

Charter Bylaw 19986

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 3395

WHEREAS the lands shown on Schedule “A” and legally described on Schedule “B”, generally bounded by 63 Avenue NW to the South, 78 Avenue NW to the North, 105 Street NW to the West, and the CPR Irvine rail corridor to the East, Strathcona Junction and Allendale, 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 properties 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”, generally bounded by 63 Avenue NW to the South, 78 Avenue NW to the North, 105 Street NW to the West, and the CPR Irvine rail corridor to the East, Strathcona Junction and Allendale, 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, all as more specifically described on Schedule “B”.
2. The uses and regulations of the aforementioned DC1 Provision are attached as Schedule "C".

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

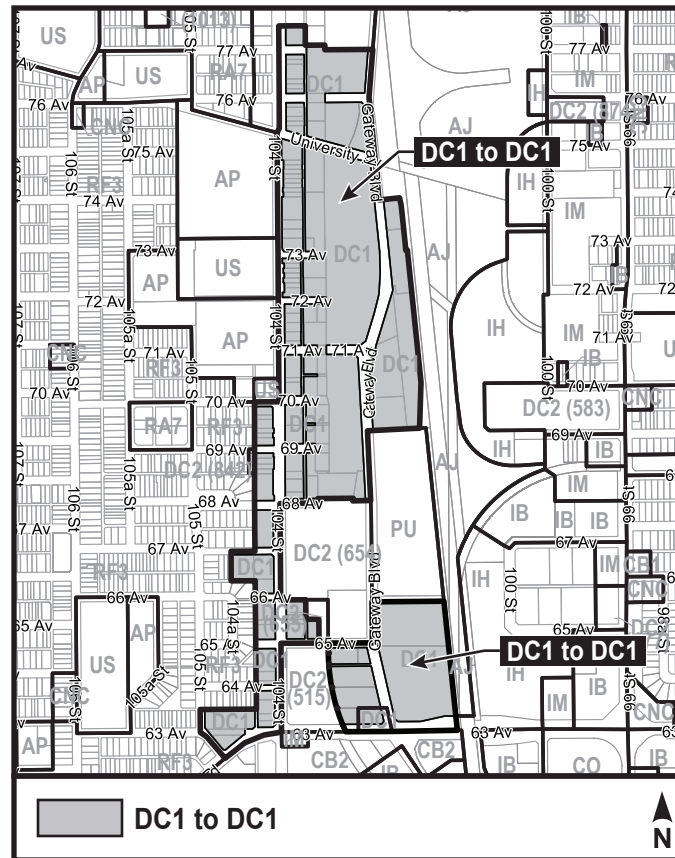
READ a first time this	day of	, A. D. 2022;
READ a second time this	day of	, A. D. 2022;
READ a third time this	day of	, A. D. 2022;
SIGNED and PASSED this	day of	, A. D. 2022.

THE CITY OF EDMONTON

MAYOR

CITY CLERK

CHARTER BYLAW 19986



SCHEDULE "B"

ADDRESS	LEGAL DESCRIPTION	FROM	TO
10303 - 65 AVENUE NW	Lot A Blk 6 Plan 4022HW	DC1	DC1
10315 - 65 AVENUE NW	Lots B,C Blk 6 Plan 4022HW	DC1	DC1
10316 - 76 AVENUE NW	Lot 1 Blk 1 Plan 0823458	DC1	DC1
10320 - 63 AVENUE NW	Lot E Blk 6 Plan 4022HW	DC1	DC1
10326 - 63 AVENUE NW	Lot F Blk 6 Plan 4022HW	DC1	DC1
10328 - 73 AVENUE NW	Lot 44 Blk 41 Plan 0822259	DC1	DC1
10328 - UNIVERSITY AVENUE NW	Lots 11-14 Blk 9A Plan 1750R	DC1	DC1
10333 - 72 AVENUE NW	Lots 34-35 Blk 40 Plan 8671S	DC1	DC1
10333 - UNIVERSITY AVENUE NW	Lot 43 Blk 41 Plan 0620356	DC1	DC1
10336 - 73 AVENUE NW	Lots 16-17 Blk 40 Plan 8671S	DC1	DC1
10340 - 68 AVENUE NW	Lot 7 Plan 9920051	DC1	DC1
10340 - 71 AVENUE NW	Lots 15-19,OT,X Blk 39 Plan 3900R	DC1	DC1
10343 - 71 AVENUE NW	Blk OT Plan 3900R	DC1	DC1
10345 - 69 AVENUE NW	Lot 1A Blk 66 Plan 7722853	DC1	DC1
10345 - 73 AVENUE NW	Lot A Blk 40 Plan 9222812	DC1	DC1
10346 - UNIVERSITY AVENUE NW	Lot 1 Blk 9A Plan 1750R	DC1	DC1
10347 - 71 AVENUE NW	Lots 26-28 Blk 39 Plan 3900R	DC1	DC1
10348 - 70 AVENUE NW	Lot 31A Blk 39 Plan 9221389	DC1	DC1
10348 - 70 AVENUE NW	Lot 31B Blk 38 Plan 9223014	DC1	DC1
10350 - 72 AVENUE NW	Lot B Blk 40 Plan 9222812	DC1	DC1
10351 - 72 AVENUE NW	Lots 36-38 Blk 40 Plan 8671S	DC1	DC1
10351 - 76 AVENUE NW	Lots 7-10 Blk 9A Plan 1750R	DC1	DC1
10354 - 68 AVENUE NW	Lot 6A Blk 66 Plan 7722853	DC1	DC1
10355 - 70 AVENUE NW	Lot 32 Blk 38 Plan 4451S	DC1	DC1
10366 - 65 AVENUE NW	Lots 9-10 Blk 73 Plan 5740AI	DC1	DC1
10404 - 64 AVENUE NW	Lot 8 Blk 33 Plan 3553P	DC1	DC1
10410 - ALLENDALE ROAD NW	Lots 9,12 Blk 34 Plan 4976KS	DC1	DC1
10417 - 67 AVENUE NW	Lot 7 Blk 31 Plan 9021531	DC1	DC1
10436 - 63 AVENUE NW	Lot 10 Blk 34 Plan 4976KS	DC1	DC1
6303 - 105 STREET NW	Lot 11U Blk 34 Plan 4976KS	DC1	DC1
6304 - 104 STREET NW	Lots 6-7 Blk 34 Plan 3553P	DC1	DC1
6304 - 104 STREET NW	Lot 8 Blk 34 Plan 3999MC	DC1	DC1
6320 - 104 STREET NW	Lots 3-5 Blk 34 Plan 3553P	DC1	DC1

