SCHEDULE "B"

(DC) DIRECT CONTROL ZONE

1. Purpose

1.1. To accommodate an existing high rise residential building and a new high rise mixed-use tower and podium, with a design that integrates with and enhances the Jasper Avenue commercial corridor.

2. Area of Application

2.1. This zone shall apply to Lots 9-13, Block 19, Plan 3549AE, located on the southeast corner of Jasper Avenue NW and 121 Street NW as shown in Schedule "A" of the Charter Bylaw adopting this zone, Oliver.

3. Uses

Residential Uses

3.1. Home Based Business

3.2. Residential

Commercial Uses

3.3. Bar

3.4. Cannabis Retail Store

3.5. Custom Manufacturing

3.6. Food and Drink Service

3.7. Health Service

3.8. Hotel

3.9. Indoor Sales and Service

3.10. Liquor Store

3.11. Minor Indoor Entertainment

3.12. Office

3.13. Residential Sales Centre

Community Uses

3.14. Child Care Service

3.15. Community Service

3.16. Library

3.17. Park

3.18. School

3.19. Special Event

Agricultural Uses

3.20. Urban Agriculture

Sign Uses

3.21. Fascia Sign

3.22. Freestanding Sign

3.23. Portable Sign

3.24. Projecting Sign

4. Additional Regulations for Specific Uses

4.1. Non-Residential Uses shall only be developed in conjunction with Residential Uses and shall not be in any freestanding structure.

4.2. The maximum Floor Area Ratio for Non-Residential Uses shall be 4.0

4.3. Residential Uses in the west building shall comprise a minimum of 75% of Floor Area.

4.4. Signs must comply with Subsection 5 of Section 6.90 of the Zoning Bylaw.

4.5. Freestanding Signs shall:

4.5.1. be limited to project identification or identification of Commercial premises on site; and

4.5.2. complement the design of the west building.

4.6. Portable Signs shall be limited to building construction identification or real estate advertising associated with the site and shall not include trailer mounted or signs with changeable copy.

5. Site and Building Regulations

5.1. The development shall be in general conformance with the attached appendices.

5.2. The development shall consist of two buildings. The existing building on the east side of the Site (east building) shall consist of the existing Tower, and the building on the west side of the Site (west building) shall consist of a new Tower and Podium.

5.3. The minimum separation distance between on-site Towers shall be 13 m.

5.4. The maximum Podium Height of the west building shall be 14 m.

5.5. The maximum total Height of the west building shall be 108 m.

5.6. The maximum Height of the east building shall be 40 m.

5.7. The maximum total Floor Area Ratio for the site shall be 11.

5.8. The minimum west building Podium Setbacks shall be as follows:

5.8.1. 51.3 m from the easternmost Lot line;

5.8.2. 0 m from the west Lot line;

5.8.3. 0 m from the north Lot line; and

5.8.4. 3.0 m from the south Lot line.

5.9. The minimum west building Tower Setbacks shall be as follows:

5.9.1. 51.3 m from the east Lot line;

5.9.2. 2.5 m from the west Lot line;

5.9.3. 4.0 m from the north Lot line; and

5.9.4. 4.5 m from the south Lot line.

5.10. The minimum east building Setbacks shall be as follows:

5.10.1. 4.5 m from the nearest east Lot line;

5.10.2. 43.0 m from the west Lot line;

5.10.3. 6.0 m from the north Lot line; and

5.10.4. 5.4 m from the south Lot line.

5.11. Balconies may project 2.0 m into required Tower Setbacks.

5.12. The Floor Plate of the west Tower shall not exceed 825 m^2.

6. Design Regulations

6.1. Each Commercial Use shall have a well defined entrance at ground level.

6.2. Where the building is less than 1.0 m from the Lot line, entrances shall be recessed.

6.3. New building Facades shall be strongly articulated to add variety, rhythm, and a human scaled dimension at ground level.

6.4. For the west building, blank walls shall not be permitted facing Jasper Avenue, 121 Street or 100 Avenue. Elements such as, but not limited to, windows, changes in material, colour, or architectural treatments shall be incorporated into the design.

