



## City Council Public Hearing - Agenda

Date: Tuesday, September 22, 2020  
Time: 1:30 p.m. - 9:30 p.m.  
Location: Council Chamber, 2nd floor, City Hall

Call to Order: 1:30 p.m.  
Recess: 3:30 p.m. - 3:45 p.m.  
Dinner: 5:30 p.m. - 7 p.m.  
Adjournment: 9:30 p.m.

Deputy Mayor: A. Knack  
Acting Mayor: M. Banga

Please visit [www.edmonton.ca/meetings](http://www.edmonton.ca/meetings) for information on how to register to speak. Written correspondence can be submitted to [city.clerk@edmonton.ca](mailto:city.clerk@edmonton.ca).

Captions are available on the live stream at <http://councilontheweb.edmonton.ca/>, by clicking on the far right icon in the bottom right hand corner of the stream, and selecting "Captions - English".

For additional information, contact the Office of the City Clerk at (780) 496-8178.

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### Pages

#### 1. Call to Order and Related Business

- 1.1 Call to Order
- 1.2 Roll Call
- 1.3 Adoption of Agenda
- 1.4 Protocol Items

#### 2. Explanation of Public Hearing Process

- 2.1 Call for Persons to Speak

#### 3. Bylaws and Related Reports

- 3.1 Amendment to the Southeast Industrial Area Outline Plan  
Item 3.1 and Bylaw 19422 will be dealt with together.

3.2	Charter Bylaw 19422 - To allow for the development of medium industrial and associated uses, Weir Industrial Item 3.1 and Bylaw 19422 will be dealt with together.	13
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4.	<b>Notices of Motion and Motions without Customary Notice</b>	
5.	<b>Adjournment</b>	

# Amendment to the Southeast Industrial Area Outline Plan

## Recommendation

That Attachment 1 of the September 22, 2020, Urban Form and Corporate Strategic Development report CR\_8479, to amend the Southeast Industrial Area Outline Plan, be approved.

## Purpose

To amend the Southeast Industrial Area Outline Plan.

## Advertising and Signing

This resolution has been advertised in the Edmonton Journal on September 4, 2020 and September 12, 2020.

## Position of Administration

Administration supports this proposed resolution.

## Report

The proposed map amendment to the Southeast Industrial Area Outline Plan, to identify the rezoning site as Medium Industrial Development, is provided in support of Charter Bylaw 19422 and is in alignment with the land use principles of the plan.

## Public Engagement

Advance Notice was sent to surrounding property owners and the Kenilworth and North Millbourne Community Leagues on May 15, 2020. No responses were received.

## Attachments

1. Amendment to the Southeast Industrial Area Outline Plan
2. Administration Report

Amendment to the Southeast Industrial Area Outline Plan:

1. That the Southeast Industrial Area Outline Plan be amended by deleting and replacing the Resolution Map entitled, "Southeast Industrial Area Outline Plan", and Figure 6, Development Concept Map with Appendices 1 and 2.

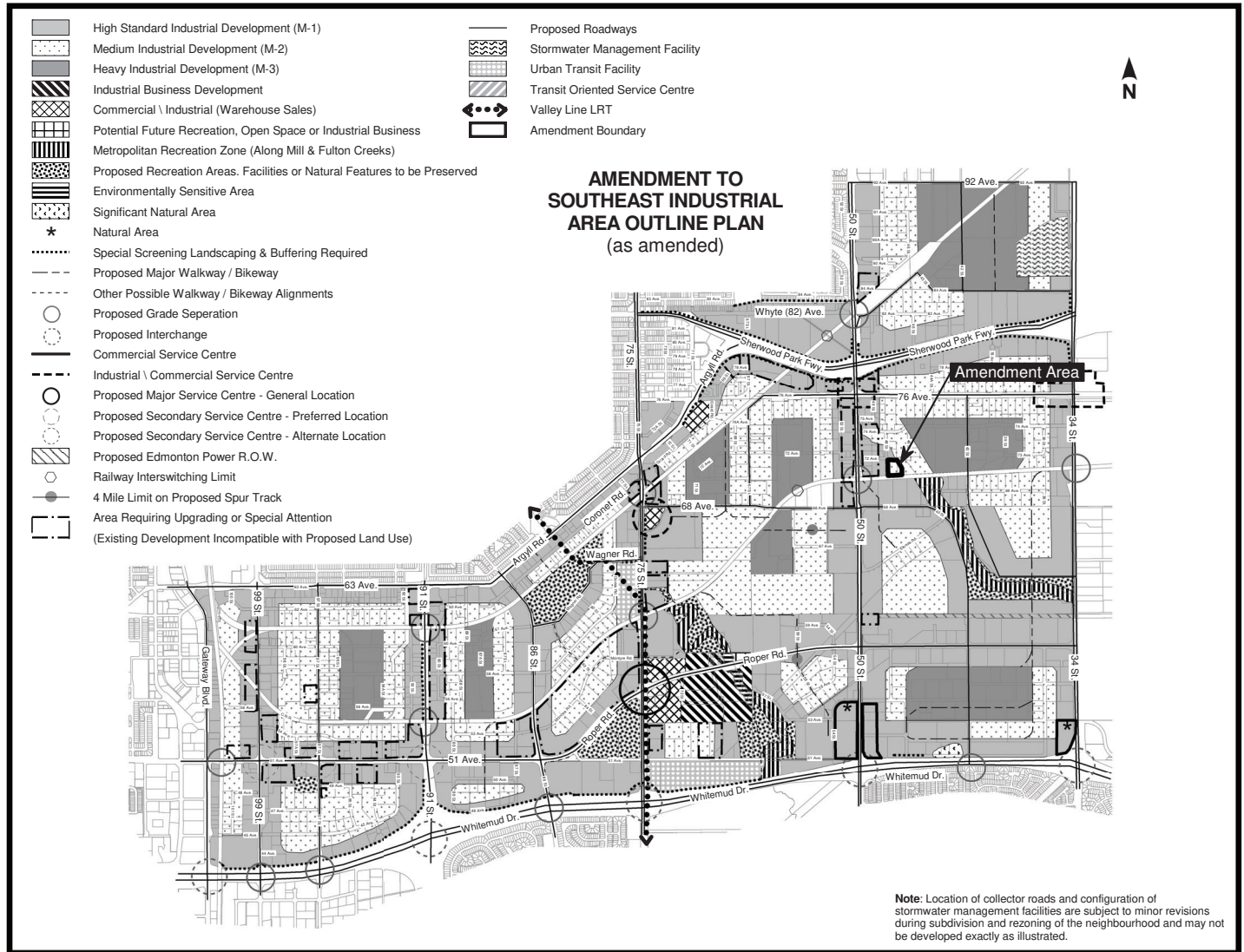
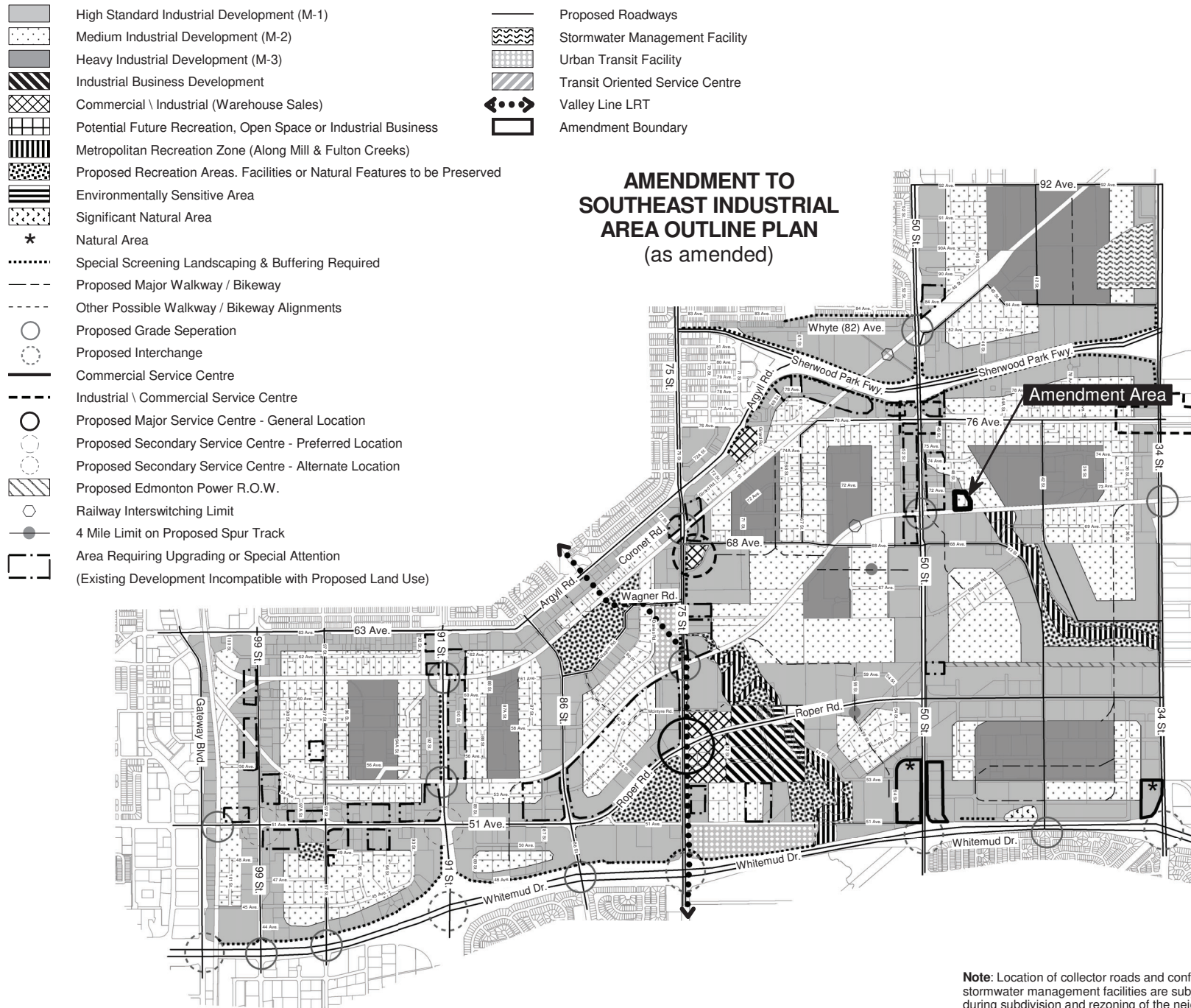


Figure 6: Development Concept Map (Map “C”)

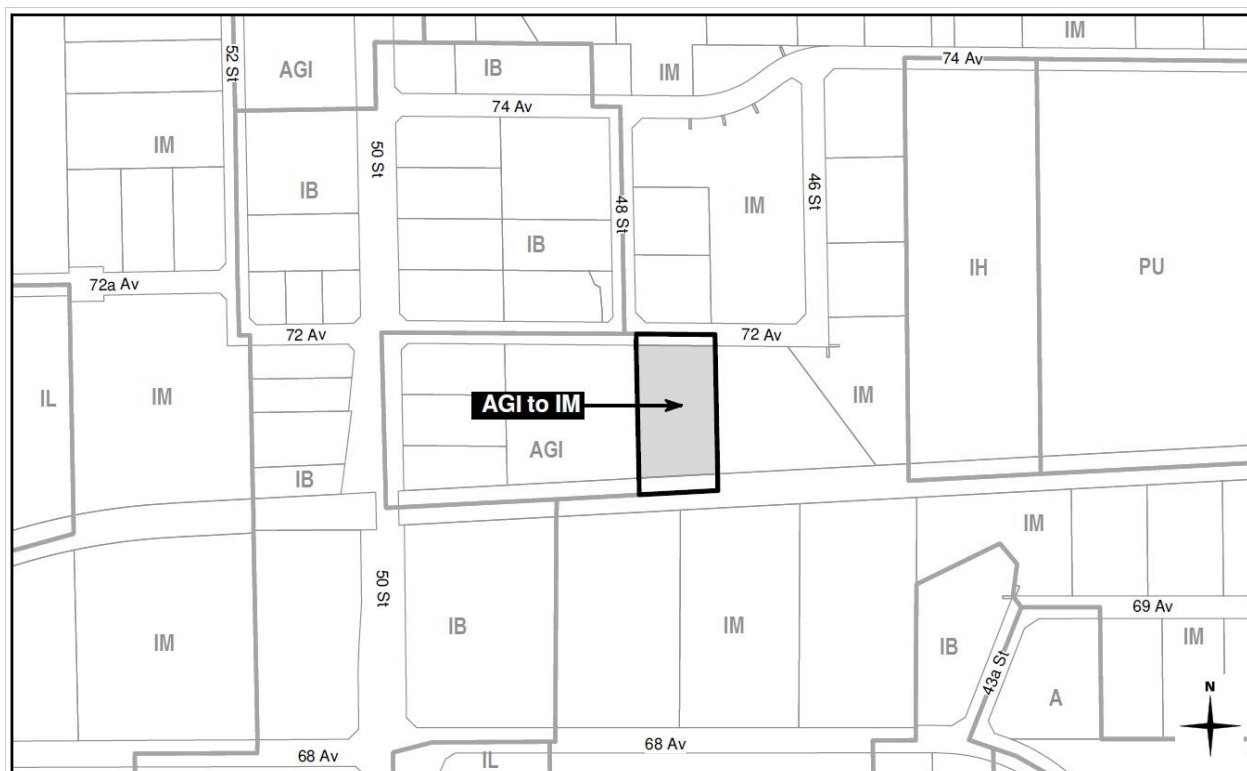




## ADMINISTRATION REPORT REZONING, PLAN AMENDMENT WEIR INDUSTRIAL

### 4745 - 72 AVENUE NW

To allow for the development of manufacturing, processing, assembly, distribution, service and repair uses that carry out a portion of their operations outdoors or require outdoor storage areas.



### RECOMMENDATION AND JUSTIFICATION

Administration is in **SUPPORT** of this application because:

- it allows the opportunity industrial businesses to locate in an older industrial area;
- it is suitably located away from major roadways to support outdoor storage and activities associated with industrial uses; and
- is compatible with surrounding land uses.



## THE APPLICATION

1. RESOLUTION to amend the Southeast Industrial Area Outline Plan (SEIOP) to identify the site for medium industrial development.
2. CHARTER BYLAW 19422 to amend the Zoning Bylaw from (AGI) Industrial Reserve Zone to (IM) Medium Industrial Zone.

The applicant's stated reason for the rezoning is either for the potential sale of the land or to develop it in conjunction with their abutting property to the east.

## SITE AND SURROUNDING AREA

The subject property is located east of 50 Street NW and south of 72 Avenue NW.



AERIAL VIEW OF APPLICATION AREA

	EXISTING ZONING	CURRENT USE
<b>SUBJECT SITE</b>	(AGI) Industrial Reserve Zone	Vacant lot
<b>CONTEXT</b>		
North, across 72 Avenue NW	(IM) Medium Industrial Zone	General Industrial

East	(IM) Medium Industrial Zone	General Industrial
South, across rail line	(IM) Medium Industrial Zone	Metal Recycling
West	(AGI) Industrial Reserve Zone	General Industrial

## PLANNING ANALYSIS

The site is subject to the Southeast Industrial Area Outline Plan (SEIOP) which generally supports High Standard Industrial Development along the major roadways and Medium Industrial Development to the interior.

The proposed site is the third lot in from a major roadway (50 Street NW), is abutting land to the east that is zoned (IM) Medium Industrial, and is surrounded by land zoned IM to the north (across 72 Avenue NW) and south (across a rail line). The proposal generally complies with the intent of the policy direction to locate medium industrial to the interior of major roadways. The proposed rezoning is accompanied by map amendment to identify the subject property (and a portion of the eastern property already zoned IM) for Medium Industrial Development as it is currently identified for High Standard Industrial Development in the SEIOP.

## TECHNICAL REVIEW

All comments from affected City Departments and utility agencies have been addressed.

While services exist to the property line, a warning has been placed on the property to ensure that the Development Officer verifies that any infrastructure upgrades or systems required to ensure that fire flow and water servicing standards are met through implementation in the design of the building and/or through off-site improvements.

## PUBLIC ENGAGEMENT

<b>ADVANCE NOTICE</b> May 15, 2020	<ul style="list-style-type: none"> <li>• Number of recipients: 20</li> <li>• No responses received</li> </ul>
<b>WEBPAGE</b>	<a href="https://www.edmonton.ca/city_government/urban_planning_and_design/industrial-neighborhood-planning-applications.aspx">https://www.edmonton.ca/city_government/urban_planning_and_design/industrial-neighborhood-planning-applications.aspx</a>



## CONCLUSION

Administration recommends that City Council **APPROVE** this application.

## APPENDICES

- 1 Application Summary

## APPLICATION SUMMARY

### INFORMATION

Application Type:	Plan Amendment, Rezoning
Resolution / Charter Bylaw:	19422
Location:	South of 72 Avenue NW and east of 50 Street NW
Address:	4745 -72 Avenue NW
Legal Description:	Block M, Plan 4086KS
Site Area:	0.81 ha
Neighbourhood:	Weir Industrial
Notified Community Organizations:	Kenilworth Community League North Millbourne Community League
Applicant:	Alco Inc.

### PLANNING FRAMEWORK

Current Zone:	(AGI) Industrial Reserve Zone
Proposed Zone:	(IM) Medium Industrial Zone
Plan in Effect:	Southeast Industrial Area Outline Plan
Historic Status:	n/a

Written By:  
Approved By:  
Branch:  
Section:

Cyndie Prpich  
Tim Ford  
Development Services  
Planning Coordination

## Charter Bylaw 19422

To allow for the development of medium industrial and associated uses,  
Weir Industrial

### Purpose

Rezoning from (AGI) Industrial Reserve Zone to (IM) Medium Industrial Zone; located at 4745 – 72 Avenue NW, Weir Industrial.

### Readings

Charter Bylaw 19422 is ready for three readings after the public hearing has been held. If Council wishes to give three readings during a single meeting, Council must unanimously agree “That Charter Bylaw 19422 be considered for third reading.”

### Advertising and Signing

This Charter Bylaw has been advertised in the Edmonton Journal on September 4 and 12, 2020. The Charter Bylaw can be passed following third reading.

### Position of Administration

Administration supports this proposed Charter Bylaw.

### Report

The proposed rezoning conforms with the general intent of the Southeast Industrial Area Outline Plan (SEIOP) which indicates that medium industrial development should be located to the interior of industrial areas and away from major roadways where high standard industrial development is expected. The proposed site is two lots in from a major roadway (50 Street NW), abuts land to the east that is zoned (IM) Medium Industrial, and is surrounded by land zoned IM to the north and south. A map amendment to the SEIOP accompanies the proposed Charter Bylaw 19422.

All comments from civic departments or utility agencies regarding this proposal have been addressed.

### Public Engagement

Advance Notice was sent to surrounding property owners and the Kenilworth and North Millbourne Community Leagues on May 15, 2020. No responses were received.

### Attachments

1. Charter Bylaw 19422
2. Administration Report (Attached to the Resolution - item 3.1)

Charter Bylaw 19422

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 3083

WHEREAS Block M, Plan 4086KS; located at 4745 - 72 Avenue NW, Weir Industrial, Edmonton, Alberta, is specified on the Zoning Map as (AGI) Industrial Reserve Zone; and

WHEREAS an application was made to rezone the above described property to (IM) Medium Industrial Zone;

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 Block M, Plan 4086KS; located at 4745 - 72 Avenue NW, Weir Industrial, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule “A”, from (AGI) Industrial Reserve Zone to (IM) Medium Industrial Zone.

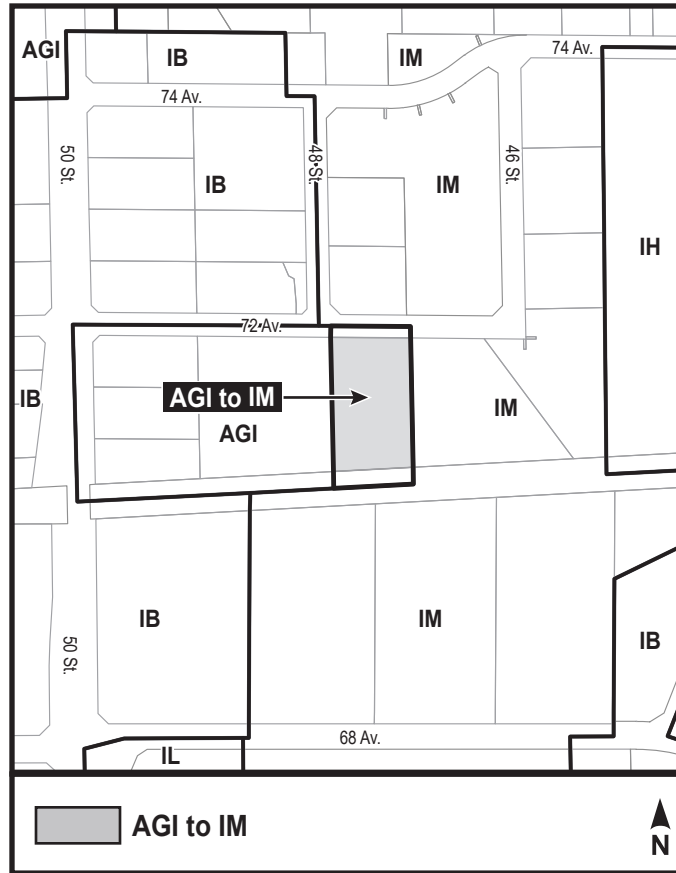
READ a first time this	day of	, A. D. 2020;
READ a second time this	day of	, A. D. 2020;
READ a third time this	day of	, A. D. 2020;
SIGNED and PASSED this	day of	, A. D. 2020.

THE CITY OF EDMONTON

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

CHARTER BYLAW 19422



## Charter Bylaw 19412

To add additional commercial uses and signs and generally update the existing DC2 on the site. Mayliewan

### Purpose

To revise and update the existing Direct Control Provision and add new use classes; located at 8103 - 160 Avenue NW, Mayliewan

### Readings

Charter Bylaw 19412 is ready for three readings after the public hearing has been held. If Council wishes to give three readings during a single meeting, Council must unanimously agree "That Charter Bylaw 19412 be considered for third reading."

### Advertising and Signing

This Charter Bylaw has been advertised in the Edmonton Journal on September 4, 2020 and September 12, 2020 The Charter Bylaw can be passed following third reading.

### Position of Administration

Administration supports this proposed Charter Bylaw.

### Report

This proposed rezoning would increase the range of commercial opportunities on the site and support the ongoing viability of this commercial property which will continue to serve the needs of the local residents in a built form compatible with the surrounding neighbourhood. No redevelopment plans are anticipated at this time.

All comments from civic departments or utility agencies regarding this proposal have been addressed.

### Public Engagement

Advance Notice was sent to surrounding property owners and the Evansdale and Kilkenny Community Leagues and Area Council No. 17 Area Council on April 17, 2020. No response was received.

### Attachments

1. Charter Bylaw 19412
2. Administration Report

Charter Bylaw 19412

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 3073

WHEREAS Lot 183, Block 51, Plan 8422616; located at 8103 - 160 Avenue NW, Mayliewan, Edmonton, Alberta, is specified on the Zoning Map as (DC2) Site Specific Direct Control Provision; and

WHEREAS an application was made to rezone the above described property to (DC2) Site Specific Direct Control Provision;

NOW THEREFORE after due compliance with the relevant provisions of the Municipal Government Act RSA 2000, ch. M-26, as amended, and notwithstanding Section 720.3(2) of the Edmonton Zoning Bylaw 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 183, Block 51, Plan 8422616; located at 8103 - 160 Avenue NW, Mayliewan, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (DC2) Site Specific Direct Control Provision to (DC2) Site Specific Direct Control Provision.
2. The uses and regulations of the aforementioned DC2 Provision are annexed hereto as Schedule "B".

3. The sketch plan annexed hereto as Schedule "A" and the uses and regulations of the DC2 Provision shown on Schedule "B" annexed hereto 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. 2020;

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 2020;

READ a third time this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 2020;

SIGNED and PASSED this                      day of                      , A. D. 2020.

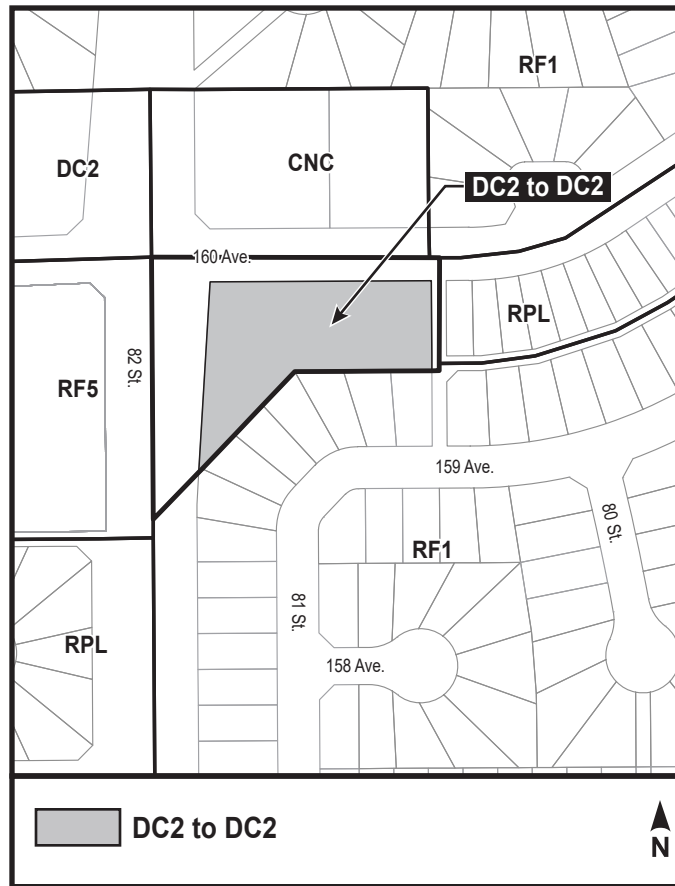
THE CITY OF EDMONTON

MAYOR

CITY CLERK



## CHARTER BYLAW 19412



**SCHEDULE “B”****(DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION****1. General Purpose**

To establish a Site Specific Development Control District to accommodate convenience commercial and related business uses which are intended to serve the day to day needs of residents and to prescribe development regulations which will ensure compatibility with existing and proposed adjacent residential development .

**2. Area of Application**

This provision shall apply to Lot 183, Block 51, Plan 842 2616, located at the southeast intersection of 82 Street NW and 160 Avenue NW, Mayliewan.

**3. Uses**

- a.. Business Support Services
- b.. Cannabis Retail Sales
- c.. Commercial Schools
- d.. Convenience Retail Stores
- e.. Child Care services
- f.. Health Services
- g.. Liquor Stores
- h.. Market
- i.. Personal Service Shops
- j.. Professional, Financial and Office Support Services
- k.. Rapid Drive-through Vehicle Services
- l.. Drive-in Food Services
- m.. Special Event
- n.. Specialty Food Services
- o. Restaurants
- p. . Veterinary Services
- q.. Fascia On Premises Signs
- r.. Minor digital on premise off premise signs

- s.. Minor digital off premise signs
- t. . Minor digital on premise signs
- u.. Freestanding On Premise signs
- v.. Projecting On Premise signs
- w.. Temporary On premise signs

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

- a. The maximum gross floor area of any individual business premise shall not exceed 275 m<sup>2</sup> (2,960.07 sq. ft.), except that the Development Officer may allow an individual business premise to have a gross floor area of 371.6 m<sup>2</sup> (4,000 sq. ft.) if in his opinion the proposed business is primarily intended to serve residents of the neighbourhood and surrounding area.
- b. The maximum floor area ratio shall be 2.0.
- c. The maximum building height shall not exceed 8.5 m nor two storeys.
- d. A minimum yard of 3 m shall be required where the site abuts 82 Street and along the northern property line of the site. A berm a minimum of .78 m in height shall be required in these yards, such berm to be landscaped with trees and shrubs so as to screen the view of parking from the adjacent roadways.
- e. A minimum yard of 4.6 m shall be required where the rear or side lot line of the site abuts the lot line of an adjacent residential district.
- f. A minimum building setback of 6 m shall be required along 160 Avenue.
- g. Continuous screen fencing of a solid design, a minimum of 2 m in height shall be provided along the entire length of the east and south property lines of the site.
- h. Substantial landscaping shall be provided along the east and south property lines of the site, inside the screen fencing and in other areas on the site, to ensure a high standard of appearance and provide a transitional buffer to the adjacent residential development.
- i. No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required yard. Loading, storage and trash collection areas shall not be located adjacent to the residential areas and shall be screened from view from the adjacent sites and the public roadways.
- j. Development shall comply with the following architectural guidelines:
  - i. the exterior building finishes shall reflect the predominant material used in the adjacent developments, including, but not limited to brick, cedar, split stone and concrete.
  - ii. building roofs shall be designed and finished with cedar shakes, clay tiles, asphalt shingles or other material to reflect a residential aspect.
  - iii. the colour of the exterior finishing materials shall be limited to muted earth tones with strong colours to be used as accents, and
  - iv. mechanical equipment on the roof of any building shall be screened from the public view or incorporated in the building structure.

- k. Signs shall be allowed in this District as provided for in Sign Schedule 59E and in accordance with Section 59.1 to 59.3 inclusive, of the Zoning Bylaw.
- l. Development in this district shall be evaluated with respect to compliance with the General Development Regulations contained in Section 50 to 99 inclusive of the Zoning Bylaw. In this evaluation, the Development Officer may grant relaxations to the General Regulations and the provisions of this District if, in his opinion, the variance would be in keeping with the general purpose of this district, and would not adversely affect the amenities, use, enjoyment and privacy of adjoining properties.

**5. Additional Development Regulations for Specified Uses**

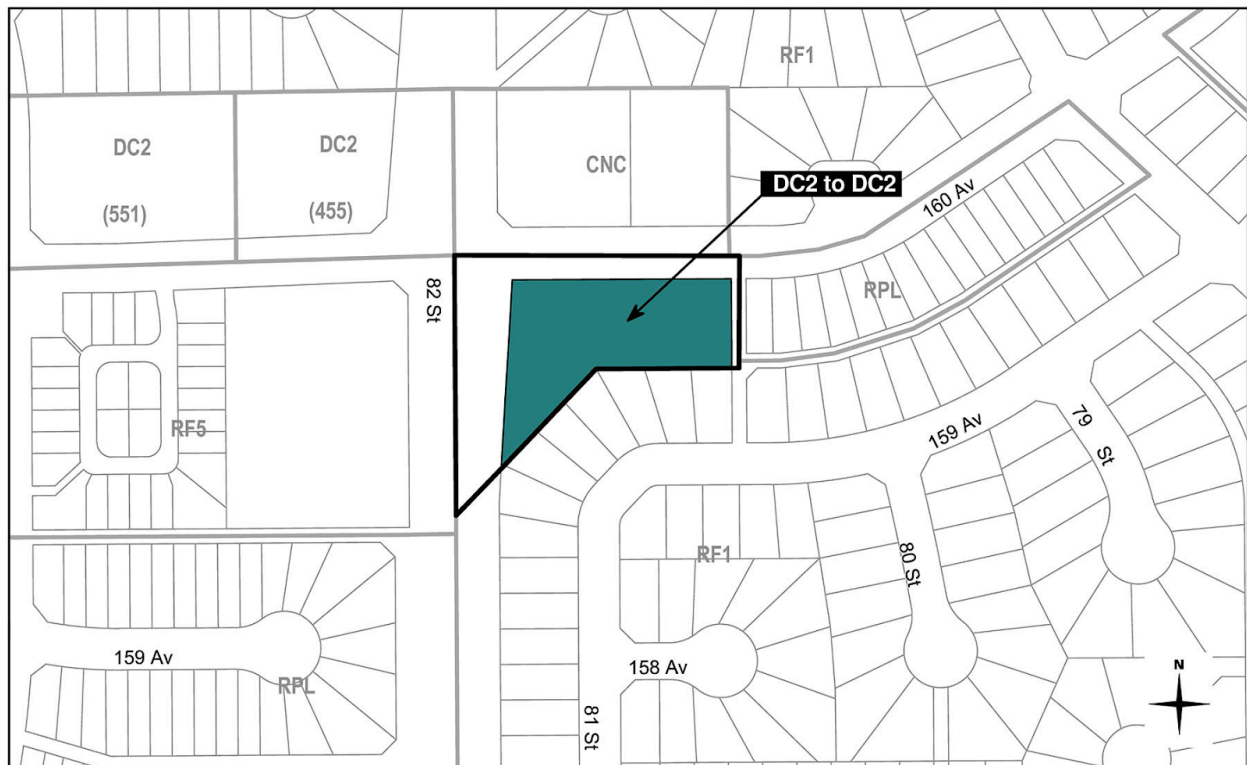
- a. Development under the Rapid Drive-through Vehicles Services Use Class shall be limited to a single bay car wash. The orientation and design of the car wash shall be to the satisfaction of the Development Officer, in order to mitigate visual and noise impacts on adjacent residential developments.
- b. Specialty Food Services or Restaurants shall not exceed 200 occupants and 240 m<sup>2</sup> of Public Space



## ADMINISTRATION REPORT **REZONING** MAYLIEWAN

### 8103 - 160 AVENUE NW

To add additional low intensity commercial uses and update an existing commercial DC2.



