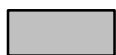
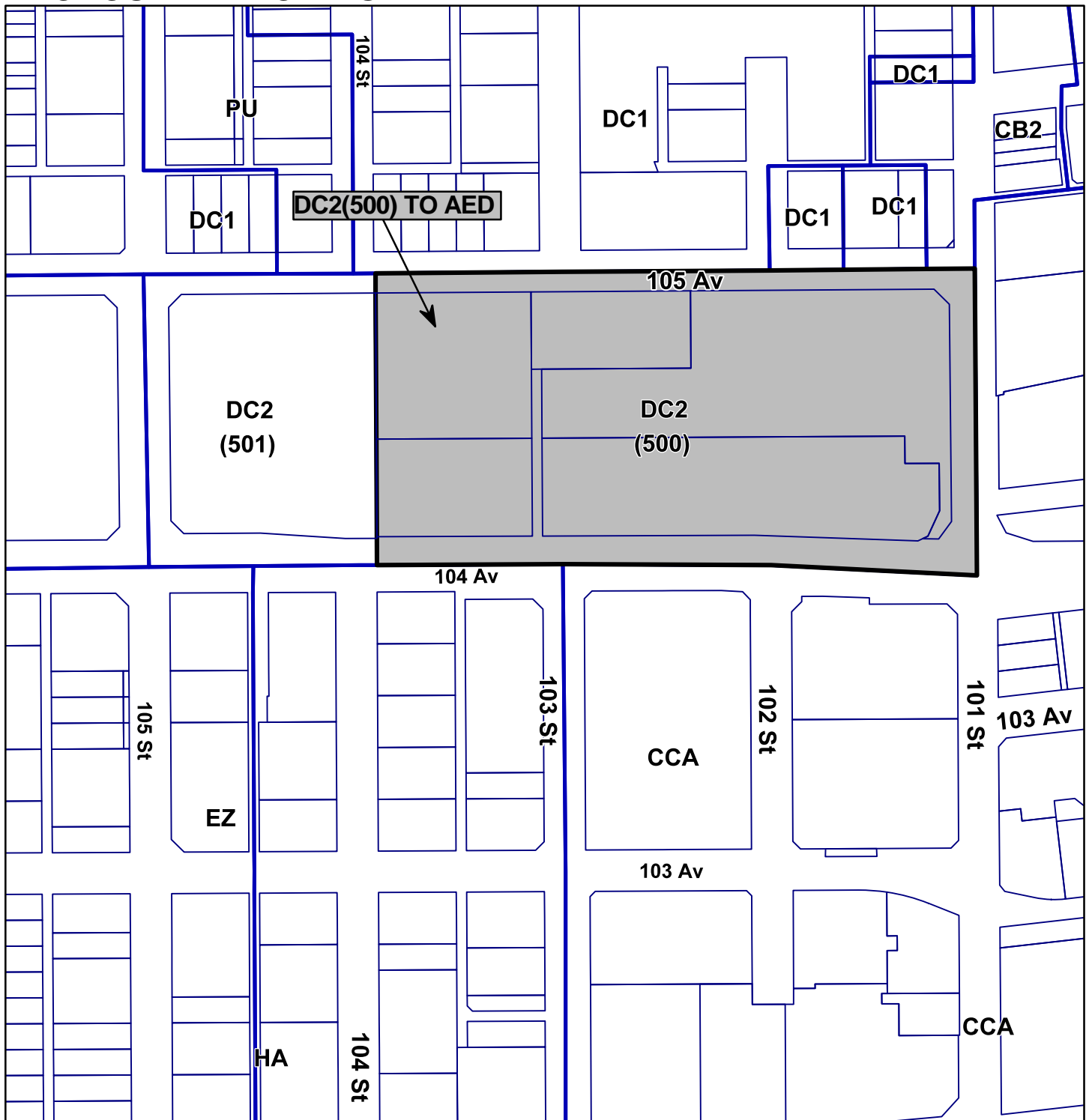


PROPOSED REZONING AND AMENDMENT



From: (DC2) Site Specific Development Control Provision

To: (AED) Arena and Entertainment District Zone

File: LDA10-0114

Date: 10/18/2010

Downtown



910.12 (AED) - ARENA & ENTERTAINMENT DISTRICT ZONE

1. General Purpose

The purpose of this Zone is to provide an arena and entertainment zone to accommodate the development of a vibrant mixed-use district that will strengthen the Downtown Core as a regional destination point that provides for employment, residential, cultural, economic, sports and entertainment opportunities.

