches and street furniture throughout the site;
  - iii. for buildings located along identified locations for required at-grade commercial frontage as identified in Appendix 2, provide and maintain commercial establishments with direct pedestrian access to the street which contain numerous shop fronts, entrances, variety of textures and building materials to enhance the pedestrian environment.
- b. Buildings designed to accommodate Commercial Uses shall strengthen the pedestrian shopping experience by conforming with the following:
  - i. the ground Storey shall have a minimum Height of 3.5 m;

- ii. the geodetic elevation of the top of the floor on the level that is directly above Grade shall not exceed the geodetic elevation of the Abutting public sidewalk by more than 0.3 m;
- iii. developing major shopping complexes and large-format stores over 3000m<sup>2</sup> to contain smaller scale retail spaces with at-Grade street frontage as to establish a rhythm of fine-grained street oriented retail establishments. Large format stores over 3000 m<sup>2</sup> shall be an integral part of a comprehensive design and not developed as a stand-alone building; and
- iv. a minimum of 70% of the linear building frontage of the ground Storey Facades shall be comprised of transparent, non-reflective, non-tinted, unobscured glazing, where fronting onto a Street. Linear frontage shall be measured at 1.5 above the finished Grade of the adjacent boulevard.

#### Massing and Building Articulation

- c. Buildings shall not be greater than 100.0 m in length for each block face.
- d. Any development with a building Height greater than 23.0 m shall provide a minimum 3.0 m Stepback from the Street Wall between 6.0 m and 23.0 m of Height;
- e. Notwithstanding Section 11(d) of this Provision, any development with a building Height greater than 40.0 m shall be developed in the form of a podium plus Tower configuration and shall comply with the following criteria:
  - i. a proportional podium shall be required, the minimum and maximum Height of which shall be 6.0 m and 23.0 m respectively;
  - ii. a minimum 3.0 m Tower Stepback from the Street Wall shall be provided where fronting onto a public roadway other than a Lane.
  - iii. Tower Floor Plates shall not exceed 900 m<sup>2</sup>;
  - iv. for Towers greater than 50.0 m in Height, the Tower Floor Plate above the podium shall not exceed 750 m<sup>2</sup>;
  - v. the minimum space between Towers shall be 25.0 m. The Development Officer may vary Tower spacing in consideration of the following:
    - A. the visual, sun/shadowing, and other microclimatic impacts on adjacent residential development; and
    - B. the recommendations, and mitigation measures specified in any required technical studies;
  - vi. the Tower shall be differentiated from the podium, but shall reinforce some of the design details, materials, and architectural expression from the podium;
  - vii. Towers shall be designed, oriented and constructed to articulate the skyline and maximize views and sunlight penetration in Public Spaces, plazas, parks and Amenity Areas; and



- viii. Towers shall contribute to the 'signature' of the building and the City's skyline through treatment of the upper floors and roofs. The Tower shall provide articulation, visual interest and reduced massing effects by a combination of sculpting of the building, variation of materials/color or other means to the satisfaction of the Development Officer.

#### Entrances and Corners

- f. On corners, Façade treatment shall wrap around the side of the building to provide a consistent profile facing the Streets;
- g. In mixed-use buildings, residential entrances shall be designed separately from commercial or institutional entrances and address the Street in a prominent manner;
- h. Commercial or institutional entrances shall address the street in prominent manners;
- i. Buildings at corners shall provide courtyards, major entry ways or distinctive architectural features consistent with the style of the building or influences on the other corners of the intersection to enhance pedestrian circulation and, where applicable, enhance axial views;
- j. Buildings shall be designed and oriented to face all Streets with entrances that are clearly visible, except on Double Fronting Sites where the building shall be designed to front both Streets;
- k. At Grade residential developments shall provide separate, individual access at Grade and feature identifiable doorways, landscaped terraces, pedestrian lighting, and patios where appropriate. To ensure adequate privacy, the applicant shall provide Privacy Screening to indicate separate individual access to each unit;
- l. For residential developments, the geodetic elevation of the top of the floor on the level that is directly above Grade shall be greater than the geodetic elevation of the Abutting sidewalk by at least 0.75 m.

#### Building Façade, Materials, and Exterior Finishing

- m. Building materials on the lower Storeys along Streets shall be used to improve visual quality and permeability of the building to promote a positive pedestrian environment.
- n. The lower portion of the Façades of buildings, including bases and podiums must be strongly articulated at regular increments to add variety, rhythm and a human scaled dimension along the Streets. This may include:
  - i. the provision of awnings, canopies, window openings, reveals, offsets, multiple entrances arcades, columns, pilasters, materials and colour or other architectural features; and
  - ii. the provision of quality materials, interesting design, fenestrations, inviting entrances and superior Landscaping.
- o. All exposed building Facades shall have consistent and harmonious exterior finishing materials.

- p. Building materials must be sustainable, timeless, durable, high quality and appropriate for the development within the context of the corridor.
- q. Buildings shall emphasize the architectural treatment of the horizontal and vertical elements as well as finer grain elements such as windows, balconies, shadow lines and textures to distinguish residential buildings from office Towers.

#### Roof Tops

- r. All mechanical equipment shall be concealed by screening in a manner compatible with the architectural character of the building or concealed by incorporating it within the building.
- s. Wherever podium roofs are visible from existing adjacent developments, the development shall provide enhancements to improve rooftop aesthetics. Enhancements may include patios, gardens, Green Roofs or additional Amenity Area.

#### Lighting

- t. Decorative and security lighting shall be designed and finished in a manner consistent with the architectural theme of the development and will be provided to ensure a safe, well-lit environment for pedestrians, to ensure no negative impact on an adjacent property and to accentuate architectural elements, roof tops and public art in accordance with Sections 51 and 58 of the Zoning Bylaw.
- u. Detailed exterior lighting plans may be required for major developments at the discretion of the Development Officer.

### 12. Height Incentives

Notwithstanding Section 4(d) of this Provision, in Sub Area 1, additional Height up to a maximum of 80.0 m, may be granted subject to the preceding regulations and all of the regulations of this Section 12 being complied with:

#### Affordable Housing

- a. Prior to the issuance of a Development Permit, 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 at the time of Development Permit approval, the option to purchase 5% of the proposed number of residential Dwelling units at 85% of market value or the equivalent value as cash in lieu to the City.

#### Public Art

- b. As a condition of the Development Permit and prior to the issuance of the Occupancy Permit, the owner(s) shall commission public art to the minimum value of \$9.00/m<sup>2</sup> of gross Floor Area of the Tower portion of the building.
- c. A committee with representation from the owner(s) and the Edmonton Arts Council shall oversee this Public Art Program, and, in consultation with the Development Officer shall determine the appropriate locations for artworks to be

installed.

- d. Public art shall be located on-site and visible from the public realm.
- e. If a Development Permit application has not been made within five (5) years of the approval date of the Bylaw adopting this Provision, the Public Art contribution shall be increased from that point forward according to the annual rate of national inflation as determined by Statistics Canada.

#### Sustainable Building Design

- f. The building shall be designed to meet the requirements of the current Green Building Rating System LEEDTM, Canada NC, as amended, at the time of Development Permit application, to achieve a minimum LEED Silver standard or equivalent. The owner is not required to seek LEED certification and may choose which supplementary green sustainable targets will be implemented, and, at his/her discretion, may indicate additional targets in excess of the Silver standard score to provide for flexibility of implementation. Upon submission of a Development Permit application, the applicant must submit a detailed report, endorsed by a registered professional engineer or architect, indicating how the LEED Silver points, or equivalent, will be achieved upon construction competition. This report must be approved by the Development Officer prior to the issuance of the Development Permit.
- g. Upon completion of the building, the Owner shall provide a report by a professional Architect or Engineer that demonstrates, to the satisfaction of the Development Officer, that the design and construction of the building meets the target LEED Silver, or equivalent, as described in Section 12(f) of this Provision.