### RECOMMENDATION AND JUSTIFICATION

Administration is in **SUPPORT** of this application because it

- supports the existing neighbourhood commercial node on the edge of the Mayliewan Neighbourhood; and
- provides additional opportunities for local commercial services and supports small business in the City.

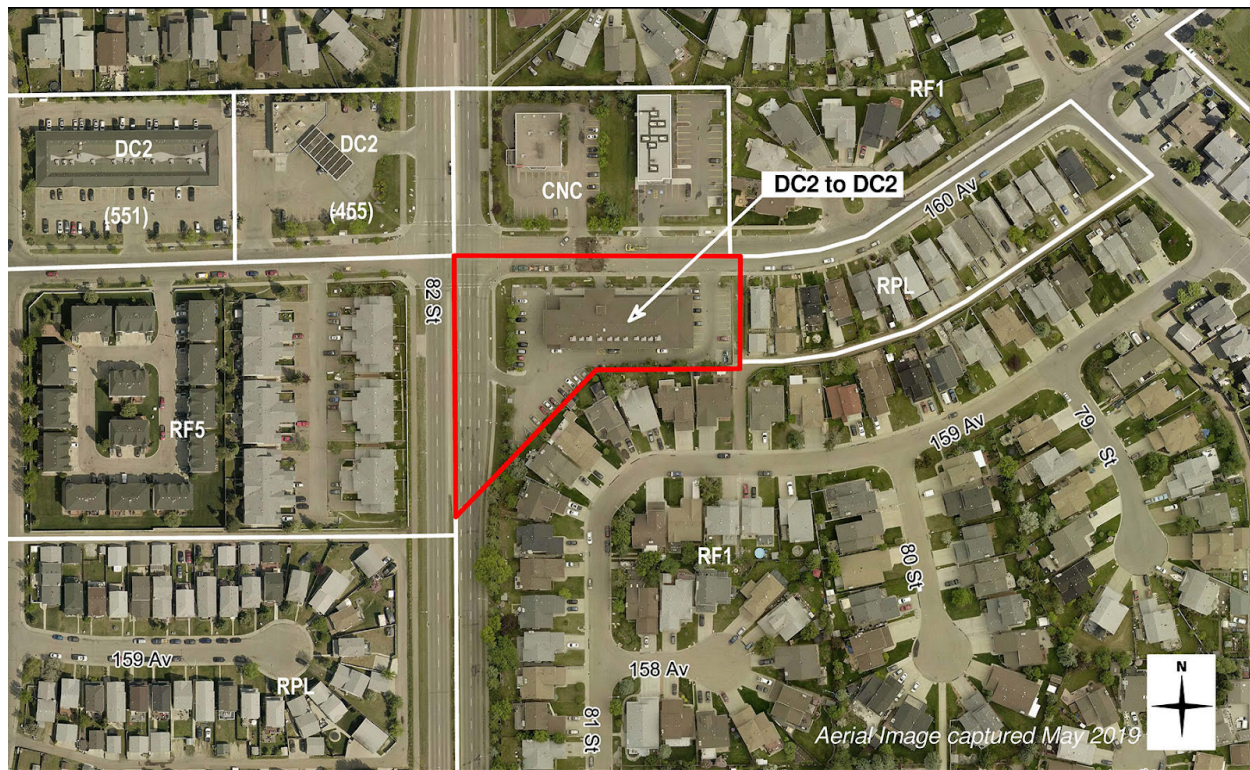
## THE APPLICATION

CHARTER BYLAW 19412 proposes to amend the Zoning Bylaw from (DC2) Site Specific Development Control Provision to (DC2) Site Specific Development Control Provision.

The purpose of this application is to expand the range of commercial uses on the site and signage, update the current zoning requirements, and to make minor amendments to the provision in order to broaden the use opportunities in the existing structure.

## SITE AND SURROUNDING AREA

The 0.4 ha site is located at the intersection of 82 Street NW, an arterial roadway and 160 Avenue NW, a neighbourhood collector.



AERIAL VIEW OF APPLICATION AREA

	<b>EXISTING ZONING</b>	<b>CURRENT USE</b>
<b>SUBJECT SITE</b>	<ul style="list-style-type: none"> <li>(DC2.60) Site Specific Development Control Provision</li> </ul>	<ul style="list-style-type: none"> <li>existing Commercial Uses</li> </ul>
<b>CONTEXT</b>		
North	<ul style="list-style-type: none"> <li>(CNC) Neighbourhood Convenience Commercial Zone</li> </ul>	<ul style="list-style-type: none"> <li>commercial development</li> </ul>
East	<ul style="list-style-type: none"> <li>(RPL) Planned Lot Residential</li> </ul>	<ul style="list-style-type: none"> <li>Single Detached House</li> </ul>
South	<ul style="list-style-type: none"> <li>(RF1) Single Detached Residential Zone</li> </ul>	<ul style="list-style-type: none"> <li>Single Detached House</li> </ul>
West	<ul style="list-style-type: none"> <li>(RF5) Rowhousing Zone</li> </ul>	<ul style="list-style-type: none"> <li>row housing</li> </ul>

## PLANNING ANALYSIS

The site is located in the Mayliewan Neighbourhood and is designated for small scale commercial uses. This application proposes to expand the permitted uses to include: Business Support Services, Cannabis Retail Sales, Commercial Schools, Special Event, Specialty Food Services, Restaurants and Veterinary Services. New signage opportunities are included in the rezoning.

The DC2 was originally approved in 1985 and this application provides an appropriate opportunity to update it to reflect the current Zoning Bylaw. Originally, the direct control provision was utilized as the appropriate zone to develop this irregularly shaped site given its proximity to the surrounding residential development to the east and south and take advantage of the location on the arterial and collector roads.

This proposed rezoning will increase the range of commercial opportunities on the site and support the ongoing viability of this commercial property which will continue to serve the needs of the local residents in a built form compatible with the surrounding neighbourhood.

## TECHNICAL REVIEW

All comments from affected City Departments and utility agencies have been addressed.

## PUBLIC ENGAGEMENT

<b>ADVANCE NOTICE</b>	<ul style="list-style-type: none"> <li>Number of recipients: 70</li> <li>No responses received</li> </ul>
Date	

## CONCLUSION

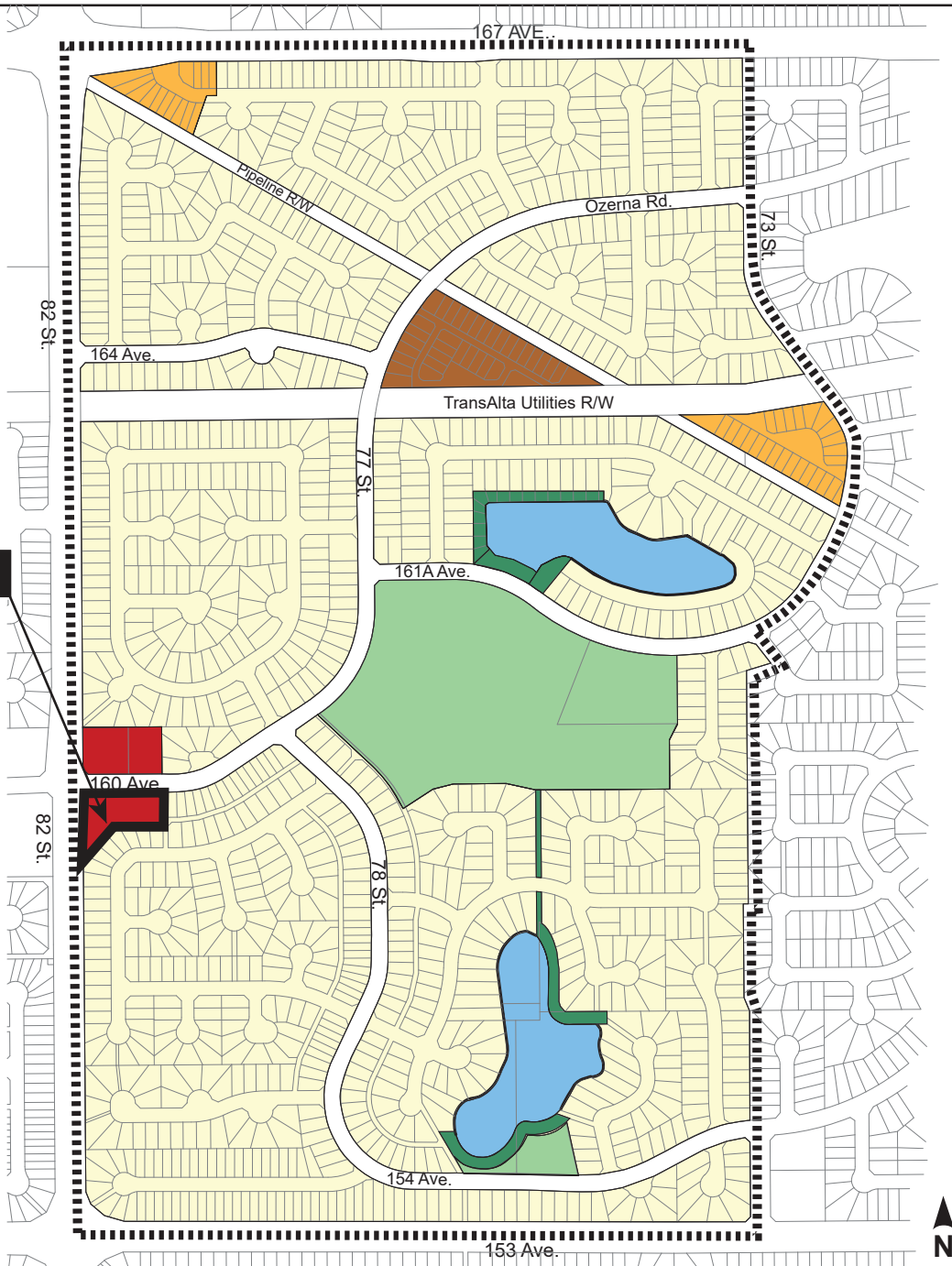
Administration recommends that City Council **APPROVE** this application.

## APPENDICES










- 1 Context Map
- 2 Tracked Changes
- 3 Application Summary



**Rezoning Area**



**BYLAW 15043  
APPROVED  
MAYLIEWAN**  
Neighbourhood Structure Plan  
(as amended)

- |   |  |
|---|--|
|  Low Density Residential |  Public Access                  |
|  Row Housing             |  Stormwater Management Facility |
|  Low Rise Apartments     |  Restrictive Covenant Zone      |
|  Commercial              |  N.S.P. Boundary                |
|  School/Parks            |  |

Note:  
Location of collector roads and configuration of stormwater management facilities are subject to minor revisions during subdivision and rezoning of the neighbourhood and may not be developed exactly as illustrated.

SUSTAINABLE DEVELOPMENT

**Section DC2.60 Tracked changes Mayliewan**

**DC2.1. General Purpose**

To establish a Site Specific Development Control District to accommodate convenience commercial and related business uses which are intended to serve the day to day needs of residents and to prescribe development regulations which will ensure compatibility with existing and proposed adjacent residential development.

**DC2.2. Area of Application**

Lot 183, Block 51, Plan 842 2616, located\_ at the southeast intersection of 82 Street, Mayliewan.

**DC2.3. Uses**

- a. Business Support Services
- b. Cannabis Retail Sales
- c. Commercial schools
- d. Convenience Retail Stores
- e. Child Care services
- f. Health Services
- g. Liquor Stores
- h. Market
- ~~a. Minor Eating and Drinking Establishments~~
- i. Personal Service Shops
- j. Rapid Drive-through Vehicle Services
- ~~b-k.~~ Professional, Financial and Office Support Services
- ~~e. Gas Bars~~
- ~~d. Rapid Drive-through Vehicle Services~~
- l. Drive-in Food Services
- ~~e-m.~~ Special Event
- n. Specialty Food Services
- o. Restaurants
- p. Veterinary Services
- q. Fascia On Premises Signs
- r. Minor digital on premise off premise signs

- s. Minor digital off premise signs
- t. Minor digital on premise signs
- u. Freestanding On Premise signs
- v. Projecting On Premise signs
- w. Temporary On premise signs

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#### DC2.4. Development Criteria

- a. The maximum gross floor area of any individual business premise shall not exceed 275 m<sup>2</sup> (2,960.07 sq. ft.), except that the Development Officer may allow an individual business premise to have a gross floor area of 371.6 m<sup>2</sup> (4,000 sq. ft.) if in his opinion the proposed business is primarily intended to serve residents of the neighbourhood and surrounding area.
- b. The maximum floor area ratio shall be ~~2~~1.0.
- c. The maximum building height shall not exceed 8 m (26.25 ft.) nor two storeys.
- d. A minimum yard of 3 m (9.84 ft.) shall be required where the site abuts 82 Street and along the northern property line of the site. A berm a minimum of .78 m (2.6 ft.) in height shall be required in these yards, such berm to be landscaped with trees and shrubs so as to screen the view of parking from the adjacent roadways.
- e. A minimum yard of 4.6 m (15 ft.) shall be required where the rear or side lot line of the site abuts the lot line of an adjacent residential district.
- f. A minimum building setback of 6 m (19.7 ft.) shall be required along 160 Avenue.
- g. Continuous screen fencing of a solid design, a minimum of 2 m (6.6 ft.) in height shall be provided along the entire length of the east and south property lines of the site.
- h. Substantial landscaping shall be provided along the east and south property lines of the site, inside the screen fencing and in other areas on the site, to ensure a high standard of appearance and provide a transitional buffer to the adjacent residential development.
- i. No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required yard. Loading, storage and trash collection areas shall not be located adjacent to the residential areas and shall be screened from view from the adjacent sites and the public roadways.

j. Development shall comply with the following architectural guide lines:

- i. the exterior building finishes shall reflect the predominant material used in the adjacent developments, including, but not limited to brick, cedar, split stone and concrete.
- ii. building roofs shall be designed and finished with cedar shakes, clay tiles, asphalt shingles or other material to reflect a residential aspect.
- iii. the colour of the exterior finishing materials shall be limited to muted earth tones with strong colours to be used as accents, and
- iv. mechanical equipment on the roof of any building shall be screened from the public view or incorporated in the building structure.

k. Signs shall be allowed in this District as provided for in Sign Schedule 59F and in accordance with Section 59.1 to 59.3 inclusive, of the Zoning Bylaw. ~~Sign Schedule 79D and in accordance with Section 79.1 to 79.9 inclusive, of the Land Use Bylaw.~~

l. Development in this district shall be evaluated with respect to compliance with the General Development Regulations contained in Section 50 to ~~79~~99 inclusive of the Zoning Bylaw ~~Land Use Bylaw~~. In this evaluation, the Development Officer may grant relaxations to the General Regulations and the provisions of this District if, in his opinion, the variance would be in keeping with the general purpose of this district, and would not adversely ~~ea~~ffect the amenities, use, enjoyment and privacy of adjoining properties.

#### **DC2.5 .Additional Development Regulations for Specified Uses**

a. ~~Gas Bars shall be developed in accordance with Section 82 of the Land Use Bylaw, and in addition, the design of the gas pump islands and other structures shall ensure that illumination is directed downwards and away from direct view of adjacent houses.~~

b. Development under the Rapid Drive-through Vehicles Services Use Class shall be limited to a single bay car wash. The orientation and design of the car wash shall be to the satisfaction of the Development Officer, in order to mitigate visual and noise impacts on adjacent residential developments.

Specialty Food Services or Restaurants shall not exceed 200 occupants and 240 m2 of Public Space

## APPLICATION SUMMARY

### INFORMATION

Application Type:	Rezoning
Charter Bylaw:	19412
Location:	South of 160 Avenue NW and east of 82 Street NW
Address:	8103 - 160 AVENUE NW
Legal Description:	Lot 183, Block 51, Plan 8422616
Site Area:	0.04 ha.
Neighbourhood:	Mayliewan
Notified Community Organizations:	Evansdale, Kilkenny Community Leagues and Area Council No. 17 Area Council
Applicant:	Stan Dybka

### PLANNING FRAMEWORK

Current Zone(s) and Overlay(s):	(DC2) Site Specific Development Control Provision
Proposed Zone(s) and Overlay(s):	(DC2) Site Specific Development Control Provision
Plan(s) in Effect:	Edmonton North Area Structure Plan
Historic Status:	N/A

Written By:	Don Read
Approved By:	Tim Ford
Branch:	Development Services
Section:	Planning Coordination

## Charter Bylaw 19419

To allow for industrial businesses and limited compatible non-industrial businesses, Mistatim Industrial

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### Purpose

Rezoning from (IL) Light Industrial Zone to (IB) Industrial Business Zone; located at 13803 - 164 Street NW, Mistatim Industrial.

### Readings

Charter Bylaw 19419 is ready for three readings after the public hearing has been held. If Council wishes to give three readings during a single meeting, Council must unanimously agree "That Charter Bylaw 19419 be considered for third reading."

### Advertising and Signing

This Charter Bylaw has been advertised in the Edmonton Journal on September 4, 2020 and September 12, 2020. The Charter Bylaw can be passed following third reading.

### Position of Administration

Administration supports this proposed Charter Bylaw.

### Report

The proposed rezoning will allow for the opportunity for industrial businesses and limited, compatible non-industrial businesses in conformance with the Mistatim Industrial Area Structure Plan.

The proposed rezoning is compatible with the existing development in the area and is appropriately located in close to 137 Avenue NW with good access and high visibility.

It is the applicant's intent to lease the site to a wider range of uses.

### Public Engagement

Advance Notice was sent to surrounding property owners and the Cumberland/Oxford Community League on April 29, 2020. No responses were received.

### Attachments

1. Charter Bylaw 19419
2. Administration Report

Charter Bylaw 19419

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 3080

WHEREAS Lot 2, Block 9, Plan 1922174; located at 13803 - 164 Street NW, Mistatim Industrial, Edmonton, Alberta, is specified on the Zoning Map as (IL) Light Industrial Zone; and

WHEREAS an application was made to rezone the above described property to (IB) Industrial Business Zone;

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 2, Block 9, Plan 1922174; located at 13803 - 164 Street NW, Mistatim Industrial, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (IL) Light Industrial Zone to (IB) Industrial Business Zone.

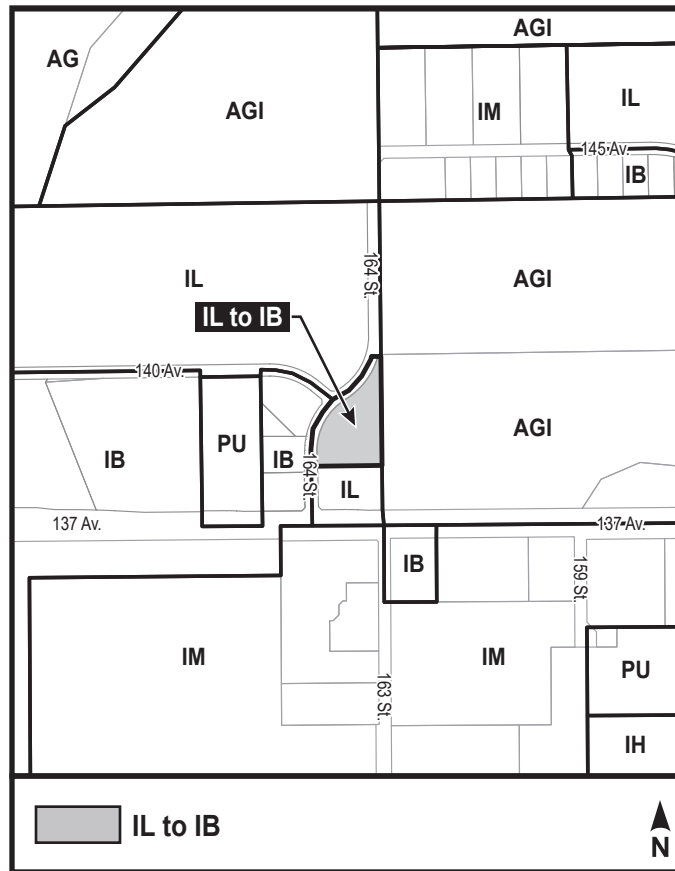
READ a first time this	day of	, A. D. 2020;
READ a second time this	day of	, A. D. 2020;
READ a third time this	day of	, A. D. 2020;
SIGNED and PASSED this	day of	, A. D. 2020.

THE CITY OF EDMONTON

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

## CHARTER BYLAW 19419



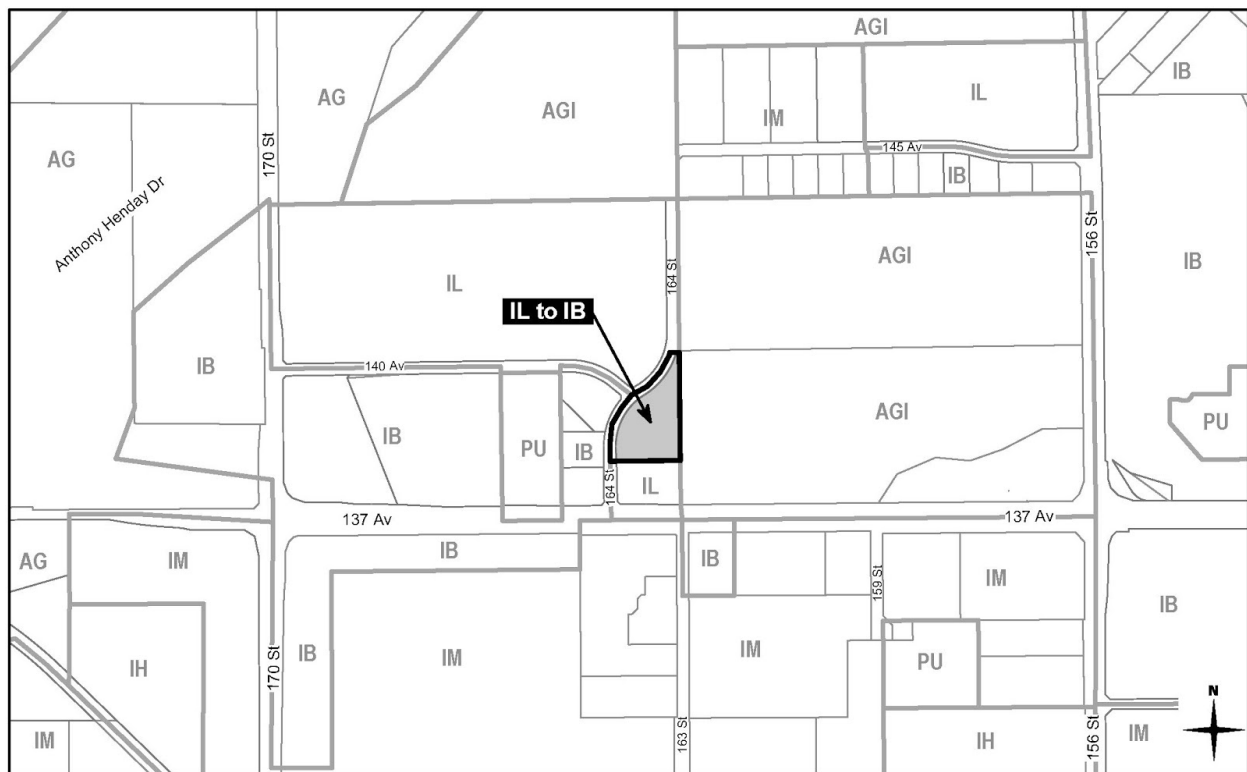




## ADMINISTRATION REPORT **REZONING** MISTATIM INDUSTRIAL

### 13803 - 164 STREET NW

To allow for a range of industrial business uses and accommodate limited, compatible non-industrial uses.



### RECOMMENDATION AND JUSTIFICATION

Administration is in **SUPPORT** of this application because:

- It is compatible with the existing development of surrounding land; and
- It provides the opportunity for a wider range of industrial and business employment uses at a location with good visibility and access.

## THE APPLICATION

CHARTER BYLAW 19419 proposes to amend the Zoning Bylaw from (IL) Light Industrial Zone to (IB) Industrial Business Zone. The proposed (IB) Zone will allow for a wider range of industrial business uses than found under the IL Zone.

It is the applicant's intent to market the subject site for a wider range of uses.

## SITE AND SURROUNDING AREA

The subject site is located north of 137 Avenue NW and east of 164 Street NW in the northeastern portion of the Mistatim Industrial neighbourhood. The site is currently vacant undeveloped land.



AERIAL VIEW OF APPLICATION AREA

	EXISTING ZONING	CURRENT USE
<b>SUBJECT SITE</b>	(IL) Light Industrial Zone	Vacant lot
<b>CONTEXT</b>		
North	(IL) Light Industrial Zone	Vacant Lot
East	(AGI) Industrial Reserve Zone	Twin Willows Golf Club
South	(IL) Light Industrial Zone	Vacant Lot
West	(IB) Industrial Business Zone	General industrial uses

## PLANNING ANALYSIS

The proposed rezoning is in conformance with the Mistatim Area Structure Plan which designates the subject lands for Industrial Business uses.

The proposed rezoning is appropriate and suitable on this site as it is located in close proximity to 137 Avenue NW, which provides accessibility and visibility for a wide range of uses.

The proposed IB Zone contains a number of uses not found in the IL Zone such as Cannabis Retail Sales, Liquor Stores and Indoor Participant Recreation Services.

## TECHNICAL REVIEW

All comments from affected City Departments and utility agencies have been addressed. The subject site is serviced to industrial standards and is suitable for the proposed IB zone.

## PUBLIC ENGAGEMENT

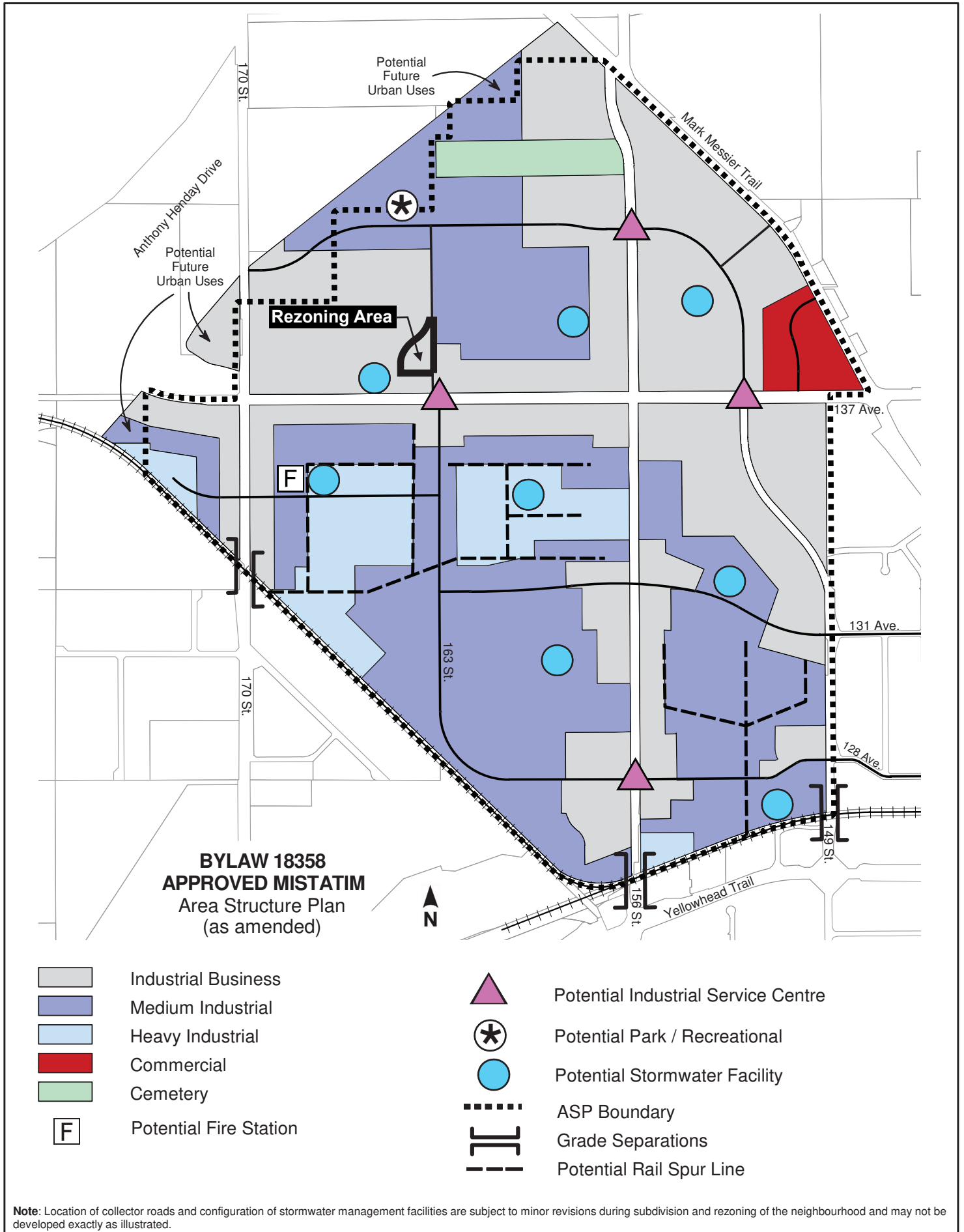
<b>ADVANCE NOTICE</b> April 29, 2020	<ul style="list-style-type: none"><li>• Number of recipients: 12</li><li>• No responses received</li></ul>
<b>PUBLIC MEETING</b>	<ul style="list-style-type: none"><li>• Not held</li></ul>

## CONCLUSION

Administration recommends that City Council **APPROVE** this application.

## APPENDICES

- 1 Context Map
- 2 Application Summary



## APPLICATION SUMMARY

### INFORMATION

Application Type:	Rezoning
Charter Bylaw:	19419
Location:	North of 137 Avenue NW and east of 164 Street NW
Address:	13803 - 164 Street NW
Legal Description:	Lot 2, Block 9, Plan 1922174
Site Area:	1.76 ha
Neighbourhood:	Mistatim Industrial
Notified Community Organization:	Cumberland/Oxford Community League
Applicant:	Qualico Commercial

### PLANNING FRAMEWORK

Current Zone:	(IL) Light Industrial Zone
Proposed Zone:	(IB) Industrial Business Zone
Plan in Effect:	Mistatim Area Structure Plan
Historic Status:	None

Written By:	Luke Cormier
Approved By:	Tim Ford
Branch:	Development Services
Section:	Planning Coordination

## Bylaw 19404

To close a portion of laneway south of 40 Avenue NW for consolidation with the abutting properties, Greenfield

### Purpose

To close a portion of laneway south of 40 Avenue NW for consolidation with the abutting property, Greenfield

### Readings

Bylaw 19404 is ready for three readings after the public hearing has been held. If Council wishes to give three readings during a single meeting, Council must unanimously agree "That Bylaw 19404 be considered for third reading."

### Advertising and Signing

This Bylaw has been advertised in the Edmonton Journal on September 4, 2020 and September 12, 2020. The Bylaw can be passed following third reading.

### Position of Administration

Administration supports this proposed Bylaw.

### Report

The proposed road closure area was deemed surplus by Transportation as it is not required for road right-of-way purposes.

If the Bylaw is approved, the closure area will be consolidated with the abutting property to the east. The land acquired will be added to the existing commercial site.

All comments from civic departments or utility agencies regarding this proposal have been addressed. The closure and Sales Agreement condition will require consolidation of the area with the adjacent property.

### Public Engagement

Advance Notice was sent to surrounding property owners and the Greenfield, Royal Gardens Community Leagues and the Southwest Area Council of Community Area Council on August 10, 2018. No response was received to the notice.

### Attachments

1. Bylaw 19404

## 2. Administration Report

## THE CITY OF EDMONTON

### BYLAW 19404

#### CLOSURE OF A PORTION OF A PORTION OF ROAD-RIGHT-OF WAY WEST OF 114 STREET NW AND SOUTH OF 40 AVENUE NW, GREENFIELD

Whereas, pursuant to section 22 of the *Municipal Government Act*, R.S.A. 2000, c. M-26, a council of a municipality may by bylaw close road within the municipality; and

Whereas, pursuant to sections 22 and 606 of the *Municipal Government Act*, a bylaw closing a road must be advertised; and

Whereas, pursuant to section 22 of the *Municipal Government Act*, before a bylaw closing a road is passed, a person who claims to be prejudicially affected by the bylaw, or that person's agent must be given an opportunity to be heard by the council; and

Edmonton City Council enacts:

#### PART I - PURPOSE, DEFINITIONS AND INTERPRETATION

<b>PURPOSE</b>	1	The purpose of this bylaw is to close a portion of road as set out in Schedule "A" to this bylaw.
<b>DEFINITIONS</b>	2	In this bylaw, unless the context otherwise requires: <ul style="list-style-type: none"><li>(a) <b>"City"</b> means the municipal corporation of the City of Edmonton;</li><li>(b) <b>"Council"</b> means the Municipal Council of the City of Edmonton;</li><li>(c) <b>"Registrar"</b> means the Registrar of Titles as defined by the <i>Land Titles Act</i>, R.S.A. 2000, c. L-4</li></ul>



## PART II - ROAD CLOSURE

- 3 All of that portion of road shown on Schedule “A” and generally described in Attachment 1 attached to and forming part of this bylaw, is hereby closed.
- 4 When the Registrar issues a certificate or certificates of title with respect to the former portion of road closed by this bylaw:
  - (a) the title or titles so issued shall except thereout all mines and minerals and the City will continue to own the mines and minerals if it owned them prior to the creation of the title or titles; and
  - (b) Attachment 1 is deemed to include the full legal description of the lands comprising the portion of road closed by this bylaw.