ADDRESS	LEGAL DESCRIPTION	FROM	TO
6320 - GATEWAY BOULEVARD NW	Lot E Blk 6 Plan 4022HW	DC1	DC1
6325 - GATEWAY BOULEVARD NW	Lot 7A Blk 7 Plan 7622436	DC1	DC1
6328 - 104 STREET NW	Lots 1-2 Blk 34 Plan 3553P	DC1	DC1
6410 - 104 STREET NW	Lots 6-7 Blk 33 Plan 3553P	DC1	DC1
6420 - 104 STREET NW	Lots 1-5 Blk 33 Plan 3553P	DC1	DC1
6424 - GATEWAY BOULEVARD NW	Lot D Blk 6 Plan 4022HW	DC1	DC1
6501 - 104 STREET NW	Lot 26 Blk 73 Plan 1524926	DC1	DC1
6504 - 104 STREET NW	Lots 6-8 Blk 32 Plan 3553P	DC1	DC1
6511 - 104 STREET NW	Lot 4 Blk 73 Plan 5740AI	DC1	DC1
6511 - 104 STREET NW	Lots 1-3,5 Blk 73 Plan 5740AI	DC1	DC1
6520 - 104 STREET NW	Lot 5 Blk 32 Plan 3553P	DC1	DC1
6525 - GATEWAY BOULEVARD NW	Block 1, Plan 0221079	DC1	DC1
6528 - 104 STREET NW	Lots 1-4 Blk 32 Plan 3553P	DC1	DC1
6608 - 104 STREET NW	Lots 6-8 Blk 31 Plan 3553P	DC1	DC1
6622 - 104 STREET NW	Lot 5A Blk 31 Plan 9221628	DC1	DC1
6716 - 104 STREET NW	Lots 1-4,27-30 Blk B Plan 3553P	DC1	DC1
6801 - 104 STREET NW	Lot 5 Blk 66 Plan 5740AI	DC1	DC1
6804 - 104 STREET NW	Lots 1-5 Blk A Plan 3553P	DC1	DC1
6805 - 104 STREET NW	Unit 1-2 Plan 9921378	DC1	DC1
6810 - GATEWAY BOULEVARD NW	Lot 3B Plan 1437TR	DC1	DC1
6811 - 104 STREET NW	Lot 3A Blk 66 Plan 7722853	DC1	DC1
6819 - 104 STREET NW	Lot 2A Blk 66 Plan 7722853	DC1	DC1
6820 - 104 STREET NW	Lot 1 Blk 44 Plan I29	DC1	DC1
6824 - 104 STREET NW	Lot 2 Blk 44 Plan I29	DC1	DC1
6832 - 104 STREET NW	Lots 3-4 Blk 44 Plan I29	DC1	DC1
6834 - 104 STREET NW	Lot 4 Blk 44 Plan I29	DC1	DC1
6836 - 104 STREET NW	Lot 4 Blk 44 Plan I29	DC1	DC1
6904 - GATEWAY BOULEVARD NW	Lot 2 Plan 2416HW	DC1	DC1
6904 - GATEWAY BOULEVARD NW	Lots 24-25,32-33 Blk 39 Plan 3900R	DC1	DC1
6904 - GATEWAY BOULEVARD NW	Plan 3900R Blk OT	DC1	DC1
6904 - GATEWAY BOULEVARD NW	Plan 3900R Blk OT	DC1	DC1
6904 - GATEWAY BOULEVARD NW	Lot OT Blk 38 Plan 4451S	DC1	DC1

ADDRESS	LEGAL DESCRIPTION	FROM	TO
6904 - GATEWAY BOULEVARD NW	Lots 3-5,20-22,27-29 Blk 38 Plan 4451S	DC1	DC1
6908 - 104 STREET NW	Lot 29 Blk 44 Plan I29	DC1	DC1
6909 - 104 STREET NW	Lots 13-19 Blk 38 Plan 4451S	DC1	DC1
6922 - 104 STREET NW	Lot 30 Blk 44 Plan I29	DC1	DC1
6924 - 104 STREET NW	Lot 31 Blk 44 Plan I29	DC1	DC1
6925 - 104 STREET NW	Lot 33A Blk 38 Plan 7621517	DC1	DC1
6925 - GATEWAY BOULEVARD NW	Lots 10-11 Plan 2416HW	DC1	DC1
6926 - 104 STREET NW	Lot 1 Blk 5 Plan 735AR	DC1	DC1
6926 - 104 STREET NW	Lots 32-33 Blk 44 Plan I29	DC1	DC1
6932 - 104 STREET NW	Lots 2-3 Blk 5 Plan 735AR	DC1	DC1
7005 - 104 STREET NW	Lots 1-3 Blk 39 Plan 3900R	DC1	DC1
7011 - 104 STREET NW	Lots 3-4 Blk 39 Plan 3900R	DC1	DC1
7019 - 104 STREET NW	Lots 5-9 Blk 39 Plan 3900R	DC1	DC1
7025 - GATEWAY BOULEVARD NW	Lot 11A Plan 5096NY	DC1	DC1
7105 - 104 STREET NW	Lot 10 Blk 39 Plan 3900R	DC1	DC1
7109 - 104 STREET NW	Lots 11-12 Blk 39 Plan 3900R	DC1	DC1
7110 - GATEWAY BOULEVARD NW	Lot 14A Blk 40 Plan 0521096	DC1	DC1
7119 - 104 STREET NW	Lots 13-14 Blk 39 Plan 3900R	DC1	DC1
7121 - 104 STREET NW	Lots 1-2 Blk 40 Plan 8671S	DC1	DC1
7127 - 104 STREET NW	Lots 3-4 Blk 40 Plan 8671S	DC1	DC1
7203 - GATEWAY BOULEVARD NW	Lot 12U Plan 5096NY	DC1	DC1
7203 - GATEWAY BOULEVARD NW	Lot 4 Plan 8322229	DC1	DC1
7207 - 104 STREET NW	Lots 5-6 Blk 40 Plan 8671S	DC1	DC1
7211 - 104 STREET NW	Lots 6-7 Blk 40 Plan 8671S	DC1	DC1
7215 - 104 STREET NW	Lot 8 Blk 40 Plan 8671S	DC1	DC1
7215 - GATEWAY BOULEVARD NW	Lot 3 Plan 8322229	DC1	DC1
7219 - 104 STREET NW	Lot 9 Blk 40 Plan 8671S	DC1	DC1
7221 - 104 STREET NW	Lot 10 Blk 40 Plan 8671S	DC1	DC1
7223 - 104 STREET NW	Lot 11 Blk 40 Plan 8671S	DC1	DC1
7225 - 104 STREET NW	Lot 12 Blk 40 Plan 8671S	DC1	DC1
7303 - 104 STREET NW	Lot 15A Blk 40 Plan 1520737	DC1	DC1
7303 - GATEWAY BOULEVARD NW	Lot 2 Plan 8322229	DC1	DC1
7319 - 104 STREET NW	Lot 21A Blk 41 Plan 0225257	DC1	DC1
7321 - 104 STREET NW	Lots 19-20 Blk 41 Plan 6082Q	DC1	DC1
7331 - 104 STREET NW	Lots 14-18 Blk 41 Plan 6082Q	DC1	DC1