### 13. Heritage



- a. Development, rehabilitation work, and alterations of the historically designated Edmonton Brewing and Malting Company Ltd. Building and Administration Office Building shall be in accordance with the following regulations and to the satisfaction of the Development Officer in consultation with the Heritage Officer and Alberta Culture and Tourism.
- b. The Edmonton Brewing and Malting Company Ltd. Building and the Administration Office Building are designated Municipal Historic Resources as per Bylaw 17507 and 17508 (the Heritage Bylaws), respectively, and both buildings are designated Provincial Historic Resources. Any development or alterations of the Edmonton Brewing and Malting Company Ltd. Building and the Administration Office Building must respect the historic character of the regulated portions, must not negatively impact the historic components, and must conform with the requirements set out in the Heritage Bylaws. Any development must also conform to the *Standards and Guidelines for the Conservation of Historic Places in Canada* to the satisfaction of the Development Officer in consultation with the Heritage Officer and Alberta Culture and Tourism.
- c. The Edmonton Brewing and Malting Company Ltd. Building and the Administration Office Building shall conform to the requirements set out in the Heritage Bylaws, respectively. Where any conflict between the Heritage Bylaws

and this Provision exist, the Heritage Bylaws shall take precedence.

- d. There shall be no building development and sight lines shall be maintained between The Edmonton Brewing and Malting Company Ltd. Building and the Administration Office Building.
- e. Exterior lighting shall be used to accentuate the architectural features and respect the historic character of The Edmonton Malting and Brewing Company Ltd. Building and Office Administration Building and shall be to the satisfaction of the Development Officer in consultation with the Heritage Officer and Alberta Culture and Tourism.
- f. Notwithstanding Section 9 of this Provision, Signs on the Edmonton Brewing and Malting Company Ltd. Building and the Administration Office Building shall be developed in the following manner:
  - i. Sign size, location, typeface, graphics, and materials shall suit the period of the Historic Resources to the satisfaction of the Development Officer in consultation with the Heritage Officer and Alberta Culture and Tourism;
  - ii. Signs shall be restricted to Fascia and Projected On-premise;
  - iii. Digital Sign Use is prohibited; and
  - iv. Notwithstanding 13(f)ii of this Provision, one signature rotating or stationary Roof On-premise sign on The Edmonton Brewing and Malting Company Ltd. Building shall be permitted, developed in general accordance with Appendix 4, and the following:
    - A. Maximum Height shall be 18.5 m measured from the roof top to the top of the sign;
    - B. a two faced hexagon no greater than 8.5 m in width and 9 m height;
    - C. a three-sided triangle digital or non-digital clock/weather read-out no greater than 2.75m by 6.5m;
    - D. the two faced hexagon sign shall be limited to a single project brand demarcation logo; and
    - E. the three-sided triangle clock/weather read-out shall be developed to ensure negative impacts on adjacent property are mitigated while maintaining its intent to the satisfaction of the Development Officer.
    - F. In the event that the sign, as described above, is not developed on the roof of the Edmonton Brewing and Malting Company Ltd., the existing relic sign with a single project brand demarcation logo may be placed at-grade, on-site, in a suitable location to the satisfaction of the Development Officer.