The district will consist of a multi-purpose sports and entertainment complex complemented by a variety of entertainment, retail, service, office, institutional and residential uses. The area will be characterized by a pedestrian-friendly street environment, innovative signage, iconic architecture and exceptional urban design to create a strong sense of place in the Downtown Core and an exciting new image for Edmonton.

2. Permitted Uses

- a. Apartment Housing
- b. Apartment Hotels
- c. Auctioneering Establishments
- d. Bars and Neighbourhood Pubs, not to exceed 300 occupants and 360 m² of Public Space
- e. Broadcasting and Motion Picture Studios
- f. Business Support Services
- g. Carnivals Casino and other Gaming Establishments
- h. Child Care Services
- i. Commercial Schools
- j. Community Recreation Services
- k. Convenience Retail Stores
- l. Convenience Vehicle Rentals, limited to indoor locations only
- m. Exhibition and Convention Facilities
- n. General Retail Stores
- o. Government Services
- p. Health Services
- q. Hotels
- r. Indoor Participant Recreation Services
- s. Limited Contractor Services
- t. Live Work Units
- u. Minor and Major Amusement Establishments
- v. Minor and Major Home Based Business
- w. Minor Alcohol Sales and Major Alcohol Sales
- x. Natural Science Exhibits
- y. Nightclubs, not to exceed 450 occupants and 540 m² of Public Space and within 10 m of a site zoned for residential Uses
- z. Outdoor Participant Recreation Services
- aa. Personal Service Shops
- bb. Professional, Financial and Office Support Services
- cc. Private Education Services and Public Education Services
- dd. Private Clubs
- ee. Public Libraries and Cultural Exhibits
- ff. Public Park
- gg. Religious Assembly

- hh. Residential Sales Centres
- ii. Restaurants
- jj. Specialty Food Services
- kk. Spectator Entertainment Establishment
- ll. Spectator Sports Establishment
- mm. Fascia On-premises Signs
- nn. Projecting On-premises Signs
- oo. Roof On-premises Signs
- pp. Temporary On-premises Signs, not including portable signs

3. Discretionary Uses

- a. Automotive and Minor Recreation Vehicle Sales/Rentals, limited to indoor locations only and not adjacent to residential or residential related uses
- b. Bars and Neighbourhood Pubs, exceeding 300 occupants and 360 m² of Public Space
- c. Boarding and Lodging Houses
- d. Custom Manufacturing Establishments
- e. Extended Medical Treatment Services
- f. Flea Market, limited to farmers market involving the sale of items such as produce, handicrafts and artifacts
- g. Minor and Major Secondhand Stores
- h. Minor Impact Utility Services
- i. Mobile Catering Services
- j. Nightclubs, exceeding 450 occupants and 540 m² of Public Space
- k. Nightclubs, not exceeding 450 occupants and 540 m² of Public Space and within 10 m of a site zoned for residential Uses
- l. Non-accessory Parking
- m. Protective and Emergency Services

- n. Veterinary Services
- o. Warehouse Sales
- p. Fascia Off-premises Signs
- q. Freestanding Off-premises Signs
- r. Freestanding On-premises Signs
- s. Projecting Off-premises Signs
- t. Roof Off-premises Signs
- u. Temporary Off-premises Signs, not including portable signs

4. Development Regulations for Permitted and Discretionary Uses

The following regulations shall apply to all Permitted and Discretionary Uses:

a. Floor Area Ratio

- i. The maximum Floor Area Ratio (FAR) shall be 12.0.
- ii. Notwithstanding the above, Hotels and Apartment Housing shall be allowed an additional Floor Area Ratio of 4.0. In cases where additional density has been granted, the Development Officer shall ensure that new developments fit within the urban context of the area and that adverse environmental impacts such as sun shadow and wind are minimized.

b. Building Height

- i. The maximum building Height shall not exceed 180 m, nor 60 storeys.
- ii. Notwithstanding the above, the maximum height for buildings in this Zone shall not exceed that established by the Airport Protection Overlay of the Zoning Bylaw.

c. Building Setbacks

- i. Buildings shall have a zero to 2.5 m front Setback, however, the Development Officer may increase the Setback for the purposes of public realm improvements. The Setback shall not be used for roadway widening.
- ii. No front Setback shall be required on the north side of 104 Avenue, provided that sidewalks and landscaping is continued.
- iii. Notwithstanding the above, if required to accommodate a particular architectural style, to provide opportunities for sidewalk cafes, patios, etc., then a setback may be provided. This setback shall not exceed 4.5 m.
- iv. Architectural and weather protection features such as awnings, canopies, arcades, etc. may project to the property line, where a setback is provided.