ADDRESS	LEGAL DESCRIPTION	FROM	TO
7341 - 104 STREET NW	Lot 13 6082Q Blk 41 Plan	DC1	DC1
7345 - 104 STREET NW	Lot 12 Blk 41 Plan 6082Q	DC1	DC1
7347 - 104 STREET NW	Lot 11 Blk 41 Plan 6082Q	DC1	DC1
7351 - 104 STREET NW	Lot 10 Blk 41 Plan 6082Q	DC1	DC1
7353 - 104 STREET NW	Lot 9 Blk 41 Plan 6082Q	DC1	DC1
7355 - 104 STREET NW	Lot 8 Blk 41 Plan 6082Q	DC1	DC1
7359 - 104 STREET NW	Lot 6 Blk 41 Plan 6082Q	DC1	DC1
7359 - 104 STREET NW	Lot 7 Blk 41 Plan 6082Q	DC1	DC1
7371 - 104 STREET NW	Lots 1-5 Blk 41 Plan 6082Q	DC1	DC1
7505 - 104 STREET NW	Lot 2 Blk 9A Plan 1750R	DC1	DC1
7507 - 104 STREET NW	Lot 3 Blk 9A Plan 1750R	DC1	DC1
7508 - GATEWAY BOULEVARD NW	Lot A Blk S Plan 1584HW	DC1	DC1
7508 - GATEWAY BOULEVARD NW	Plan 8122038 Blk OT	DC1	DC1
7515 - 104 STREET NW	Lots 4-5 Blk 9A Plan 1750R	DC1	DC1
7517 - 104 STREET NW	Lot 6 Blk 9A Plan 1750R	DC1	DC1
7601 - 104 STREET NW	Plan 1750R Blk OT	DC1	DC1
7603 - 104 STREET NW	Lot 1 Blk 14A Plan 1750R	DC1	DC1
7605 - 104 STREET NW	Lot 2 Blk 14A Plan 1750R	DC1	DC1
7607 - 104 STREET NW	Lot 3 Blk 14A Plan 1750R	DC1	DC1
7619 - 104 STREET NW	Lots 4-6 Plan 1750R Blk 14A	DC1	DC1
7621 - 104 STREET NW	Lot 7 Blk 14A Plan 1750R	DC1	DC1
7625 - 104 STREET NW	Lot 8 Blk 14A Plan 1750R	DC1	DC1
7707 - 104 STREET NW	Lots 1-4 Blk 25A Plan 1750R	DC1	DC1

SCHEDULE “C”**(DC1) DIRECT DEVELOPMENT CONTROL PROVISION
(CPR West)****1. General Purpose**

To provide transition for the area to become a pedestrian-oriented, urban style commercial mixed use area, while respecting the character of 104 Street NW and Gateway Boulevard NW. This Provision enhances the pedestrian environment by incorporating pedestrian scaled architecture, amenities and landscaping. It allows for Industrial, Commercial and limited Residential Uses.

2. Area of Application

This Provision shall apply to the properties generally located between 63 Avenue NW to the south, 78 Avenue NW to the north between 105 Street NW to the west and the CPR Irvine rail corridor to the east, as shown on Schedule “A” of the Charter Bylaw adopting this Provision, Strathcona Junction and Allendale.

This DC1 Provision is divided into four areas as shown in Appendix 1. Area 1 is adjacent to 104 Street NW, Area 2 is adjacent to the west side of Gateway Boulevard NW, Area 3 is on the east side of Gateway Boulevard NW and Area 4 is the northwest corner of 63 Avenue NW and Gateway Boulevard NW.

3. Uses

1. Animal Hospitals and Shelters
2. Auctioneering Establishments
3. Automotive and Equipment Repair Shops
4. Media Studios
5. Business Support Services
6. Cannabis Retail Sales
7. Carnivals
8. Commercial Schools
9. Convenience Retail Stores
10. Equipment Rentals
11. Fleet Services
12. Funeral, Cremation and Internment Services
13. General Retail Stores

14. Government Services
15. Greenhouses, Plant Nurseries and Garden Centres
16. Health Services
17. Household Repair Services
18. Indoor Participant Recreation Services
19. Limited Contractor Services
20. Liquor Stores
21. Major Amusement Establishments
22. Market
23. Minor Amusement Establishments
24. Natural Science Exhibits
25. Personal Service Shops
26. Private Clubs
27. Private Education Services
28. Professional, Financial and Office Support Services
29. Protective and Emergency Services
30. Recycling Depots
31. Religious Assembly
32. Residential Sales Centre
33. Restaurants
34. Secondhand Stores
35. Special Industrial Uses
36. Specialty Food Services
37. Spectator Entertainment Establishments
38. Veterinary Services
39. Fascia On-premises Signs
40. Minor Digital On-premises Signs
41. Projecting On-premises Signs
42. Roof On-premises Signs
43. Temporary On-premises Signs

4. Additional Uses – Area 1

1. Apartment Hotels
2. Bars and Neighbourhood Pubs
3. Child Care Services
4. General Industrial Uses, existing at the time of the approval of the Charter Bylaw adopting this Provision, excluding vehicle body repair and paint shops
5. Hotels
6. Live Work Unit