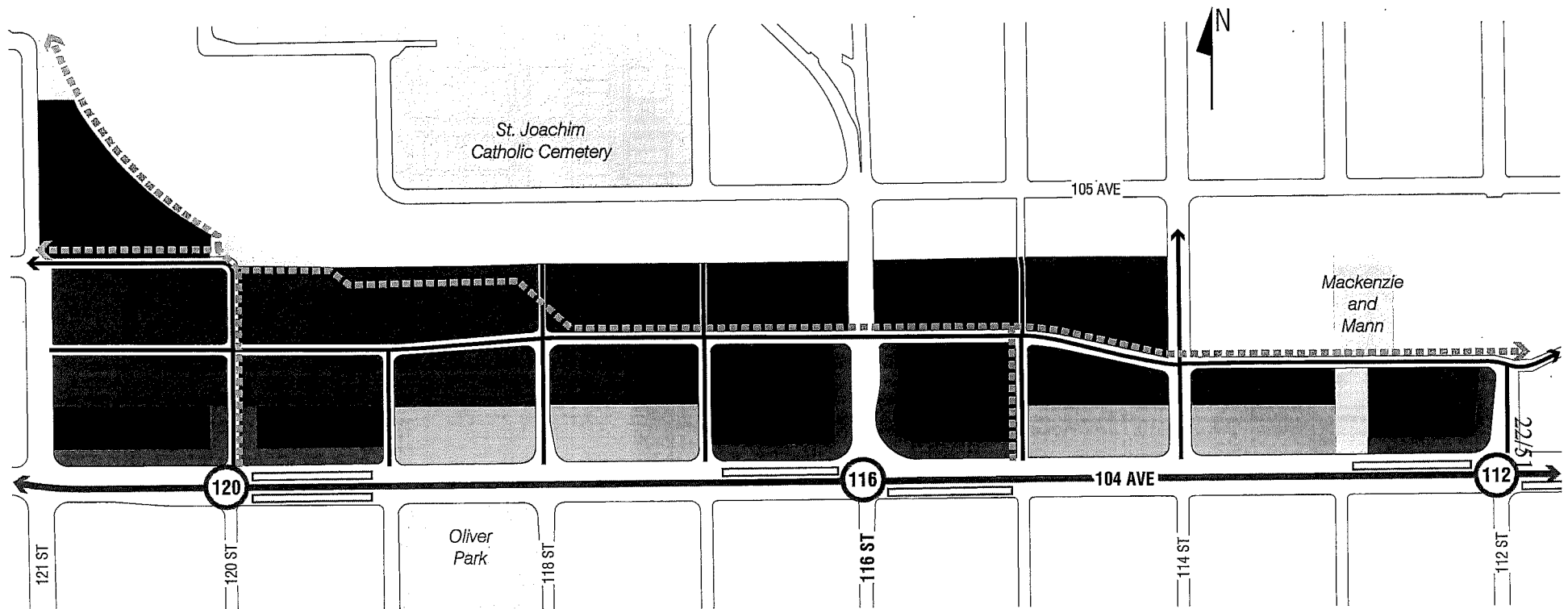
## Legend





-  Area 1
-  104 Corridor ARP Boundary

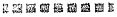



104 Avenue Corridor ARP

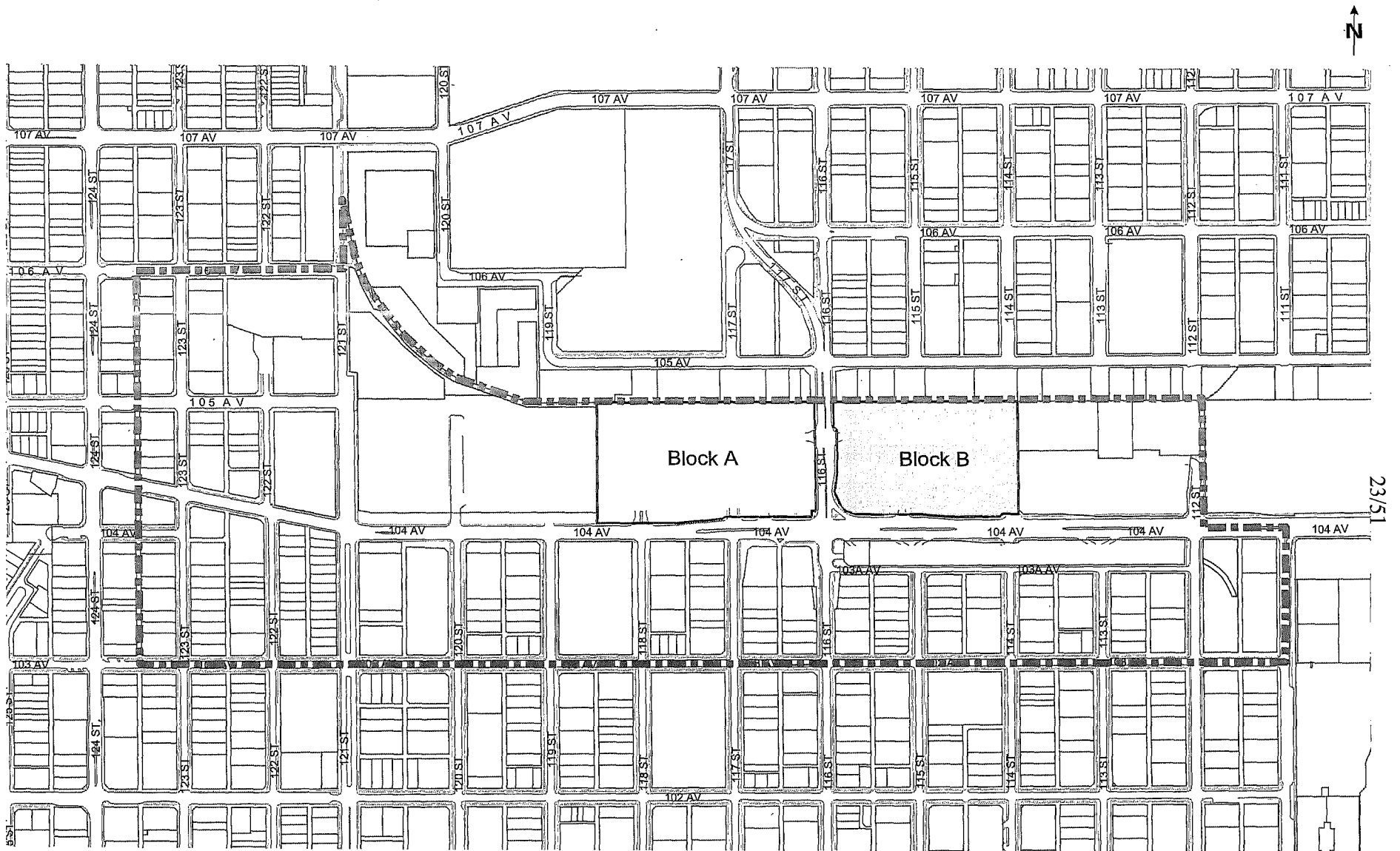
## Appendix 1 - Area 1

## APPENDIX 2






-  Sub Area 1
-  Sub Area 2
-  Sub Area 3
-  Required at-grade Commercial Frontage

-  Active Transportation Pathway
-  Streets
-  Proposed LRT Line
-  Proposed LRT Stations



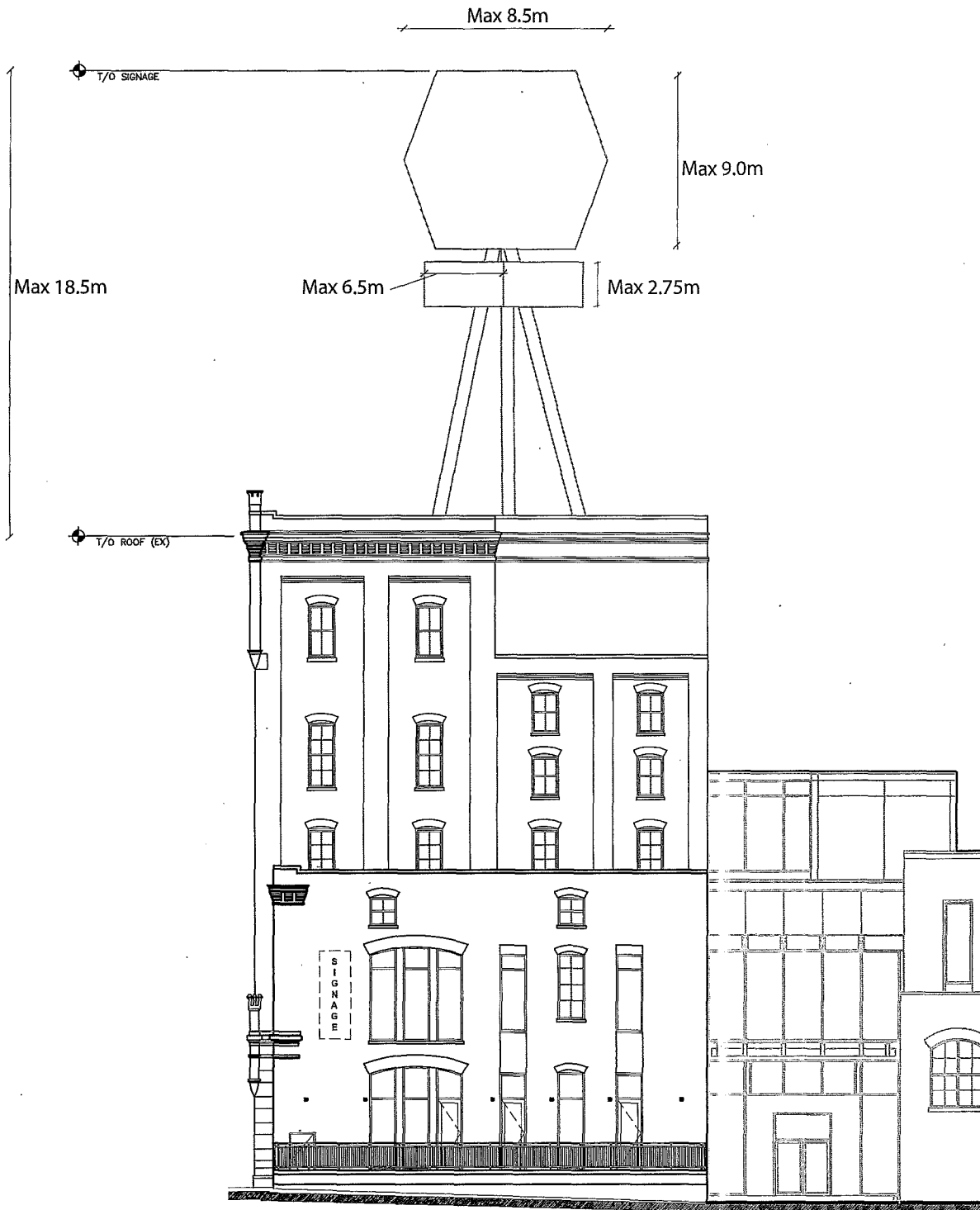
## Legend

-  Block A
-  Block B
-  104 Corridor ARP Boundary

104 Avenue Corridor ARP

## Appendix 3

24/51



SOUTH ELEVATION



**SCHEDULE “D”**

**(DC1) DIRECT DEVELOPMENT CONTROL PROVISION**  
**DC1 Area 2**

**14. General Purpose**

The purpose of this Provision is to facilitate the development of a pedestrian friendly and transit-supportive area that is characterized by its mix of commercial and residential uses, directing the most intensive development around station areas while creating a sensitive transition to the south.

**15. Area of Application**

This Provision shall apply to land within the boundaries of the 104 Avenue Corridor Area Redevelopment Plan south of 104 Avenue between 123 Street and 112 Street, as shown on Schedule A attached to the Bylaw adopting this Provision and as identified on Appendix “1” attached.

**16. Uses**

- tt. Apartment Hotels
- uu. Apartment Housing
- vv. Bars and Neighbourhood Pubs
- ww. Business Support Services
- xx. Child Care Services
- yy. Commercial Schools
- zz. Convenience Retail Stores
- aaa. Creation and Production Establishments
- bbb. General Retail Stores
- ccc. Government Services
- ddd. Health Services
- eee. Hotels
- fff. Household Repair Services
- ggg. Indoor Participant Recreation Services
- hhh. Live Work Unit
- iii. Media Studios
- jjj. Minor Alcohol Sales
- kkk. Major Alcohol Sales

- III. Minor Amusement Establishments
- mmm. Minor Home Based Business
- nnn. Major Home Based Business
- ooo. Minor Impact Utility Service
- ppp. Non-accessory Parking
- qqq. Personal Service Shops
- rrr. Private Clubs
- sss. Private Education Services
- ttt. Professional, Financial and Office Support Services
- uuu. Public Education Services
- vvv. Public Libraries and Cultural Exhibits
- www. Residential Sales Centre
- xxx. Restaurants
- yyy. Secondhand Stores
- zzz. Specialty Food Services
- aaaa. Spectator Entertainment Establishments
- bbbb. Veterinary Services
- cccc. Fascia On-premises Signs
- dddd. Major Digital Signs
- eeee. Minor Digital Off-premises Signs
- ffff. Minor Digital On-premises Signs
- gggg. Minor Digital On-premises Off-premises Signs
- hhhh. Projecting On-premises Signs
- iiii. Temporary On-premises Signs

**17. Development Regulations**

- q. The overall Site development shall be in accordance with the urban design criteria established herein, the 104 Avenue Corridor Area Redevelopment Plan, as amended, and in general conformance with the attached appendices, to the satisfaction of the Development Officer.
- r. The maximum Floor Area Ratio shall be 5.0.
- s. The site is to consist of 3 sub-areas, as illustrated in Appendix 2, solely for the purpose of allocating Height. The maximum Building Height shall not exceed the following:

