

Charter Bylaw 19988

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 3396

WHEREAS Lot 4, Block L, Plan 0521161; Lot 13A, Block 51, Plan 1221272; Lots 1-10, Block 51, Plan I; and Lots 19-28, Block 60, Plan I; located at 10103 & 10115 to 10150 - 81 Avenue NW and 8015, 8109 & 8128 - 102 Street NW, Ritchie & CPR Irvine, 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 as Lot 4, Block L, Plan 0521161; Lot 13A, Block 51, Plan 1221272; Lots 1-10, Block 51, Plan I; and Lots 19-28, Block 60, Plan I; located at 10103 & 10115 to 10150 - 81 Avenue NW and 8015, 8109 & 8128 - 102 Street NW, Ritchie & CPR Irvine, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (DC1) Direct Development Control Provision to (DC1) Direct Development Control Provision.
2. The uses and regulations of the aforementioned DC1 Provision are attached as Schedule "B".

3. The sketch plan attached as Schedule "A" and the uses and regulations of the DC1 Provision shown on Schedule "B" 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

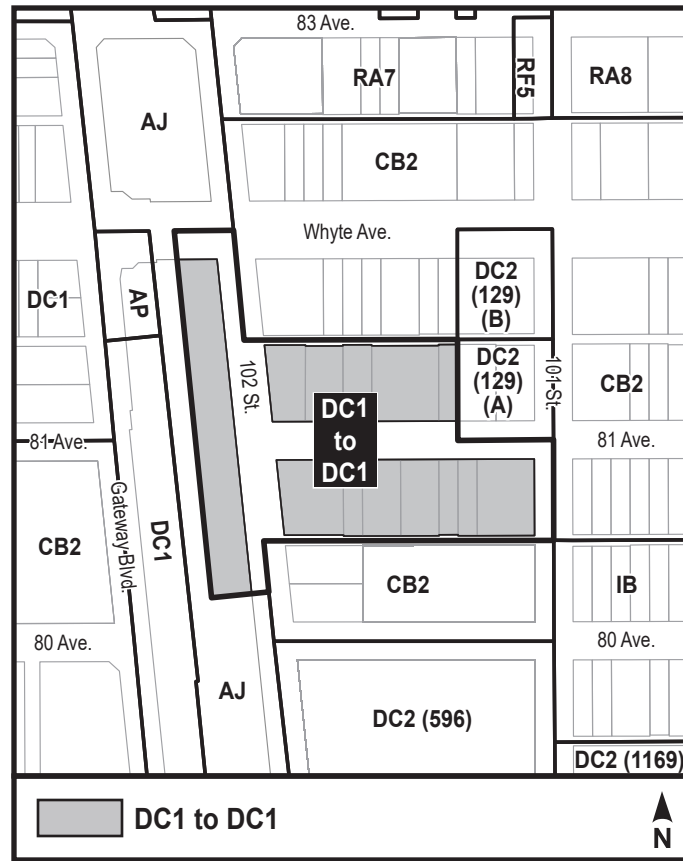
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MAYOR

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CITY CLERK

## CHARTER BYLAW 19988



**SCHEDULE “B”****(DC1) DIRECT DEVELOPMENT CONTROL PROVISION  
(Historic West Ritchie)****1. General Purpose**

To preserve the unique architectural character of a portion of 81 Avenue NW, provide for new commercial and compatible mixed use development opportunities and, if possible, preserve the view of the historic Canadian Pacific Railway Station to the west. This provision creates a unique pedestrian commercial shopping district while ensuring future development is compatible with the character of buildings with historic false Façades.

**2. Area of Application**

This Provision shall apply to those lots generally located along 81 Avenue NW, between 101 Street NW and 102 Street NW as well as the lot on the west side of 102 Street NW at 81 Avenue NW (Lot 4, Block L, Plan 0521161), as shown on Schedule “A” of the Charter Bylaw adopting this Provision, Ritchie and CPR Irvine.