7. Motels
8. Multi-unit Housing
9. Nightclubs
10. Public Education Services
11. Public Libraries and Cultural Exhibits

5. Additional Uses – Area 2 and Area 4

1. Bars and Neighbourhood Pubs
2. Child Care Services
3. General Industrial Uses
4. Hotels
5. Motels
6. Multi-unit Housing
7. Nightclubs
8. Public Education Services
9. Public Libraries and Cultural Exhibits
10. Warehouse Sales
11. Freestanding On-premises Signs

6. Additional Uses – Area 3

1. General Industrial Uses
2. Nightclubs
3. Warehouse Sales
4. Freestanding On-premises Signs

7. General Development and Design Regulations

1. Auctioneering Establishments and Equipment Rentals shall have all goods and equipment contained within an enclosed building.
2. Cannabis Retail Sales shall be developed in accordance with Section 70 of the Zoning Bylaw.
3. Carnivals shall only be allowed for periods not exceeding seven consecutive days.
4. Liquor Stores shall only be allowed on Sites east of 104 Street NW.
5. Religious Assembly shall exclude rectories, manses, dormitories, convents, monasteries and other residential buildings.
6. Temporary On-premises Signs shall not include portable signs.
7. The overall Site development shall be in general accordance with the Strathcona Junction Area Redevelopment Plan.
8. Within the areas identified in Appendix 2 as Future Avenue, where road right-of-way has not been dedicated or a public easement has not been obtained

on private property, development shall be restricted as follows:

- a. no new buildings shall be allowed to be constructed;
- b. temporary developments, including tents, covered enclosures and Signs shall be allowed on an interim basis; and
- c. the width of a Future Avenue where development is restricted shall be the same width of the existing road right-of way of the avenue of which the Future Avenue is an extension, unless otherwise prescribed by Subdivision and Development Coordination (Transportation).

9. Construction of roadways within areas identified in Appendix 2 as Future Avenues shall comply with the following:

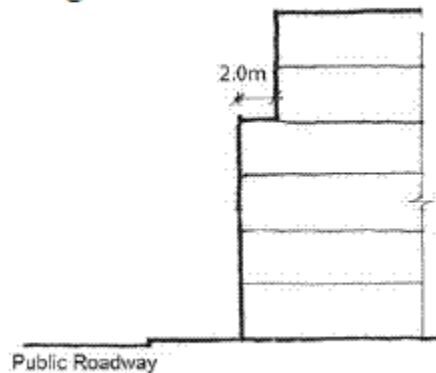
- a. construction of roadways within the Future Avenues shall be a requirement of comprehensive developments (new buildings or major expansions) on Sites that include or that abut a Future Avenue, whether it is public road right-of-way or an easement on private property, except where a building already exists within the Future Avenue and is to be retained;
- b. roadway construction shall include the entire area of the Future Avenue; and
- c. construction of Future Avenue roadways shall be designed to:
 - i. allow vehicular traffic to and from Gateway Boulevard NW and/or connecting portions of existing avenue stubs east of 104 Street NW;
 - ii. have sidewalks on both sides with a minimum clear walking width of 2.0 m and mid-block crosswalks at logical locations;
 - iii. minimize the number of vehicular accesses crossing the sidewalks to the Future Avenue;
 - iv. have pedestrian-oriented street lighting;
 - v. have street trees and curbside parking on at least one side but not necessarily the same side; and
 - vi. be to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation).

10. At the discretion of the Development Officer in consultation with Subdivision and Development Coordination (Transportation), a Traffic and/or Parking Impact Assessment prepared by a registered Professional Engineer shall be required as part of the application for a Development Permit. Issuance of the Development Permit shall be subject to there being sufficient capacity on the adjacent roadway network, adequate access to and from the Site and where warranted a Development Agreement to construct or pay for the construction of any off-site improvements needed to accommodate the additional pedestrian and/or vehicular

traffic associated with the development.

11. Buildings shall not exceed 14.0 m nor four Storeys in Height, except that buildings east of 104 Street NW in Area 1 and within Area 2 shall be permitted an increase in Height up to 23.0 m, not to exceed six Storeys, provided that:
 - a. any building above four Storeys is subject to a minimum 2.0 m Stepback for that portion of the building above four Storeys (see Figure 1); and

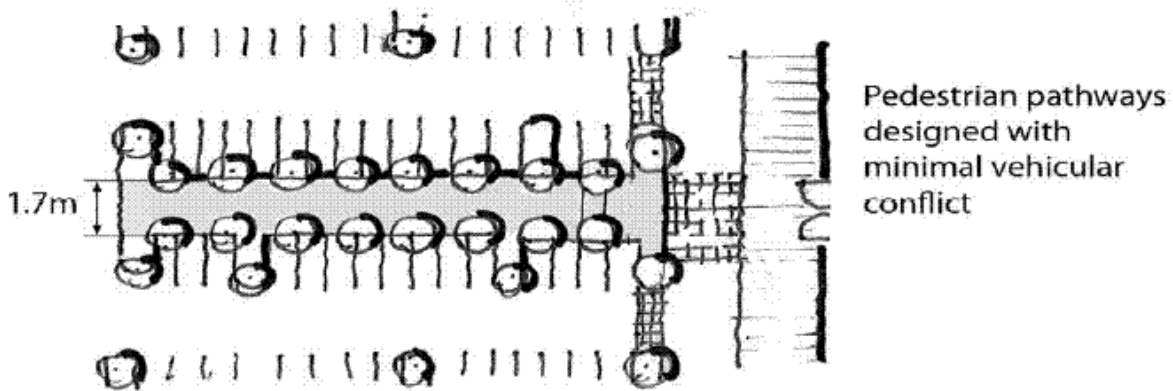
Figure 1



- b. massing and sun/shadow impacts are addressed to the satisfaction of the Development Officer.
12. The maximum Floor Area Ratio shall be:
 - a. 4.0 for office and commercial developments and mixed office, commercial and residential developments; and
 - b. 2.0 for industrial developments.
13. Building entrances shall be at street level.
14. All buildings over one Storey in Height shall be designed to include a discernible top, middle and bottom by use of different architectural elements and treatments to break up vertical massing.
15. Façade treatments of new or substantially renovated buildings shall incorporate canopies, awnings or arcades, entrance features or other features to enhance pedestrian comfort and visual interest along the street.
16. On Corner Lots the Façade treatment shall wrap around the side of the building to provide a consistent profile facing both public roadways, and special treatments such as a corner entrance shall be considered.
17. Where a Hotel is to be developed, a maximum 30% of the first Storey Frontage along the public roadway shall be used for lobbies, with the remaining floor space

used for Commercial Uses.