Sub-Area	Height (m)
1	50
2	40
3	23

- t. Building setbacks shall be as follows:
- i. a minimum 3.0 m and maximum 4.5 m from property lines Abutting a public roadway, other than a Lane..
  - ii. a minimum 3.0 m shall be provided from the south property line; except when Abutting a Lane, no Setback shall be required.
  - iii. The Development Officer may increase the Setback for the purposes of public realm improvements, to accommodate a particular architecture style or street related activities such as sidewalk cafes and patios, and for separation of public and private spaces for Residential Uses.
- u. Notwithstanding Section 4(d) of this Bylaw and the definition of Setback in Zoning Bylaw 12800, the Development Officer, in consultation with Integrated Infrastructure Services, shall have regard to the approved concept plan or the preliminary Engineering Drawings for the West LRT line in determining building setbacks along 104 Avenue, and may calculate a building setback from the LRT easement line to accommodate future LRT operations where required. These setbacks shall range from 3.0m to 4.5 m, but may be increased for the purposes of public realm improvements.
- v. A minimum average Amenity Area of 7.5 m<sup>2</sup> per Dwelling shall be provided. Amenity areas may include meeting rooms, fitness facilities, outdoor space, and shall be exempt from Floor Area Ratio calculations.
- w. Balconies with a minimum depth of 1.5 m may be used to satisfy required Amenity Area.
- x. Non-residential or mixed-use buildings over 2000 m<sup>2</sup> shall provide Amenity Area equivalent to a minimum of 3% of the Floor Area of non-residential Uses, to a maximum of 6%. Amenity Area may include interior landscaped open spaces, arcades, atriums, plazas and gardens and shall be exempt from Floor Area Ratio calculations.
- y. A Wind Impact Statement shall be submitted with each Development Permit application for a development having a Height greater than 20.0m. At the discretion of the Development Officer, a detailed Wind Impact Study may be required to be submitted and be based on a computer model simulation analysis. A Wind Impact Statement and Wind Impact Study shall be prepared by a qualified, registered Professional Engineer, to professional standards.
- z. With each Development Permit application for a building over 20 m in Height, a Sun Shadow Study shall be submitted.

- aa. 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 appropriate studies to the satisfaction of the Development Officer.
- bb. Prior to the 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).

### 18. Parking, Loading and Storage

- aa. Vehicular and Bicycle Parking shall be provided in accordance with Section 54 of the Zoning Bylaw.
- bb. Residential and Residential-Related Uses shall provide Off-street Vehicular Accessory Parking spaces as follows:

	Minimum Number of Required Parking Spaces	Maximum Number of Required Parking Spaces
Bachelor Suite or Bed Sitting Room	0.2	0.5
1 Bedroom Dwelling or Residential-Related Unit	0.4	0.75
2 or more Bedroom Dwelling or Residential-Related Unit	0.8	1.25
Visitor Parking	1 per 10 Dwellings	1 per 7 Dwellings

- cc. Non-Residential Uses shall provide Off-street Vehicular Accessory Parking spaces as follows:

	Minimum Number of Required Parking Spaces	Maximum Number of Required Parking Spaces
Any development within a Non-Residential Use Class not listed separately in this table	1.0 space per 400 m <sup>2</sup> of gross Floor Area	1.0 space per 200 m <sup>2</sup> of gross Floor Area
Convenience Retail Stores	No spaces required	
Restaurants, Bars and Neighbourhood Pubs, and Specialty Food Services with less than 200 occupants and 240	No spaces required	

m <sup>2</sup> of Public Space		
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- dd. The Development Officer may consider, in consultation with Transportation Services, a vehicular parking reduction if a Parking Demand Study is submitted in conjunction with an application for a Development Permit justifying any reduction in vehicular parking requirements.
- ee. Bicycle Parking spaces for Residential Uses shall be provided in a safe, secure, indoor location at a minimum rate of 40% of the number of Off-street Vehicular Parking Spaces required under Section 5(b) of this Provision, with 5 Bicycle Parking spaces being the minimum to be provided.
- ff. For non-Residential Uses with a gross Floor Area over 5,000 m<sup>2</sup> change rooms, showers, and covered, secured bicycle parking areas shall be provided to the satisfaction of the Development Officer. LEED™ standards shall be utilized to calculate the required areas.
- gg. All residential vehicular parking shall be provided in below or above Grade Parking Garages, with the exception of visitor parking which may be located at the rear of buildings.
- hh. Parking Garages developed below Grade shall be permitted to be built to the property line.
- ii. Parking Garages developed below Grade adjacent to a Public Roadway, other than a lane, are to be located sufficiently below Grade, or a suitable alternative, to provide a minimum of 1.2 m soil depth to contribute to healthy root development.
- jj. Above Grade Parking Garages that are part of the building podium shall be screened in a way that does not disrupt the continuity of the Street Wall, and shall not exceed 12 m in Height. Screens may include, but are not limited to, public art and street fronting retail Uses.
- kk. No portion of an above Grade Parking Garage shall be allowed for a minimum depth of 8.0 m from any front Façade facing a Public Roadway, other than a lane.
- ll. Non-accessory Parking at-Grade and above Grade is prohibited.
- mm. Surface vehicular parking is prohibited between the front of a building and the street to limit the impact on the pedestrian environment.
- nn. Vehicular access to parking structures and sites shall be from the Abutting Lane to maintain an uninterrupted street Façade and enhance the pedestrian experience.
- oo. Vehicular and servicing access shall be designed to minimize the visual impact through screening, orientation, and other applicable techniques to the satisfaction of the Development Officer.

- pp. No parking, loading, storage, waste collection, outdoor service or display area shall be permitted within required Setbacks.
- qq. Loading, storage and trash collection areas shall be concealed from view from adjacent public roadways and sites. Trash collection and storage areas shall be located within the building. Trash collection areas shall be designed to the satisfaction of the Development Officer in consultation with Waste Management and Transportation Services.

## **19. Circulation Network**

- h. A circulation network shall be established to define and expand the street grid, increasing connectivity, rationalizing development parcels, and guiding development.
- i. 114 Street NW and pedestrian pathways at 113 and 115 Street NW shall be extended through Lot 1, Block 14D, Plan 1282RS to connect to 104 Avenue NW.
- j. 114 Street NW and the pedestrian pathways shall be developed in general accordance with Streets and Lanes section of the 104 Avenue Corridor Area Redevelopment Plan, as amended, and the following to the satisfaction of the Development Officer and Transportation Services:
  - i. 114 Street NW:
    - A. a pedestrian boulevard consisting of a sidewalk and landscaping including boulevard trees and street furniture on both sides of the carriage way;
    - B. one vehicle travel lane in each direction and on-street parallel parking on both sides of the carriage way.
  - ii. 113 and 115 Street NW pedestrian pathways:
    - A. The owner(s) shall design and construct two pedestrian pathways with a publicly accessible internal minimum clear width 3.0 m hardscaped active transportation pathway, including lighting and Landscaping providing a high quality north/south active transportation route from 104 Avenue to 113 and 115 Street.
  - iii. Prior to the release of drawings for Building Permit review, the owner(s) shall enter into a Public Access Easement with the City of Edmonton to ensure public access along the hardscaped active transportation pathways and, if 114 Street is not a dedicated roadway, the north / south alignment of 114 Street NW connecting 103A Avenue NW to 104 Avenue NW. The easement shall make the private property owner(s) responsible for the maintenance and liability.
- k. The extension of 114 Street NW, and 113 and 115 Street NW pedestrian pathways will occur concurrently with the closures of portions of 103 A Avenue NW to facilitate the conversion of 103 A Avenue NW to a Lane.

- l. The circulation network shall be developed and phased with concurrent adjacent major Development Permit applications for new development.

## **20. Landscaping**

- e. A Landscape Plan prepared by a registered Landscape Architect shall be submitted prior to the issuance of any Development Permit to the satisfaction of the Development Officer.
- f. The Landscape Plan shall include pavement materials, exterior lighting, street furniture elements, pedestrian seating area, sizes and species of new tree plantings, and other detailed Landscaping elements. The Landscape Plan shall include design of the adjacent Street and public realm where applicable.
- g. Landscaping within the Setback adjacent to 104 Avenue NW and 116 Street NW shall be developed to provide an enhanced pedestrian experience and a public realm that seamlessly transitions from public to private property by:
  - i. continuing the public sidewalk paving materials, finish, and pattern to compliment the adjacent streetscape. Soft Landscaping may be required at the discretion of the Development Officer; and
  - ii. providing design measures to reduce the environmental impacts of higher levels of vehicular traffic on the pedestrian experience.
- h. Landscaping on the Site shall consider the use of plant materials that provide colour throughout the year to enhance the appearance of the development during cold weather months.