**3. Uses**

1. Animal Hospitals and Shelters
2. Apartment Hotels
3. Automotive and Equipment Repair Shops
4. Bars and Neighbourhood Pubs
5. Breweries, Wineries and Distilleries
6. Business Support Services
7. Cannabis Retail Sales
8. Child Care Services
9. Commercial Schools
10. Convenience Retail Stores
11. Creation and Production Establishments
12. Equipment Rentals
13. General Retail Stores
14. Government Services
15. Greenhouses, Plant Nurseries and Garden Centres
16. Health Services
17. Hotels
18. Household Repair Services
19. Indoor Participant Recreation Services

20. Limited Contractor Services
21. Liquor Stores
22. Live Work Units
23. Major Amusement Establishments
24. Major Home Based Business
25. Market
26. Media Studios
27. Minor Amusement Establishments
28. Minor Home Based Business
29. Mobile Catering Food Services
30. Multi-unit Housing
31. Nightclubs
32. Personal Service Shops
33. Private Clubs
34. Professional, Financial and Office Support Services
35. Public Libraries and Cultural Exhibits
36. Residential Sales Centre
37. Restaurants
38. Secondhand Stores
39. Special Event
40. Specialty Food Services
41. Spectator Entertainment Establishments
42. Supportive Housing
43. Urban Gardens
44. Urban Indoor Farms
45. Urban Outdoor Farms
46. Vehicle Parking
47. Veterinary Services
48. Warehouse Sales
49. Fascia On-premises Signs
50. Projecting On-premises Signs
51. Temporary On-premises Signs

#### **4. Development Regulations For Uses**

1. The following shall apply to Multi-unit Housing:
  - a. Multi-unit Housing shall only be permitted in buildings where the first Storey is used for Non-Residential Uses; and

- b. The housing component shall have direct external access to the adjacent public sidewalk at ground level, which is separate from the access for the Non-Residential Uses, and shall be designed for universal accessibility.
- 2. Where a development contains two or more Live Work Units, a minimum of 7.5 m<sup>2</sup> of Amenity Area per Dwelling is required.
- 3. For Hotels and Apartment Hotels, a maximum Frontage of 11.0 m shall be used for lobbies. The remaining Frontage shall be used for Commercial Uses, which may be ancillary to the Hotel.
- 4. Each Restaurants, Specialty Food Services, Bars and Neighbourhood Pubs and Nightclubs Use shall be limited to a maximum of 240 m<sup>2</sup> of Public Space.
- 5. Automotive and Equipment Repair Shops shall only be allowed if existing under a valid Development Permit on the date of approval of the Charter Bylaw adopting this Provision.
- 6. Warehouse Sales shall be limited to a maximum of 400 m<sup>2</sup> of Floor Area.
- 7. Liquor Stores shall comply with Section 85 of the Zoning Bylaw.
- 8. Cannabis Retail Sales shall comply with Section 70 of the Zoning Bylaw.
- 9. Development Permit applications for Residential or Residential-related Uses within 75.0 m of the CP Rail Yard or Rail Line shall include a noise and vibration study and any Development Permits shall include any required noise mitigation measures, to the satisfaction of the Development Officer, as long as the CP Rail Yard is operational.

## **5. Development Regulations for Signs**

- 1. The Development Officer shall consult with the Heritage Planner on any development permit application for a Sign prior to rendering a decision, to ensure compatibility with the false Façades within this area.
- 2. A Comprehensive Sign Design Plan, with a focus on pedestrian-oriented signs and promoting building identity, shall be submitted with a Development Permit application for:
  - a. the redevelopment of a Site;
  - b. the construction of new principal buildings;
  - c. the exterior alteration of an entire principal building; or
  - d. any new Development Permit, at the discretion of the Development Officer.
- 3. Signs shall complement the pedestrian-oriented commercial environment and shall be provided in accordance with Section 59 and Schedule 59E of this Bylaw, except that:
  - a. Projecting Signs shall be located within 1.0 m of each individual business entrance of the building facing a public roadway other than a Lane; and

- b. One additional projecting sign may be permitted per building for the purpose of advertising businesses that do not have access at ground level.
- 4. A maximum of 10% of the first Storey glazing may be covered by Signs. The remainder of the glazing shall remain free from obstruction.