d. Amenity Areas

- i. A minimum amenity area of 2% of the gross floor area of residential uses shall be required for buildings over 2000m² to the satisfaction of the Development Officer. Amenity areas may include meeting rooms, fitness facilities, outdoor space, and shall be exempt from FAR calculations.
- ii. Non-residential buildings on sites of less than 1350m² shall not be required to provide Amenity Area.
- iii. Non-residential or mixed use buildings on sites greater than 1350m² shall provide a minimum Amenity Area of 4% and may be aggregated on the whole site. Such Amenity Area may include, but is not limited to, interior and exterior landscaped open spaces, arcades, roof top patios/gardens, atriums and plazas, and shall be exempt from FAR calculations.
- iv. Required open space may be located at or above grade or on rooftops. Parking areas, driveways and service access shall not be included as open space.
- v. A diversity of open space shall be provided throughout the development, designed to accommodate year-round use. Open space shall include, but is not limited to: space devoted to public gatherings, pedestrian movement and other social and recreational functions.
- vi. Public spaces shall support a variety of outdoor activities such as standing, sitting, strolling, conversing, dining, etc.

e. Vehicular Parking

Parking shall be in accordance with Section 54 of the Zoning Bylaw; except that:

- i. For conversions to residential uses where there is existing parking, additional parking shall not be required.
- ii. At such time as a Shared Use Parking Impact Assessment is submitted, the applicant for a development permit may apply for a reduction to the minimum number of parking spaces. The applicant must demonstrate through a Shared use Parking Impact Assessment that by virtue of the use, character, or location of the proposed development, and its relationship to public transit facilities and any other available parking facilities, the parking required for the proposed development may be less than any minimum set out in Schedule 1 of Section 54 of the Zoning Bylaw.

f. Landscaping

Landscaping shall be in accordance with Section 55 of the Zoning Bylaw except that:

- i. For development consisting of Residential Use Classes, the number of trees provided shall be a minimum of one tree for each 25 m² of any required Setback at grade.
- ii. For tree requirements, only deciduous species shall be allowed on any Yard or Setback abutting a Public Roadway, other than a lane.
- iii. Within the required Setback along 104 Avenue, a 2.5 m sidewalk with flanking rows of deciduous shade trees shall be provided. Where the arena building abuts 104 Avenue, a 2.5 m sidewalk shall be maintained within road right of way, with shade tolerant plantings, a flanking row of deciduous trees shall not be required.
- iv. Landscaping on the Site shall consider the use of plant materials and architectural features that provide colour, texture and visual interest throughout the year to enhance the appearance of the development and create comfortable, attractive and sustainable environments for the benefit and enjoyment of its many stakeholders.
- v. At each development permit stage, a detailed Landscape Plan for the subject development permit stage shall be submitted. The Landscape Plan must be completed by a registered landscape architect and submitted for review and approval by the Planning and Development Department, Asset Management and Public Works and the Transportation Department prior to approval of any Development Permit. The landscape plans shall incorporate all previous development permit stages, resulting in an overall landscape plan at the final development permit stage. The plans shall include, but are not limited to:
 - 1. all existing and proposed utilities within any road road-of-way;
 - 2. pavement materials;
 - 3. exterior lighting;
 - 4. street furniture elements;
 - 5. pedestrian seating areas;
 - 6. gathering places;
 - 7. pedestrian linkages and connections;
 - 8. sizes and species of new tree plantings; and

9. other landscaping elements as applicable.

- vi. The Landscape Plan submitted with each development permit stage must show proposed off-site landscaping on public property adjacent to the site, to the satisfaction of the Planning and Development Department, Asset Management and Public Works and the Transportation Department. The streetscape improvements may include, but are not limited to, new sidewalks, streetlights, boulevard landscaping, boulevard trees, street furniture, and/or the relocation of utilities underground.

g. Signage

Signage within the Arena and Entertainment District Zone is intended to consist of an array of high-quality, spectacular signage that serves a primary role in establishing the character of the district as a unique place in the city, promotes and supports activities fostering a sense of arrival and excitement, and serving a wayfinding function. Large-format signage is imagined as an integral component of the district's design and spirit.