## **21. Signage**

- f. Signs shall comply with the General Provisions of Section 59 and the regulations found in Schedule 59F of the Zoning Bylaw.
- g. A Comprehensive Sign Design Plan in accordance with the Provisions of Section 59.3 shall be required to the satisfaction of the Development Officer.
- h. Notwithstanding Section 8(a) of this Provision, Major Digital Signs, Minor Digital On-premises Signs, Minor Digital Off-premises Signs, and Minor Digital On-premises Off-premises Signs, shall comply with the regulations found in Schedule 59F.2 and 59F.3.
- i. Any application for a Major or Minor Digital Sign Use may require the submission of a Traffic Safety Study prepared by a qualified engineer and shall be to the satisfaction of the Development Officer in consultation with Transportation Services.
- j. Major Digital Signs and Minor Digital Signs shall be permitted, only if affixed to a building.

## 22. Urban Design

### Street Interface

- v. Buildings shall promote a positive street environment that is welcoming to pedestrians and encourages increased pedestrian activity at the sidewalk level by:
  - i. For buildings located along identified locations for required at-Grade commercial frontage in Appendix 2, provide and maintain commercial establishments with direct access to the street which contain numerous shop fronts, entrances, variety of textures and building materials to enhance the pedestrian environment.
- w. Buildings designed to accommodate Commercial Uses shall strengthen the pedestrian shopping experience by conforming with the following:
  - i. the ground storey shall have a minimum Height of 3.5 m;
  - ii. the geodetic elevation of the top of the floor on the level that is directly above Grade shall not exceed the geodetic elevation of the Abutting public sidewalk by more than 0.3 m; and
  - iii. a minimum of 70% of the linear building frontage of the ground Storey Facades shall be comprised of transparent, non-reflective, non-tinted, unobscured glazing, where fronting onto a Public Roadway, other than a Lane. Linear frontage shall be measured at 1.5 above the finished Grade of the adjacent boulevard.

### Massing and Building Articulation

- x. Any development with a building Height greater than 23.0 m shall
  - i. provide a minimum 3.0 m Stepback from the Street Wall, where the Street Wall fronts onto a public roadway other than a Lane. The Stepback may begin at no less than 6.0 m in Height of the Street Wall, but shall be implemented after 23.0m in building Height.
  - ii. provide a minimum 6.0 m Setback of the Floor Area above 23.0 m from the south property line; except when abutting an alley, no Setback is required.
- y. Notwithstanding Section 9(c)(i) of this Provision, any development with a building Height greater than 40.0 m shall be developed in the form of a podium plus Tower configuration and shall comply with the following criteria:
  - ix. a proportional podium shall be required, the minimum and maximum Height of which shall be 6.0 m and 23.0 m respectively;
  - x. a minimum 3.0 m Tower Stepback from the podium wall shall be provided;
  - xi. Tower Floor Plates shall not exceed 900 m<sup>2</sup>;



- xii. for Towers greater than 50.0 m in Height, the Tower Floor Plate above the podium shall not exceed 750 m<sup>2</sup>;
- xiii. the minimum space between Towers shall be 25.0 m. The Development Officer may vary Tower spacing in consideration of the following:
  - A. the visual, sun/shadowing, and other microclimatic impacts on adjacent residential development; and
  - B. the recommendations, and mitigation measures specified in any required technical studies;
- xiv. the Tower shall be differentiated from the podium, but shall reinforce some of the design details, materials, and architectural expression from the podium;
- xv. Towers shall be designed, oriented and constructed to articulate the skyline and maximize views and sunlight penetration in public spaces, plazas, parks and Amenity Areas; and
- xvi. Towers shall contribute to the 'signature' of the building and the City's skyline through treatment of the upper floors and roofs. The Tower shall provide articulation, visual interest and reduced massing effects by a combination of sculpting of the building, variation of materials/color or other means to the satisfaction of the Development Officer.

#### Entrances and Corners

- z. On corners, Façade treatment shall wrap around the side of the building to provide a consistent profile facing Public Roadways, other than a Lane.;
- aa. In mixed-use buildings, residential entrances shall be designed separately from commercial or institutional entrances and address the street in a prominent manner;
- bb. Commercial or institutional entrances shall address the street in prominent manners;
- cc. Buildings at corners shall provide courtyards, major entry ways or distinctive architectural features consistent with the style of the building or influences on the other corners of the intersection to enhance pedestrian circulation and, where applicable, enhance axial views;
- dd. Buildings shall be designed and oriented to face the front property lines with entrances that are clearly visible, except on Double Fronting Sites where the building shall be designed to front both the street and avenue;
- ee. At Grade residential developments shall provide separate, individual access at Grade and feature identifiable doorways, landscaped terraces, pedestrian lighting, and patios where appropriate. To ensure adequate privacy, the applicant shall provide screening to indicate separate individual access to each unit;

- ff. For residential developments, the geodetic elevation of the top of the floor on the level that is directly above Grade shall be greater than the geodetic elevation of the Abutting sidewalk by at least 0.75 m.

#### Building Façade, Materials, and Exterior Finishing

- gg. Building materials on the lower Storeys along public roadways, except lanes, shall be used to improve visual quality and permeability of the building to promote a positive pedestrian environment.
- hh. The lower portion of the Façades of buildings, including bases and podiums must be strongly articulated at regular increments to add variety, rhythm and a human scaled dimension along the street. This may include:
  - iii. the provision of awnings, canopies, window openings, reveals, offsets, multiple entrances arcades, columns, pilasters, materials and colour or other architectural features; and
  - iv. the provision of quality materials, interesting design, fenestrations, inviting entrances and superior landscaping.
- ii. All exposed building Facades shall have consistent and harmonious exterior finishing materials.
- jj. Building materials must be sustainable, timeless, durable, high quality and appropriate for the development within the context of the corridor.
- kk. Buildings shall emphasize the architectural treatment of the horizontal and vertical elements as well as finer grain elements such as windows, balconies, shadow lines and textures to distinguish residential buildings from office Towers.

#### Roof Tops

- ll. All mechanical equipment shall be concealed by screening in a manner compatible with the architectural character of the building or concealed by incorporating it within the building.
- mm. Wherever podium roofs are visible from existing adjacent developments, the development shall provide enhancements to improve rooftop aesthetics. Enhancements may include patios, gardens, Green Roofs or additional Amenity Area.

#### Lighting

- nn. Decorative and security lighting shall be designed and finished in a manner consistent with the architectural theme of the development and will be provided to ensure a safe, well-lit environment for pedestrians, to ensure no negative impact on an adjacent property and to accentuate architectural elements, roof tops and public art.
- oo. Detailed exterior lighting plans may be required for major developments at the discretion of the Development Officer.

## 23. Height Incentives

Notwithstanding Section 4(c) of this Provision, in Sub Area 1, additional Height up to a maximum of 80.0 m, may be granted subject to the preceding regulations and all of the regulations of this Section 10 being complied with:

- h. Notwithstanding Section 4(b) of this Provision, Floor Area Ratio may be increased to a maximum of 7.0 to allow the development of additional Height.

### Affordable Housing

- i. Prior to the issuance of a Development Permit, 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 at the time of development permit approval, the option to purchase 5% of the proposed number of residential dwelling units at 85% of market value or the equivalent value as cash in lieu to the City.