READ a first time this	day of	, A.D. 2020;
READ a second time this	day of	, A.D. 2020;
READ a third time this	day of	, A.D. 2020;
SIGNED and PASSED this	day of	, A.D. 2020.

THE CITY OF EDMONTON

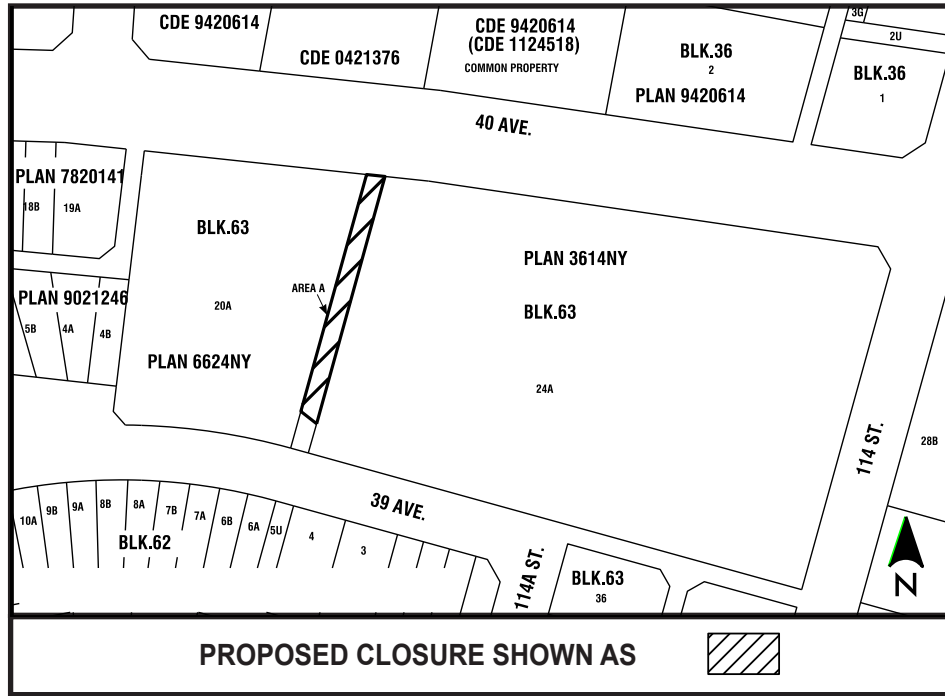
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MAYOR

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CITY CLERK

**BYLAW 19404**



**ATTACHMENT 1**

PLAN 3614NY  
BLOCK 63  
ALL THAT PORTION OF LANE LYING WITHIN AREA 'A'  
PLAN 202\_\_\_\_\_

**EXCEPTING THEREOUT ALL MINES AND MINERALS**



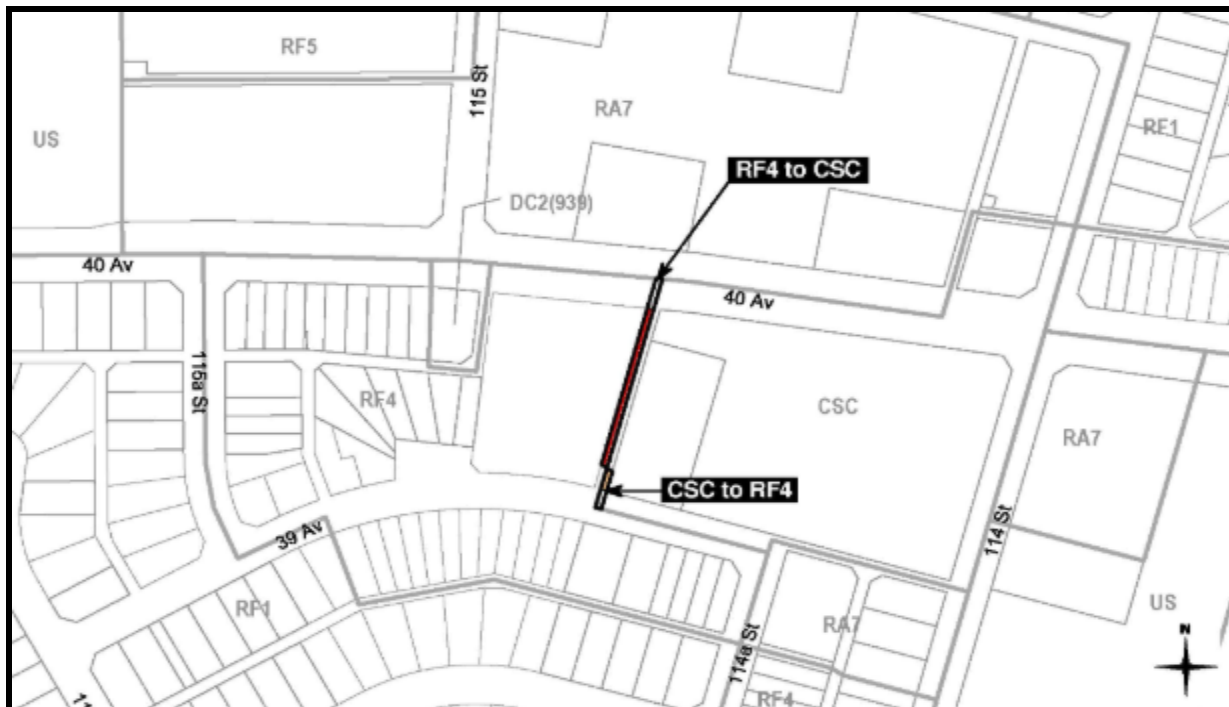
## ADMINISTRATION REPORT **REZONING, CLOSURE** Greenfield

**11403 - 40 AVENUE NW**

**11431 - 40 AVENUE NW**

**11445 - 40 AVENUE NW**

To close a road right-of-way and rezone the property to be consistent with the proposed lot lines.



## **RECOMMENDATION AND JUSTIFICATION**

Administration is in **SUPPORT** of this applications because:

- it will adjust the zoning boundaries to match the new property lines,
- in conjunction with a proposed closure of the laneway, it will continue to allow access to the church lands from 39 Avenue without any physical changes ; and
- will improve traffic flow on the commercial site as it will become a slightly larger site.

## THE APPLICATION

1. **CHARTER BYLAW 19411** proposes to amend the Zoning Bylaw from (CSC) Shopping Centre Zone and (RF4) Semi-detached Residential Zone to (CSC) Shopping Centre Zone and (RF4) Semi-detached Residential Zone to realign the zoning lines;
2. **Bylaw 19404** proposes to close a portion of road right-of-way west of 114 Street NW and south of 40 Avenue NW; and
3. **Bylaw 19405** proposes to close a portion of road right-of-way west of 114 Street NW and south of 40 Avenue NW.

The three bylaws that make up this application are the result of the proposed closure of a laneway that exists between 39 and 40 Avenues NW, west of 114 Street. The proposed road closure area has been deemed surplus by Transportation as is not required for road right-of-way purposes.

Three properties abut the closure area, and the adjacent owners have agreed to split the area to satisfy their needs. The majority of the area is proposed to be acquired by the commercial development to the east, and a small portion at the south end of the right-of-way is proposed to be acquired by the church to maintain access from 39 Avenue NW. In both cases, the land acquired through the closure is to be consolidated with the appropriate adjacent larger parcel. Separate bylaws are required to facilitate the details of the two individual sales agreements.

The Charter Bylaw realigns the zoning line from the centre of the laneway to be consistent with the proposed property lines. The rezoning will facilitate a land sale agreement between the city and private landowners.

## SITE AND SURROUNDING AREA

The subject site of the closure is the laneway between three properties fronting onto 40 Avenue NW and 39 Avenue NW.



AERIAL VIEW OF APPLICATION AREA

	EXISTING ZONING	CURRENT USE
<b>SUBJECT SITES</b>	(CSC) Shopping Centre Zone (RF4) Semi-detached Residential Zone	church and shopping center
<b>CONTEXT</b>		
North	(RA7) Apartment Housing Shopping Zone	apartment buildings
East	(CSC) Shopping Centre Zone	shopping center
South	(RF4) Semi-detached Residential Zone	single detached housing
West	(RF4) Semi-detached Residential Zone	single detached housing

## PLANNING ANALYSIS

There is no plan in place for the Greenfield neighbourhood.

The owners of the commercial center to the east seek to acquire the laneway to enlarge their site. As part of the review for closing City-owned right-of-way, it became clear that the Church needed to retain a portion of the alleyway to access their property - specifically, the parking lot.

As a result, the proposed closure area is in two parts: the larger portion to be sold and consolidated with the commercial property to the east and the smaller portion on the south to be sold and consolidated with the church site to the west.

As a direct result of the proposed closure and sale, the zoning needs to be realigned to match the new property lines. The proposed right-of-way closure and rezoning are consistent and compatible with the existing development in the area.

All comments from civic departments and utility agencies regarding this proposal have been addressed.

## PUBLIC ENGAGEMENT

<b>ADVANCE NOTICE</b> August 10, 2018	<ul style="list-style-type: none"><li>• Number of recipients: 321</li><li>• No responses received</li></ul>
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## CONCLUSION

Administration recommends that City Council **APPROVE** this application.

## APPENDICES

1. Application Summary

## APPLICATION SUMMARY

### INFORMATION

Application Type:	Rezoning and closure
Bylaws:	19404, 19405
Charter Bylaw:	19411
Location:	South of 40 Avenue NW and west of 114 Street NW
Addresses:	11403 - 40 AVENUE NW, 11431 - 40 AVENUE NW, 11445 - 40 AVENUE NW
Legal Descriptions:	Lot 24A, Block 63, Plan 3614NY, & Lot 20, Block 63, Plan 6624NY
Site Area (closure):	.04 ha.
Neighbourhood:	Greenfield
Notified Community Organizations:	Greenfield, and Royal Gardens Community Leagues & Southwest Area Council of Community Area Council
Applicant:	James Gray

### PLANNING FRAMEWORK

Current Zone:	(CSC) Shopping Centre Zone and (RF4) Semi-detached Residential Zone
Proposed Zone:	(CSC) Shopping Centre Zone and (RF4) Semi-detached Residential Zone
Plan in Effect:	NA
Historic Status:	NA

Written By:	Don Read
Approved By:	Tim Ford
Branch:	Development Services
Section:	Planning Coordination



## Bylaw 19405

To close a portion of laneway north of 39 Avenue NW for consolidation with the abutting property, Greenfield

### Purpose

To close a portion of laneway north of 39 Avenue NW for consolidation with the abutting property, Greenfield.

### Readings

Bylaw 19405 is ready for three readings after the public hearing has been held. If Council wishes to give three readings during a single meeting, Council must unanimously agree "That Bylaw 19405 be considered for third reading."

### Advertising and Signing

This Bylaw has been advertised in the Edmonton Journal on September 4, 2020 and September 12, 2020. The Bylaw can be passed following third reading.

### Position of Administration

Administration supports this proposed Bylaw.

### Report

The proposed road closure area was deemed surplus by Transportation as it is not required for road right-of-way purposes.

If the Bylaw is approved, the closure area will be consolidated with the abutting property to the west. The land acquired will continue to provide access off 39 Avenue NW to the existing parking lot on the Religious Assembly site.

All comments from civic departments or utility agencies regarding this proposal have been addressed. The closure and Sales Agreement condition will require consolidation of the area with the adjacent property.

### Public Engagement

Advance Notice was sent to surrounding property owners and the Greenfield, Royal Gardens Community Leagues and the Southwest Area Council of Community Area Council on August 10, 2018. No response was received to the notice.

**Attachments**

1. Bylaw 19405
2. Administration Report - (Attached to Bylaw 19404 item 3.5)

## THE CITY OF EDMONTON

### BYLAW 19405

#### CLOSURE OF A PORTION OF A PORTION OF ROAD-RIGHT-OF WAY WEST OF 114 STREET NW AND SOUTH OF 40 AVENUE NW, GREENFIELD

Whereas, pursuant to section 22 of the *Municipal Government Act*, R.S.A. 2000, c. M-26, a council of a municipality may by bylaw close road within the municipality; and

Whereas, pursuant to sections 22 and 606 of the *Municipal Government Act*, a bylaw closing a road must be advertised; and

Whereas, pursuant to section 22 of the *Municipal Government Act*, before a bylaw closing a road is passed, a person who claims to be prejudicially affected by the bylaw, or that person's agent must be given an opportunity to be heard by the council; and

Edmonton City Council enacts:

#### PART I - PURPOSE, DEFINITIONS AND INTERPRETATION

<b>PURPOSE</b>	1	The purpose of this bylaw is to close a portion of road as set out in Schedule "A" to this bylaw.
<b>DEFINITIONS</b>	2	In this bylaw, unless the context otherwise requires: <ul style="list-style-type: none"><li>(a) <b>"City"</b> means the municipal corporation of the City of Edmonton;</li><li>(b) <b>"Council"</b> means the Municipal Council of the City of Edmonton;</li><li>(c) <b>"Registrar"</b> means the Registrar of Titles as defined by the <i>Land Titles Act</i>, R.S.A. 2000, c. L-4</li></ul>

**PART II - ROAD CLOSURE**

- 3 All of that portion of road shown on Schedule “A” and generally described in Attachment 1 attached to and forming part of this bylaw, is hereby closed.
- 4 When the Registrar issues a certificate or certificates of title with respect to the former portion of road closed by this bylaw:
- (a) the title or titles so issued shall except thereout all mines and minerals and the City will continue to own the mines and minerals if it owned them prior to the creation of the title or titles; and
  - (b) Attachment 1 is deemed to include the full legal description of the lands comprising the portion of road closed by this bylaw.

READ a first time this	day of	, A.D. 2020;
READ a second time this	day of	, A.D. 2020;
READ a third time this	day of	, A.D. 2020;
SIGNED and PASSED this	day of	, A.D. 2020.

THE CITY OF EDMONTON

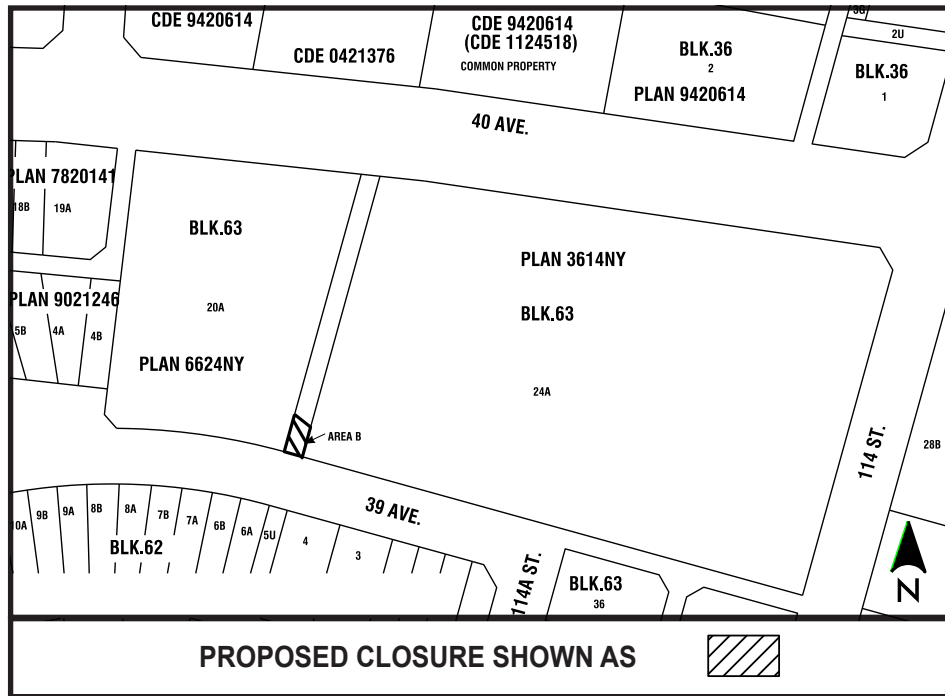
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MAYOR

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CITY CLERK

**BYLAW 19405**



**ATTACHMENT 1**

PLAN 3614NY

BLOCK 63

ALL THAT PORTION OF LANE LYING WITHIN AREA 'B'

PLAN 202\_\_\_\_\_

**EXCEPTING THEREOUT ALL MINES AND MINERALS**

# Charter Bylaw 19411

To adjust the zoning boundaries to reflect the closure of the laneway between two properties, Greenfield

## Purpose

Rezoning from (CSC) Shopping Centre Zone and (RF4) Semi-detached Residential Zone to (CSC) Shopping Centre Zone and (RF4) Semi-detached Residential Zone to realign the zoning lines.

## Readings

Charter Bylaw 19411 is ready for three readings after the public hearing has been held. If Council wishes to give three readings during a single meeting, Council must unanimously agree "That Charter Bylaw 19404 be considered for third reading."

## Advertising and Signing

This Bylaw has been advertised in the Edmonton Journal on September 4, 2020 and September 12, 2020. The Bylaw can be passed following third reading.

## Position of Administration

Administration supports this proposed Bylaw.

## Report

As part of a proposed lane closure, the adjacent owners have expressed an interest in purchasing a portion of the closed right-of-way. The property owner to the east will acquire the majority of the laneway for parking and improvements to the commercial area, while the property owner to the west will acquire a portion of the closure area that includes access to their site from the west side of the lane.

The proposed closure area is presented in two concurrent bylaws. This Charter Bylaw will align the zoning boundaries to match the new property lines.

All comments from civic departments or utility agencies regarding this proposal have been addressed.

## Public Engagement

Advance Notice was sent to surrounding property owners, the Greenfield, Royal Gardens Community Leagues and the Southwest Area Council of Community Area Council on August 10, 2018. No response was received to the notice.

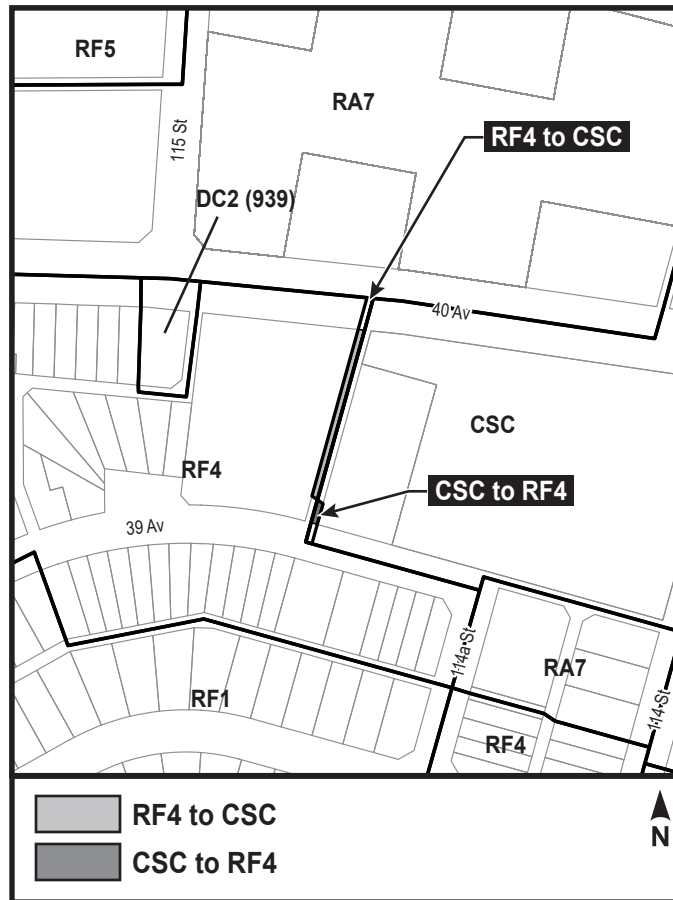
### **Attachments**

1. Bylaw 19411
2. Administration Report - (Attached to Bylaw 19404 item 3.5)





## CHARTER BYLAW 19411



# Charter Bylaw 19416

To allow for multi-unit housing, Lauderdale

## Purpose

Rezoning from (RF4) Semi-detached Residential Zone to (RF5) Row Housing Zone; located at 12903, 12909, 12913, 12917, 12921 & 12925 - 103 Street NW.

## Readings

Charter Bylaw 19416 is ready for three readings after the public hearing has been held. If Council wishes to give three readings during a single meeting, Council must unanimously agree "That Charter Bylaw 19416 be considered for third reading."

## Advertising and Signing

This Charter Bylaw has been advertised in the Edmonton Journal on September 4, 2020, and September 12, 2020. The Charter Bylaw can be passed following third reading.

## Position of Administration

Administration supports this proposed Charter Bylaw.

## Report

This application proposes to rezone a site from (RF4) Semi-detached Residential Zone to (RF5) Row Housing Zone to accommodate the development of multi-unit housing. The site is of a larger size and appropriately located at the intersection of two collector roads, backing onto a public utility lot/walkway.

All comments from civic departments or utility agencies regarding this proposal have been addressed.

## Public Engagement

Advance Notice was sent to surrounding property owners and the Lauderdale Community League on June 17, 2020. Two responses were received with questions only.

## Attachments

1. Charter Bylaw 19416
2. Administration Report

Charter Bylaw 19416

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 3077

WHEREAS Lots 18-23, Block 7A, Plan 1066KS; located at 12903, 12909, 12913, 12917, 12921 and 12925 - 103 Street NW, Lauderdale, Edmonton, Alberta, are specified on the Zoning Map as (RF4) Semi-detached Residential Zone; and

WHEREAS an application was made to rezone the above described properties to (RF5) Row Housing Zone;

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 Lots 18-23, Block 7A, Plan 1066KS; located at 12903, 12909, 12913, 12917, 12921 and 12925 - 103 Street NW, Lauderdale, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule “A”, from (RF4) Semi-detached Residential Zone to (RF5) Row Housing Zone.

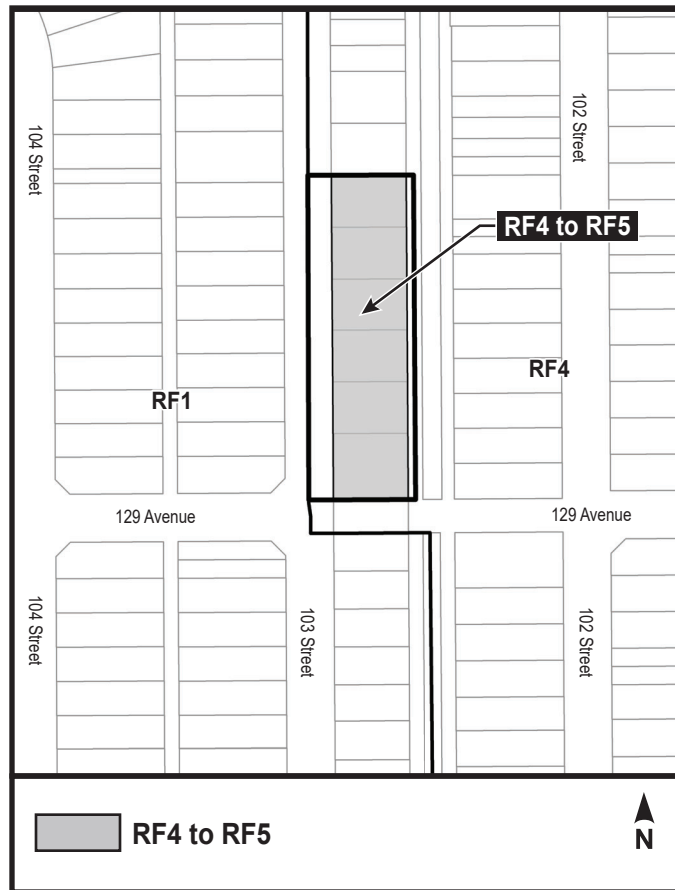
READ a first time this	day of	, A. D. 2020;
READ a second time this	day of	, A. D. 2020;
READ a third time this	day of	, A. D. 2020;
SIGNED and PASSED this	day of	, A. D. 2020.

THE CITY OF EDMONTON

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

CHARTER BYLAW 19416

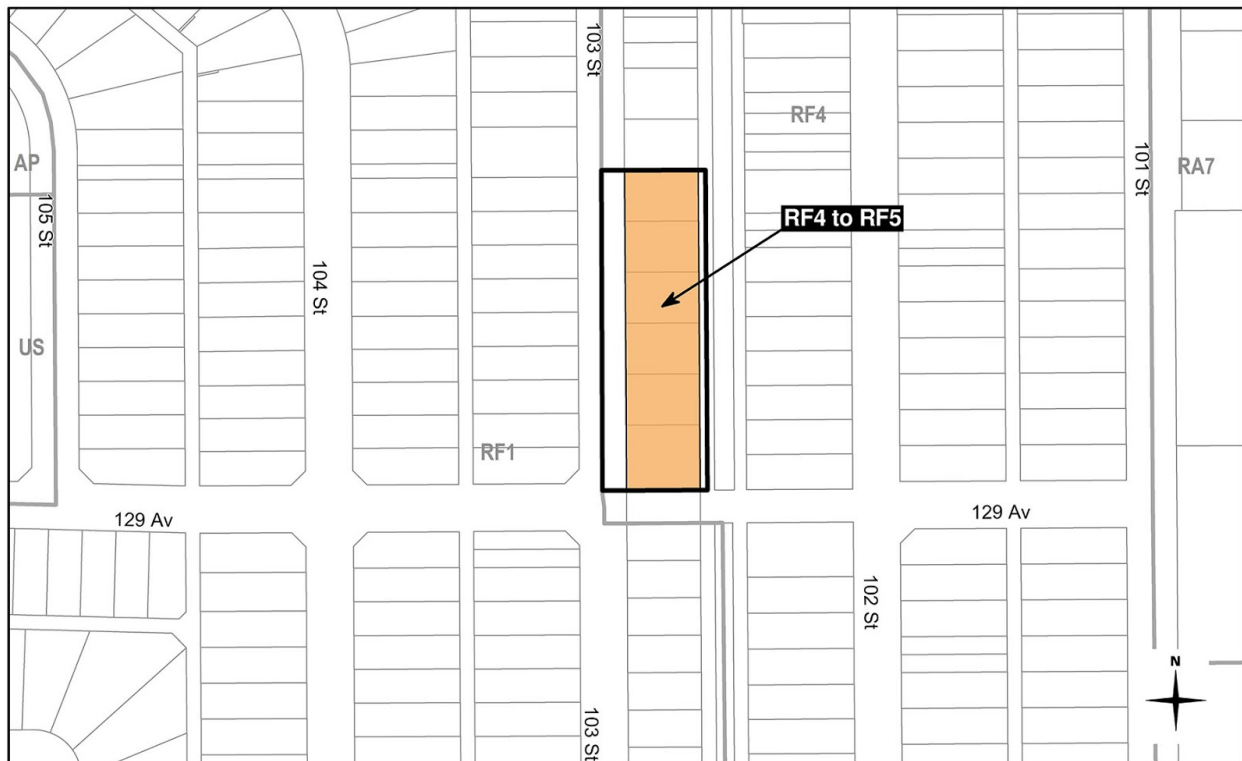




## ADMINISTRATION REPORT **REZONING** LAUDERDALE

### **12903, 12909, 12913, 12917, 12921 & 12925 - 103 STREET NW**

To allow for multi-unit housing.



### **RECOMMENDATION AND JUSTIFICATION**

Administration is in **SUPPORT** of this application because it:

- is appropriately located on a larger site at the intersection of two collector roads and adjacent to a public utility lot;
- provides housing diversity in the Lauderdale neighbourhood; and
- is compatible with surrounding development.

## THE APPLICATION

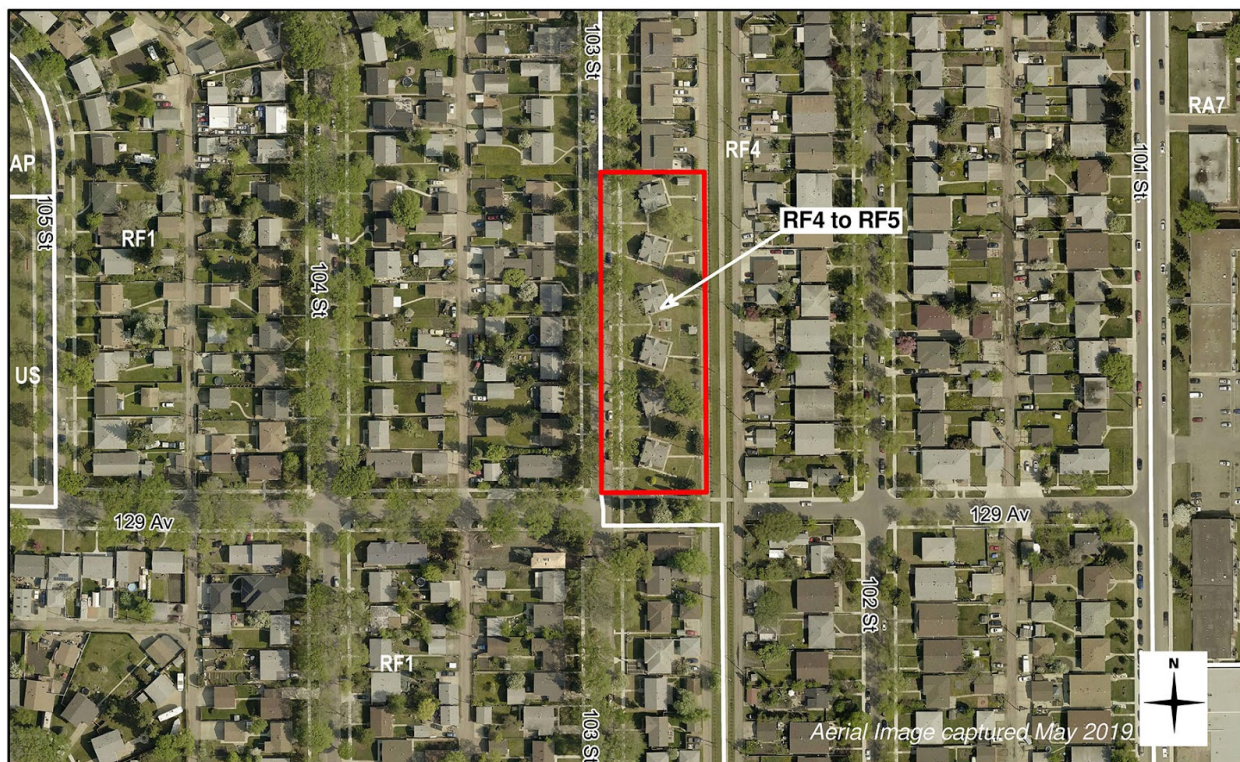
1. CHARTER BYLAW 19416 to rezone the site from (RF4) Semi-detached Residential Zone to (RF5) Row Housing Zone.

The stated intent of the applicant is to develop bungalow-style row housing at the north and south ends of the site, with multi-unit style housing in the centre of the site. The development is intended to be geared toward seniors.

## SITE AND SURROUNDING AREA

The subject site is located at the intersection of 129 Avenue NW and 103 Street NW and is currently occupied by 12 units of semi-detached housing. The portions of these roads directly to the west and south of the site are collector roads. The site is predominantly bordered by single and semi-detached housing, but backs onto a public utility lot and walkway, which in combination with two lanes, provides a significant buffer from the properties to the east. There is also a 14 metre wide utility lot to the south of the site.

The site is two blocks from Lauderdale Park to the west and three blocks from commercial services on 97 Street NW to the east. 103 Street NW and 129 Avenue NW are both bus routes, and there is easy access to transit on 97 Street NW.



AERIAL VIEW OF APPLICATION AREA



	<b>EXISTING ZONING</b>	<b>CURRENT USE</b>
<b>SUBJECT SITE</b>	(RF4) Semi-detached Residential Zone	Semi-detached Housing
<b>CONTEXT</b>		
North	(RF4) Semi-detached Residential Zone	Semi-detached Housing
East	(RF4) Semi-detached Residential Zone	Public Utility Lot/Walkway
South	(RF4) Semi-detached Residential Zone	Utility Lot
West	(RF1) Single Detached Residential Zone	Single Detached Housing



VIEW OF THE SITE LOOKING SOUTHEAST



VIEW OF THE SITE LOOKING NORTHEAST

## PLANNING ANALYSIS

### EXISTING AND PROPOSED ZONING

Under the current RF4 Zone, which allows for semi-detached and duplex housing as its highest and best use, the subject site could yield up to 19 semi-detached or duplex dwellings. The proposed RF5 Zone allows for multi-unit housing and, based on site size and other development regulations, suggests that this site could accommodate up to 34 principal dwellings.