Signs shall comply with the regulations found in Section 59 and Schedule 59F of the Zoning Bylaw, except that:

- i. At each development permit stage, a Comprehensive Sign Design Plan and Schedule for the subject development permit stage shall be submitted in support of the land use concept and design that are integral in establishing the special character and ambiance associated with major destination sports, retail and entertainment uses, for approval of the Development Officer. The sign plans shall be designed to contribute to the special character envisioned for each sub-area through the use of innovative, unique and high quality signage that contribute to a lively, colourful and exciting pedestrian environment. The sign plans shall incorporate all previous development permit stages, resulting in an overall sign plan at the final development permit stage.
- ii. Signage shall be designed as an integral built form component and contribute to urban design objectives for the Zone.
- iii. Landmark signage should be located at key visual sites such as corners and view terminus sites, and should be of the highest architectural quality and design.
- iv. Gateway signage should be located at key entry points to the district to strengthen the district identity and to function as wayfinding elements.
- v. The size, height, placement, animation, illumination and number of signs shall be in accordance with the required Comprehensive Sign Design Plan, to the satisfaction of the Development Officer.
- vi. Illuminated signs shall be designed, located or screened so as to reduce visual and light impacts on adjacent off-site residential units.
- vii. Theatrically Programmed Environment (TPE System)
 - 1. The development of a TPE System may be incorporated into publicly-accessible open space, the facades and/or roof structures of buildings within

the AED Zone. The TPE System may include, but is not limited to, features such as:

- Projection systems on architectural surfaces;
- LED lighting embedded into structures/buildings;
- Interactive multi-media technologies; and
- Environmental effects (i.e. special effects with the use of water and light).

5. Urban Design

The district shall be designed in an architectural style and character that complements its mixed use character and promotes a unique district identity. The Development Officer shall ensure that new developments and major renovations reflect the Urban Design Policies of the Downtown Plan and the following Design Regulations. Where a conflict arises, the zoning regulations shall prevail.

a. Street Interface

The interface between buildings and streets is important in achieving street environments that are welcoming to pedestrians and encourage increased activity at the sidewalk level.

- i. Buildings, where feasible shall reflect the street types identified in the Urban Design Framework for Downtown Streets, emphasizing specific boulevard treatments to enhance the pedestrian oriented character of the Arena and Entertainment District.
- ii. Pedestrian linkages and crossings shall be identifiable through decorative paving, stamping or patterned concrete/brick.
- iii. Pedestrian oriented streetscape elements such as pedestrian level street lighting, landscaping, benches and street furniture shall be provided throughout the site.
- iv. Buildings designed to accommodate Commercial Uses shall strengthen the pedestrian oriented shopping area by:
 1. Designing the ground Storey to a minimum Height of 3.5m.
 2. Major shopping complexes and large-format stores over 2000m² shall contain smaller scale retail spaces with direct access to the street to maintain a rhythm of fine-grained retail establishments at grade. All street level Commercial Uses that abut a street shall provide a primary direct access to the street.
 3. A minimum of 60% at-grade street Frontage on 101 Street shall be developed for retail, services, and other commercial uses;
 4. A minimum of 60% at-grade street Frontage on 104 Avenue shall be developed for retail, services, and other commercial uses. The frontage of the arena building shall be exempted from the calculation of this requirement.
 5. Above grade parking structures shall be screened from public roadways at grade in a way that does not disrupt the continuity of the street wall and the

character of the zone. Screens may include, but are not limited to, public art, street fronting retail uses, etc.

b. Public Amenity Area

- i. The development of the abutting public realm shall be in accordance with the standards outlined in the Urban Design Framework for Downtown Streets.
 - 1. Building setback areas shall improve the public realm and may include distinctive paving materials, fountains, or public art.

c. Pedestrian Circulation

- i. In addition to the public right-of way, a setback shall be provided to ensure safe pedestrian stacking room and convenient movement through the District. This setback shall be determined at the Development Permit Stage through the submission of a Pedestrian Movement Study, to the satisfaction of the Development Officer, in consultation with the Transportation Department. The study shall recommend appropriate setbacks based on:
 - 1. Location of public entrances to major traffic generators within the District;
 - 2. Location of street crossings; and
 - 3. Pattern and intensity of pedestrian movement at peak times.
- ii. Pedestrian connections and linkages shall be provided to Light Rail Transit entrances.
- iii. In large developments, through access shall be provided to facilitate pedestrian access to other walkways, linkages or interior courtyards.

d. Street Wall Design

- i. The façade of commercial and residential buildings that comprise a portion of the Street Wall shall range in Height from 9m to 26m. This Height may be reduced at the discretion of the Development Officer to respect building Height proportionality; to accommodate podium gardens, restaurants/cafes; to accommodate the natural slope of the site; or to ensure consistency with the design of the District.

e. Entrances and Corners

- i. Ground level retail uses shall open to the street rather than exclusively to an internal atrium.
- ii. In mixed-use buildings, residential uses shall have access at grade that is separate from the commercial premises.
- iii. 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.

f. Tower Floor Plate, Stepbacks, and Spacing

- i. Buildings greater than 26m in Height shall be allowed in the form of a podium plus tower composition or other configuration that ensures design treatments are

compatible with the façades of the District.