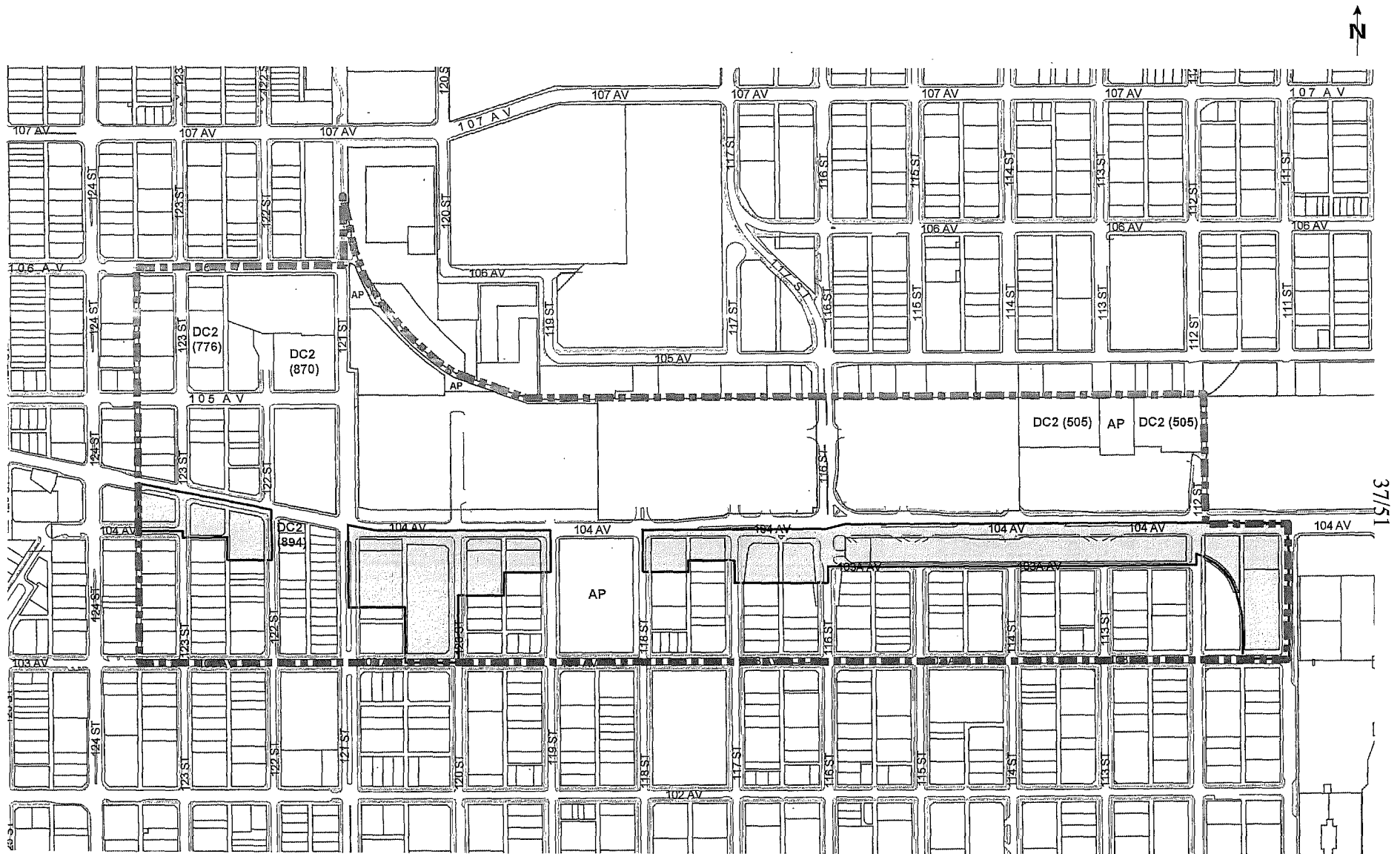
### Public Art

- j. As a condition of the Development Permit and prior to the issuance of the Occupancy Permit, the owner(s) shall commission public art to the minimum value of \$9.00/m<sup>2</sup> of gross Floor Area of the Tower portion of the building.
- k. A committee with representation from the owner(s) and the Edmonton Arts Council shall oversee this Public Art Program, and, in consultation with the Development Officer shall determine the appropriate locations for artworks to be installed.
- l. Public art shall be located on-site and visible from the public realm.
- m. If a Development Permit application has not been made within five (5) years of the approval date of the Bylaw adopting this Provision, the Public Art contribution shall be increased from that point forward according to the annual rate of national inflation as determined by Statistics Canada.

### Sustainable Building Design

- n. The building shall be designed to meet the requirements of the Green Building Rating System LEED<sup>TM</sup>, Canada NC, 2009, as amended, to achieve a minimum LEED Silver standard or equivalent. The owner is not required to seek LEED certification and may choose which supplementary green sustainable targets will be implemented, and, at his/her discretion, may indicate additional targets in excess of the Silver standard score to provide for flexibility of implementation. Upon submission of a Development Permit application, the applicant must submit a detailed report, endorsed by a registered professional engineer or architect, indicating how the LEED Silver points, or equivalent, will be achieved upon construction completion. This report must be approved by the Development Officer prior to the issuance of the Development Permit.
- o. Upon completion of the building, the Owner shall provide a report by a

professional Architect or Engineer that demonstrates, to the satisfaction of the Development Officer, that the design and construction of the building meets the target LEED Silver, or equivalent, as described in Section 10(g) of this Provision.



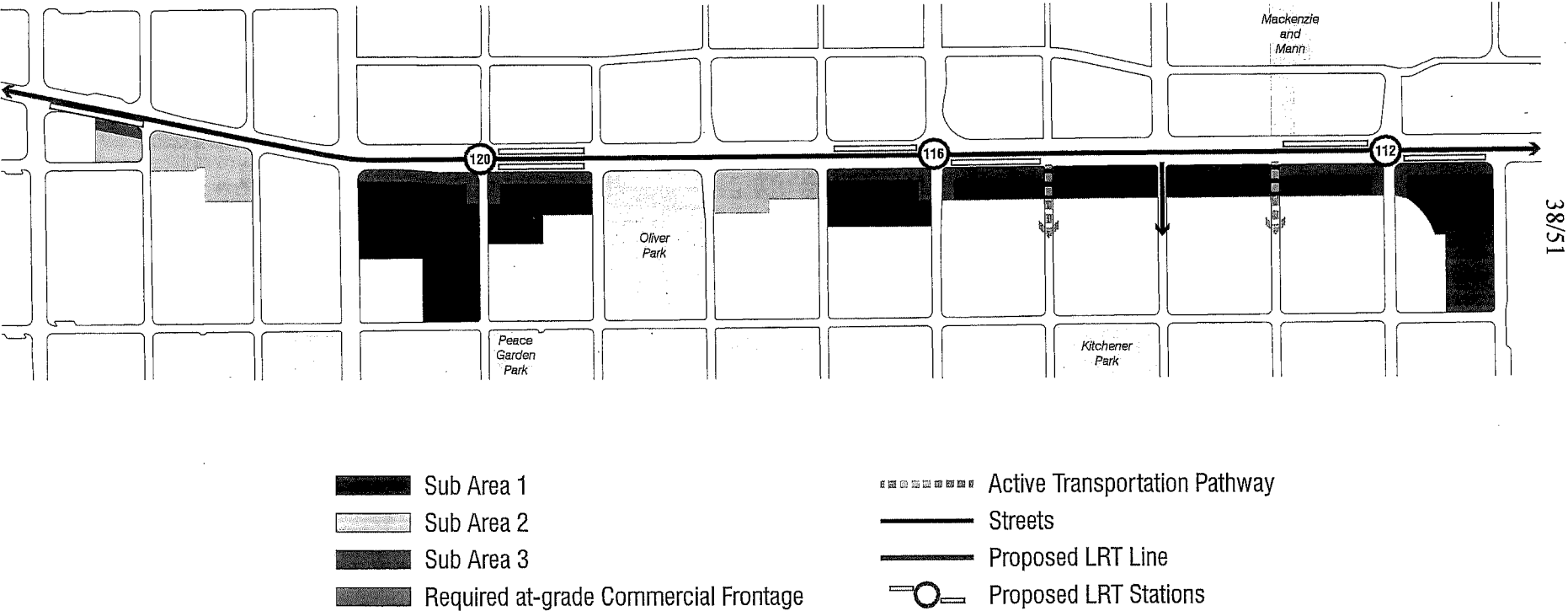
# Legend

- Area 2
- 104 Corridor ARP Boundary

104 Avenue Corridor ARP

## Appendix 1- Area 2

APPENDIX 2



**SCHEDULE "E"****(DC1) DIRECT DEVELOPMENT CONTROL PROVISION****DC1 Area 4****1. General Purpose**

The purpose of this Provision is to provide for an area of commercial office employment and residential development in support of the 120 Street station hub and 124 Street shopping area.

**2. Area of Application**

This Provision shall apply to land within the boundaries of the 104 Avenue Corridor Area Redevelopment Plan west of 121 Street NW and north of Stony Plain Road NW as shown on Schedule A attached to the Bylaw adopting this Provision and as identified on Appendix "1" attached.