A comparison of the proposed RF5 zone, the current RF4 zone is provided below. The comparison demonstrates that, in addition to an increased density, there will be an increase in maximum site coverage and height.

<b>Zoning Comparison Chart</b>		
	<b>Current: RF4 + MNO</b>	<b>Proposed: RF5 + MNO</b>
<b>Minimum Density</b>	-	35 Units/Ha
<b>Minimum Site Area/ Max. Dwellings</b>	250.8m2 19 Units	125m2 34 Units



<b>Maximum Height (metres)</b>	8.9	10.0
<b>Minimum Setback - North (metres)</b>	2.0	2.0
<b>Maximum Site Coverage</b>	40-45%	50-52%

## LAND USE COMPATIBILITY

The site consists of 6 interior lots and is bordered on three sides by utility lots and a road right-of-way. These lots and the roadway act as buffers that help to mitigate the impacts of additional height and site coverage between this site and the existing surrounding development.

The primary focus of concern is along the site's northern edge which shares a property line with a semi-detached housing unit. A minimum 2.0 m interior side setback would be required adjacent to the semi-detached house to the north. As demonstrated by the table above, this is the same as the setback of the current RF4 Zone. The Mature Neighbourhood Overlay (MNO) will apply to the site, ensuring that development is sensitive in scale and location to adjacent developments. The MNO also requires that platform structures in side and rear yards be screened to help reduce overlook and other privacy issues for the adjacent property. The land use activities that will be allowed on the site are residential in nature, and the same as those allowed in the RF4 Zone. The transition provided by the proposed zone to the semi-detached house to the north of the subject property is considered appropriate.

## RESIDENTIAL INFILL GUIDELINES (RIGS)

The RIGs provide guidance as to where different housing typologies are most appropriately located within a given neighborhood. For row housing (6+ dwellings), the RIGs suggest that this type of development should be located along the edges of a neighborhood and adjacent to an arterial roadway.

This site is located three blocks west of the edge of the neighborhood and 97 Street NW, which is an arterial road. Though not in conformance with the locational suggestion of the RIGs, the site is adjacent to two collector roadways. The site also backs onto two lanes and a public utility lot, which together are similar in width to an arterial road and act as an edge and buffer between the subject site and the developments to the east.

## TECHNICAL REVIEW

All comments from affected City Departments and utility agencies have been addressed.

## PUBLIC ENGAGEMENT

<b>ADVANCE NOTICE</b> June 17, 2020	<ul style="list-style-type: none"><li>• Number of recipients: 48</li><li>• Two responses with questions only</li></ul>
<b>PUBLIC MEETING</b>	<ul style="list-style-type: none"><li>• Not held</li></ul>
<b>WEBPAGE</b>	<ul style="list-style-type: none"><li>• <a href="http://edmonton.ca/lauderdale">edmonton.ca/lauderdale</a></li></ul>

## CONCLUSION

Administration recommends that City Council **APPROVE** this application.

## APPENDICES

- 1 Application Summary

## APPLICATION SUMMARY

### INFORMATION

Application Type:	Rezoning
Charter Bylaw:	19416
Location:	North of 129 Avenue NW and east of 103 Street NW
Addresses:	12903, 12909, 12913, 12917, 12921 & 12925 - 103 Street NW
Legal Descriptions:	Lots 18-23, Block 7A, Plan 1066KS
Site Area:	0.43 hectares
Neighbourhood:	Lauderdale
Notified Community Organization:	Lauderdale Community League
Applicant:	Rockliff Perzchajlo Kroman Architects Ltd

### PLANNING FRAMEWORK

Current Zone and Overlay:	(RF4) Semi-detached Residential Zone and Mature Neighbourhood Overlay
Proposed Zone and Overlay:	(RF5) Row Housing Zone and Mature Neighbourhood Overlay
Plan in Effect:	None
Historic Status:	None

Written By:	Jeff Booth
Approved By:	Tim Ford
Branch:	Development Services
Section:	Planning Coordination

# Charter Bylaw 19417

To allow for multi-unit housing, Kensington

## Purpose

Rezoning from RF4 to RF3; located at 13439 - 124 Street NW.

## Readings

Charter Bylaw 19417 is ready for three readings after the public hearing has been held. If Council wishes to give three readings during a single meeting, Council must unanimously agree "That Charter Bylaw 19417 be considered for third reading."

## Advertising and Signing

This Charter Bylaw has been advertised in the Edmonton Journal on September 4, 2020, and September 12, 2020. The Charter Bylaw can be passed following third reading.

## Position of Administration

Administration supports this proposed Charter Bylaw.

## Report

Charter Bylaw 19417 proposes to rezone the subject site from (RF4) Semi-Detached Residential Zone to (RF3) Small Scale Infill Development Zone. The site is located at the northeast corner of 135 Avenue NW and 124 Street NW. The stated intent of the applicant is to develop four units of multi-unit housing, which is permitted in the RF3 zone. Administration supports the proposed rezoning.

All comments from affected City Departments and utility agencies have been addressed.

## Public Engagement

Advance Notice was sent to surrounding property owners and the president of the Kensington Community League on June 18, 2020. Three responses were received and are summarized in the attached Administration Report.

## Attachments

1. Charter Bylaw 19417
2. Administration Report

Charter Bylaw 19417

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 3078

WHEREAS Lot 25, Block 8, Plan 4766KS; located at 13439 - 124 Street NW, Kensington, Edmonton, Alberta, is specified on the Zoning Map as (RF4) Semi-detached Residential Zone; and

WHEREAS an application was made to rezone the above described property to (RF3) Small Scale Infill Development Zone;

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 25, Block 8, Plan 4766KS; located at 13439 - 124 Street NW, Kensington, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (RF4) Semi-detached Residential Zone to (RF3) Small Scale Infill Development Zone.

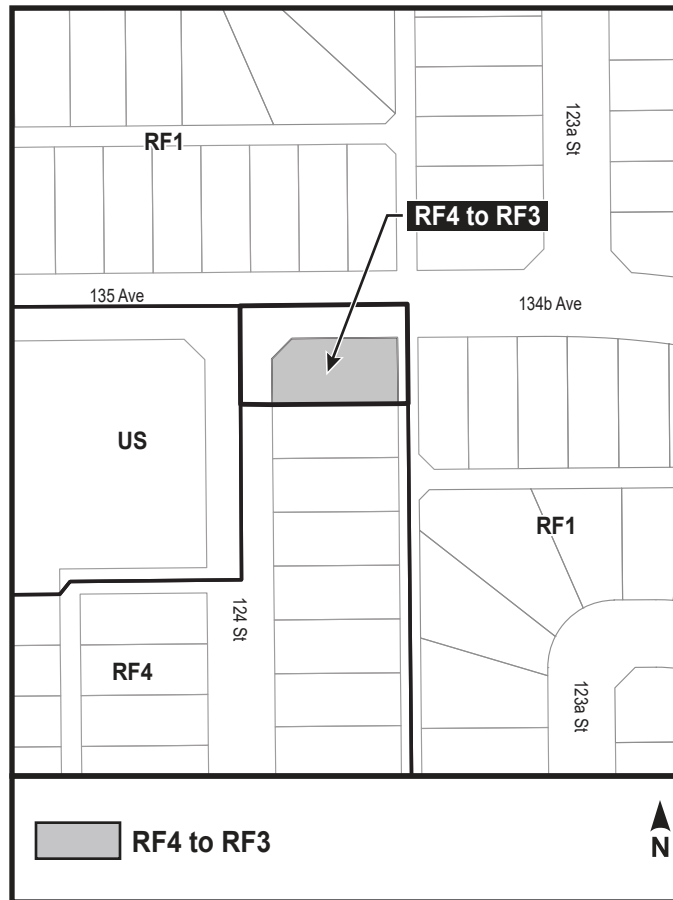
READ a first time this	day of	, A. D. 2020;
READ a second time this	day of	, A. D. 2020;
READ a third time this	day of	, A. D. 2020;
SIGNED and PASSED this	day of	, A. D. 2020.

THE CITY OF EDMONTON

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

## CHARTER BYLAW 19417





## ADMINISTRATION REPORT **REZONING** KENSINGTON

### 13439 - 124 STREET NW

To allow for small scale infill development.



### RECOMMENDATION AND JUSTIFICATION

Administration is in **SUPPORT** of this application because it:

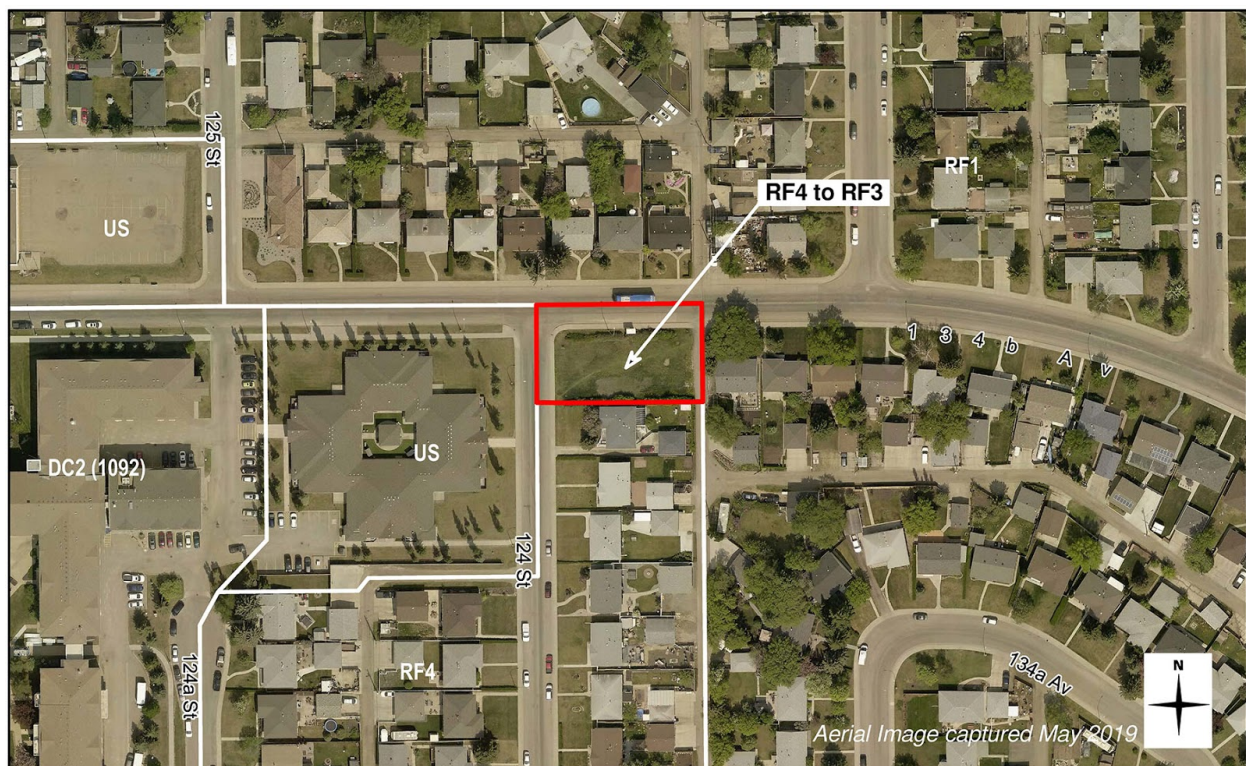
- provides the opportunity for increased density and housing choice in the Kensington community;
- is located in close proximity to transit service;
- provides sensitive transitions and setbacks to adjacent properties; and
- is located on a corner lot on a collector road, where row housing developments are generally supported and where the general intent of the Residential Infill Guidelines is met.

## THE APPLICATION

1. CHARTER BYLAW 19417 to rezone the subject site from (RF4) Semi-Detached Residential Zone to (RF3) Small Scale Infill Development Zone.

## SITE AND SURROUNDING AREA

The site area is approximately 730 m<sup>2</sup> and consists of one lot. It is in the interior of the Kensington Neighbourhood, on the corner of 124 Street and 135 Avenue. The site is located on 135 Avenue NW, which is a collector road as well as a current and proposed future transit route. The nearest bus stop is directly adjacent to the site on 135 Avenue NW.



AERIAL VIEW OF APPLICATION AREA

	EXISTING ZONING	CURRENT USE
<b>SUBJECT SITE</b>	(RF4) Semi-Detached Residential Zone	Vacant lot
<b>CONTEXT</b>		
North	(RF1) Single Detached Residential Zone	Single Detached Houses
East	(RF1) Single Detached Residential Zone	Single Detached House
South	(RF4) Semi-Detached Residential Zone	Single Detached House
West	(US) Urban Services Zone	Shepherd's Care seniors' housing





VIEW OF THE SITE FACING NORTHEAST



VIEW OF THE SITE FACING SOUTHWEST

## PLANNING ANALYSIS

### LAND USE COMPATIBILITY

The site is within the Mature Neighborhood Overlay (MNO) which is designed to ensure that infill developments, such as Row Housing and Multi-unit Housing, are sensitive to its surrounding context. The regulations that control built form in the RF3 Zone, with the regulations of the MNO, are largely the same as those of the RF4 Zone. Front and rear setback requirements in both zones are the same, the maximum height in both zones is 8.9 metres. However, the RF3 Zone requires a more sensitive interior setback of 3.0 metres while the RF4 zone requires only 2.0 metres on a site of this width.

The proposed zone will allow the division of the building into additional, smaller units. The transition provided by the proposed zone to the adjacent single detached house to the south of the subject property is considered appropriate.

The proposed RF3 Zone would allow the opportunity for increased housing choice in the Kensington neighbourhood. According to the 2016 Municipal Census, there were 34 row housing units in Kensington, as compared to 1065 single detached houses and 380 apartment units.

### RESIDENTIAL INFILL GUIDELINES (RIGs)

These guidelines contain policies meant to ensure that infill developments are contextually respectful and in a sensitive manner within the City's mature neighbourhoods. The RIGs provide guidance as to where particular built form typologies may be most appropriate. According to the RIGs, this location, being a corner site is appropriate for Single Detached, Semi-detached, and Duplex housing. Row Housing is directed to be on sites at the edges of neighbourhoods where the block face fronts onto an arterial or service road. This site is flanking a collector road, representing a minor deviation from the Guidelines in terms of appropriate locations for Row Housing. Although the application does not comply with the location criteria in RIGs, the regulations of the RF3 Zone will ensure development complies with the built form and design guidelines. Administration is supportive of this sensitive form of Row Housing under the RF3 Zone at corner locations such as the subject site.

## TECHNICAL REVIEW

All comments from affected City Departments and utility agencies have been addressed.

## PUBLIC ENGAGEMENT

<b>ADVANCE NOTICE</b> June 18, 2020	<ul style="list-style-type: none"><li>• Number of recipients: 29</li><li>• 3 responses received</li><li>• Comments included:<ul style="list-style-type: none"><li>◦ concerned about height</li><li>◦ concerned about parking</li><li>◦ do not want renters</li><li>◦ questions about notification process</li></ul></li></ul>
<b>PUBLIC MEETING</b>	<ul style="list-style-type: none"><li>• Not held</li></ul>
<b>WEBPAGE</b>	<ul style="list-style-type: none"><li>• <a href="https://edmonton.ca/kensington">edmonton.ca/kensington</a></li></ul>

## CONCLUSION

Administration recommends that City Council **APPROVE** this application.

## APPENDICES

- 1 Application Summary

## APPLICATION SUMMARY

### INFORMATION

Application Type:	Rezoning
Charter Bylaw:	19417
Location:	South of 135 Avenue NW and east of 124 Street NW
Address:	13439 - 124 Street NW
Legal Description:	Lot 25, Block 8, Plan 4766KS
Site Area:	730 m <sup>2</sup>
Neighbourhood:	Kensington
Notified Community Organization:	Kensington Community League
Applicant:	Falconbridge Custom Homes

### PLANNING FRAMEWORK

Current Zone and Overlay:	(RF4) Semi-Detached Residential Zone and Mature Neighbourhood Overlay
Proposed Zone and Overlay:	(RF3) Small Scale Infill Development Zone and Mature Neighbourhood Overlay
Plan in Effect:	None
Historic Status:	None

Written By:	Jeff Booth
Approved By:	Tim Ford
Branch:	Development Services
Section:	Planning Coordination

## Charter Bylaw 19415

To allow for a mixed-use residential and neighbourhood commercial development, Hazeldean

### Purpose

Rezoning from DC2.826 to RF5, RA7, RA8 and CNC located at 6610 & 6610C - 94 Street NW, 6615 & 6705 - 96 Street NW and 9425, 9430, 9435, 9436, 9443 & 9444 - 67 Avenue NW.

### Readings

Charter Bylaw 19415 is ready for three readings after the public hearing has been held. If Council wishes to give three readings during a single meeting, Council must unanimously agree "That Charter Bylaw 19415 be considered for third reading."

### Advertising and Signing

This Charter Bylaw has been advertised in the Edmonton Journal on September 4, 2020, and September 12, 2020. The Charter Bylaw can be passed following third reading.

### Position of Administration

Administration supports this proposed Charter Bylaw.

### Report

Charter Bylaw 19415 proposes to rezone the subject sites from (DC2.826) Site Specific Development Control Provision to the (RF5) Row Housing Zone with the Mature Neighbourhood Overlay, (RA7) Low Rise Apartment Zone, (RA8) Medium Rise Apartment Zone and (CNC) Neighbourhood Convenience Commercial Zone. These zones would allow for row housing, 4 and 6 storey residential buildings and small scale commercial development. The stated intent of the applicant is to develop a multigenerational community with mature adult/supportive care buildings, family-oriented row housing, and neighbourhood-oriented commercial development.

Administration supports the proposed rezoning.

### Public Engagement

Advance Notice was sent to surrounding property owners and the Hazeldean Community League on November 28, 2019. Three responses were received and are summarized in the attached Administration Report.

### Attachments

1. Charter Bylaw 19415
2. Administration Report

Charter Bylaw 19415

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 3076

WHEREAS Units 1-3, Condominium Plan 1320746, Units 5-9, Condominium Plan 1320746, and Unit 61, Condominium Plan 1623038; located at 6610 - 94 Street NW, 6610C - 94 Street NW, 6615 - 96 Street NW, 6705 - 96 Street NW, 9425 - 67 Avenue NW, 9430 - 67 Avenue NW, 9435 - 67 Avenue NW, 9436 - 67 Avenue NW, 9443 - 67 Avenue NW and 9444 - 67 Avenue NW, Hazeldean, Edmonton, Alberta, are specified on the Zoning Map as (DC2) Site Specific Development Control Provision; and

WHEREAS an application was made to rezone the above described properties to (RF5) Row Housing Zone, (RA7) Low Rise Apartment Zone, (RA8) Medium Rise Apartment Zone and (CNC) Neighbourhood Convenience Commercial Zone;

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 Units 1-3, Condominium Plan 1320746, Units 5-9, Condominium Plan 1320746, and Unit 61, Condominium Plan 1623038; located at 6610 - 94 Street NW, 6610C - 94 Street NW, 6615 - 96 Street NW, 6705 - 96 Street NW, 9425 - 67 Avenue NW, 9430 - 67 Avenue NW, 9435 - 67 Avenue NW, 9436 - 67 Avenue NW, 9443 - 67 Avenue NW and 9444 - 67 Avenue NW, Hazeldean, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as

Schedule “A”, from (DC2) Site Specific Development Control Provision to (RF5) Row Housing Zone, (RA7) Low Rise Apartment Zone, (RA8) Medium Rise Apartment Zone and (CNC) Neighbourhood Convenience Commercial Zone.

READ a first time this	day of	, A. D. 2020;
READ a second time this	day of	, A. D. 2020;
READ a third time this	day of	, A. D. 2020;
SIGNED and PASSED this	day of	, A. D. 2020.

THE CITY OF EDMONTON

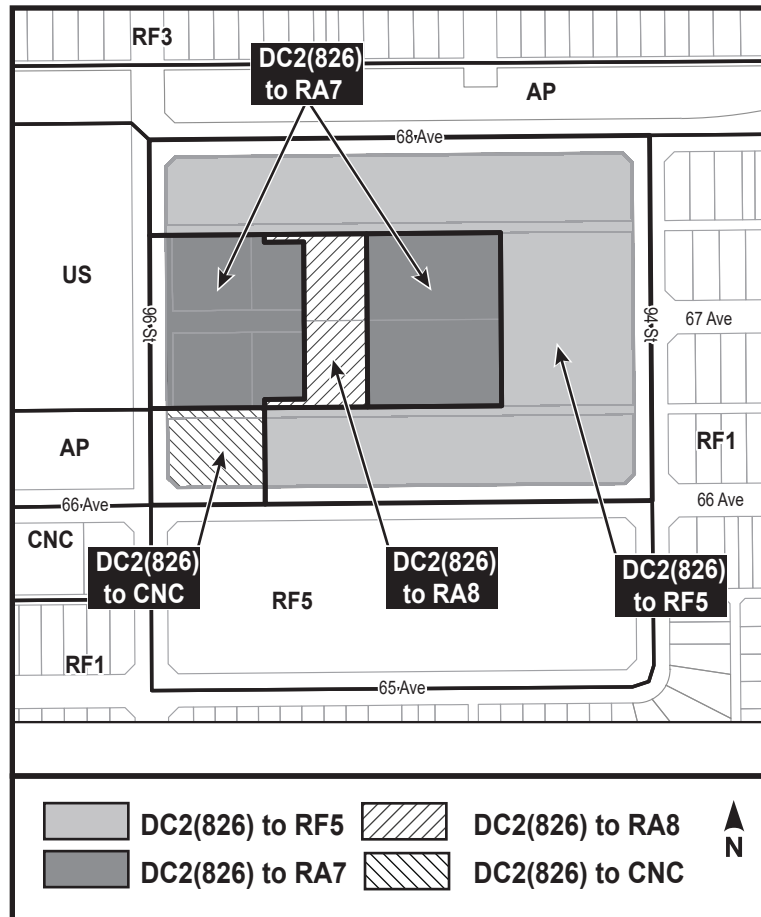
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MAYOR

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CITY CLERK

## CHARTER BYLAW 19415







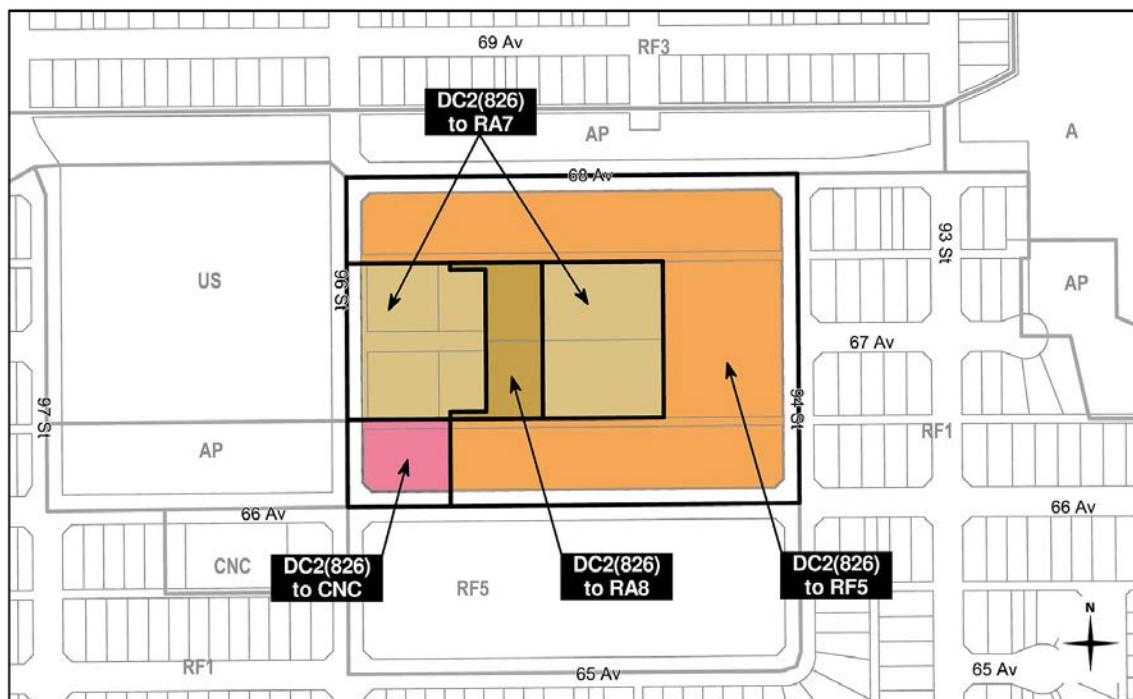
## ADMINISTRATION REPORT **REZONING** HAZELDEAN

**6610 & 6610C - 94 Street NW**

**6615 & 6705 - 96 Street NW**

**9425, 9430, 9435, 9436, 9443 & 9444 - 67 Avenue NW**

To allow for a mixed-use residential and neighbourhood commercial development.



## RECOMMENDATION AND JUSTIFICATION

Administration is in **SUPPORT** of this application because it:

- will result in similar development to the current DC2 Provision, while allowing regulations to evolve with future changes to the Zoning Bylaw;
- will allow for a diversity of housing types within the site and in the Hazeldean neighbourhood;
- will provide access to commercial services for the community;
- provides a transition in building size and intensity from the centre of the site to surrounding development; and
- is in close proximity to transit service.

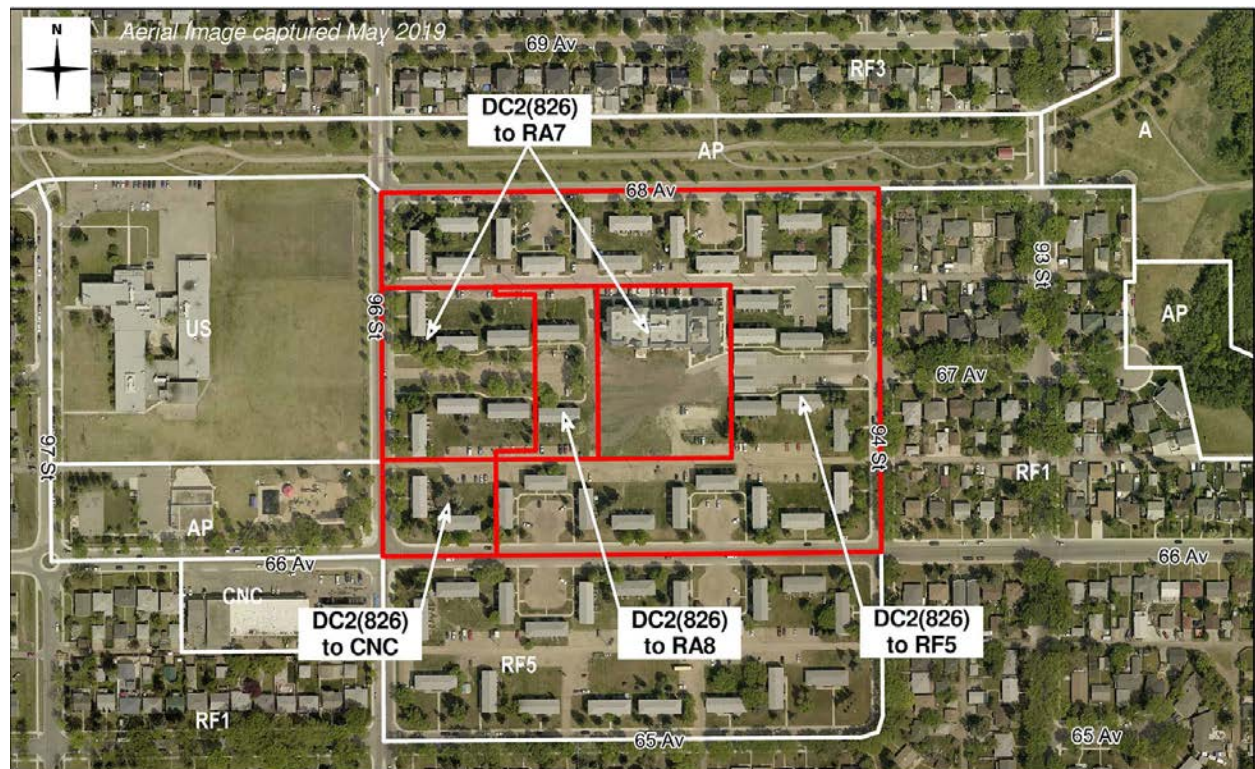
## THE APPLICATION

1. CHARTER BYLAW 19415 to rezone the site from (DC2.826) Site Specific Development Control Provision to (RF5) Row Housing Zone with the Mature Neighbourhood Overlay, (RA7) Low Rise Apartment Zone, (RA8) Medium Rise Apartment Zone, and (CNC) Neighbourhood Convenience Commercial Zone.

These zones would allow for row housing, 4 and 6 storey residential buildings and small scale commercial development. The stated intent of the applicant is to develop a multigenerational community with mature adult/supportive care buildings, family-oriented row housing, and neighbourhood-oriented commercial development.

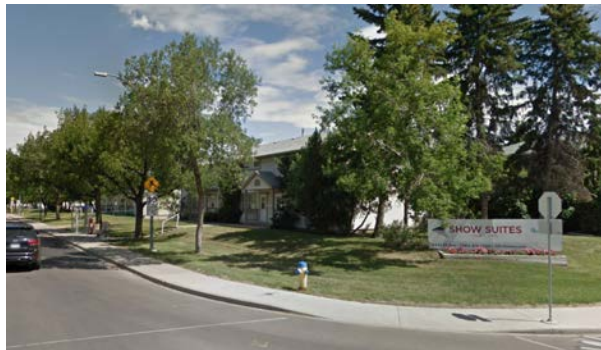
## SITE AND SURROUNDING AREA

The subject site is approximately 5.6 hectares in area and is located between 96 Street, 94 Street, 68 Avenue and 66 Avenue NW in the Hazeldean neighbourhood. 66 Avenue and 96 Street NW are both collector roads and transit routes. Mill Creek Ravine is within walking distance of the site to the east, and commercial services are easily accessible in a strip mall development across the intersection to the southwest. The site is currently occupied by row housing and an apartment building with housing for seniors.



AERIAL VIEW OF APPLICATION AREA

	<b>EXISTING ZONING</b>	<b>CURRENT USE</b>
<b>SUBJECT SITE</b>	(DC2.826) Site Specific Development Control Provision	Row housing and apartment housing for seniors
<b>CONTEXT</b>		
North	(AP) Public Parks Zone	Public park and walkway
East	(RF1) Single Detached Residential Zone	Single detached housing
South	(RF5) Row Housing Zone	Row housing
West	(US) Urban Services Zone (AP) Public Parks Zone	Hazeldean School and Park



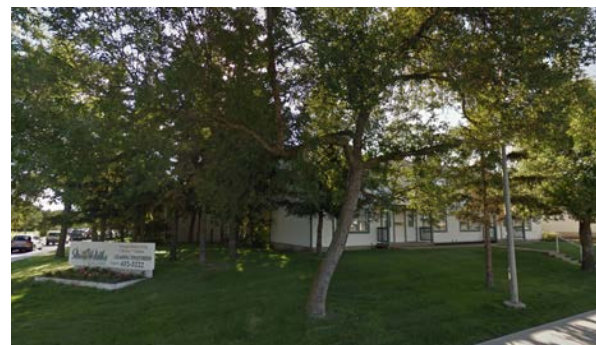
VIEW OF THE SITE LOOKING NORTHEAST



VIEW OF THE SITE LOOKING NORTHWEST



VIEW OF THE SITE LOOKING SOUTHWEST



VIEW OF THE SITE LOOKING SOUTHEAST

## PLANNING ANALYSIS

### LAND USE COMPATIBILITY

The current (DC2) Site Specific Development Control Provision was approved in 2013 to allow for five buildings of low rise apartment housing and lodging housing for seniors in the centre of the site, and the continued use of the existing row housing at the perimeter of the site. The proposed (RF5) Row Housing Zone, (RA7) Low Rise Apartment Zone and (RA8) Medium Rise Apartment Zone will allow for this same type of development but will bring regulations up to date with recent changes to the Zoning Bylaw and ensure that future changes to the Zoning Bylaw apply to the site.



DC2 Provisions are static and their regulations do not evolve with subsequent changes to the Zoning Bylaw. Since the adoption of the current DC2 Provision, Open Option Parking has been adopted, a number of changes were made to the standard medium scale zones to allow more flexibility and remove maximum densities ("Missing Middle" Zoning Changes), and Supportive Community provisions have been adopted to facilitate the provision of housing in which care is provided to residents. Rezoning the site to standard zones will bring the site up to date with these changes. The proposed rezoning will also remove the requirement in the current DC2 Provision for 261 surface parking spaces, allowing the flexibility to locate parking spaces underground, and contributing to the public realm and walkability.

The current DC2 Provision is divided into Area A, which is proposed to be rezoned to RA7 and RA8, and Area B, which is proposed to be rezoned to RF5 and CNC. Comparisons between the existing Provision and proposed zones can be found below.