## **6. Development Regulations For Site Layout and Built Form**

- 1. The maximum building Height shall be 14.5 m.
- 2. The maximum Floor Area Ratio shall be 3.5.
- 3. A Setback of 1.0 m shall be required where a Site Abuts a public roadway, other than a Lane. The 1.0 m Setback shall be paved and visually incorporated into the public Walkway to the satisfaction of the Development Officer. Notwithstanding this:
  - a. the Development Officer may require this Setback to be increased to a maximum of 2.5 m to accommodate street related activities, such as patios and seating areas, or to retain existing mature landscaping, that contribute to the pedestrian-oriented shopping character of the area; and
  - b. buildings may be built to the property line that Abuts a public roadway other than a Lane, provided the width of the public walkway is a minimum distance of 4.7 m from curb to property line.
- 4. Except for the Site located west of 102 Street NW (legally described as Lot 4, Block L, Plan 0521161), in multi-Storey buildings, there shall be a minimum 2.5 m Stepback above the first Storey where a Site Abuts a public roadway, other than a Lane, on the Facade facing the public roadway, other than a Lane. Platform Structures shall not project into this Stepback.
- 5. In the event that the building west of 102 Street NW (Lot 4, Block L, Plan 0521161), existing on the date of the approval of the Charter Bylaw adopting this Provision, is destroyed or demolished, the following regulations shall apply to redevelopment of this land:
  - a. A 20.2 m historic view corridor, defined as the equivalent of an extension of 81 Avenue NW through Lot 4, Block L, Plan 0521161, on the west side of 102 Street NW, with the centre of the extension being aligned with the centre of the existing 81 Avenue NW right-of-way, shall be maintained, as shown in Appendix 1.
  - b. Within the 20.2 m historic view corridor, no buildings shall be constructed, however limited development may be allowed as follows:
    - i. outdoor Amenity Areas, pedestrian pathways, street furniture, landscaping (provided no trees exceed a height of 3.0 m), driveways or drive aisles may be developed provided that the view of the Canadian Pacific Railway Station is unimpeded to the

satisfaction of the Development Officer in consultation with the Heritage Officer.

## **7. Development Regulations for Building Design and Features**

1. Where the width of ground floor Commercial Uses exceeds 11.0 m, the Façade of the building shall be designed to break the appearance into 11.0 m sections or less to the satisfaction of the Development Officer.
2. Where a Commercial Use is provided at ground level Abutting a public roadway, other than a Lane, the principal entrance shall have direct external access to the adjacent public sidewalk.
3. Any business premises or multiple occupancy building having a Floor Area greater than 3 000 m<sup>2</sup> or a single wall length greater than 25.0 m visible from a public road, shall comply with the following criteria:
  - a. the roof line and building façade shall include design elements that reduce the perceived mass of the building and add architectural interest; and
  - b. Landscaping adjacent to exterior walls shall be used to minimize the perceived mass of the building and to create visual interest.
4. All mechanical equipment, including roof mechanical units, shall be concealed by screening in a manner compatible with the architectural character of the building or concealed by incorporating it within the building.
5. To improve architectural interest of the principal structure and create a pedestrian-friendly environment for all seasons, design techniques including but not limited to entrance features, varied roof design, outdoor seating areas, canopies, or Landscaping shall be incorporated.
6. Winter design elements such as the use of colour and functional and decorative lighting to enhance the appearance of the building while minimizing light pollution during the winter months shall be incorporated.
7. All exposed building Façades shall have complementary exterior finishing materials. On Corner Lots, the Façade treatment shall wrap around the side of the building to provide a consistent profile facing both public roadways.
8. Each Storey shall have windows on all Façades facing a public roadway.
9. Each Façade facing a public or private roadway other than a Lane shall have a minimum of 70% clear, non-reflective glazing on the exterior of the ground floor to promote pedestrian interaction and safety, except:
  - a. when a Development Permit application is solely for exterior alterations to existing buildings, each Façade facing a public roadway other than a Lane shall have a minimum of 50% clear, non-reflective glazing on the exterior of the ground floor.



Proportion of glazing is calculated as a percentage of linear meters at 1.5 m above finished Grade.

10. Where a Commercial Use is provided at ground level Abutting a public roadway other than a Lane, the principal entrance shall be designed for universal accessibility. A maximum of two ground floor commercial units may share a common entranceway.
11. Historic False Façades (See Appendix 2 for Examples):
  - a. Historic false Façades shall be maintained, renovated or reconstructed as part of new development within existing buildings with historic false Façades facing 81 Avenue NW.
  - b. One or more new false Façades in character with the historic false Façades of the area shall be a requirement of development of new buildings.
  - c. New false Façades should be 1 ½ to 2 Storeys in height.
  - d. Multi-Storey development should be designed such that upper floors relate to the ground floor in style, material and/or architecturally to ensure the building reads as a cohesive unit.
  - e. Symmetrical false Façades, using stucco or cementitious finishes, are encouraged.
  - f. The design of new false Façades and the renovation or reconstruction of existing buildings with historic false Façades shall be to the satisfaction of the Development Officer in consultation with the Heritage Officer. Alternative architecture that is not completely compliant with Section 7.11 (a through e) of this Provision shall be considered at the discretion of the Development Officer in consultation with the Heritage Officer, provided that it compliments and otherwise does not conflict with the existing character of the historic false Façades within this area.