18. Signs shall be provided with the intent to complement a pedestrian-oriented environment. Signs shall comply with the regulations found in Schedule 59E, except that:
 - a. the maximum Height of a Freestanding Sign shall be 6.0 m;
 - b. a Projecting Sign may be used to identify businesses that are located entirely at or above the second Storey level; and
 - c. the top of a Projecting Sign on a building two Storeys or higher shall not extend more than 75 cm above the floor of the second or third Storey, nor higher than the windowsill level of the second or third Storey.
19. The number of vehicular accesses to Sites will be minimized by means of limiting access to an adjacent Lane, cross lot access or as a shared access with an adjacent land owner where possible.
20. Loading docks shall be fully screened from public roadways other than a Lane and from Future Avenues as identified in Appendix 2.
21. The following development regulations shall apply to parking:
 - a. development will locate and organize vehicular parking to improve the safety and attractiveness of adjacent streets and any open spaces by:
 - i. integrating any above-ground parking structures with building design, and having commercial or other active Uses at ground level facing adjacent streets, parks and open spaces;
 - ii. designing pedestrian routes within Surface Parking Lots of over 30 spaces to connect building entrances, open spaces, parking spaces, public sidewalks, future transit stops and any other pedestrian destinations as illustrated in Figure 2, this shall include:
 - A. a barrier-free pathway with a minimum clear width of 1.7 m;
 - B. landscaping along both sides of the pathway;
 - C. pedestrian-scale lighting to illuminate and define the route;
 - D. orientation of parking spaces to minimize the number of traffic aisles that pedestrians must cross;
 - E. wheel stops or other barriers to ensure vehicles do not overhang into the pedestrian pathway; and
 - F. a clear division from vehicular areas;

Figure 2

- iii. in addition to the requirements of Section 55 of the Zoning Bylaw, Landscaping shall be used to separate public pathways (including sidewalks) from the Surface Parking Lot and to separate the Surface Parking Lot from a public or internal private roadway; and
 - iv. on Sites where surface parking is proposed and comprises an area of 1500 m² or greater, a concept plan shall be provided for new development applications demonstrating how a minimum Floor Area Ratio of 0.8 could be achieved through future phases of development. Such concept plans are intended to illustrate how future densification could be accommodated without prejudicing future development, and shall not imply a commitment or obligation to such future development.
22. All mechanical equipment, including roof mechanical units, shall be concealed by screening so that the equipment is not visible from the viewpoint of a pedestrian viewing the building from any abutting public or private roadway, in a manner compatible with the architectural character of the building or concealed by incorporating it within the building.
23. Prior to the issuance of any Development Permit, the applicant shall provide proof, through a Phase 1 Environmental Impact Assessment, and, where required, subsequent environmental impact assessments, satisfactory to the Development Officer in consultation with Alberta Environment and Parks, Alberta Health Services and Infrastructure Planning and Design (Engineering Services) that the lands have been remediated or are otherwise suitable to allow the intended Uses

in the following cases:

- a. any Development Permit for a change of Use to a Residential Use, or for a change of Use that includes an accessory Residential Use, including Multi-unit Housing, Apartment Hotels and Live Work Units; and
 - b. at the discretion of the Development Officer, any Development Permit for a new structure or additions not covered in Section 7.23(a) of this Provision (above).
24. The following regulations shall apply to Multi-unit Housing and Live Work Unit developments where permitted in Area 1 and Area 2:
- a. Multi-unit Housing shall only be allowed above Non-Residential Uses, except at 10333 - University Avenue NW (legally described as Lot 43, Block 41, Plan 0620356), where the building existing on the date of approval of the Charter Bylaw adopting this Provision shall be allowed to convert the entire building, including the ground level Storey, to Multi-unit Housing;
 - b. Multi-unit Housing shall not be permitted in Area 2 unless a detailed risk assessment completed to the satisfaction of the Development Officer in consultation with Development Services (Planning Coordination) provides assurance that risk levels are acceptable;
 - c. the housing component of any mixed-use building shall be designed and sited to minimize any impacts from the commercial component of the development related to noise, traffic, circulation or loss of privacy;
 - d. where Multi-unit Housing development contains two or more Dwellings, a minimum of 7.5 m² of Amenity Area per Dwelling is required, in accordance with the provisions of Section 46 of the Zoning Bylaw; and
 - e. a noise study prepared by a registered professional shall be submitted with any residential Development Permit application. If the study demonstrates that exterior Façade sound levels at any edge of the Site exceed Leq 60 dBA in a 24- hour period, then any Development Permit shall include a requirement for mitigation measures that would achieve a projected interior noise level of 45 dBA.
25. Green building and Landscaping features such as geothermal heating, solar orientation, natural ventilation, green roofs, bioswales, rain gardens and permeable pavement should be considered as part of new development and conversions in order to minimize their environmental impact.
26. Public art should be considered for inclusion within publicly accessible open spaces to make the buildings and their open spaces more attractive and interesting.

8. Additional Development and Design Regulations – Area 1

1. Each Bars and Neighbourhood Pubs Use shall be limited to 240 m² of Public Space.
2. Nightclubs shall only be permitted on the east side of 104 Street NW, shall be limited to 240 m² of Public Space per Use, and shall only be permitted where the Use does not share a Site with, nor does the Site Abut, any Residential or Residential-Related Uses.
3. Buildings shall be built to the front and side Lot lines. The Development Officer may allow building Setbacks up to 2.5 m to accommodate street related activities such as sidewalk cafes, architectural features and Landscaping that contribute to the pedestrian- oriented character of the area.
4. The maximum Frontage for Sites abutting 104 Street NW shall be 10.06 m and where the Frontage for Sites abutting 104 Street NW exceeds 10.06 m, the front Façade of the building shall be designed to break the appearance into 10.06 m sections or modules, each with its own entrance.
5. A minimum of 50% of the width of the ground floor level portion of the front Façade shall be comprised of clear, non-reflective glazing.
6. Development on Sites that Abut the existing north-south Lane located east of 104 Street NW shall be designed to:
 - a. facilitate pedestrian connections between the development and the Lane;
 - b. maximize sight lines between the development and the Lane with potential lighting and where possible through building and window orientation;
 - c. improve the overall appearance of the development abutting the Lane through building and Site design; and
 - d. provide adequate parking and loading facilities accessed by the Lane so as to minimize the need for parking along 104 Street NW and the avenues.
7. A minimum landscaped Yard of 6.0 m shall be required where the Rear or Side Lot Line of the Site abuts a Residential Zone.
8. A minimum 2.0 m landscaped Yard shall be required where the Rear or Side Lot Line of the Site abuts the Lane on the west side of 104 Street NW.
9. Development on Sites between Allendale Road NW, 105 Street NW, the Lane south of 64 Avenue NW and the Lane west of 104 Street NW shall be oriented to Allendale Road NW and 105 Street NW. There shall be a minimum setback of 6.0 m from the Lane south of 64 Avenue NW and a minimum landscaped Yard of 2.0 m, and site planning and building massing shall minimize the sun-shadow effect on properties to the north.