**3. Uses**

- a. Apartment Hotels
- b. Apartment Housing
- c. Bars and Neighborhood Pubs
- d. Business Support Services
- e. Child Care Services
- f. Commercial Schools
- g. Community Recreation Services
- h. Convenience Retail Stores
- i. Creation and Production Establishments
- 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 and Minor Alcohol Sales
- s. Major Homes Based Businesses and Minor Home Based Businesses

- t. Media Studios
- u. Minor Amusement Establishments
- v. Personal Service Shops
- w. Private Clubs
- x. Private Education Services and Public Education Services
- y. Professional, Financial, and Office Support Services
- z. Religious Assembly
- aa. Residential Sales Centre
- bb. Restaurants
- cc. Specialty Food Services
- dd. Fascia Off-premises Signs
- ee. Roof Off-premises Signs
- ff. Roof On-premises Signs
- gg. Temporary On-premises Signs

#### **4. Development Regulations**

- a. The maximum Floor Area Ratio shall be 5.0
- b. The maximum Height shall not exceed 40.0 m.
- c. Building Setbacks shall be as follows:
  - i. minimum 3.0 m to a maximum 4.5 m when Abutting Stoney Plain Road NW.
  - ii. minimum 0.0 m to a maximum of 3.0 m when Abutting all other public roadways other than a Lane; and
  - iii. The Development Officer may increase the Setback for the purposes of public realm improvements, to accommodate a particular architecture style or street related activities such as sidewalk cafes and patios, and for separation of public and private spaces for Residential Uses.
- d. Notwithstanding Section 4(c)(i) of this Bylaw, the Development Officer, in consultation with Integrated Infrastructure Services, shall have regard to the approved concept plan or the preliminary Engineering Drawings for the West LRT line in determining building setbacks along Stony Plain Road, and may calculate a building setback from the LRT easement line to accommodate future LRT operations where necessary. These setbacks shall range from 3.0 m to 4.5 m, but may be increased by the Development Officer for the purposes of public realm improvements.



- e. A minimum average Amenity Area of 7.5 m<sup>2</sup> per Dwelling shall be provided. Amenity areas may include meeting rooms, fitness facilities, outdoor space, and shall be exempt from Floor Area Ratio calculations.
- f. Balconies with a minimum depth of 1.5 m may be used to satisfy required Amenity Area.
- g. Non-residential or mixed-use buildings over 2000 m<sup>2</sup> shall provide Amenity Area equivalent to a minimum of 3% of the Floor Area of non-residential Uses, to a maximum of 6%. Amenity Area may include interior landscaped open spaces, arcades, atriums, plazas and gardens and shall be exempt from Floor Area Ratio calculations.
- h. A Wind Impact Statement shall be submitted with each Development Permit application for a development having a Height greater than 20.0 m. At the discretion of the Development Officer, a detailed Wind Impact Study may be required to be submitted and be based on a computer model simulation analysis. A Wind Impact Statement and Wind Impact Study shall be prepared by a qualified, registered Professional Engineer, to professional standards.
- i. With each Development Permit application for a building over 20 m in Height, a Sun Shadow Study shall be submitted.
- j. 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 appropriate studies to the satisfaction of the Development Officer.
- k. Prior to the 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).

## **5. Parking Loading and Storage**

- rr. Vehicular and Bicycle Parking shall be provided in accordance with Section 54 of the Zoning Bylaw.
- ss. Residential-Related Uses shall provide Off-street Vehicular Accessory Parking spaces as follows:

	Minimum Number of Required Parking Spaces	Maximum Number of Required Parking Spaces
Bachelor Suite or Bed Sitting Room	0.2	.5
1 Bedroom Dwelling or Residential-Related Unit	0.4	0.75
2 or more Bedroom Dwelling or Residential-Related Unit	0.8	1.25
Visitor Parking	1 per 10 Dwellings	1 per 7 Dwellings

- tt. Non-residential Uses shall provide Off-street Vehicular Accessory Parking spaces as follows:

	Minimum Number of Required Parking Spaces	Maximum Number of Required Parking Spaces
Any development within a Non-Residential Use Class not listed separately in this table	1.0 space per 400 m <sup>2</sup> of gross Floor Area	1.0 space per 200 m <sup>2</sup> of gross Floor Area
Convenience Retail Stores	No spaces required	
Restaurants, Bars and Neighbourhood Pubs, and Specialty Food Services with less than 200 occupants and 240 m <sup>2</sup> of Public Space	No spaces required	

- uu. The Development Officer may consider, in consultation with Transportation Services, a vehicular parking reduction if a Parking Demand Study is submitted in conjunction with an application for a Development Permit justifying any reduction in vehicular parking requirements.
- vv. Notwithstanding Section 5(a) of this Provision, Bicycle Parking spaces for Residential Uses shall be provided in a safe, secure, indoor location at a minimum rate of 40% of the number of Off-street Vehicular Parking Spaces required under Section 5(b) of this Provision, with 5 Bicycle Parking spaces being the minimum to be provided.
- ww. For non-Residential Uses with a gross Floor Area over 5,000 m<sup>2</sup> change rooms, showers, and covered, secured bicycle parking areas shall be provided to the satisfaction of the Development Officer. LEED™ standards shall be utilized to calculate the required areas.
- xx. All residential vehicular parking shall be provided in below or above Grade Parking Garages, with the exception of visitor parking which may be located at the rear of buildings.

- yy. Parking Garages developed below Grade shall be permitted to be built to the property line.
- zz. Parking Garages developed below Grade adjacent to a Public Roadway, other than a Lane, are to be located sufficiently below Grade, or a suitable alternative, and shall provide a minimum of 1.2 m soil depth to contribute to healthy root development.
- aaa. Above Grade Parking Garages that are part of the building podium shall be screened in a way that does not disrupt the continuity of the Street Wall, and shall be limited to no more than 12 m in Height. Screens may include, but are not limited to, public art and street fronting retail uses.
- bbb. No portion of an above Grade Parking Garage shall be allowed for a minimum depth of 8.0 m from any front Façade facing Public Roadway, other than a lane.
- ccc. Vehicular access shall be provided from the Abutting Lane. Where there is no Lane parking access shall be designed to minimize disruption to the Yard, sidewalk, and existing trees.
- ddd. Off-street Vehicular Loading Facilities shall be concealed from view from adjacent Streets and.
- eee. Waste collection and storage areas shall be located within the building and shall be designed to the satisfaction of the Development Officer in consultation with Waste Management and Transportation Services.

## 6. Landscaping

- a. A Landscape Plan prepared by a registered Landscape Architect shall be submitted prior to the issuance of any development permit for the portion of the Site being developed, to the satisfaction of the Development.
- b. The Landscape Plan shall include pavement materials, exterior lighting, street furniture elements, pedestrian seating area, sizes and species of new tree plantings, and other detailed Landscaping elements. The Landscape Plan shall include design of the adjacent public realm where applicable.
- c. Landscaping within the Setback adjacent to Stony Plain Road shall be developed to provide an enhanced pedestrian experience and a public realm that seamlessly transitions from public to private property by:
  - i. continuing the public sidewalk paving materials, finish, and pattern to compliment the adjacent streetscape. Soft Landscaping may be required at the discretion of the Development Officer, and
  - ii. provide design measures to reduce the environmental impacts of higher level of vehicular traffic on the pedestrian experience.
- d. Landscaping on the Site shall consider the use of plant materials that provide color throughout the year to enhance the appearance of the development during cold weather months.

**7. Signage**

- a. Signs shall comply with the regulations found in Schedule 59B.
- b. A Comprehensive Sign Design Plan in accordance with the Provisions of Section 59.3 shall be required to the satisfaction of the Development Officer.

**8. Additional Development Regulations**

- a. Bars and Neighborhood Pubs shall be limited to a maximum of 240 m<sup>2</sup> of Public Space.

**9. Urban Design**

**Street Interface**

- a. Buildings shall promote a positive street environment that is welcoming to pedestrians and encourage increased activity.
- b. Buildings designed to accommodate Commercial Uses shall strengthen the pedestrian shopping experience by:
  - i. the ground Storey shall have a minimum Height of 3.5 m;
  - ii. the geodetic elevation of the top of the floor on the level that is directly above Grade shall not exceed the geodetic elevation of the Abutting public sidewalk by more than 0.3 m;
  - iii. a minimum of 70% of the linear building frontage of the ground Storey Facades shall be comprised of transparent, non-reflective, non-tinted, unobscured glazing, where fronting onto a Street. Linear frontage shall be measured at 1.5 above the finished Grade of the adjacent boulevard.