6.5. For the west building, a minimum of 70% of the linear building frontage of the ground Storey Façades facing Jasper Avenue NW, 121 Street and 100 Avenue NW shall have transparent glazing. Linear frontage shall be measured as the horizontal plane at 1.5 m above Grade;

6.5.1. the placement and type of windows shall allow viewing into the building to promote a positive pedestrian-oriented street; and

6.5.2. a maximum of 10% of the first Storey glazing may be covered by Signs. The remainder of the glazing shall remain free from obstruction; and

6.6. The design of the west building shall demonstrate the following:

6.6.1. The north and south elevations of the building shall feature design concepts that are distinct from one another; and

6.6.2. One or more colours, aside from neutral colours, white or black, will be incorporated on limited portions of the facades and/or balconies.

6.6.3. Below 12.0 meters in height, the predominant exterior building materials shall be prefinished metal cladding, masonry cladding and glazing.

6.6.4. With the exception of the south Facade, the Tower shall be designed to break in appearance using a change in colour above 27.0 meters in height.

6.6.5. Above 98 meters in height, a prefinished metal screen shall be used to enclose mechanical equipment and create a distinct ‘Tower top’.

6.6.6. The Tower shall employ an angled and recessed floor plate shape, to mitigate impacts to views from existing residential Towers to the east and west.

6.7. Exterior building materials shall be durable and high quality, including, but not limited to: masonry, stone, brick, acrylic stucco, metal cladding/panelling and/or glazing. The use of vinyl and cementitious stucco is prohibited.

6.8. All mechanical equipment, including surface level venting systems and transformers, shall be screened in a manner compatible with the architectural character of the building or be concealed by incorporating it within the building. Ground level vents shall be oriented away from Abutting Sites and pedestrian circulations areas.

7. Parking, Loading, Storage and Access Regulations

7.1. Vehicular access and circulation shall be developed in general accordance with Appendix 1

7.2. A maximum of four surface parking shall be provided in accordance with Appendix 1.

7.3. All other on-Site vehicular parking shall be provided within the Underground Parkade.

7.4. The Underground Parkade shall be permitted to extend to all Lot Lines, provided there is sufficient soil capacity to support any required Landscaping, to the satisfaction of the Development Officer.

7.5. A bicycle wash, repair and maintenance station shall be required within or adjacent to the bike storage area within the Underground Parkade.

7.6. All waste collection, storage, or loading areas shall be located in general accordance with Appendix 1 and designed to the satisfaction of the Development Planner in consultation with the City departments responsible for waste services and transportation services.

7.7. Pedestrian circulation shall be clearly marked through paving and lighting treatments, including a pedestrian crossing light at the Underground Parkade entrance, in accordance with Appendix 1.

7.8. Accessible hard-surfaced pedestrian Pathways with a minimum width of 1.8 m shall be provided from main building entrances to:

7.8.1. Abutting public sidewalks, shared use paths, and transit stops;

7.8.2. Parking Areas; and

7.8.3. Public Amenity Areas.

8. Landscaping, Lighting and Amenity Area Regulations

8.1. Landscaping shall be in general conformance with the Appendix 2 of this zone.

8.2. The required Landscape Plan submitted with a Development Permit application for new building construction shall be prepared by a Landscape Architect registered with the Alberta Association of Landscape Architects (AALA) and shall include:

8.2.1. A combination of hard and Soft Landscaping around the perimeter of the site to the west and south of the site, providing comfortable areas for pedestrian circulation and seating;

8.2.2. One (1) tree adjacent to Jasper Avenue;

8.2.3. One (1) tree adjacent to 100 Avenue; and

8.2.4. Four (4) trees between the west and east buildings.

8.3. 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 and roof tops. Exterior lighting associated with the development shall be designed such that it has no negative impact on an adjacent property.