#### Area A - Proposed RA7 and RA8

The current DC2 Provision allows for five buildings of seniors apartment and lodging housing in Area A. The proposed RA7 and RA8 zones will allow for similar development, but with more flexibility in building arrangement and size.

	<b>DC2.826 Area A</b>	<b>RA7 Low Rise Apartment Zone</b>	<b>RA8 Medium Rise Apartment Zone</b>
<b>Height</b>	14 m	14.5 - 16 m	23 m
<b>Maximum Floor Area Ratio</b>	1.4	2.3	3.0
<b>Maximum Units</b>	264 Dwellings	n/a	n/a
<b>Minimum Parking Spaces</b>	329	Open Option Parking	Open Option Parking

Area A is bordered on three sides by proposed RF5 zoning, which allows 10 metre high multi-unit or row housing, providing a transition to surrounding development. The area is also buffered from Hazeldean Park by 96 Street NW to the west. The area proposed to be rezoned to RA8 is located between two areas proposed to be rezoned to RA7, which also provides a transition in building height and intensity. The minimum setback abutting 96 Street NW under the RA7 Zone is 4.5 metres.

#### Area B - Proposed RF5 and CNC

The current DC2 Provision allows for low to medium scale row housing development within Area B. As with the above Area A, the proposed RF5 zone will allow for similar development with slightly larger buildings and higher density.

	<b>DC2.826 Area B</b>	<b>RF5 Row Housing Zone</b>
<b>Height</b>	9 m	10 m
<b>Maximum Site Coverage</b>	30%	50%
<b>Maximum Units</b>	144 Dwellings	223 Dwellings
<b>Minimum Parking Spaces</b>	204	Open Option Parking

As mentioned above, the RF5 Zone will provide a transition between the medium scale development allowed in Area A and surrounding development. The minimum front setback in the RF5 Zone is 4.5 metres, and the minimum side setback is 2.0 metres.

The area proposed to be rezoned to CNC is appropriately located at the intersection of two collector roads, in close proximity to complementary commercial development to the southwest. The CNC Zone allows for a range of small-format neighbourhood convenience commercial uses with a maximum floor area of 275 square metres for any individual business premises of permitted uses. The CNC Zone has a maximum building height of 10 metres, which is the same as the abutting proposed RF5 zoning. The minimum setbacks in the CNC Zone are 4.5 metres abutting a public roadway, and 3.0 metres abutting a residential zone.

## **RESIDENTIAL INFILL GUIDELINES (RIGs)**

These guidelines contain policies meant to ensure that infill developments are contextually respectful and in a sensitive manner within the City's mature neighbourhoods. The RIGs provide guidance as to where particular built form typologies may be most appropriate. According to the RIGs, this site, which is approximately 5.6 hectares in size qualifies as a "Large Infill Site." The guidelines state that mid-rise infill development is appropriate on sites of one hectare or larger. The guidelines recommend that the height of buildings on the infill site be limited to below a 35 degree angle measured from the property line of adjacent residences to minimize shadowing. The proposed rezoning complies with this recommendation.

## **TECHNICAL REVIEW**

All comments from affected City Departments and utility agencies have been addressed.

## **PUBLIC ENGAGEMENT**

<b>ADVANCE NOTICE</b> November 28, 2019	<ul style="list-style-type: none"> <li>• Number of recipients: 47</li> <li>• 3 responses received</li> <li>• Number of responses with concerns: 2</li> <li>• Common comments included:</li> </ul>
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	<ul style="list-style-type: none"><li>o concerned commercial development will negatively impact Hazeldean Shopping Centre</li><li>o do not want a bar to be developed</li><li>o concerned about height and setbacks of row housing</li><li>o parking concerns</li><li>o neighbourhood short-cutting issues</li><li>o traffic safety concerns</li></ul>
<b>WEBPAGE</b>	<ul style="list-style-type: none"><li>• <a href="http://edmonton.ca/hazeldean">edmonton.ca/hazeldean</a></li></ul>

## CONCLUSION

Administration recommends that City Council **APPROVE** this application.

## APPENDICES

- 1 Application Summary

## APPLICATION SUMMARY

### INFORMATION

Application Type:	Rezoning
Charter Bylaw:	19415
Location:	North 66 Avenue NW, south of 68 Avenue NW, east of 96 Street NW, and west of 94 Street NW.
Addresses:	6610 & 6610C - 94 Street NW, 6615 & 6705 - 96 Street NW, 9425, 9430, 9435, 9436, 9443 & 9444 - 67 Avenue NW
Legal Descriptions:	Units 1-3, Condominium Plan 1320746, Units 5-9, Condominium Plan 1320746, and Unit 61, Condominium Plan 1623038.
Site Area:	5.6 Hectares
Neighbourhood:	Hazeldean
Notified Community Organization:	Hazeldean Community League
Applicant:	Situate Inc.

### PLANNING FRAMEWORK

Current Zone:	(DC2.826) Site Specific Development Control Provision
Proposed Zones and Overlay:	(RF5) Row Housing Zone with the Mature Neighbourhood Overlay, (RA7) Low Rise Apartment Zone, (RA8) Medium Rise Apartment Zone, and (CNC) Neighbourhood Convenience Commercial Zone
Plan in Effect:	None
Historic Status:	None

Written By:	Jeff Booth
Approved By:	Tim Ford
Branch:	Development Services
Section:	Planning Coordination

## Bylaw 19224

To close a portion of 28 Avenue NW, located east of Mill Woods Road NW, Kameyosek

### Purpose

Closure of a portion of 28 Avenue NW, located east of Mill Woods Road NW, Kameyosek

### Readings

Bylaw 19224 is ready for three readings after the public hearing has been held. If Council wishes to give three readings during a single meeting, Council must unanimously agree “That Bylaw 19224 be considered for third reading.”

### Advertising and Signing

This Bylaw has been advertised in the Edmonton Journal on September 4, 2020, and September 12, 2020. The Bylaw can be passed following the third reading.

### Position of Administration

Administration supports this proposed Bylaw.

### Report

This road closure application proposes to close a portion of the 28 Avenue NW road right-of-way located east of Millwoods Road. The Lakewood Transit Centre is located west of the road closure area and is not included with this application. Administration from the Transit team have reviewed this application and they have no concerns. If approved, the closure area will be consolidated with the adjacent parcel to the north.

The closure area consists of a landscaped boulevard. Administration from Urban Forestry have reviewed the application and confirmed that mature trees and shrubs are located within the closure area. As per the Corporate Tree Management Policy (C456A), should these trees leave the City of Edmonton’s inventory for any reason (e.g. removal for construction, land transfer), the dollar amount for the assessed value must be earmarked for deposit into the Tree Reserve fund to replace lost City of Edmonton canopy.

The proposed closure satisfies the technical requirements of civic departments and utility agencies, and a sales agreement has been executed for the proposed road closure.



### **Public Engagement**

Advance Notice was sent to surrounding property owners and the Lakewood Community League on September 20, 2018. No responses were received.

### **Attachments**

1. Bylaw 19224
2. Aerial Map of Kameyosek Road Closure Area
3. Context Map

## THE CITY OF EDMONTON

### BYLAW 19224

#### CLOSURE OF A PORTION OF 28 AVENUE NW, LOCATED EAST OF MILL WOODS ROAD NW, KAMEYOSEK

Whereas, pursuant to section 22 of the *Municipal Government Act*, R.S.A. 2000, c. M-26, a council of a municipality may by bylaw close road within the municipality; and

Whereas, pursuant to sections 22 and 606 of the *Municipal Government Act*, a bylaw closing a road must be advertised; and

Whereas, pursuant to section 22 of the *Municipal Government Act*, before a bylaw closing a road is passed, a person who claims to be prejudicially affected by the bylaw, or that person's agent must be given an opportunity to be heard by the council; and

Edmonton City Council enacts:

#### PART I - PURPOSE, DEFINITIONS AND INTERPRETATION

- |                    |     |   |
|--------------------|-----|---|
| <b>PURPOSE</b>     | 1   | The purpose of this bylaw is to close a portion of road as set out in Schedule "A" to this bylaw.                 |
| <b>DEFINITIONS</b> | 2   | In this bylaw, unless the context otherwise requires:   |
|                    | (a) | " <b>City</b> " means the municipal corporation of the City of Edmonton;  |
|                    | (b) | " <b>Council</b> " means the Municipal Council of the City of Edmonton;   |
|                    | (c) | " <b>Registrar</b> " means the Registrar of Titles as defined by the <i>Land Titles Act</i> , R.S.A. 2000, c. L-4 |

## PART II - ROAD CLOSURE

- 3 All of that portion of road shown on Schedule “A” and generally described in Attachment 1 attached to and forming part of this bylaw, is hereby closed.
- 4 When the Registrar issues a certificate or certificates of title with respect to the former portion of road closed by this bylaw:
- (a) the title or titles so issued shall except thereout all mines and minerals and the City will continue to own the mines and minerals if it owned them prior to the creation of the title or titles; and
  - (b) Attachment 1 is deemed to include the full legal description of the lands comprising the portion of road closed by this bylaw.

READ a first time this	day of	, A.D. 2020;
READ a second time this	day of	, A.D. 2020;
READ a third time this	day of	, A.D. 2020;
SIGNED and PASSED this	day of	, A.D. 2020.

THE CITY OF EDMONTON

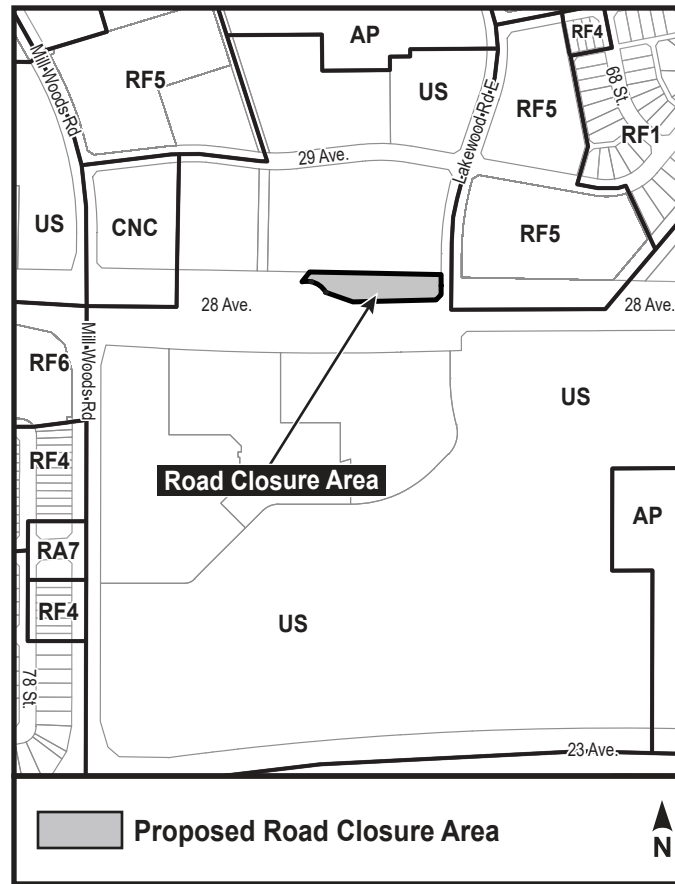
---

MAYOR

---

CITY CLERK

## BYLAW 19224



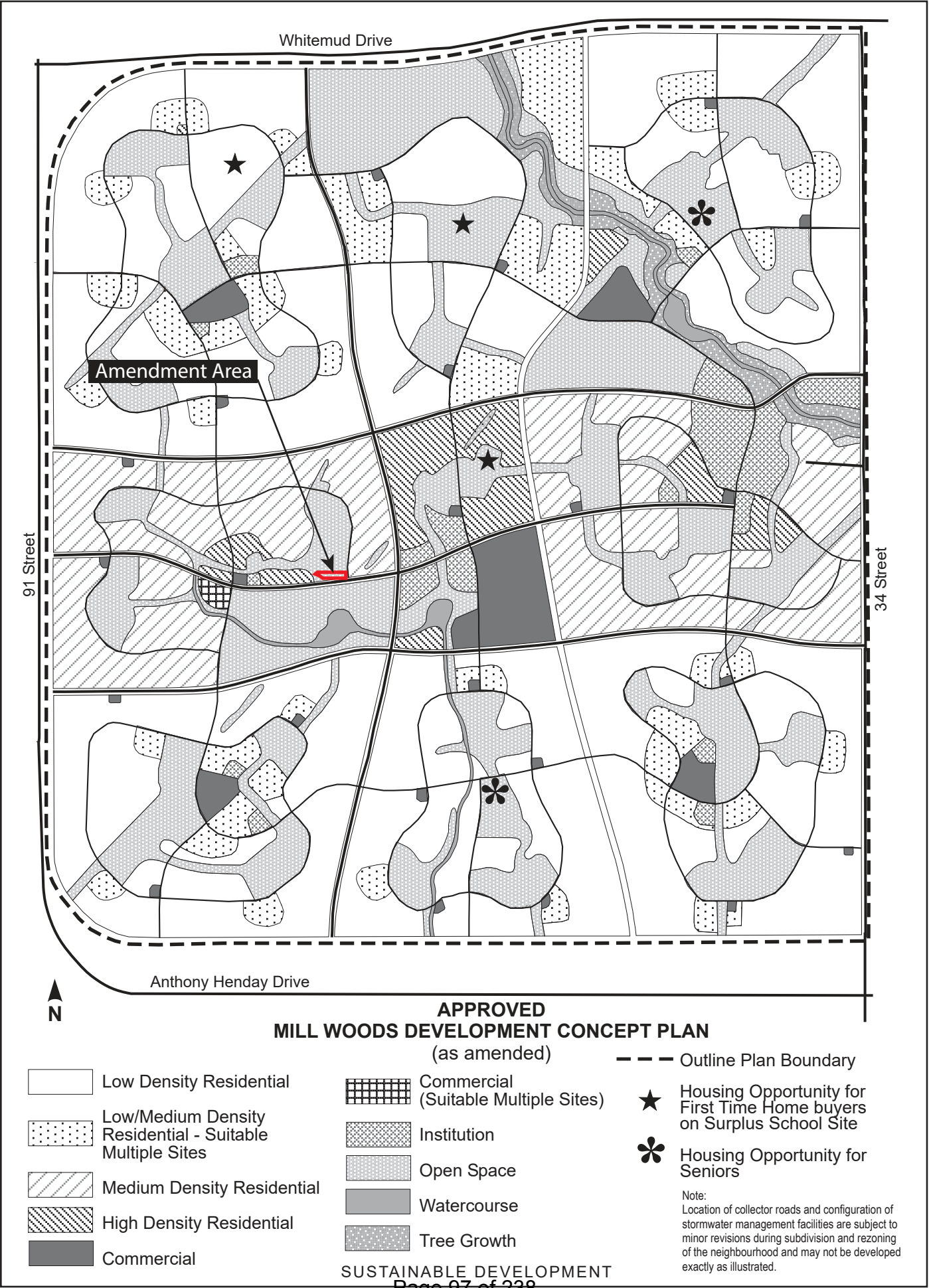
## **ATTACHMENT 1**

PLAN 3385TR  
ALL THAT PORTION OF ROAD (28TH AVENUE)  
LYING WITHIN PLAN 202\_\_\_\_\_  
**EXCEPTING THEREOUT ALL MINES AND MINERALS**

PLAN 2145TR  
ALL THAT PORTION OF ROAD  
LYING WITHIN PLAN 202\_\_\_\_\_  
**EXCEPTING THEREOUT ALL MINES AND MINERALS**

### AERIAL MAP OF KAMEYOSEK ROAD CLOSURE AREA





# Charter Bylaw 19414

To allow for a high-rise mixed use building, Central McDougall

## Purpose

Rezoning from DC2(P) to CB3, located at 10107 - 111 Avenue NW, Central McDougall.

## Readings

Charter Bylaw 19414 is ready for three readings after the public hearing has been held. If Council wishes to give three readings during a single meeting, Council must unanimously agree "That Charter Bylaw 19414 be considered for third reading."

## Advertising and Signing

This Charter Bylaw has been advertised in the Edmonton Journal on September 4, 2020, and September 12, 2020. The Charter Bylaw can be passed following third reading.

## Position of Administration

Administration supports this proposed Charter Bylaw.

## Report

Charter Bylaw 19414 proposes to rezone land from the (DC2(P)) Royal Alex Place Development Agreement to the (CB3) Commercial Mixed Business Zone in the Central McDougall neighbourhood. The proposed CB3 Zone provides the opportunity to develop a high-rise mixed use tower up to 45 meters in height with ground oriented commercial uses compatible with the adjacent Royal Alexandra Hospital campus.

All comments from civic departments or utility agencies regarding this proposal have been addressed.

## Public Engagement

Advance Notice was sent to surrounding property owners and the president of the Central McDougall Community League on March 25, 2019. No responses were received.

## Attachments

1. Charter Bylaw 19414
2. Administration Report



Charter Bylaw 19414

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 3075

WHEREAS Lots 327, 328 & 329, Block 1, Plan 7540AH; located at 10107 - 111 Avenue NW, Central McDougall, Edmonton, Alberta, are specified on the Zoning Map as DC2(P) - Royal Alex Place Development Agreement C162; and

WHEREAS an application was made to rezone the above described properties to (CB3) Commercial Mixed Business Zone;

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 Lots 327, 328 & 329, Block 1, Plan 7540AH; located at 10107 - 111 Avenue NW, Central McDougall, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule “A”, from DC2(P) - Royal Alex Place Development Agreement C162 to (CB3) Commercial Mixed Business Zone.

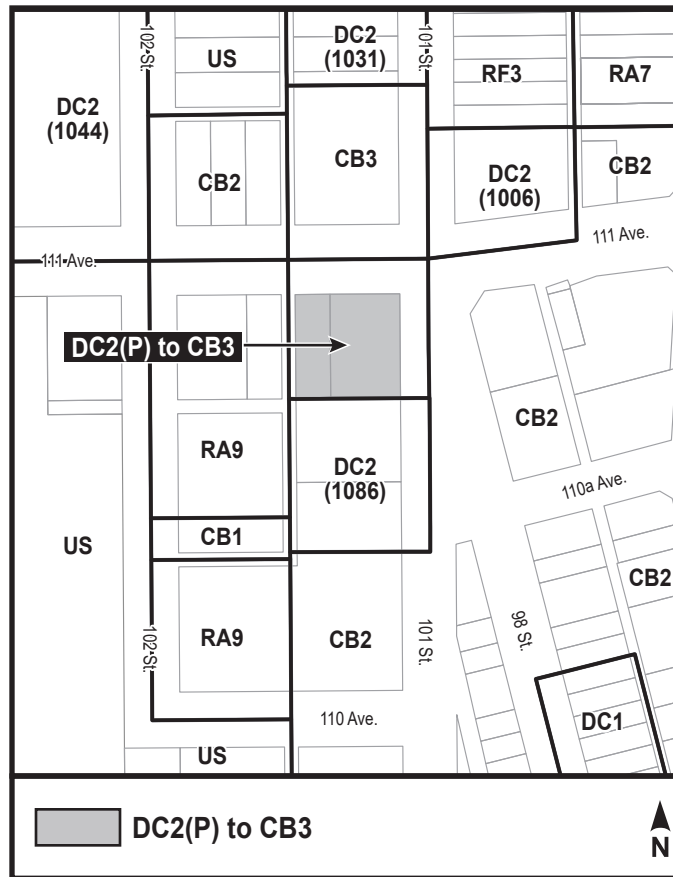
READ a first time this	day of	, A. D. 2020;
READ a second time this	day of	, A. D. 2020;
READ a third time this	day of	, A. D. 2020;
SIGNED and PASSED this	day of	, A. D. 2020.

THE CITY OF EDMONTON

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

## CHARTER BYLAW 19414





## ADMINISTRATION REPORT **REZONING** CENTRAL McDOUGALL

### 10107 - 111 AVENUE NW

To allow for a high-rise mixed use building, Central McDougall.



### RECOMMENDATION AND JUSTIFICATION

Administration is in **SUPPORT** of this application because:

- it represents an improvement in transition to the public realm and adjacent properties compared to current zoning;
- is compatible with surrounding institutional and commercial land uses; and
- is located adjacent to the Royal Alexandra Hospital campus and the Royal Alexandra Hospital Transit Centre and LRT Station.

## THE APPLICATION

Charter Bylaw 19414 proposes to amend the Zoning Bylaw from the (DC2(P)) Royal Alex Place Development Agreement to the (CB3) Commercial Mixed Business Zone in the Central McDougall Neighbourhood to allow for the development of a mixed use tower of up to 45 metres in height (approximately 14 storeys) with ground oriented commercial uses.

## SITE AND SURROUNDING AREA

The site is currently used as a non-accessory surface parking lot and consists of three standard city lots totaling 2,090.8 m<sup>2</sup> in area. The site is located west of 101 Street NW and south of 111 Avenue NW in the Central McDougall neighbourhood.

Directly south of the site is a vacant lot with a recently approved (DC2) Site Specific Development Control Provision to allow for the development of an expansion to the Hys Centre Medical Building with a maximum floor area ratio of 10 and maximum height of 55.0 metres. Across 102 Street NW to the west, approximately 400 metres away, is the Royal Alexandra Hospital and the Kingsway/Royal Alexandra Hospital LRT Station.



AERIAL VIEW OF APPLICATION AREA (RED) WITH RECENTLY APPROVED DC2 FOR THE HYS CENTRE EXPANSION TO THE SOUTH (BLUE)

<b>SUBJECT SITE</b>	<ul style="list-style-type: none"> <li>(DC2(P)) Royal Alex Place Development Agreement</li> </ul>	<ul style="list-style-type: none"> <li>Surface parking lot</li> </ul>
<b>CONTEXT</b>		
North	<ul style="list-style-type: none"> <li>(CB3) Commercial Mixed Business Zone</li> </ul>	<ul style="list-style-type: none"> <li>10 storey mixed use building</li> </ul>



	<ul style="list-style-type: none"> <li>• (CB2) General Business Zone</li> <li>• (DC2(1006)) Site Specific Development Control Provision</li> </ul>	<ul style="list-style-type: none"> <li>• Commercial strip mall</li> <li>• Car dealership (future 4 storey mixed use building)</li> </ul>
East	<ul style="list-style-type: none"> <li>• (CB2) General Business Zone</li> </ul>	<ul style="list-style-type: none"> <li>• Single storey commercial buildings</li> </ul>
South	<ul style="list-style-type: none"> <li>• (DC2(1086)) Site Specific Development Control Provision &amp; (CB2) General Business Zone</li> </ul>	<ul style="list-style-type: none"> <li>• 8 storey medical service building and surface parking lot (future Hys Medical Centre)</li> </ul>
West	<ul style="list-style-type: none"> <li>• (RA9) High Rise Apartment Zone</li> </ul>	<ul style="list-style-type: none"> <li>• 11 storey apartment building &amp; religious assembly (Edmonton Central Seventh Day Adventist Church)</li> </ul>



VIEW OF SITE LOOKING SOUTHWEST FROM 111 AVENUE NW

## PLANNING ANALYSIS

### LAND USE COMPATIBILITY

The site is located adjacent to the Royal Alexandra Hospital campus where large commercial and institutional buildings are generally expected to be located. The surrounding urban fabric is fragmented with a mix of large commercial and residential buildings, vacant lots, and surface parking lots. Proximity to the hospital, arterial roadways, and the nearby Kingsway/Royal Alexandra LRT Station make this a suitable location for a large mixed use development that the CB3 Zone permits.

The proposed (CB3) Commercial Mixed Business Zone would allow for the development of a mixed use tower up to 45.0 metres in height, with a three storey podium and commercial uses at grade. The setbacks and design regulations of the zone ensure a pedestrian oriented built form and, in combination of the required stepbacks, places taller portions of the building away from the street.

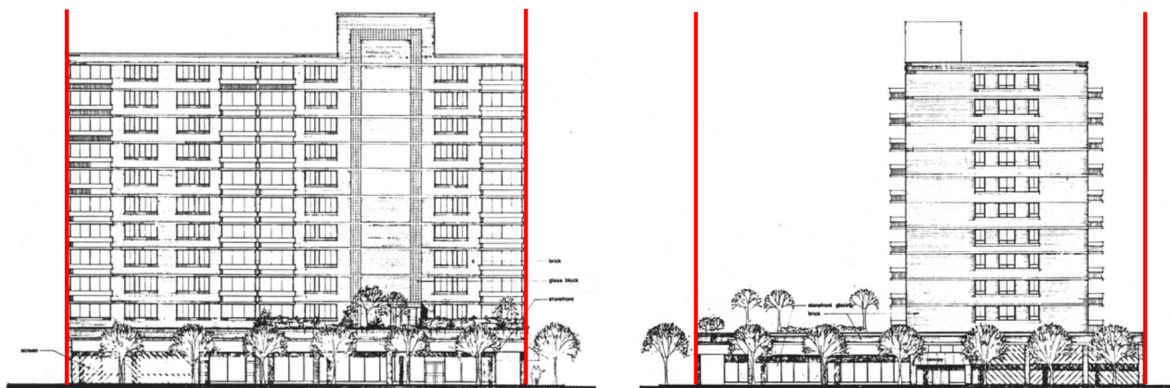
While the podium-tower built form is comparable to the current DC2(P) Royal Alex Place Development Agreement, the CB3 zone is a substantial increase in development rights due to increased podium height, and changes to stepbacks.

REGULATION	DC2(P) Development Agreement (Current Zone)	Proposed CB3 Zone (Proposed Zone)
<b>Max. Tower Height</b> <b>Max. Podium Height</b>	<b>42.0 m</b> / 10 Storeys 2 Storeys	<b>45.0 m</b> 13.0 m / 3 Storeys
<b>Floor Area Ratio (FAR)</b> Max. Residential FAR Max. Commercial FAR	- - -	<b>7.0</b> 6.0 4.0
<b>Density</b>	100 Dwellings	No Maximum
<b>Tower Floor Plate</b>	No Maximum	No Maximum
<b>Podium Setbacks</b> † North (111 Avenue) East (101 Street) South West (lane)	3.0 m / 0.0 m* 3.0 m / 0.0 m* 0.0 m 0.0 m	3.0 m 3.0 m 0.0 m 3.0 m
<b>Tower Setbacks</b> † North (111 Avenue) East (101 Street) South West (lane)	0.0 m 4.5 m 0.0 m 20.0 m	3.0 m 3.0 m 13.5 m 3.0 m

\* This setback is at grade only as the second story of the podium may cantilever over this setback to the property line.

† Podium and Tower setbacks for DC2(P) are estimated from site plan and elevations.

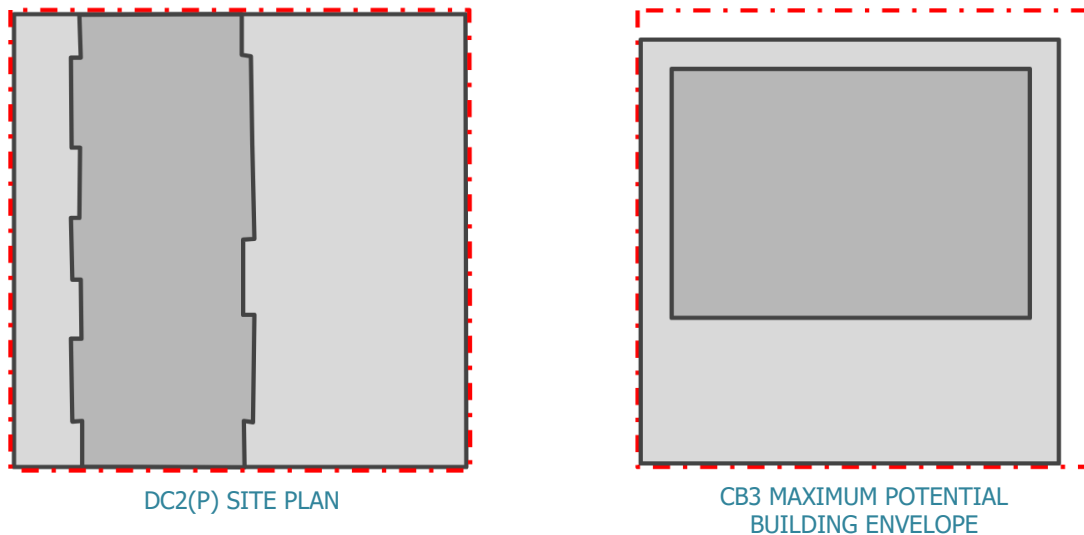
While this application is an increase in development rights, it represents an improvement to the public realm on both 111 Avenue and 101 Street. The Development Agreement allows for the podium to cantilever over the ground storey setbacks to the north and east property lines which inhibit development of a pedestrian realm on either of these corridors. Additionally, the tower is also allowed to be constructed on the north and south property lines creating further negative impacts to the public realm on 111 Avenue and to the property to the south.



EAST (LEFT) AND NORTH (RIGHT) ELEVATIONS OF CURRENT DC2(P) APPROVED IN 1982  
PROPERTY LINES SHOWN IN RED

This site has sensitive interfaces on all sides with the Edmonton Central Seventh Day Adventist Church directly to the west, the Hys Centre expansion to the south, and public realm to the north and east. The CB3 Zone improves on these interfaces through the requirements for increased setbacks and stepbacks for both the podium and tower.

While the stepbacks to the west would be decreased from 4.5 metres to 3.0 metres, the tower separation from the south is substantially greater. This stepback from the south increases morning solar access to the west when the impacts of a tower being constructed on this site would be felt the most.



COMPARISON OF THE DC2(P) AND THE CB3 ZONE SHOWING PODIUM (LIGHT GREY) AND TOWER (DARK GREY) IN RELATION TO LOT LINES (RED)

To the south of the site is the recently approved Hys Centre expansion, a 55 metre high commercial building. This new building's podium is permitted to be built up to the shared southern property line with a tower setback of 6.5 metres. As the CB3 zone requires a 20 metre separation distance, the south tower setback in the CB3 zone would be required to be 13.5 metres. This separation distance, and the required setbacks, would allow for a tower to be constructed with an approximate floor plate of 884 m<sup>2</sup>. While this is above the industry best practice floor plate of 750 m<sup>2</sup>, it is consistent with the surrounding institutional context.

## PLANS IN EFFECT

### Central McDougall/Queen Mary Park Area Redevelopment Plan (ARP)

The Central McDougall/Queen Mary Park Area Redevelopment Plan (ARP) identifies this site as a commercial node adjacent to the Royal Alexandra Hospital. Objectives for commercial nodes within the ARP encourage redevelopment of vacant sites, providing at-grade commercial uses, and enhancing the pedestrian experience on 101 Street.

The urban design regulations of the CB3 Zone ensure that future development complies with the Plan's built form and design requirements at this location through the requirement for a three storey podium, appropriate setbacks and stepbacks, and podium facade articulation.

### **Transit Oriented Development Guidelines (TODG)**

The Kingsway/Royal Alexandra Hospital LRT Station is identified in the Transit Oriented Development Guidelines (TODG) as an Institutional/Recreational Station Area. The TODG recognizes that each Institution/Recreation Station Area typically has its own unique needs and therefore, does not contain detailed guidelines for development in the areas around them. Instead, it directs redevelopment to be compatible with the existing, unique context of each station. In this case, this station is surrounded by primarily large scale institutional uses that are comparable in scale to that which is allowed in the CB3 Zone. The CB3 Zone is specifically designed for use near high capacity transportation nodes and regulations within it and the Main Street Overlay address urban design related issues for these areas to ensure contextual compatibility.

## **TECHNICAL REVIEW**

### **ENVIRONMENTAL REVIEW**

A Phase I Environmental Site Assessment (ESA) was prepared for the site and one area of potential concern was identified. As part of this application, a Phase II ESA was required to investigate and confirm the area of potential concern.

The Phase II ESA determined that contamination is present on site and additional assessment and remediation is required. As future redevelopment of this property under the CB3 zone would require excavation, it was determined that required remediation actions would be appropriate to be completed as part of the Development Permit process.

This site has been pre-approved for Phase II of the City of Edmonton's Brownfield Grant Program.

All comments from affected City Departments and utility agencies have been addressed.

## **PUBLIC ENGAGEMENT**

<b>ADVANCE NOTICE</b> March 25, 2019	<ul style="list-style-type: none"> <li>• Number of recipients: 16</li> <li>• No responses were received.</li> </ul>
<b>WEBPAGE</b>	<a href="http://edmonton.ca/centralmcdougall">edmonton.ca/centralmcdougall</a>



## CONCLUSION

Administration recommends that City Council **APPROVE** this application.