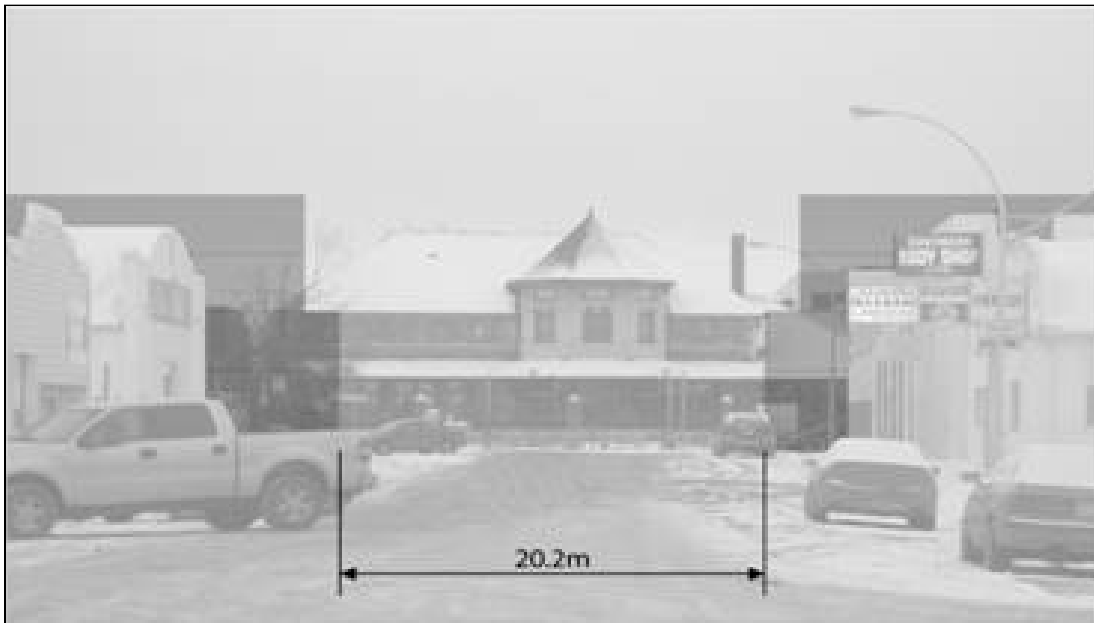
## **8. Development Regulations for Landscaping, Parking, Loading, Storage and Access**

1. Landscaping of Sites shall use plant materials that provide colour throughout the year to enhance appearance during the winter months.
2. No parking, loading, storage or trash collection areas shall be permitted within a Setback, except a rear Setback. Loading, storage and trash collection areas shall be located to the rear of the principal building and shall be screened from view from any adjacent Sites or public roadways.
3. All vehicular access shall be from an Abutting Lane. Where there is no Abutting Lane, vehicular access shall be provided from a flanking public roadway. When a Site with existing vehicular access from a public roadway other than a Lane is

redeveloped, the existing vehicular access shall be closed where an Abutting Lane exists.

4. Except for the Site located west of 102 Street NW (legally described as Lot 4, Block L, Plan 0521161), all surface parking and underground parking access shall be located at the rear of the building.
5. Any Above Ground Parkades shall be screened from view at ground level by street fronting Commercial Uses with a minimum depth of 8.0 m from the Lot line Abutting a public roadway other than a Lane.
6. No new parking facilities, drive aisles, and queuing spaces shall be added between an existing building and a public roadway other than a Lane. All existing and proposed surface parking, underground parking access, drive through aisles, and queuing spaces shall be screened from view from a public roadway other than a Lane and adjacent Sites using methods such as Landscaping, fencing or other materials. Crime Prevention Through Environmental Design principles shall be used to enhance the appearance, natural surveillance and safety of the parking area.
7. Parking, loading and passenger drop-off areas shall be designed to minimize pedestrian-vehicle conflicts and prioritize pedestrian movement through the Site.

**Appendix 1: Historic View Corridor - Restricted Development Area**



## Appendix 2: False Façade Examples in West Ritchie