9. Other Regulations

9.1. Site and building layouts must include design elements that take the principles of Crime Prevention Through Environmental Design (CPTED) into consideration. The Development Planner may, at their discretion,require a CPTED assessment prepared in accordance with Section 5.110 of the Zoning Bylaw to confirm this has been done to their satisfaction.

9.2. An arborist report and tree preservation plan to the satisfaction of the Development Planner in consultation with the City department responsible for public tree management, must be submitted with the Development Permit application to determine the impact of the proposed development, including excavation and construction, on existing boulevard trees along 121 Street and 100 Avenue. If required by the Development Planner, an air spading tool must be used

to determine the amount and size of roots that may need to be cut for the parkade/foundation wall. If:

9.2.1. the arborist report indicates that the development will unduly compromise the ongoing viability and health of a tree or trees, each tree must be removed as part of the redevelopment of the site. The owner/developer must be responsible for the cost of removal as well as for compensating the City for the value of the tree being removed. If required by the Development Planner, each tree removed must be replaced by a new tree in an enhanced growing soil medium in the form of soil cells or continuous trenches, at the cost of the owner; or

9.2.2. the arborist report indicates that the development will not unduly compromise the ongoing viability and health of a tree or trees, each tree must be retained and protected as per the City's Corporate Tree Management Policy C456C.

9.3. Prior to the issuance of a Development Permit for any buildings greater than 20.0 m in Height, a Wind Impact Assessment shall be submitted for review. The development shall incorporate design features to minimize adverse microclimatic effects such as wind tunneling, snow drifting, rain sheeting both on and off Site, consistent with the recommendations of the Wind Impact Assessment.

9.4. Built form, public realm interfaces, streetscape elements and pedestrian connections shall consider the City of Edmonton's Winter Design Guidelines in their design and implementation.

9.5. Notwithstanding the other Development Regulations and Appendices of this zone and Section 7.80.4.1.1.5 of the Zoning Bylaw, in the event that the owner/developer does not obtain a Development Permit and commence construction of the west building within seven years of the passage of the Bylaw adopting this zone, development shall be in accordance with this zone, except that:

9.5.1. The maximum height of the west building shall be 45 m; and

9.5.2. The Floor Area Ratio shall be a maximum of 3.0.

10. Public Improvements and Contributions

10.1. A minimum of 28 Dwellings shall be developed with the following characteristics:

10.1.1. The Dwellings shall have 3 bedrooms;

10.1.2. the Dwelling shall have dedicated and enhanced bulk storage located within the building or the Parkade;

10.1.3. the Dwelling shall have access to a minimum of 2 bicycle parking spaces; and

10.1.4. the Dwelling shall have access to a child-oriented Common Amenity Area of at least 50.0 m2.

10.2. Prior to the issuance of the Development Permit for new building construction, the owner must enter into an agreement with the City of Edmonton whereby the owner must provide a minimum contribution of $135,051.11 toward the acquisition and placement of public art. Such agreement must require that:

10.2.1. Prior to the issuance of the Development Permit, a public art plan showing the general location(s) of art must be prepared and submitted to the City of Edmonton for review and approval by the Development Planner. The art will be acquired through an art procurement process administered by the owner(s) and all costs related to the procurement of the artworks, operation and future maintenance must be the responsibility of the owner;

10.2.2. Artworks must be created by a professional artist;

10.2.3. Artworks may be located on or within the public or private property and must be in locations that are publicly viewable to the satisfaction of the Development Planner;

10.2.4. If located on public property or road right of way, the location must be to the satisfaction of the Development Planner in consultation with the City department responsible for mobility and right of way management; and

10.2.5. The Public Art contribution amount must be increased every 5 years from the date of passage of the Charter Bylaw adopting this Zone according to the annual rate of national inflation as determined by Statistics Canada.

10.2.6. Notwithstanding the above, if a Development Permit application has not been made within five (5) years of the date of approval of the Charter Bylaw adopting this zone, this contribution amount shall be increased from that point forward according to the annual rate of national inflation as determined by Statistics Canada.

Appendix 1 - Site Plan
Appendix 2 - Landscape Plan

Appendix 3 - Elevations