## APPENDICES

- 1 Application Summary

## APPLICATION SUMMARY

### INFORMATION

Application Type:	Rezoning
Charter Bylaws:	19414
Location:	South of 111 Avenue NW and west of 101 Street NW
Address:	10107 - 111 Avenue NW
Legal Description:	Lot 327, 328 and 329, Block 1, Plan 7540AH
Site Area:	2,090.8 m <sup>2</sup>
Neighbourhood:	Central McDougall
Notified Community Organization(s):	Central McDougall Community League
Applicant:	Hartwig Architecture

### PLANNING FRAMEWORK

Current Zone:	(DC2(P)) Royal Alex Place Development Agreement
Proposed Zone:	(CB3) Commercial Mixed Business Zone
Plan in Effect:	Central McDougall / Queen Mary Park Area Redevelopment Plan
Historic Status:	None

Written By:	Andrew Sherstone
Approved By:	Tim Ford
Branch:	Development Services
Section:	Planning Coordination

# Charter Bylaw 19413

## Text Amendment to the Zoning Bylaw - Urban Institutional Zone

### Purpose

To amend Zoning Bylaw 12800 to extend opportunities for surface parking lots within Appendix 1 (MacEwan University — Downtown Campus) of the Urban Institutional Zone.

### Readings

Charter Bylaw 19413 is ready for three readings after the public hearing has been held. If Council wishes to give three readings during a single meeting, Council must unanimously agree “That Charter Bylaw 19413 be considered for third reading.”

### Advertising and Signing

This Charter Bylaw was advertised in the Edmonton Journal on September 4, 2020, and September 12, 2020. The Charter Bylaw can be passed following third reading.

### Position of Administration

Administration supports this proposed Charter Bylaw.

### Report

Charter Bylaw 19413 proposes to amend Zoning Bylaw 12800 by extending the duration of temporary Surface Parking Lots from August 25, 2024 to September 21, 2030 within Appendix 1 (MacEwan University — Downtown Campus) of the Urban Institutional Zone.

All comments from civic departments or utility agencies regarding this proposal have been addressed.

### Public Engagement

Advance Notice was sent to surrounding property owners and the president of the Downtown Edmonton Community League and the Queen Mary Park Community League on June 22, 2020. One response was received requesting more information.

### Attachments

1. Charter Bylaw 19413
2. Administration Report

Charter Bylaw 19413

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 3074

WHEREAS City Council at its meeting of February 22, 2001, gave third reading to Bylaw 12800, as amended; and

WHEREAS Council considers it desirable to amend the text of the Edmonton Zoning Bylaw;

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. Bylaw 12800, as amended, The Edmonton Zoning Bylaw is hereby further amended by :
  - a) deleting the wording of Subsection 574.2(3)(b) and replacing with the following:

“Any Development Permit for Vehicle Parking in the form of a Surface Parking Lot shall be for a temporary period of ten (10) years from the date of third reading of this Bylaw amendment. For greater clarity, after September, 21 2030, Surface Parking Lots shall no longer be an allowable form of Vehicle Parking Use. Where a Surface Parking Lot is developed, the following regulations shall apply:”

READ a first time this	day of	, A. D. 2020;
READ a second time this	day of	, A. D. 2020;
READ a third time this	day of	, A. D. 2020;
SIGNED and PASSED this	day of	, A. D. 2020.

THE CITY OF EDMONTON

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MAYOR

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CITY CLERK



## ADMINISTRATION REPORT **TEXT AMENDMENT** DOWNTOWN & QUEEN MARY PARK

### **10700 - 104 Avenue NW**

To extend opportunities for surface parking lots for MacEwan University until 2030.



### **RECOMMENDATION AND JUSTIFICATION**

Administration is in **SUPPORT** of this application because it:

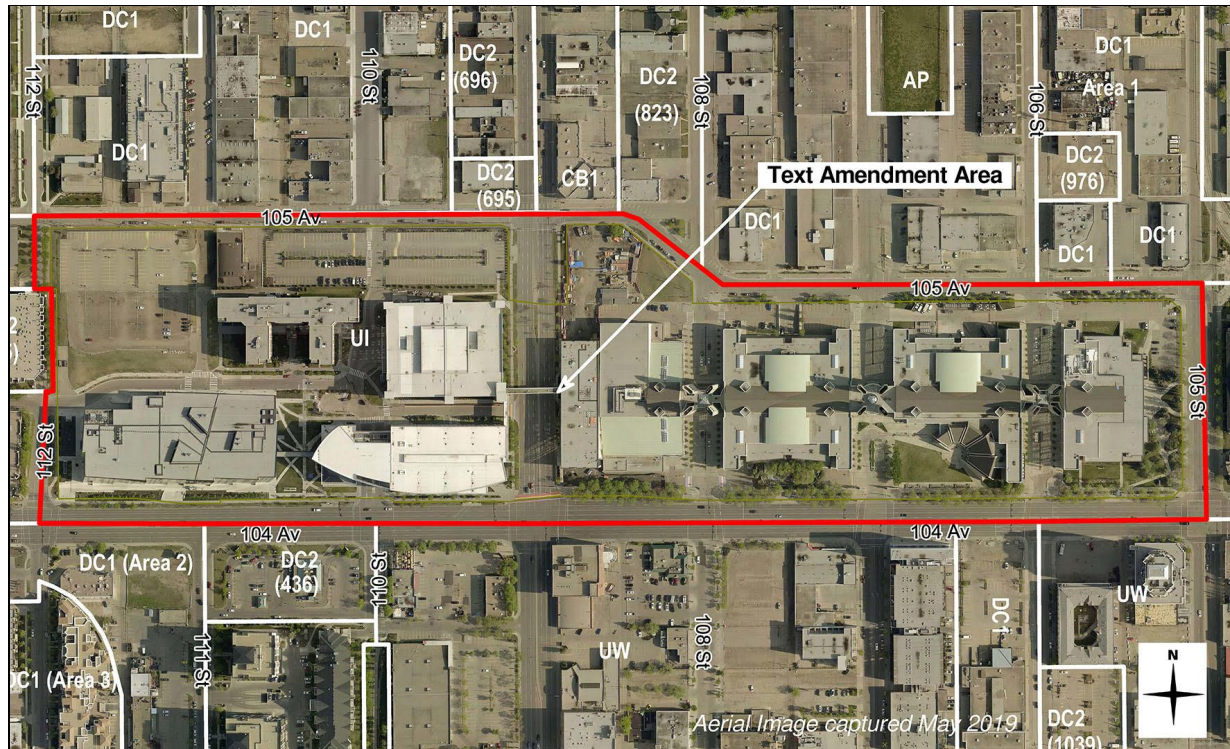
- advances the City's goal of working with the MacEwan University to coordinate their plans with City land use and transportation planning; and
- maintains the temporary permit restriction for surface parking lots to encourage appropriate development of the 105 Avenue corridor in the future.



## THE APPLICATION

1. CHARTER BYLAW 19413 to amend the Zoning Bylaw to extend the duration of temporary Surface Parking Lots from August 25, 2024 to September 22, 2030.

## SITE AND SURROUNDING AREA



AERIAL VIEW OF APPLICATION AREA

The MacEwan University Downtown campus is located on the southern edge of the Queen Mary Park and Central McDougall Neighborhoods, adjacent to the 104 Avenue and the future route of the Valley Line West LRT line. Existing surface parking lots are located on the north of the MacEwan property adjacent to 105 Avenue NW. These lots are currently paved and landscaped to City standards.

	EXISTING ZONING	CURRENT USE
<b>SUBJECT SITE</b>	<ul style="list-style-type: none"> <li>(UI) Urban Institutional Zone Appendix 1: MacEwan University - Downtown Campus</li> </ul>	<ul style="list-style-type: none"> <li>Various institutional uses and accessory uses</li> </ul>
<b>CONTEXT</b>		
North	<ul style="list-style-type: none"> <li>(DC1) Direct Development Control Provision - Central McDougall / Queen Mary Park ARP Area 1 &amp; Area 2</li> </ul>	<ul style="list-style-type: none"> <li>Mid-rise residential/mixed use building, low rise commercial development, surface parking, and vacant lots.</li> </ul>

	<ul style="list-style-type: none"> <li>• (DC2) Site Specific Development Control Provisions: DC2.696 &amp; DC2.823</li> </ul>	<ul style="list-style-type: none"> <li>• Low rise commercial development bordering 109 Street</li> </ul>
West	<ul style="list-style-type: none"> <li>• (DC1) Direct Development Control Provision - Central McDougall / Queen Mary Park ARP Area 3</li> <li>• (DC1) Direct Development Control Provision - 104 Ave Corridor ARP Area 1</li> </ul>	<ul style="list-style-type: none"> <li>• Mid-rise residential/mixed use building, low rise commercial development, surface parking, and vacant lots.</li> <li>• Oliver Village Shopping Centre</li> </ul>
South	<ul style="list-style-type: none"> <li>• (DC1) Direct Development Control Provision - 104 Ave Corridor ARP Area 2</li> <li>• (DC1) Direct Development Control Provision - Massey-Harris-Ferguson (UW) Urban Warehouse Zone</li> <li>• (DC2) Site Specific Development Control Provision: DC2.436</li> </ul>	<ul style="list-style-type: none"> <li>• 1 storey commercial developments</li> <li>• Low rise heritage commercial building.</li> <li>• Mid to low rise mixed use development</li> <li>• Drive through fast food commercial development</li> </ul>
East	<ul style="list-style-type: none"> <li>• (DC2) Site Specific Development Control Provision: DC2.501</li> <li>• (AED) Arena and Entertainment District Zone</li> </ul>	<ul style="list-style-type: none"> <li>• 4 storey residential development</li> <li>• Rogers Place</li> </ul>



EXISTING SURFACE PARKING LOT FROM THE NORTH WEST AT 105 AVE AND 112 ST



EXISTING SURFACE PARKING LOT FROM THE NORTH WEST AT 105 AVE AND 109 ST



## PLANNING ANALYSIS

The purpose of the UI Zone is to provide appropriate development opportunities for institutions within mature areas of the City. The UI zone provides common development regulations for all institutions, with specific appendices for each institution within this zone that manage site specific context. MacEwan University's Downtown Campus is regulated by Appendix 1 of this zone.

As MacEwan University is located adjacent to the Valley Line West LRT Route and the Downtown neighbourhood, institution specific parking regulations were introduced when the zone was created in 2014 due to this unique and evolving context. Specifically, these were intended to phase out surface parking lots over 10 years in alignment with the City's policies for this area, as the University develops in accordance with their long term plan for the campus. An example of development replacing surface parking on the MacEwan University lands is the newly constructed Allard Hall on 104 Avenue NW and 112 Street NW.



ALLARD HALL REPLACED A GRAVEL SURFACE PARKING LOT IN 2016

MacEwan University has requested, through this application, an extension on the current 10 year limit on surface parking lots within this zone which are currently set to expire on August 25, 2024. The proposed text amendment would allow the surface parking lots to continue operation as a temporary use until September 22, 2030, or 10 years from the passing of this bylaw.

MacEwan University has cited significant reduction in provincial funding that has created a financial challenge for the institution and impacted their ability to develop these properties as the justification for this amendment. These financial challenges have led the university to apply for the text amendment now, rather than in 2024, to ensure that the school can count on the revenue from these lots as part of long term budgeting for the school.



In addition to the above, amendments to this section are proposed to re-align the new parking use classes introduced on June 23, 2020 to better reflect the intent of the original regulations within the zone. These changes are intended to provide clearer direction to Development Officers and do not change the intent of parking regulations within the UI Zone.

A full list of proposed changes and rationale for the amendments is found in Appendix 1 to this report, Markup of Proposed Amendment to Zoning Bylaw 12800.

## PLANS IN EFFECT

### Capital City Downtown Plan

MacEwan University is located within its own sub area (Sub Area 4) of the Warehouse Campus Neighbourhood. This sub area is intended to provide for institutional and complementary uses which fully integrate with 105 Avenue as an emerging pedestrian street. The policies of this area direct future development to front onto 105 Avenue to support future planned streetscape improvements.

### Central McDougall / Queen Mary Park Area Redevelopment Plan

While the Central McDougall/Queen Mary Park Area Redevelopment Plan (ARP) does not provide policies specific to MacEwan University, it does provide planning direction for the majority of properties surrounding 105 Avenue NW through policies and Direct Control Provisions. In general the plan does not permit new surface parking lots fronting on 105 Avenue NW, and encourages redevelopment of existing surface parking lots in the neighbourhoods.

As this proposal is extending the temporary permits for existing surface parking lots, which are intended to be developed by the University in the future, this application generally aligns with the goals and objectives of both the Capital City Downtown Plan and the Central McDougall/Queen Mary Park ARP.

## TECHNICAL REVIEW

All comments from affected City Departments and utility agencies have been addressed.

## PUBLIC ENGAGEMENT

<b>ADVANCE NOTICE</b> June 22, 2020	<ul style="list-style-type: none"> <li>• Number of recipients: 297</li> <li>• One response received requesting more information.</li> </ul>
<b>WEBPAGE</b>	<a href="http://edmonton.ca/QueenMaryPark">edmonton.ca/QueenMaryPark</a>

## CONCLUSION

Administration recommends that City Council **APPROVE** this application.

## APPENDICES

- 1 Markup of Proposed Amendment to Zoning Bylaw 12800
- 2 Application Summary

## Mark-up of Proposed Text Amendment to Zoning Bylaw 12800

Black Font	Existing Text in Zoning Bylaw 12800
<del>Strikethrough:</del>	Proposed deletion from Zoning Bylaw 12800
<u>Underline:</u>	Proposed addition to Zoning Bylaw 12800

### 574. (UI) Urban Institutional Zone

#### 574.1 General Purpose

The purpose of this Zone is to provide for facilities of an educational or institutional nature, within mature areas of the city, that could include additional Uses that would complement the institutional development.

## Appendix I

### MacEwan University - Downtown Campus

#### 1. Area of Application

The lands legally described as:

- Plan 1025859, Block 20, Lot 100;
- Plan 2656HW, Block 11, Lots A, B and C;
- Plan 5665CL, Block 10, Lots 157 and 158;
- Plan 0828645, Block 9C, Lot 2;
- Plan 4506HW, Block 8, Lot 158; and

generally bounded by 105 Street NW, 112 Street NW, 104 Avenue NW and 105 Avenue NW, as illustrated on Map 1.

## Rationale

The (UI) Urban Institutional Zone provides general development regulations that apply to all UI Zoned sites, with specific appendices for each individual institution.

Appendix I establishes regulations which are specific to the MacEwan owned lands and are intended to be responsive to its context.

**< Discretionary Uses and Select Development Regulations for Permitted and Discretionary Uses are omitted within this document for clarity and are proposed to remain unchanged >**

### 3. Site Specific Development Regulations for Permitted and Discretionary Uses

...

3. On-site Vehicle Parking shall be provided in accordance with Section 54 of the Zoning Bylaw, except that:
  - a. Vehicle Parking shall be provided to a minimum of 1,500 and a maximum of 3,000 spaces.
  - b. Any Development Permit for Vehicle Parking Use in the form of a Surface Parking Lot shall be for a temporary period of ten (10) years from the date of third reading of this Bylaw amendment. For greater clarity, after August 25, 2024 September, 22 2030, Vehicle Parking Surface Parking Lots shall no longer be an allowable form of Vehicle Parking. Where Vehicle Parking a Surface Parking Lot is developed, the following regulations shall apply:
    - i. A minimum 3 m landscaped Setback shall be required from any property line Abutting a public roadway, other than a Lane;
    - ii. Every on-Site Vehicle Parking space and access provided or required, including the area contained within City-owned land from which access or egress is obtained, shall be Hardsurfaced;
    - iii. All Vehicle Parking facilities shall be clearly demarcated, have adequate storm water drainage and storage facilities;

Proposed amendment will extend the term of temporary permits for what were previously defined as “non-accessory parking lots” to 10 years from the passage of this bylaw.

Additional changes were made to provide clarity to the Development Officer that these timelines and requirements are specific to Surface Parking Lots and not permanent parking structures located within this Zone.

- iv. Every on-Site Parking Area shall incorporate landscaped open space within the Parking Area, calculated on the basis of 2.0 m<sup>2</sup> of landscaped island area per Vehicle Parking parking space provided. This shall be landscaped in accordance with the Zoning Bylaw. Landscaped islands shall be placed to provide visual relief, to assist vehicular circulation and to organize large areas of Vehicle Parking into smaller cells. The number of islands provided shall be to the satisfaction of the Development Officer.
  - v. The storage of materials inclusive of accumulated snow on a Surface Parking Lot shall be in a location away from the public roadway to improve safety and visibility; and
  - vi. Lighting of on-Site Vehicle Parking facilities shall be provided, and the lighting shall be arranged, installed and maintained to deflect, shade and focus light away from any adjacent land Uses as well as provide a safely lit pedestrian environment.
- c. Access to vehicular Underground Parkade, Above Ground Parkade, or Surface Parking Lot from 105 Avenue NW shall be in accordance with the 105 Avenue Corridor Study and to the satisfaction of the Development Officer in consultation with Transportation Services.
  - d. No portion of an above Grade Parking Garage above the ground floor of the podium portion of a building shall be allowed for a minimum depth of 6.0 m from any building Façade facing 105 Avenue NW.
  - e. No portion of Above Ground Parkade above the first Storey of the podium portion of a building shall be allowed for a minimum depth of 6.0 m from any building Façade facing 105 Avenue NW.

## APPLICATION SUMMARY

### INFORMATION

Application Type:	Text Amendment
Charter Bylaw:	19413
Location:	North of 104 Avenue NW, south of 105 Avenue NW, between 105 Street NW and 112 Street Nw
Address(es):	10700 - 104 Avenue NW
Legal Description(s):	Lot 101, Block 20, Plan 1720488
Site Area:	14.0 ha
Neighbourhood:	Downtown and Queen Mary Park
Notified Community Organization(s):	Downtown Edmonton Community League Queen Mary Park Community League
Applicant:	Mark Huberman

### PLANNING FRAMEWORK

Current Zone:	(UI) Urban Institutional Zone
Proposed Zone:	(UI) Urban Institutional Zone
Plan(s) in Effect:	Capital City Downtown Plan Central McDougall / Queen Mary Park ARP
Historic Status:	None

Written By:	Andrew Sherstone
Approved By:	Tim Ford
Branch:	Development Services
Section:	Planning Coordination

## Charter Bylaw 19387

To allow an additional building to accommodate accessory uses for an existing religious assembly, Meyokumin

### Purpose

Rezoning from (DC2) Site Specific Development Control Provision to (DC2) Site Specific Development Control Provision; located at 2225 - 66 Street NW

### Readings

Charter Bylaw 19387 is ready for three readings after the public hearing has been held. If Council wishes to give three readings during a single meeting, Council must unanimously agree "That Charter Bylaw 19387 be considered for third reading."

### Advertising and Signing

This Charter Bylaw has been advertised in the Edmonton Journal on September 4, and September 12, 2020. The Charter Bylaw can be passed following third reading.

### Position of Administration

Administration supports this proposed Charter Bylaw.

### Report

Charter Bylaw 19387 proposes to rezone Lot 1, Block 1, Plan 9520748 from (DC2) Development Control Provision to (DC2) Site Specific Development Control Provision to allow the construction of an additional building to house accessory uses. Changes to the DC2 Provision are proposed to facilitate an increase in the allowable height to 16 metres (approximately 4 storeys) and a reduction of the required building setback to 7.5 metres. The rezoning conforms to the Mill Woods Development Concept Plan.

All comments from civic departments or utility agencies regarding this proposal have been addressed.

### Public Engagement

Advance Notice was sent to surrounding property owners and the presidents of the Millhurst Community League, Woodvale Community League and Knottwood Community League on Friday, March 27, 2020. No responses were received.

### Attachments

1. Charter Bylaw 19387

## 2. Administration Report



Charter Bylaw 19387

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 3062

WHEREAS Lot 1, Block 1, Plan 9520748; located at 2225 - 66 Street NW, Meyokumin, Edmonton, Alberta, is specified on the Zoning Map as (DC2) Site Specific Development Control Provision; and

WHEREAS an application was made to rezone the above described property to (DC2) Site Specific 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 1, Block 1, Plan 9520748; located at 2225 - 66 Street NW, Meyokumin, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (DC2) Site Specific Development Control Provision to (DC2) Site Specific Development Control Provision.
2. The uses and regulations of the aforementioned DC2 Provision are annexed hereto as Schedule "B".

3. The sketch plan annexed hereto as Schedule "A" and the uses and regulations of the DC2 Provision shown on Schedule "B" annexed hereto 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. 2020;
READ a second time this	day of	, A. D. 2020;
READ a third time this	day of	, A. D. 2020;
SIGNED and PASSED this	day of	, A. D. 2020.

THE CITY OF EDMONTON

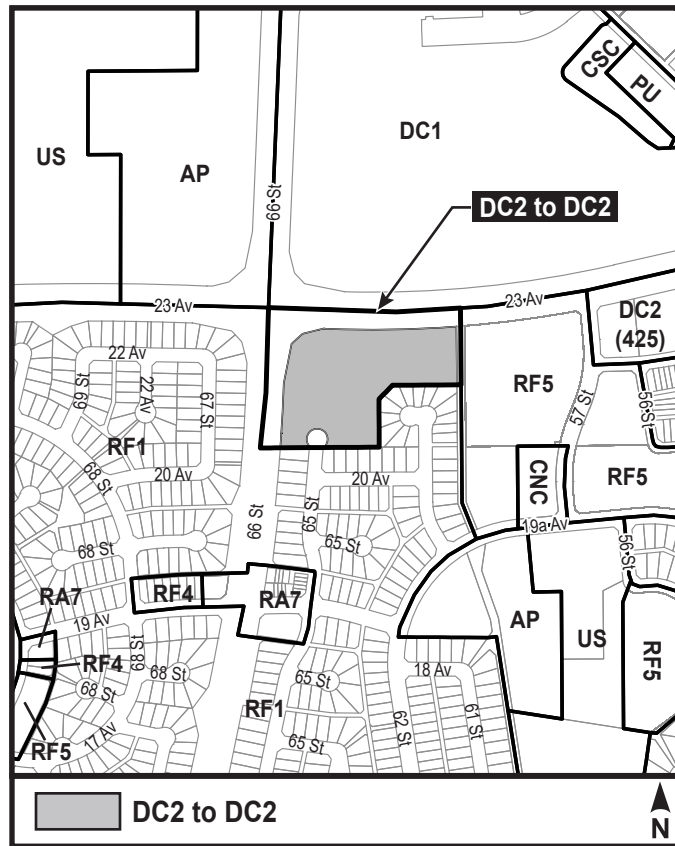
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MAYOR

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CITY CLERK

## CHARTER BYLAW 19387



**SCHEDULE “B”****(DC2) Site Specific Development Control Provision****1. General Purpose**

To provide a Site Specific Development Control District to accommodate religious assembly, private education services and related accessory uses with site development criteria that will ensure the development is compatible with the surrounding residential uses.

**2. Area of Application**

This District shall apply to Lot 1, Block 1, Plan 9520748, located east of 66 Street and south of 23 Avenue, Meyokumin, as shown on Schedule A of this Bylaw.

**3. Uses**

- a. Religious Assembly
- b. Child Care Services, Private Education Services and Community Recreation Services when designed as an integral and secondary component of a Religious Assembly.

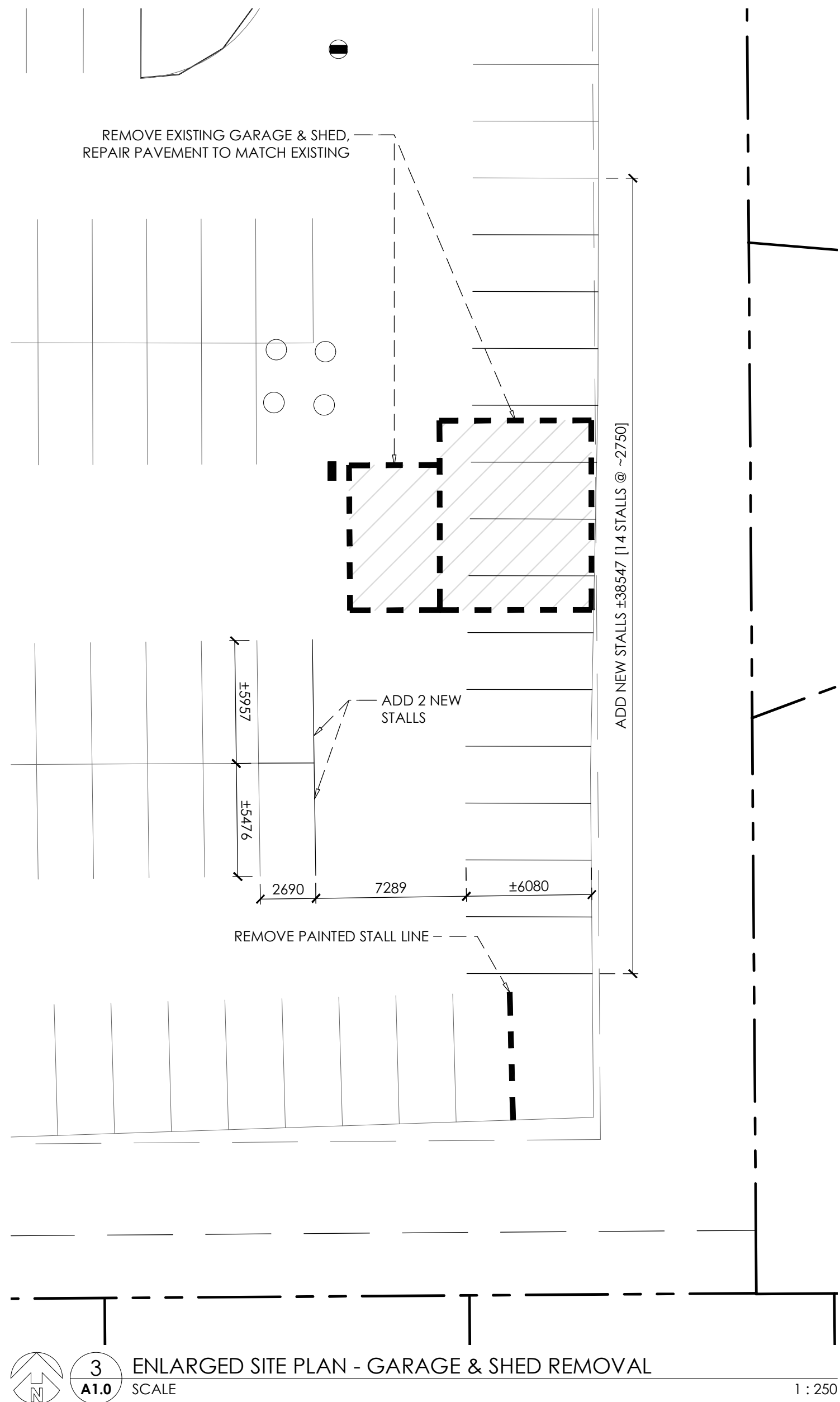
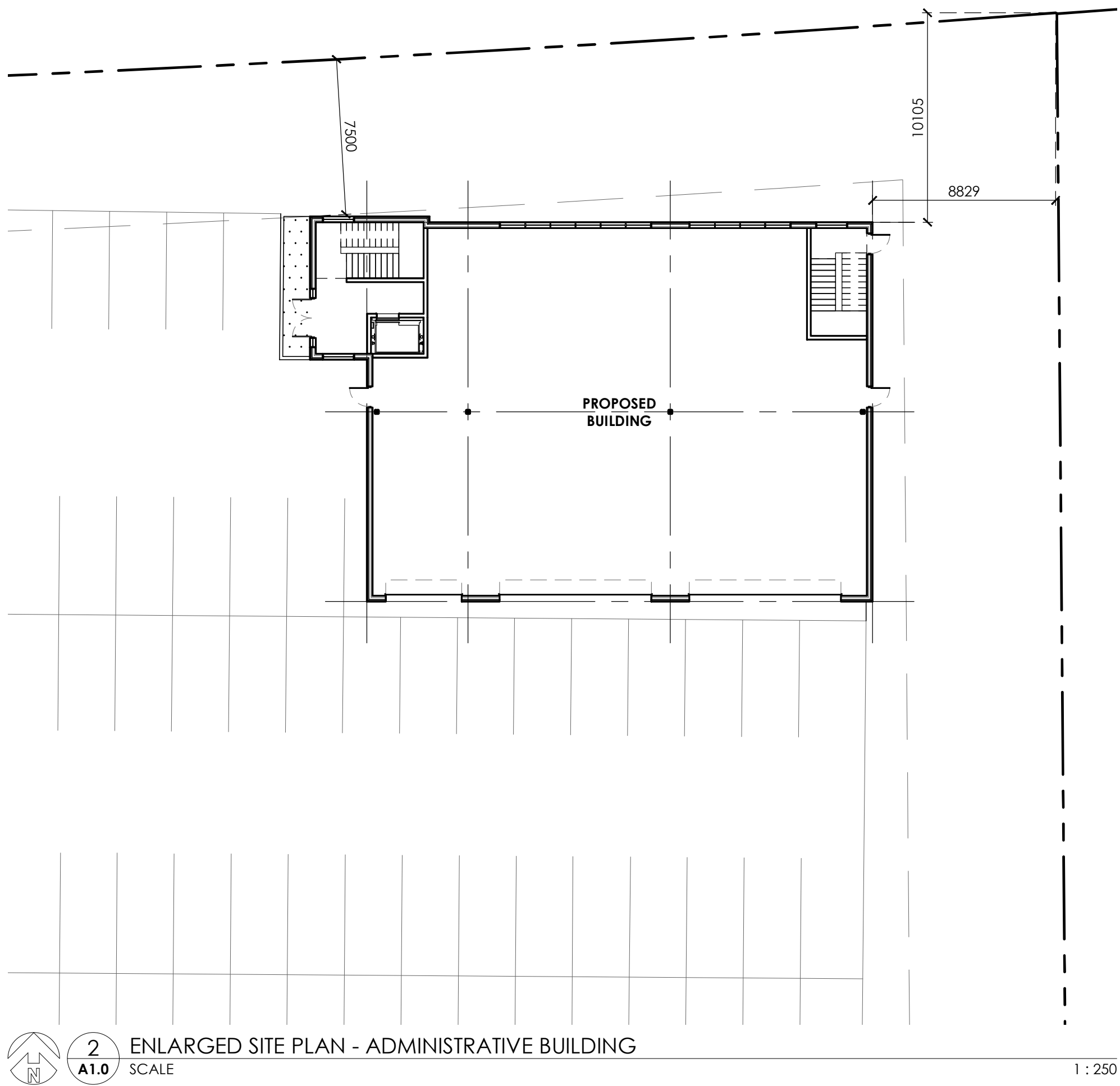
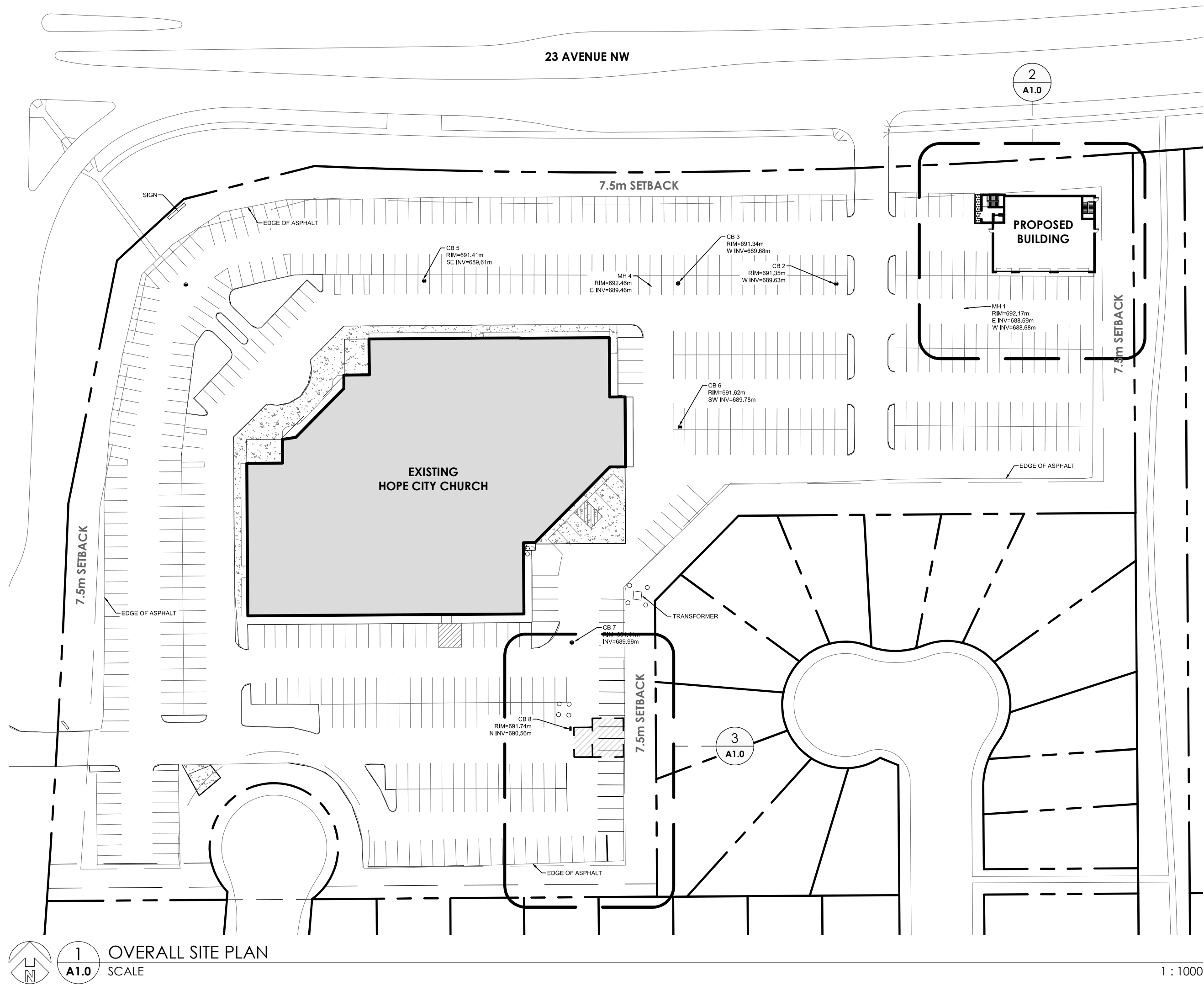
**4. Development Criteria**

- a. The development shall be in accordance with these regulations and in general accordance with Appendix 1.
- b. The maximum total coverage shall be 25% of the site area.
- c. The maximum building height shall not exceed 16 m.
- d. A minimum building setback of 7.5 m shall be provided from all property lines of the site.
- e. A landscaped yard, a minimum of 6 m in width, shall be provided adjacent to 23 Avenue and to 66 Street.
- f. A landscaped yard, a minimum of 7.5 m in width, shall be provided adjacent to the east and south property lines. Continuous screen fencing of a solid design, a minimum of 1.82 m in height, is to be provided along the east and south property lines of the site.
- g. Parking shall be provided in the ratio of a minimum of 1 parking stall for every 3.3 seats in the sanctuary.