**Massing and Building Articulation**

- c. Buildings shall not be greater than 100 m in length for each block face.
- d. Any development with a building Height greater than 23.0 m or six Storeys shall provide a minimum 3.0 m Stepback from the Street Wall, where fronting onto a Public Roadway other than a Lane. The Stepback may begin at no less than 6.0 m in Height of the Street Wall, but shall be implemented after 23.0m in building Height.

**Entrances and Corners**

- e. On corners, Façade treatment shall wrap around the side of the building to provide a consistent profile facing all Public Roadways, other than a lane;
- f. In mixed-use buildings, residential entrances shall be designed separately from commercial or institutional entrances and address the street in a prominent manner;

- g. Commercial or institutional entrances shall address the street in prominent manners;
- h. Buildings at corners shall provide courtyards, major entry ways or distinctive architectural features consistent with the style of the building or influences on the other corners of the intersection to enhance pedestrian circulation and, where applicable, enhance axial views;
- i. Buildings shall be designed and oriented to face all the front property lines with entrances that are clearly visible, except on Double Fronting Sites where the building shall be designed to front both street and avenue;
- j. At Grade residential developments shall provide separate, individual access at Grade and feature identifiable doorways, landscaped terraces, pedestrian lighting, and patios where appropriate. To ensure adequate privacy, the applicant shall provide screening to indicate separate individual access to each unit;
- k. For residential developments, the geodetic elevation of the top of the floor on the level that is directly above Grade shall be greater than the geodetic elevation of the Abutting sidewalk by at least 0.75 m.

#### Building Façade, Materials, and Exterior Finishing

- l. Building materials on the lower Storeys along Public Roadways, other than a Lane; shall be used to improve visual quality and permeability of the building to promote a positive pedestrian environment.
- m. The lower portion of the Façades of buildings, including bases and podiums must be strongly articulated at regular increments to add variety, rhythm and a human scaled dimension along the streets. This may include:
  - i. the provision of awnings, canopies, window openings, reveals, offsets, multiple entrances arcades, columns, pilasters, materials and colour or other architectural features; and
  - ii. the provision of quality materials, interesting design, fenestrations, inviting entrances and superior Landscaping.
- n. All exposed building Facades shall have consistent and harmonious exterior finishing materials.
- o. Building materials must be sustainable, timeless, durable, high quality and appropriate for the development within the context of the corridor.
- p. Buildings shall emphasize the architectural treatment of the horizontal and vertical elements as well as finer grain elements such as windows, balconies, shadow lines and textures to distinguish residential buildings from office Towers.

#### Roof Tops

- q. All mechanical equipment shall be concealed by screening in a manner compatible with the architectural character of the building or concealed by incorporating it within the building.



- r. Wherever podium roofs are visible from existing adjacent developments, the development shall provide enhancements to improve rooftop aesthetics. Enhancements may include patios, gardens, green roofs or additional Amenity Area.

#### Lighting

- s. Decorative and security lighting shall be designed and finished in a manner consistent with the architectural theme of the development and will be provided to ensure a safe, well-lit environment for pedestrians, to ensure no negative impact on an adjacent property and to accentuate architectural elements, roof tops and public art.
- t. Detailed exterior lighting plans may be required for major developments at the discretion of the Development Officer.



### Legend

 Area 4  
 104 Corridor ARP Boundary

## Appendix 1 - Area 4

## Appendix 1 - Area 4

**SCHEDULE "F"****(DC1) DIRECT DEVELOPMENT CONTROL PROVISION  
DC1 Area 5****1. General Purpose**

The purpose of this Provision is to facilitate a mixed use area that encourages the retention of existing older residential structures and promotes a scale and design that is complementary to the existing low density residential dwellings in the area by providing opportunity for greater residential uses and small scale, low impact commercial uses.

**2. Area of Application**

This Provision shall apply to land within the boundaries of the 104 Avenue Corridor Area Redevelopment Plan located between Stony Plain Road NW and 103 Avenue NW from 123 Street NW to 121 Street NW as shown on Schedule A attached to the Bylaw adopting this Provision and as identified on Appendix "1" attached.

**3. Uses**

- a. Business Support Services
- b. Child Care Services
- c. Commercial Schools
- d. Community Recreation Services
- e. Convenience Retail Stores
- f. Creation and Production Establishments
- g. Duplex Housing
- h. Garage Suites
- i. Garden Suites
- j. Group Homes
- k. Laneway House
- l. Limited Group Homes
- m. Health Services
- n. Major Home Based Businesses
- o. Minor Home Based Businesses
- p. Personal Service Shops



- q. Professional, Financial and Office Support Services
- r. Row Housing
- s. Secondary Suites
- t. Semi-detached Housing
- u. Single Detached Housing
- v. Specialty Food Services
- w. Restaurants
- x. Freestanding On-premise Signs
- y. Temporary On-premise Signs

#### **4. Development Criteria**

- a. The maximum Floor Area Ratio shall be 1.0.
- b. The maximum Height shall not exceed 10.0 m.
- c. The maximum Site area shall be 700 m<sup>2</sup>.
- d. The minimum Front Yard shall be 6.0 m. At the discretion of the Development Officer, the area of a porch or veranda or portion thereof which does not have a principal building above may be allowed to be developed up to a maximum of 2.0 m into a required Front Yard.
- e. A minimum Side Yard of 1.0 m shall be provided.
- f. Notwithstanding 4(e) of this Bylaw, and the definition of Setback in Zoning Bylaw 12800, the Development Officer, in consultation with Integrated Infrastructure Services, shall have regard to the approved concept plan or the preliminary engineering drawings for the West LRT Line in determining building setbacks along Stoney Plain Road, and may calculate a building setback from the LRT easement line to accommodate future LRT operations. This setback shall be a minimum of 1.0m.
- g. The minimum Rear Yard shall be 7.5 m.
- h. A principal building shall be separated from a rear detached Garage or Garden Suite or Laneway House by a minimum of 3.0 m.
- i. Notwithstanding the above, no minimum yard requirements shall apply to conversions of old single detached residential housing stock, except to the extent where an addition to such a structure is to occupy additional area within the site.
- j. A maximum of three (3) vehicular parking spaces are required.
- k. Vehicular access to a Garage or Parking Area shall be from an Abutting Lane to the satisfaction of Transportation Services.
- l. No Off-street Vehicular Loading Facilities shall be required.
- m. Signs shall be developed in accordance with Schedule 59A.

- n. Architectural treatment of new developments shall ensure that elements common to the residential architecture of the area are emphasized through the inclusion of features such as the following:
  - i. porches and verandas;
  - ii. brick, clapboard or stucco as prominent exterior finishes;
  - iii. gambrel, pyramidal, gable or hip roofs; or
  - iv. dormers and bay windows.
- o. For Commercial Uses:
  - i. activities will be confined to a small-scale of operation with a staff of not greater than 5 persons;
  - ii. Restaurants and Specialty Food Services shall be limited to a maximum of 70 seats; and
  - iii. design shall maintain the appearance of a Single Detached Dwelling.
- p. Single Detached, Semi-detached, Duplex Housing and Secondary Suites in this Provision shall be developed in accordance with the provisions of the RF4 Zone.
- q. For the purposes of this Provision, a Laneway House shall be a Use that takes the form of a Garage or Garden Suite and, notwithstanding the definition of Garage or Garden Suite within the Zoning Bylaw, be Accessory to a building in which the principle Use is a listed Use in this Provision.
- r. Garage and Garden Suites and Laneway Houses may be developed in conjunction with a Secondary Suite that is developed within the principle building.
- s. Notwithstanding other regulations in this Provision:
  - i. Development in this provision shall be evaluated to be in compliance with the General Development Regulations of Sections 40 to 97 inclusive, of the Zoning Bylaw.
  - ii. The Development Officer may grant relaxations to the regulations contained in this Provision, if in the opinion of the Development Officer, such a variance would be in keeping with the general purpose of this district and would not adversely affect the amenities, use and enjoyment of neighbouring properties.
  - iii. Garage and Garden Suites and Laneway Houses shall be developed in accordance with Section 87 of the Zoning Bylaw.

# **Legend** Area 5 104 Corridor ARP Boundary **Appendix 1 - Area 5** 104 Avenue Corridor ARP