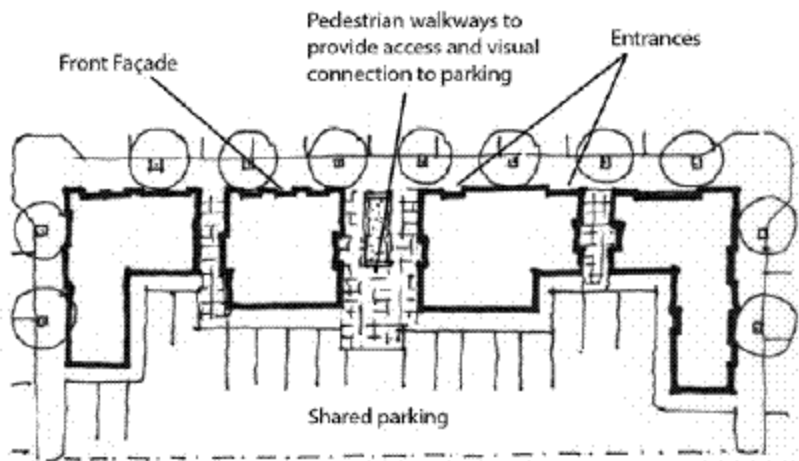
9. Additional Development and Design Regulations – Area 2 and Area 3

1. Each Bars and Neighbourhood Pubs Use shall be limited to 240 m² of Public

Space.

2. Nightclubs shall not be permitted to share a Site that includes, nor be on a Site that Abuts, any Residential or Residential-Related Uses.
3. General Industrial Uses shall have all equipment and goods contained within an enclosed building.
4. Freestanding On-Premises Signs shall only be on Sites abutting Gateway Boulevard NW.
5. No single General Retail Store or Warehouse Sales Use shall exceed 6,500 m² of Floor Area.
6. The front Façade of a building shall be built to the Lot line abutting a public roadway other than a Lane or to the edge of an area identified in Appendix 2 as a Future Avenue. The Development Officer may allow buildings to be set back up to 2.5 m to accommodate street related activities, such as sidewalk cafes, architectural features and Landscaping that contribute to the pedestrian-oriented shopping character of the area.
7. A building's main entrance(s) shall be located on its front Façade. See Figure 3.

Figure 3



8. A minimum of 50% of the width of the ground floor level portion of the front Façade shall be comprised of clear, non-reflective glazing.
9. Where a Façade of a building facing Gateway Boulevard NW, or any Avenue or Future Avenue as shown in Appendix 2 (either as a public or private roadway), is more than 15 m long, any new buildings or substantial renovations of existing buildings shall be designed to add architectural interest and reduce the perceived mass of the building. This shall be done through features that articulate the Façade at minimum 15 m intervals, through one or more of the following:
 - a. The use of non-reflective glazing;

- b. Recessions and projections that may include arcades, porticos, colonnades, awnings, or public spaces; and
 - c. The use of colour, texture and materials.
- 10. The following additional regulations shall apply to General Retail Stores or Warehouse Sales establishments having a single Floor Area greater than 3,000 m² to the maximum 6,500 m²:
 - a. at the development permit stage, a generalized, non-binding concept plan shall be submitted for all new building development or substantial redevelopment of existing buildings for the purpose of illustrating how the proposed development will integrate with existing and future surrounding and on-site development. The concept plan shall show the location of existing and future buildings, parking areas, vehicular and pedestrian routes and amenity area(s);
 - b. the building shall be a minimum of two Storeys and shall incorporate a mix of uses including ground level retail commercial and a minimum of one of the following uses: office commercial and/or residential located above non-residential uses. Non-retail uses shall be a minimum of 60% of the Floor Area of the General Retail Store or Warehouse Sales establishments. Exposed roof area above the first Storey shall have some amount of landscaping and be physically accessible for use; or if not a flat surface, must provide a visually interesting roof line; and
 - c. buildings shall be designed to support street-level pedestrian activity with features such as multiple independent entrances, extensive clear glazing, canopies and awnings. Facades along Gateway Boulevard NW are exempted from this but are required to be articulated and architecturally enhanced.
- 11. The following regulations shall apply along the west side of Gateway Boulevard NW:
 - a. landscaped Yards with a minimum depth of 4.5 m shall be provided adjacent to the west side of Gateway Boulevard NW. The Development Officer may use variance power to reduce this requirement to a minimum depth of 3.0 m provided that the average depth of the landscaped Yard is not less than 4.5 m;
 - b. the Setback for buildings along the west side of Gateway Boulevard NW shall be no greater than the landscaped Yard as determined in Section 9.11(a) of this Provision (above);
 - c. a hard surfaced shared use path with a minimum width of 3.0 m is required either on public road right of way or private property by means of a public access easement along the west side of Gateway Boulevard NW.