- h. Vehicular access to this site shall be provided only from 23 Avenue and 66 Street.
- i. Any exterior lighting of the site shall be designed so that lighting is directed away from the adjacent residential development to the east and south and that resulting illumination shall not extend beyond the boundaries of the site.

## **5. Additional Development Criteria for Specific Uses**

- a. For the purposes of this District, the Religious Assembly Use Class shall include provisions for the development of a library, bookstore, meeting rooms, kitchen, and gymnasium as integral and accessory components of the principal Religious Assembly building and where such uses are intended primarily to serve the members of the Religious Assembly. Religious Assembly shall also comply with the following criteria:
  - i. the meeting rooms and gymnasium may be used for banquet facilities, not exceeding a seating capacity of 1,000, intended for the members and ministries of the Religious Assembly; and
  - ii. The maximum seating capacity of the sanctuary shall not exceed 2,000 persons.
- b. Notwithstanding section 71.3.a of the Zoning Bylaw the Religious Assembly shall be allowed on the Site to which this Provision applies which is greater than 4000m<sup>2</sup> in area.



SITE LEGEND		
---	PROPERTY LINE	
---	LINE OF SETBACK	
---	EXISTING SITE ELEMENTS	
---	LINE OF NEW CURB	
---	LINE OF NEW PARKING STALL PAINT LINES	
---	ELEMENTS BEING REMOVED	
		NEW CONCRETE SIDEWALK
		EXISTING BUILDING
		STRUCTURE BEING REMOVED, NEW PAVEMENT

spaceSTUDIO

ENGINEER

ISSUED FOR  
01 DEVELOPMENT PERMIT 2020-03-19

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CLIENT NAME  
HOPE CITY CHURCH

PROJECT NAME  
ADMINISTRATIVE BUILDING  
NEW BUILD

64 STREET & 23 AVENUE, EDMONTON, AB

SITE PLANS

PROJECT NO.: 19031  
PLOT DATE: 2020-3-19 11:51:36 MST

A1.0  
REV. 00

ENGINEER

ISSUED FOR  
01 DEVELOPMENT PERMIT 2020-03-19

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CLIENT NAME  
**HOPE CITY CHURCH**

PROJECT NAME  
**ADMINISTRATIVE BUILDING  
NEW BUILD**

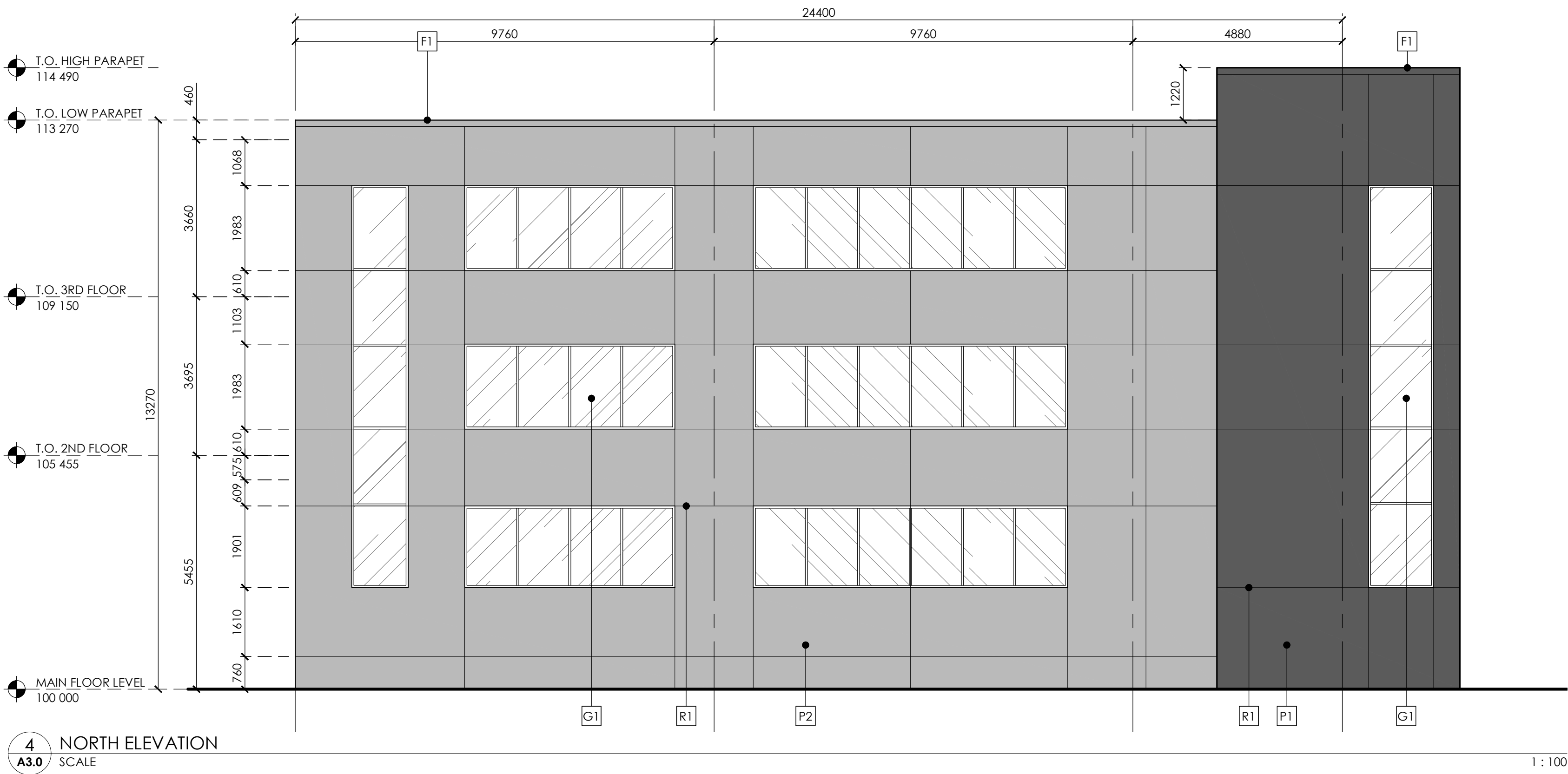
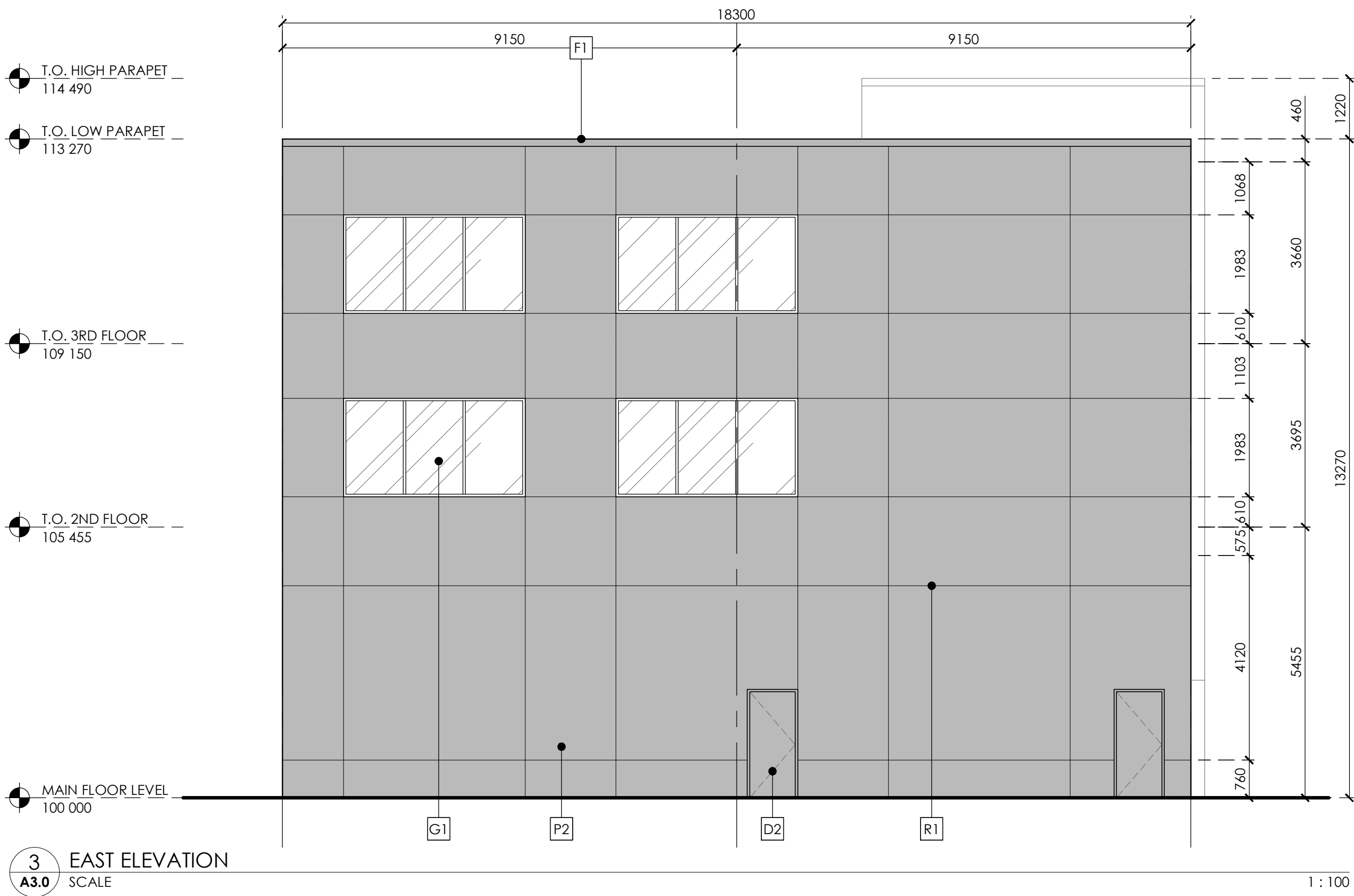
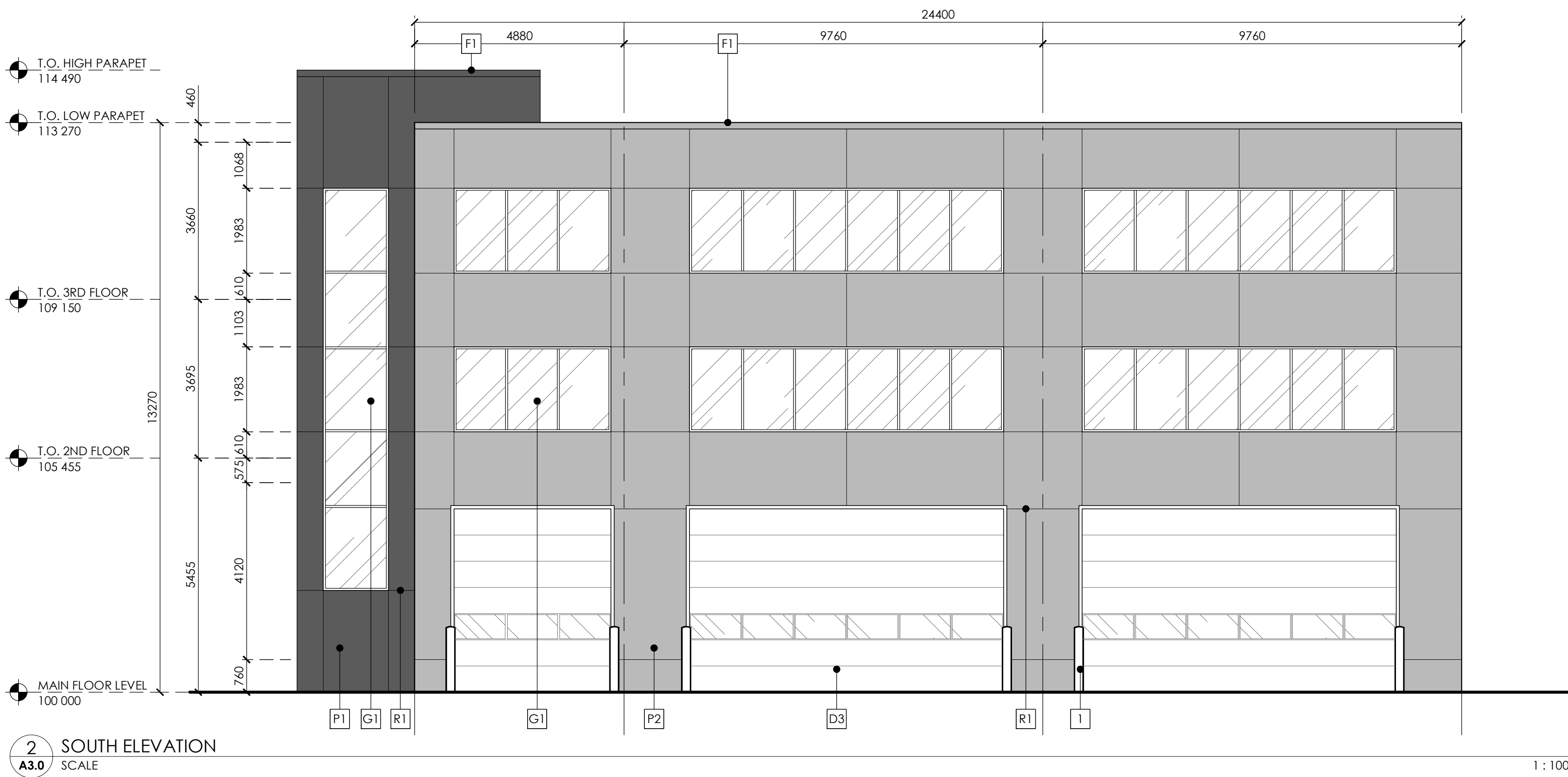
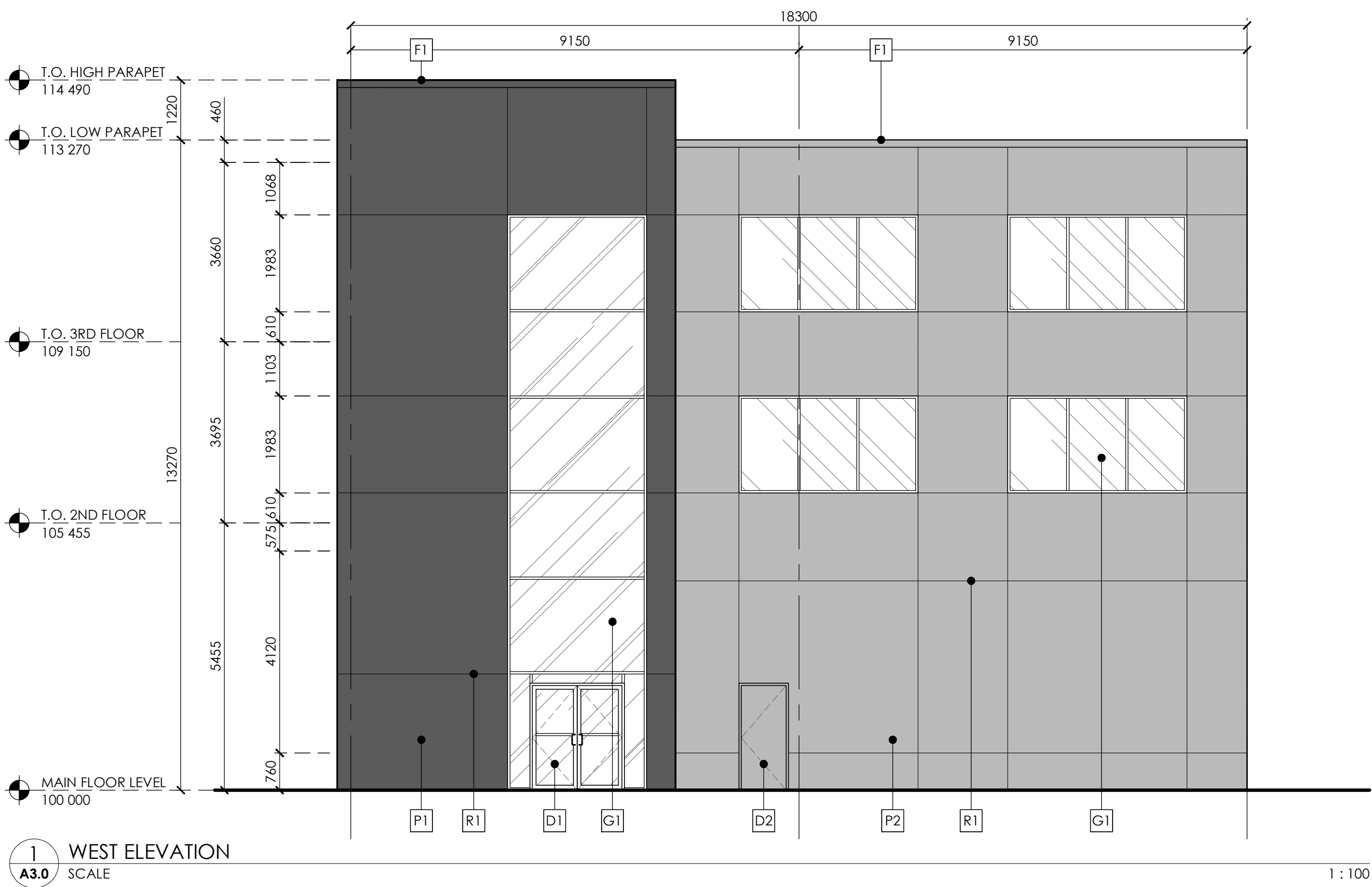
66 STREET & 23 AVENUE, EDMONTON, AB

**BUILDING ELEVATIONS**

PROJECT NO.: 19031  
PLOT DATE: 2020-3-19 11:51:48 MST

**A3.0**

REV. 00



### MATERIALS KEYNOTES

[F1] LIGHT GREY PANELED FINISH	[D1] CLEAR ANODIZED ALUMINUM DOOR W/ TINTED SEALED GLAZING
[P2] DARK GREY METALLIC PANELED FINISH	[D2] INSULATED HM DOOR C/W PS FRAMES. COLOR TO MATCH ADJACENT FINISHES
[R1] REVEAL	[D3] INSULATED METAL OVERHEAD DOOR C/W VISION PANEL. PRE-FINISHED WHITE
[F1] METAL FLASHING. COLOUR TO MATCH ADJACENT FINISHES	[1] BOLLARDS @ EACH EDGE OF OVERHEAD DOOR, PAINTED DARK GREY
[G1] CLEAR ANODIZED ALUMINUM FRAMING, TINTED SEALED GLAZING	





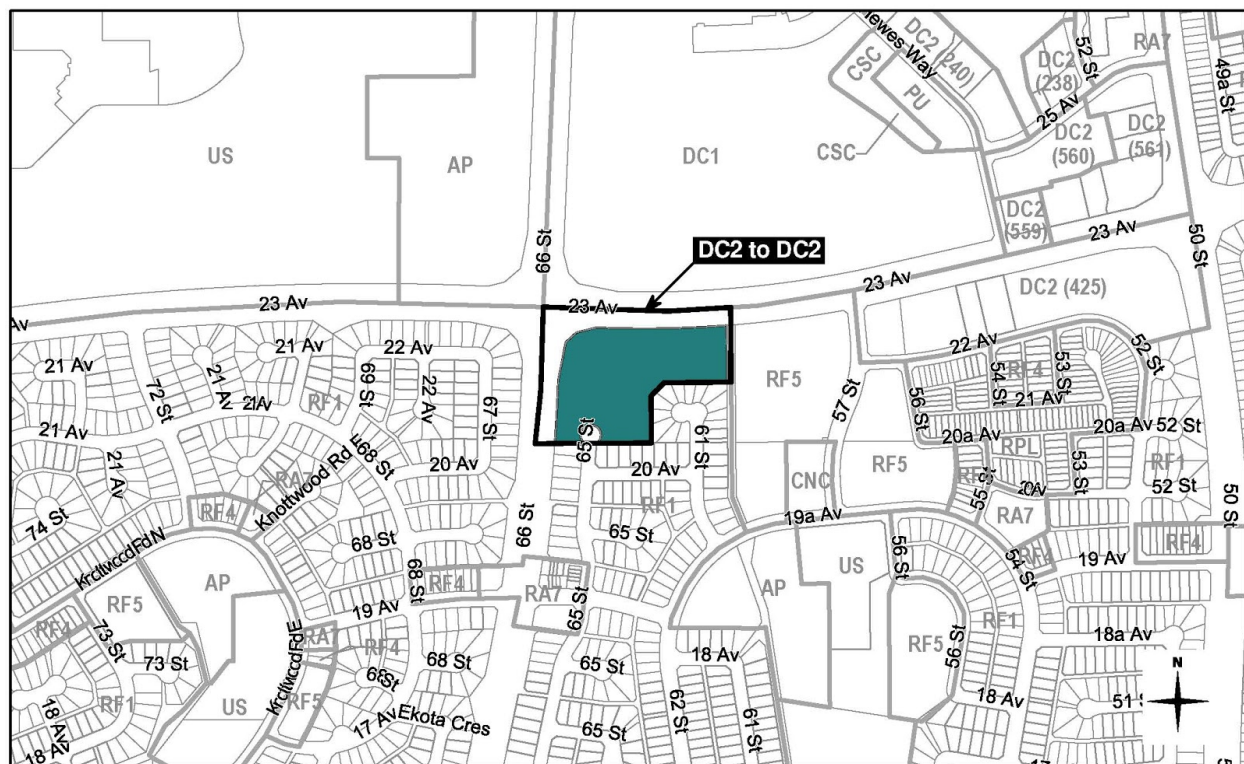
# ADMINISTRATION REPORT

## REZONING

### MEYOKUMIN

## 2225 - 66 Street NW

To allow an additional building to accommodate accessory uses for an existing religious assembly.



## RECOMMENDATION AND JUSTIFICATION

Administration is in **SUPPORT** of this application because it:

- allows for the continued use of a religious assembly;
- enables the construction of a new multipurpose building; and
- conforms to the Mill Woods Development Concept.



## THE APPLICATION

**CHARTER BYLAW 19387** proposes to rezone the subject site from (DC2) Site Specific Development Control Provision to (DC2) Site Specific Development Control Provision to allow for an increase in the allowable height from 12 m to 16 m (approximately 4 storeys) and reducing the required building setback to 7.5 metres.

The site will continue to operate as a religious assembly with private education services and related accessory uses. The proposed rezoning will amend the current DC2's height and setback regulations to allow for the construction of a new multipurpose building for office, meeting and storage space. The proposed new building will be situated in the north east corner of the site.

## SITE AND SURROUNDING AREA

The subject site is located at the south east corner of 66 Street and 23 Avenue. The total area being rezoned is approximately 3.23 hectares. The site includes one building surrounded by surface parking. An existing storage garage situated in the south east of the site will be demolished.



AERIAL VIEW OF APPLICATION AREA

	<b>EXISTING ZONING</b>	<b>CURRENT USE</b>
<b>SUBJECT SITE</b>	(DC2.375) Site Specific Development Control Provision	Religious Assembly
<b>CONTEXT</b>		
North	(DC1) Direct Development Control Provision	Commercial (Mill Woods Town Centre Mall)
East	(RF5) Row Housing Zone	Multi-Unit housing
South	(RF1) Single Detached Residential Zone	Single Detached Housing
West	(RF1) Single Detached Residential Zone	Single Detached Housing

## PLANNING ANALYSIS

The subject site is guided by the Mill Woods Development Concept. The site continues to meet the intent outlined in the Development concept's Chapter 4 - Institutional Facilities that "churches are permitted at appropriate locations within residential neighbourhoods". The site's current zoning (DC2.375) was approved on November 14, 1994 (Bylaw 10890).

The proposed rezoning will amend the maximum building height from 12 m (approximately 3 storeys) to 16 m (approximately 4 storeys). The increase in height will allow for the construction of a multipurpose building for office, meeting and storage space. The rezoning will also amend the minimum building setback from 30 m to 7.5 m. The reduction would allow the proposed building to be situated closer to the sidewalk providing a more appropriate transition between the site and the public realm.

Parking on site will not be impacted; there are over 600 parking stalls. The net loss due to the proposed construction of a new building and proposed demolition of the existing garage is estimated to be approximately four stalls.

The proposed changes will be appropriate for the site given its location on two arterial roadways (66 Street and 23 Avenue). The site will also continue to be compatible with the commercial land use to the north and the residential land uses to the east and south which are buffered by a shared use path and the site's existing landscaping.

Additional changes proposed to the DC2 are Administrative and include: updates to reflect current Zoning Bylaw terminologies (e.g. "Child Care Services" to replace "Daytime Child Care Uses"); removal of provisions that have been met or no longer applicable (e.g. "All landscaping requirements shall be completed with the first phase of development"); and the addition of a provision to exempt the site's size from Section 71.3.a of the Zoning Bylaw.

## TECHNICAL REVIEW

This application has been reviewed by all necessary City Departments and utility agencies. The proposed change in land use can be accommodated by the planned civic and utility infrastructure. All comments from affected City Departments and utility agencies have been addressed.

## PUBLIC ENGAGEMENT

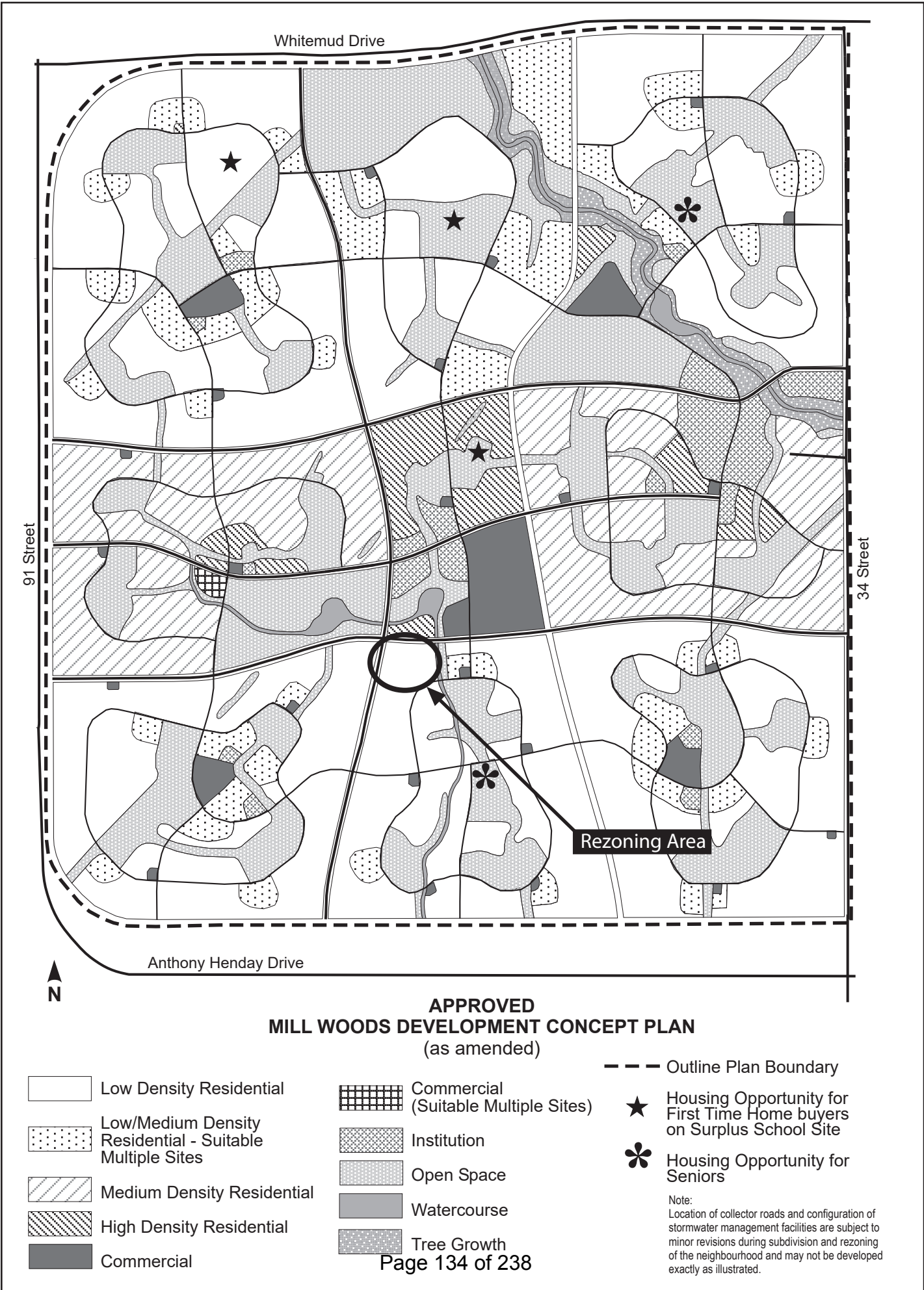
<b>ADVANCE NOTICE</b> March 27, 2020	<ul style="list-style-type: none"><li>• Number of recipients: 194</li><li>• No responses received</li></ul>
<b>PUBLIC MEETING</b>	<ul style="list-style-type: none"><li>• Not held</li></ul>
<b>WEBPAGE</b>	<ul style="list-style-type: none"><li>• <a href="http://www.edmonton.ca/meyokumin">www.edmonton.ca/meyokumin</a></li></ul>

## CONCLUSION

Administration recommends that City Council **APPROVE** this application.

## APPENDICES

- 1 Context Plan Map
- 2 DC2 Tracked Changes
- 3 Application Summary





## **(DC2) Site Specific Development Control Provision**

### **Part IV Edmonton Zoning Bylaw**

#### **~~Section DC2.375~~**

~~Bylaw 10890~~  
~~November 14, 1994~~

#### **~~DC2.375.1.~~ General Purpose**

To provide a Site Specific Development Control District to accommodate religious assembly, private education services and related accessory uses with site development criteria that will ensure the development is compatible with the surrounding residential uses.

#### **~~DC2.375.2.~~ Area of Application**

This District shall apply to **Lot 1, Block 1, Plan 9520748** ~~that portion of Lot 20, Block 1, Plan 722-1180~~, located east of 66 Street and south of 23 Avenue, Meyokumin, as shown on Schedule A of this Bylaw.

#### **~~DC2.375.3.~~ Uses**

- a. Religious Assembly
- b. ~~Daytime~~ Child Care Services, Private Education Services and Community Recreation Services when designed as an integral and secondary component of a Religious Assembly.

#### **~~DC2.375.4.~~ Development Criteria**

- a. **The development shall be in accordance with these regulations and in general accordance with Appendix 1.**
- b. The maximum total coverage shall be 25% of the site area.
- c. The maximum building height shall not exceed ~~12 m nor 2½ storeys~~ **16 m**. ~~Any portion of a building exceeding 10 m in height shall be setback a minimum of 36 m from all property lines of the site.~~
- d. A minimum building setback of ~~30 m~~ **7.5 m** shall be provided from all property lines of the site.
- e. A landscaped yard, a minimum of 6 m in width, shall be provided adjacent to

23 Avenue and to 66 Street.

- f. A landscaped yard, a minimum of 7.5 m in width, shall be provided adjacent to the east and south property lines. Continuous screen fencing of a solid design, a minimum of 1.82 m in height, is to be provided along the east and south property lines of the site.
- g. Parking shall be provided in the ratio of a minimum of 1 parking stall for every 3.3 seats in the sanctuary.
- h. Vehicular access to this site shall be provided only from 23 Avenue and 66 Street.