- ii. The mid-level of tall buildings or towers shall employ building stepbacks, tower spacing and sculpting to reduce building mass and augment views, light and privacy.
- iii. Towers shall be stepped back a minimum of 4.5 m from the building podium.

Notwithstanding the above (7. e. ii and iii) the Development Officer may use discretion in approving a tower which does not include stepbacks, where it is determined that exceptional architectural design has been achieved.

- iv. The minimum tower spacing between buildings shall be 20m, except that the Development Officer may use variance power to decrease the minimum tower spacing having regard for the design of the building, views, sun/shadow and wind impact.
- v. High rise structures, whether in the form of point towers, multiple developments or an entire complex shall be designed, oriented and constructed to maximize views, articulate the downtown skyline, and allow sunlight penetration at the street level, in public spaces, plazas, parks and amenity areas.

g. Building Façade, Materials, and Exterior Finishing

- i. Building façades shall incorporate architectural design details or features that recognize the predominant urban character of the street, as identified in the Urban Design Framework for Downtown Streets.
- ii. A façade shall not extend greater than 10 m without some manner of articulation at street-level, with the exception of the 105 Avenue façade for which articulation every 15 m is appropriate. Articulation may be provided in the form of arcades, variations in building materials, colour changes, signage, building breaks or setbacks, or other methods suitable to the architectural style of the building which provide visual interest.
- iii. Building design and façade shall incorporate treatments such as awnings, canopies, window openings, reveals, offsets, multiple entrances, arcades, columns, quality materials, interesting design, fenestrations, double Height entrances, parks, plazas, appropriate landscaping, colour, and other architectural features.
- iv. Where practical, weather protection in the form of a canopy at least 2.0 m wide or any other method suitable to the architectural style of the building or street theme, shall be provided one Storey above sidewalk level to provide protection from inclement weather. Subject to an encroachment agreement, methods of weather protection may project into the public road right-of-way.
- v. Buildings shall emphasize horizontal and vertical elements as well as finer grain elements including windows, balconies, shadow lines and textures to distinguish between residential and non-residential buildings.
- vi. Building materials shall be sustainable, durable, high quality and appropriate for the development within the context of the Arena and Entertainment District.
- vii. Infill developments shall be sensitive to the rhythm, articulation, design character, scale, façade materials, colours and textures of the block face.

h. Roof Tops and Skyline Effects

- i. The top floors of buildings shall contribute to the 'signature' of the building and the City's skyline through sculpting of the upper floors and roof.
- ii. Rooftops shall be designed to accommodate mechanical penthouses, reduce the heat island effect, facilitate energy efficiency and contribute to a distinctive and unique Downtown skyline. The design of the roof may include a combination of design features such as green roofs, solar panels, patios, or private open spaces.
- iii. The bulk of the tower top may be reduced at the discretion of the Development Officer, through building setbacks to create articulation, visual interest, and reduced massing effects.

i. Exterior Lighting

- i. Enhanced lighting at grade shall be provided to improve the pedestrian environment and address the long night associated with a winter city. Detailed lighting plans shall be submitted with each development permit stage.
- ii. Large-scale architectural lighting:
 1. May be used to highlight or accentuate vertical, horizontal or other architectural elements of buildings; and
 2. May change hues and mark special seasons, weather and events with unique colour arrangements, and may make use of dramatic lighting elements in order to create a dynamic and exciting event atmosphere.
- iii. Exterior lighting associated with the development shall be designed so that illumination is minimized beyond the boundaries of the development site thereby limiting or preventing light pollution and intrusion.

6. Additional Development Regulations for Specific Uses and Streets

- a. The following regulations shall apply to Automotive and Minor Recreational Vehicle Sales/Rentals and Convenience Vehicle Rentals developments:
 - i. There shall be no servicing and repair operations; and
 - ii. All sales, display and storage shall be contained within the building.
- b. Live/Work Units shall be developed in accordance with Section 92 of the Zoning Bylaw.
- c. The following regulations shall apply to Flea Markets:
 - i. No minimum distance from residential development shall be required;

- ii. No additional parking shall be required;
 - iii. No direct vehicular access to arterial roadways shall be required; and
 - iv. Be of a temporary nature.
- d. The following regulations shall apply to Nightclubs:
- i. Where nightclubs are located within the same building as residential, consideration shall be given to the adverse effects of nightclubs. Design techniques to mitigate the effects of noise and light shall be provided.

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