The following regulations shall apply to shared use paths on the west side of Gateway Boulevard NW:

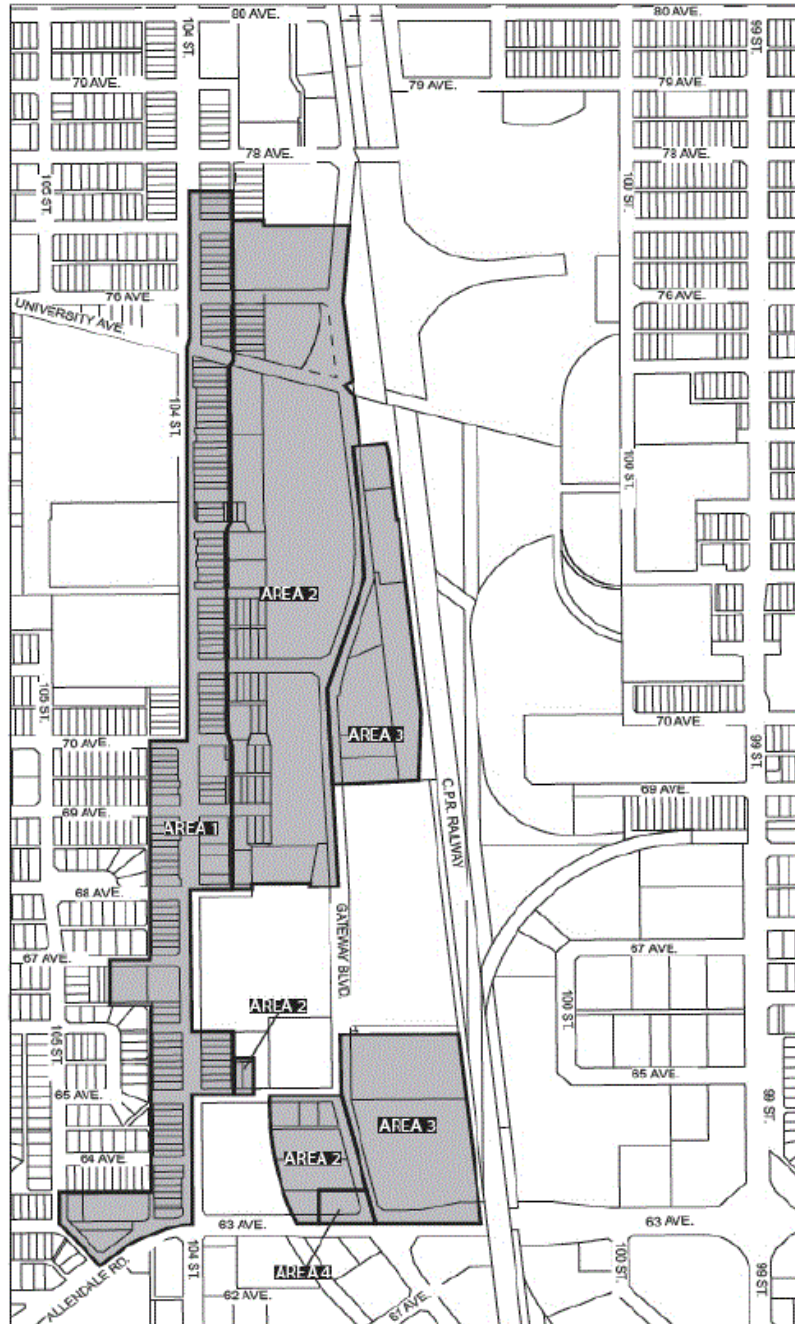
- i. subdivision applications may require the dedication of additional road right-of way along the west side of Gateway Boulevard NW to accommodate pathways with a minimum width of 3.0 m;
- ii. where no subdivision occurs, a public access easement is required located on private property along the west side of Gateway Boulevard NW to accommodate pathways with a minimum width of 3.0 m;
- iii. regardless of whether or not shared-use pathways are located within public road right-of-way or wholly or partially on private property, the following separations must be maintained:
 - A. 2.5 m between the eastern edge of shared-use pathway and the curb of Gateway Boulevard NW; and
 - B. 2.5 m between the western edge of the shared-use pathway and any building;
 - C. where an applicant elects to move a shared-use pathway consistent with the regulations in Section 9.11 of this Provision, the cost of moving the pathway shall be paid by the applicant; and
 - D. in cases where an existing or future shared-use pathway is located within private property the Landscaped Yard may include the shared-use pathway or a portion of the shared-use pathway.
- 12. Landscaping along the west side of Gateway Boulevard NW shall visually screen any parked vehicles, but not completely obstruct views so that adequate sight lines are maintained to support vehicular and pedestrian safety and security.
- 13. Landscaped Yards with a minimum depth of 3.0 m shall be provided adjacent to the east side of Gateway Boulevard NW.
- 14. Landscaping along the east side of Gateway Boulevard NW shall visually screen any parked vehicles, but not completely obstruct views so that adequate sight lines are maintained to support vehicular and pedestrian safety and security.

10. Addition Development and Design Regulations - Area 4

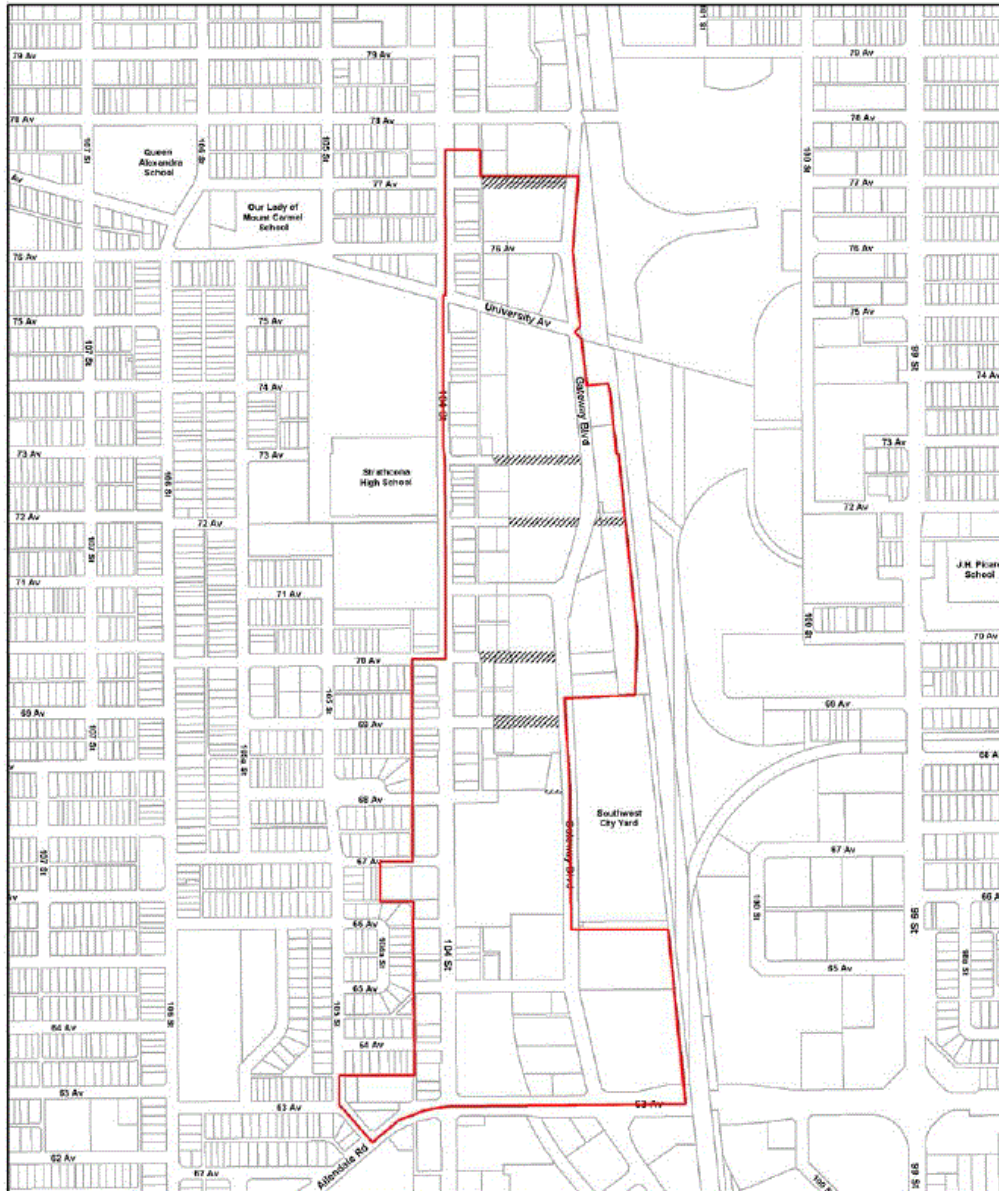
- 1. Notwithstanding the Regulations found in Sections 7 and 9 of this Provision, the existing buildings, as shown on Appendix 3 – Area 4 Site Plan, shall not be subject to the regulations of this Provision.
- 2. In the case of General Industrial Uses within existing buildings in existence at the time of creation of this Area 4, as shown on Appendix 3 – Area 4 Site Plan, all

equipment and goods must be contained within enclosed buildings.

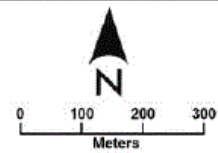
3. The existing buildings, at the time of creation of this Area 4, as shown on Appendix 3 – Area 4 Site Plan, shall not be enlarged or added to and no structural alterations shall be made thereto or therein.
4. Upon demolition of any existing buildings at the time of creation of this Area 4, as shown on Appendix 3 – Area 4 Site Plan, all new Development shall comply with the Regulations found in Sections 7 and 9 of this Provision.
5. If any existing buildings at the time of creation of this Area 4, as shown on Appendix 3 – Area 4 Site Plan, are damaged or destroyed to more than 75% of the value of that building above its foundation, then that building may not be repaired or rebuilt unless it complies with the Regulations found in Sections 7 and 9 of this Provision.

APPENDIX 1 – DC1 Areas (Area 4 added)**APPENDIX 1 - DC1 Areas**

APPENDIX 2 Building Construction Not Allowed

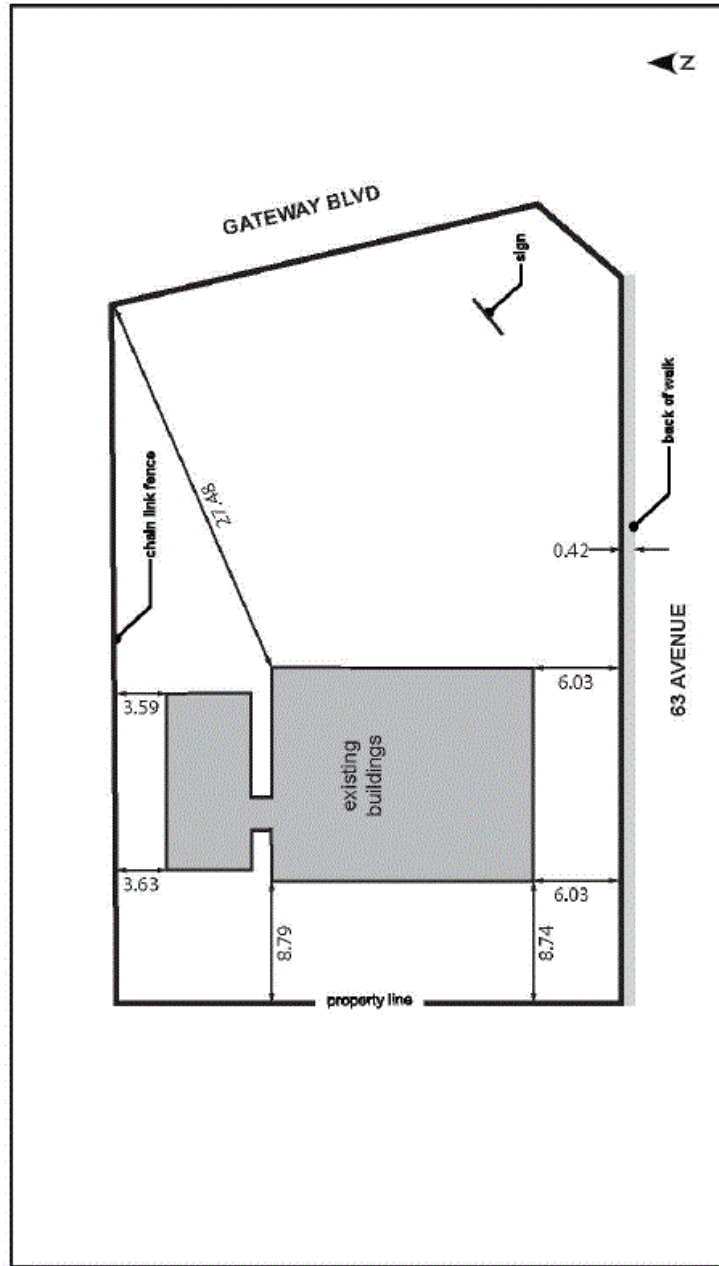


New Building Construction Not Allowed - Future Avenue



APPENDIX 3 – Area 4 Site Plan

Appendix 3 - Area 4 Site Plan



10320 - 63 AVENUE

Site Plan