~~i. All landscaping requirements shall be completed with the first phase of development.~~

- j. Any exterior lighting of the site shall be designed so that lighting is directed away from the adjacent residential development to the east and south and that resulting illumination shall not extend beyond the boundaries of the site.

~~k. Development within this District including the provision of parking, may be phased, provided that the development permit for the first phase is accompanied by a comprehensive site plan showing the overall building program and phasing, to the satisfaction of the Development Officer.~~

**~~DC2.375.5.~~ Additional Development Criteria for Specific Uses**

- a. For the purposes of this District, the Religious Assembly Use Class shall include provisions for the development of a library, bookstore, meeting rooms, kitchen, and gymnasium as integral and accessory components of the principal Religious Assembly building and where such uses are intended primarily to serve the members of the Religious Assembly. Religious Assembly shall also comply with the following criteria:
  - i. the meeting rooms and gymnasium may be used for banquets facilities, not exceeding a seating capacity of 1,000, intended for the members and ministries of the Religious Assembly; and
  - ii. The maximum seating capacity of the sanctuary shall not exceed 2,000 persons.
- b. **Notwithstanding section 71.3.a of the Zoning Bylaw the Religious Assembly shall be allowed on the Site to which this Provision applies which is**

**greater than 4000m<sup>2</sup> in area.**

## APPLICATION SUMMARY

### INFORMATION

Application Type:	Rezoning
Charter Bylaw:	19387
Location:	South of 23 Avenue NW and east of 66 Street NW
Address:	2225 - 66 Street NW
Legal Description:	Lot 1, Block 1, Plan 9520748
Site Area:	3.23 hectares
Neighbourhood:	Meyokumin
Notified Community Organization(s):	Millhurst Community League; Woodvale Community League; and Knottwood Community League
Applicant:	Sheldon Taitinger, Remington Developments

### PLANNING FRAMEWORK

Current Zone:	(DC2) Site Specific Development Control Provision
Proposed Zone:	(DC2) Site Specific Development Control Provision
Plan(s) in Effect:	Mill Woods Development Concept
Historic Status:	None

Written By:	Marco Melfi
Approved By:	Tim Ford
Branch:	Development Services
Section:	Planning Coordination



## Charter Bylaw 19420

To allow for a variety of low intensity commercial uses on a planned neighbourhood commercial site, Keswick

### Purpose

Rezoning from (CNC) Neighbourhood Convenience Zone and (RA8) Medium Rise Apartment Zone to (DC2) Site Specific Development Control Provision; located at 2704 – 182 Street SW, Keswick.

### Readings

Charter Bylaw 19420 is ready for three readings after the public hearing has been held. If Council wishes to give three readings during a single meeting, Council must unanimously agree “That Charter Bylaw 19420 be considered for third reading.”

### Advertising and Signing

This Charter Bylaw has been advertised in the Edmonton Journal on September 4, and September 12, 2020. The Charter Bylaw can be passed following third reading.

### Position of Administration

Administration supports this proposed Charter Bylaw.

### Report

The proposed rezoning will add “Cannabis Retail Sales” and “Liquor Stores” while also reducing the number of uses found in the CNC Zone. The rezoning from RA8 reflects an administrative adjustment to reconcile the zoning and property line boundaries. The proposed zone will allow for a variety of low intensity commercial uses that serve the community in conformance with the Keswick Neighbourhood Structure Plan.

All comments from civic departments and utility agencies have been addressed.

### Public Engagement

Advance Notice was sent to surrounding property owners and the Windermere Community League on May 6, 2020. No responses were received.

### Attachments

1. Charter Bylaw 19420
2. Administration Report

Charter Bylaw 19420

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 3081

WHEREAS Lot 1, Block 15, Plan 1923234; located at 2704 - 184 Street SW, Keswick, Edmonton, Alberta, is specified on the Zoning Map as (CNC) Neighbourhood Convenience Zone and (RA8) Medium Rise Apartment Zone; and

WHEREAS an application was made to rezone the above described property to (DC2) Site Specific 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 1, Block 15, Plan 1923234; located at 2704 - 184 Street SW, Keswick, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (CNC) Neighbourhood Convenience Zone and (RA8) Medium Rise Apartment Zone to (DC2) Site Specific Development Control Provision.
2. The uses and regulations of the aforementioned DC2 Provision are annexed hereto as Schedule "B".

3. The sketch plan annexed hereto as Schedule "A" and the uses and regulations of the DC2 Provision shown on Schedule "B" annexed hereto 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. 2020;

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 2020;

READ a third time this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 2020;

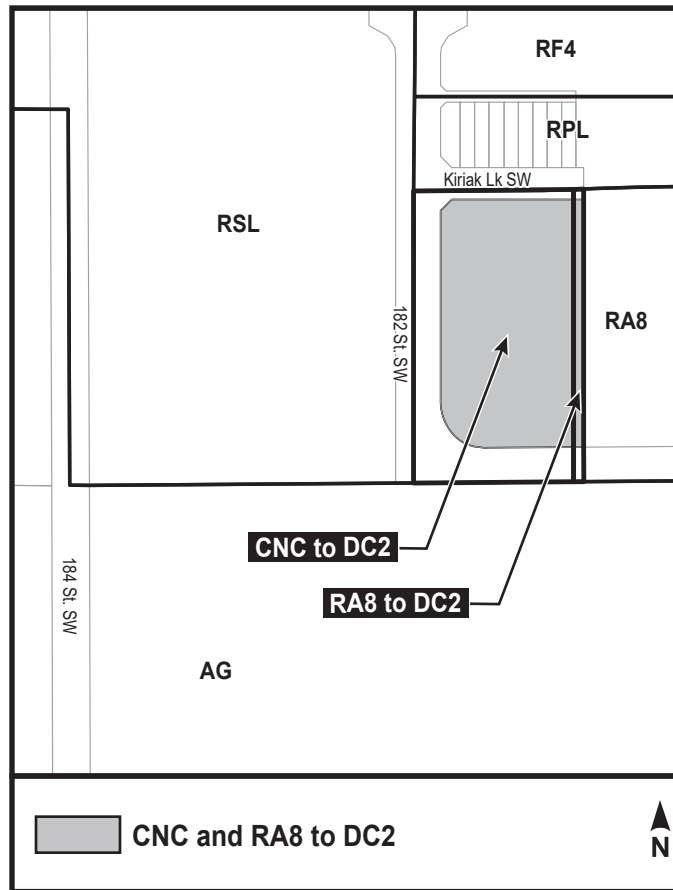
SIGNED and PASSED this                      day of                      , A. D. 2020.

THE CITY OF EDMONTON

MAYOR

CITY CLERK

## CHARTER BYLAW 19420



**(DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION****1. General Purpose**

The purpose of this provision is to provide the opportunity for variety of commercial uses that serve the community and are compatible with the neighbourhood plan.

**2. Area of Application**

This provision shall apply to Lot 1, Block 15, Plan 1923234, Keswick.

**3. Uses**

1. Bars and Neighbourhood Pubs
2. Breweries, Wineries and Distilleries
3. Cannabis Retail Sales
4. Child Care Services
5. Commercial Schools
6. Convenience Retail Stores
7. Creation and Production Establishments
8. Gas Bars
9. General Retail Stores
10. Health Services
11. Indoor Participant Recreation Services
12. Liquor Stores
13. Minor Amusement Establishments
14. Minor Service Stations
15. Personal Service Shops
16. Professional, Financial and Office Support Services
17. Public Libraries and Cultural Exhibits
18. Restaurants
19. Secondhand Stores
20. Specialty Food Services
21. Veterinary Services
22. Fascia On-premise Signs
23. Freestanding On-premise Signs
24. Projecting On-premises Signs
25. Minor Digital On-premises Signs

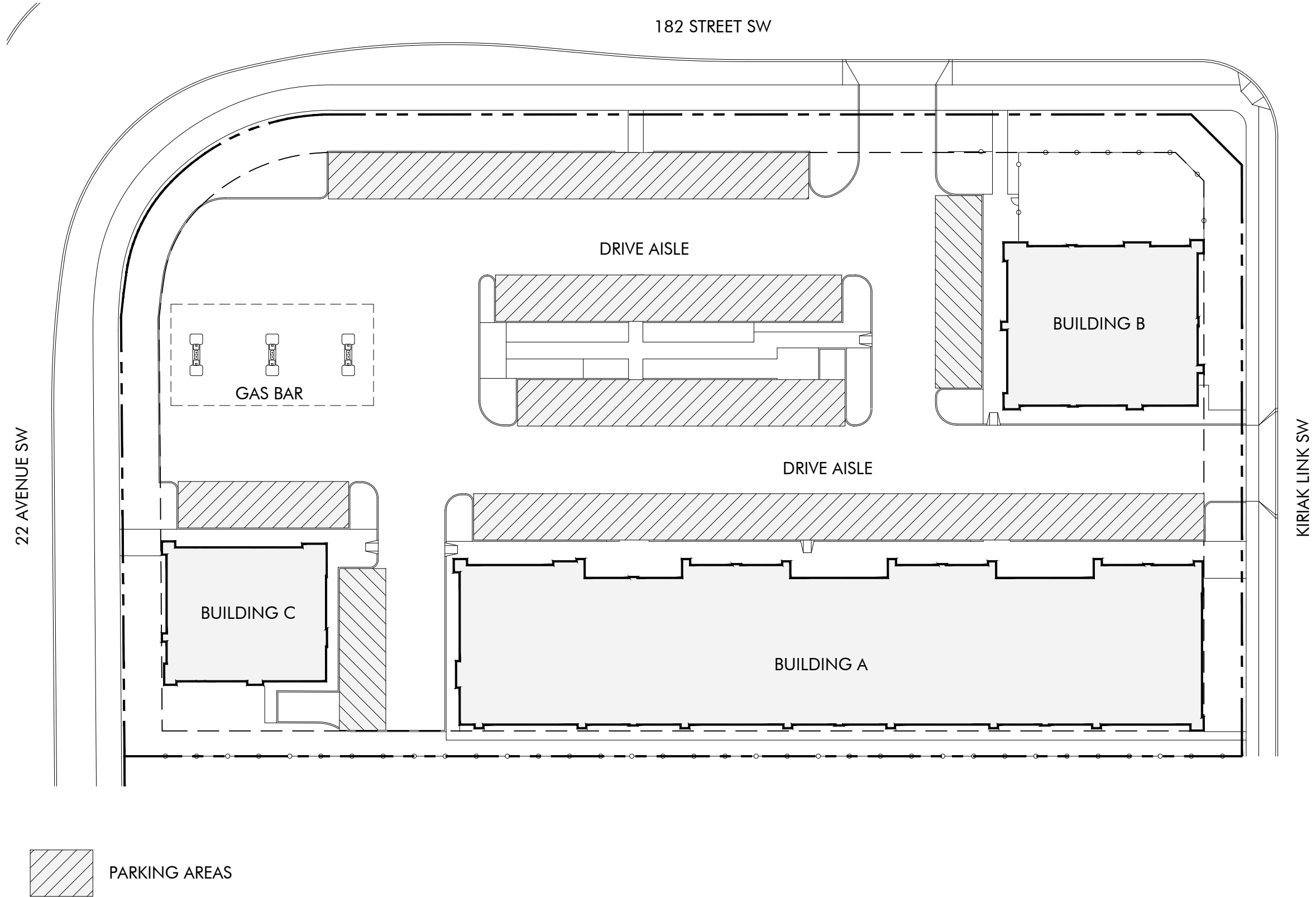
**4. Development Regulations**

1. Development shall be in general conformance with Appendix I, Site Plan.
2. The maximum Floor Area Ratio shall be 1.0.

3. A minimum Setback of 4.5 m shall be required where a Site abuts a public roadway, other than a Lane.
4. A minimum Setback of 3.5 m shall be required where the Rear or Side Lot Line of the Site abuts the lot line of a Site in a Residential Zone.
5. No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a Setback. Loading, storage and trash collection areas shall be screened from view from any adjacent Sites, public roadways. If the rear or sides of a Site are used for parking, an outdoor service display area or both, and abut a Residential Zone or a Lane servicing a Residential Zone, such areas shall be screened.
6. The maximum building Height shall not exceed 10.0 m.
7. Where Uses, that may in the opinion of the Development Officer, create negative impacts such as noise, light or odours which may be noticeable on adjacent properties, and where the Site containing such Uses is directly adjacent to Sites used or zoned for residential activities, the Development Officer may, at the Development Officer's discretion, require that these potential impacts be minimized or negated. This may be achieved through a variety of measures including: Landscaping; berming or screening, which may exceed the requirements of the Zoning Bylaw; noise attenuation measures such as structural soundproofing; downward direction of all exterior lighting on to the proposed development; and any other measures as the Development Officer may deem appropriate.
8. Any business premises or multiple occupancy building having a Floor Area greater than 1 000 m<sup>2</sup> or a single wall length greater than 20.0 m that is visible from a public road, shall comply with the following criteria:
  - a. the roof line and building Façade shall include design elements 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
9. 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.
10. Signs shall comply with the regulations found in Schedule 59D.

## **5. Additional Development Regulations for Specific Uses**

1. Notwithstanding Section 12.3 of the Zoning Bylaw, Bars and Neighbourhood Pubs; Breweries, Wineries and Distilleries; Cannabis Retail Sales; Child Care Services; Creation and Production Establishments; Gas Bars; Indoor Participant Recreation Services; Liquor Stores; Minor Amusement Establishments; Minor Service Stations; Restaurants; Secondhand Stores; and Veterinary Services shall be processed as Class B development.
2. Bars and Neighbourhood Pubs, Restaurants and Specialty Food Services shall be limited to 100 occupants and 120m<sup>2</sup> of Public Space.
3. Cannabis Retail Sales, Convenience Retail Stores, Health Services, Personal Service Shops, Professional, Financial and Office Support Services, Liquor Stores and Secondhand Stores shall be limited to 275m<sup>2</sup>.
4. Breweries, Wineries and Distilleries, Child Care Services, Commercial Schools, Creation and Production Establishments, Gas Bars, General Retail Stores, Indoor Participant Recreation Services, Minor Amusement Establishments, Minor Service Stations, Public Libraries and Cultural Exhibits and Veterinary Services shall be limited to 1 000 m<sup>2</sup> except that a grocery store or supermarket may be permitted a Floor Area of up to 2 500 m<sup>2</sup>.

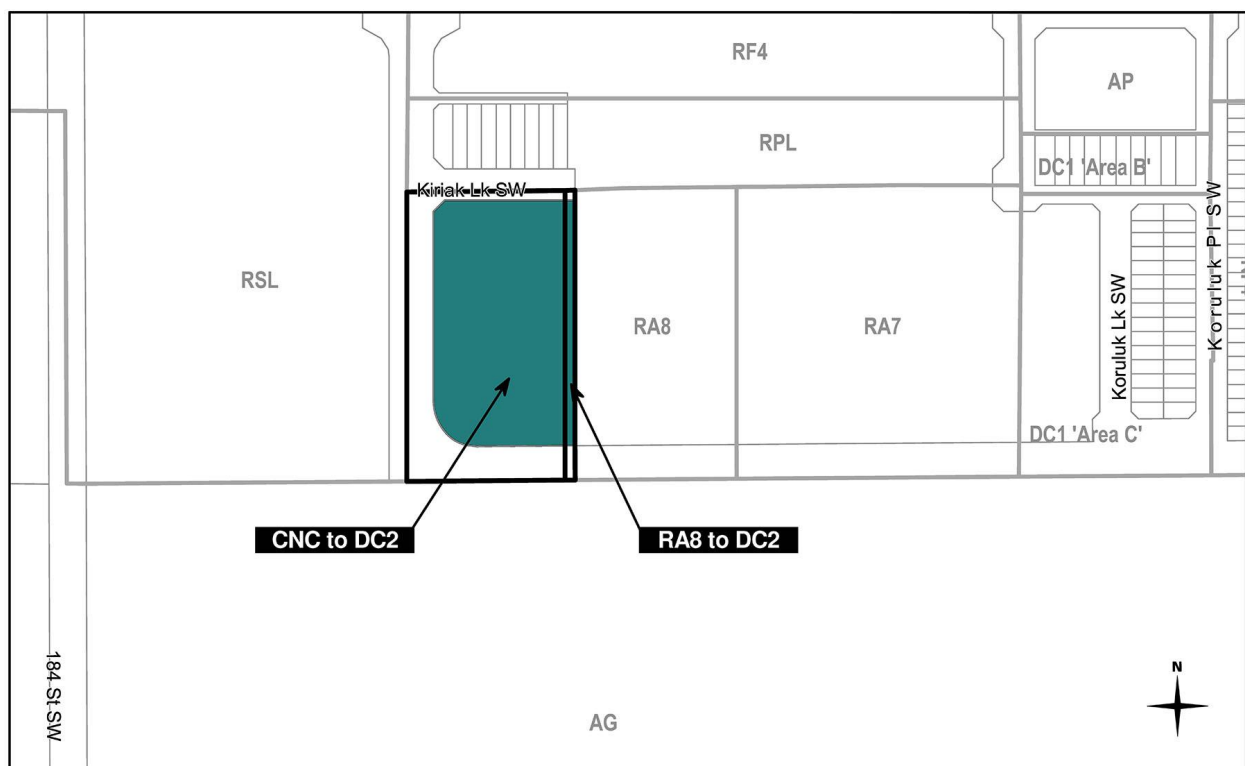




## ADMINISTRATION REPORT **REZONING** KESWICK

### 2704 - 182 STREET SW

To allow for a variety of low intensity commercial uses that serve the local community, and are compatible with the neighbourhood plan.



### RECOMMENDATION AND JUSTIFICATION

Administration is in **SUPPORT** of this application because:

- It will support the provision of neighbourhood commercial uses as outlined in the Keswick Neighbourhood Structure Plan (NSP); and
- It will be compatible with the existing and planned surrounding development.

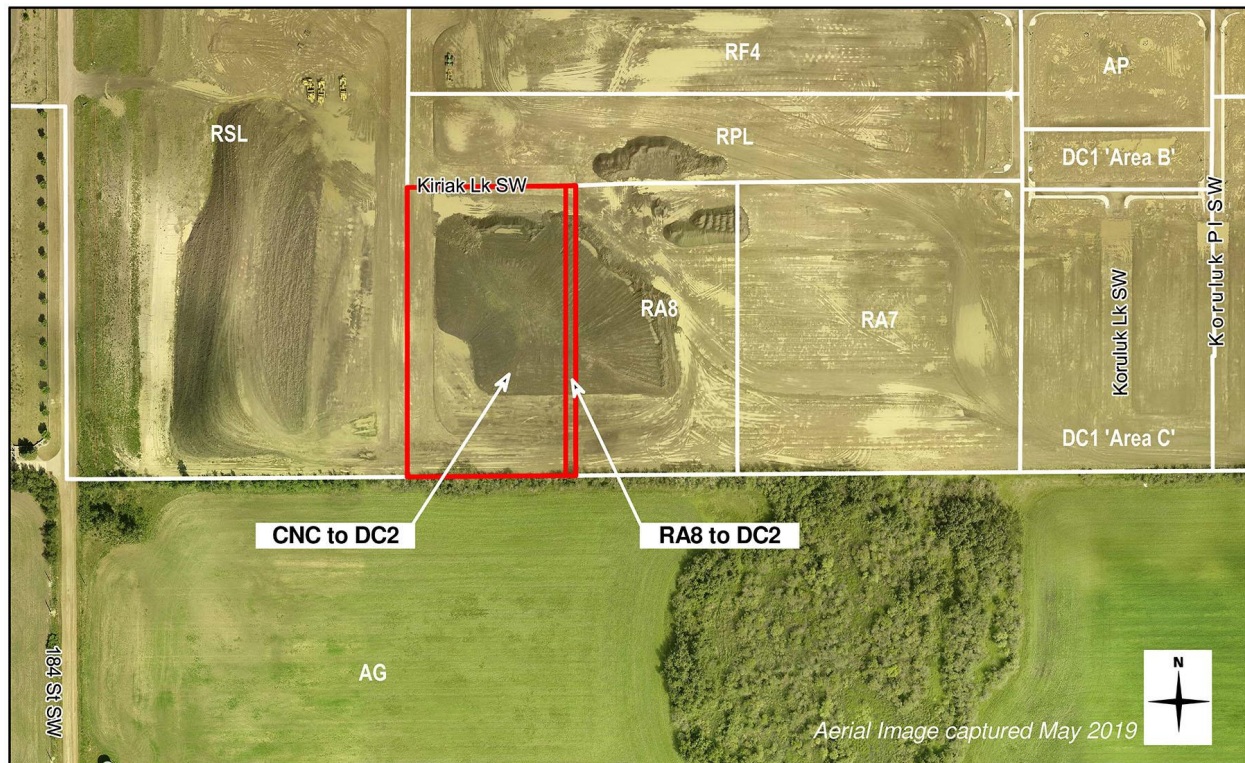


## THE APPLICATION

**CHARTER BYLAW 19420** purposes to amend the Zoning Bylaw from (CNC) Neighbourhood Commercial Zone and (RA8) Medium Rise Apartment Zone to (DC2) Site Specific Development Control Provision. The purpose of the rezoning is to add Cannabis Retail Sales and Liquor Stores to the list of uses while also reducing the number of uses found under the CNC Zone. The rezoning from RA8 reflects an administrative adjustment to reconcile the zoning and property line boundaries.

## SITE AND SURROUNDING AREA

The subject site is located in the south central portion of the Keswick Neighbourhood, south of Kiriak Link SW and east of 182 Street SW.



AERIAL VIEW OF APPLICATION AREA

	EXISTING ZONING	CURRENT USE
<b>SUBJECT SITE</b>	(CNC) Neighbourhood Convenience Zone	Vacant lot
<b>CONTEXT</b>		
North	(RPL) Planned Lot Residential Zone	Vacant lots
East	(RA8) Medium Rise Apartment Zone	Vacant lot
South	(AG) Agricultural Zone	Undeveloped land
West	(RSL) Residential Small Lot Zone	Vacant lot

## PLANNING ANALYSIS

The development concept in the Keswick Neighbourhood Structure Plan (NSP) identifies the subject site as appropriate for neighbourhood convenience uses. This rezoning will allow for the provision of neighbourhood convenience uses while also allowing opportunities for Cannabis Retail Sales, Liquor Stores, and Minor Digital On-premises Signs; uses not found in the CNC Zone.

The land uses and regulations of the proposed DC2 are comparable to the CNC Zone; a comparison of the uses are presented in Appendix 2. Insofar as other development regulations:

- The Setback required from a Residential Zone is slightly larger (3.5 m vs 3 m in the CNC Zone);
- Size restrictions from the CNC Zone are carried forward for the majority of allowed uses; and
- The DC2 Provision includes urban design regulations regarding roof line, exterior facade, landscaping adjacent to exterior walls and requires rooftop screening of mechanical equipment (4.8 and 4.9). These regulations are not found in the CNC Zone.

The proposed rezoning is suitable on this site, due to its location, and will provide local and walkable access to commercial services for the surrounding planned residential uses.

## TECHNICAL REVIEW

All comments from affected City Departments and utility agencies have been addressed. The planned civic and utility infrastructure can accommodate this proposed change in land use.

## PUBLIC ENGAGEMENT

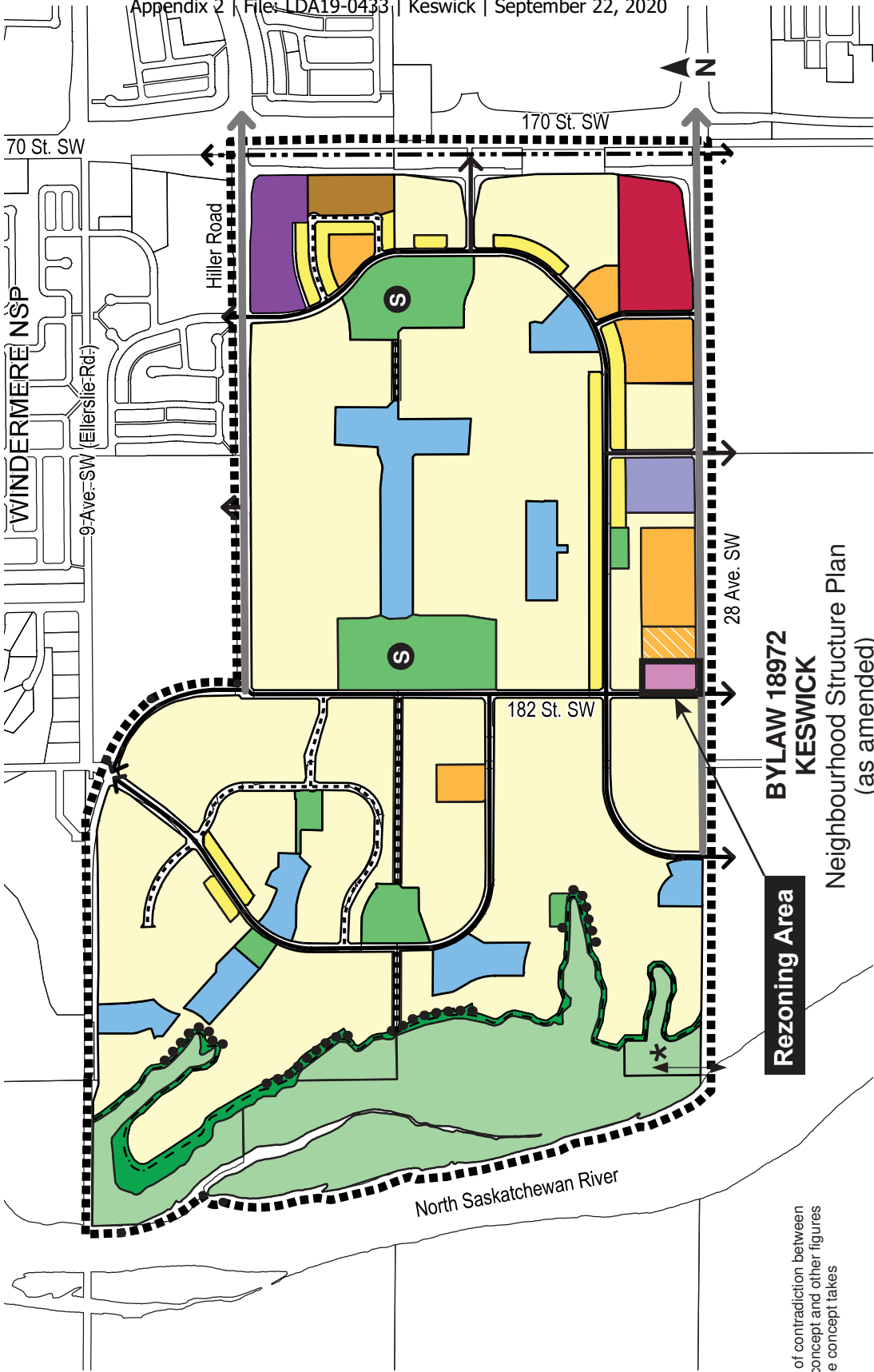
<b>ADVANCE NOTICE</b> May 6, 2020	<ul style="list-style-type: none"> <li>• Number of recipients: 67</li> <li>• No responses received</li> </ul>
<b>PUBLIC MEETING</b>	<ul style="list-style-type: none"> <li>• Not held</li> </ul>
<b>WEBPAGE</b>	<ul style="list-style-type: none"> <li>• <a href="https://www.edmonton.ca/residential_neighbourhoods/neighbourhoods/keswick-planning-applications.aspx">https://www.edmonton.ca/residential_neighbourhoods/neighbourhoods/keswick-planning-applications.aspx</a></li> </ul>

## CONCLUSION

Administration recommends that City Council **APPROVE** this application.

## APPENDICES

- 1 Context Plan Map
- 2 Use Comparison
- 3 Application Summary



**BYLAW 18972  
KESWICK**  
Neighbourhood Structure Plan  
(as amended)

**Rezoning Area**

Note: In case of contradiction between the land use concept and other figures in the plan, the concept takes precedence.

	Single/Semi-Detached Residential		Community Commercial		Top of Bank & Public Upland Area Interpreted by Aerial Photography
	Low Rise/ Multi- / Medium Units		Stormwater Management Facility		Top of Bank Roadway
	Rowhouse		Park		11.5m Enhanced Local Roadway Connection
	Medium Rise Units		School and Community Park		Collector Roadway
	High Rise Units		Public Upland Area		Arterial Roadway
	Mixed Use - Institutional/ Residential		North Saskatchewan River Valley and Ravine		Urban Freeway
	Mixed Use - Residential/Commercial		Major Pedestrian Linkage		NSP Boundary
	Neighbourhood Commercial		Top of Bank Walkway		

Note: Location of collector roads and configuration of stormwater management facilities are subject to minor revisions during subdivision and rezoning of the neighbourhood and may not be developed exactly as illustrated..

## LAND USE COMPARISON: Proposed DC2 vs CNC Zone

### 310.2 Permitted Uses

#### 1. Cannabis Retail Sales

~~1-2.~~ Convenience Retail Stores

#### 3. Health Services

#### 2-4. Liquor Stores

#### 3-5. Personal Service Shops

#### 4-6. Professional, Financial and Office Support Services

#### ~~5. Market~~

#### ~~6. Special Event~~

7. Specialty Food Services, for less than 100 occupants and 120 m2 of Public Space

#### ~~8. Urban Gardens~~

#### ~~9-8.~~ Fascia On-premises Signs

#### ~~10-9.~~ Freestanding On-premises Signs

#### ~~11-10.~~ Projecting On-premises Signs

#### ~~12-11.~~ Temporary On-premises Signs

### ~~310.3 Discretionary Uses~~

1. Bars and Neighbourhood Pubs, for less than 100 occupants and 120 m2 of Public Space

2. Breweries, Wineries and Distilleries

3. Child Care Services

4. Commercial Schools

5. Creation and Production Establishments

#### ~~6. Drive-in Food Services~~

7. Gas Bars

#### 8. General Retail Stores,

#### ~~8-9. Individual business premises for a Permitted Use having a Floor Area greater than 275 m2~~

#### ~~9-10.~~ Indoor Participant Recreation Services

#### ~~10. Live Work Units~~

#### ~~11. Major Home Based Business~~

#### ~~12-11.~~ Minor Amusement Establishments

#### ~~13. Minor Home Based Business~~

#### ~~14-12.~~ Minor Service Stations

#### ~~15. Multi-unit Housing~~

#### ~~16-13.~~ Public Libraries and Cultural Exhibits

#### ~~17-14.~~ Rapid Drive-through Vehicle Services

#### ~~18-15.~~ Religious Assemblies

#### ~~19. Residential Sales Centre~~

~~20-16.~~ Restaurants, for less than 100 occupants and 120 m2 of Public Space

~~21-17.~~ Secondhand Stores with a Floor Area less than 275m2

~~22-18.~~ Veterinary Services

#### ~~23. Urban Indoor Farms~~

~~24.~~19. ~~Urban Outdoor Farms~~

~~25. Freestanding Off-premises Signs, in a location where such Signs lawfully existed as of the Effective Date of this Bylaw, and that such Signs shall not be subject to the Setback provisions of this Zone~~

~~26. Minor Digital Off-premises Signs, in a location where such Signs lawfully existed as of the effective date of Bylaw 15892~~

~~27. Minor Digital On-premises Signs, in a location where such Signs lawfully existed as of the effective date of Bylaw 15892.~~

~~28. Minor Digital On-premises Off-premises Signs, in a location where such Signs lawfully existed as of the effective date of Bylaw 15892.~~

~~29.~~20. ~~Roof On-premises Signs~~

## APPLICATION SUMMARY

### INFORMATION

Application Type:	Rezoning
Charter Bylaw:	19420
Location:	South of Kiriak Link SW and east of 182 Street SW
Address:	2704 - 182 Street SW
Legal Description(s):	Lot 1, Block 15, Plan 1923234
Site Area:	1 ha
Neighbourhood:	Keswick
Notified Community Organization(s):	Windermere Community League
Applicant:	Blake Whelan, Brian Allsopp Architect Ltd.

### PLANNING FRAMEWORK

Current Zone:	(CNC) Neighbourhood Convenience Zone (RA8) Medium Rise Apartment Zone
Proposed Zone:	(DC2) Site Specific Development Control Provision
Plan(s) in Effect:	Keswick Neighbourhood Structure Plan; and Windermere Area Structure Plan
Historic Status:	None

Written By:	Luke Cormier
Approved By:	Tim Ford
Branch:	Development Services
Section:	Planning Coordination



## Bylaw 19426

### Amendment to the Heritage Valley Town Centre Neighbourhood Area Structure Plan

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#### Purpose

To amend the Heritage Valley Town Centre Neighbourhood Area Structure Plan.

#### Readings

Bylaw 19426 is ready for three readings after the public hearing has been held. If Council wishes to give three readings during a single meeting, Council must unanimously agree "That Bylaw 19426 be considered for third reading."

#### Advertising and Signing

This Bylaw was advertised in the Edmonton Journal on September 4, and September 12, 2020. The Bylaw can be passed following the third reading.

#### Position of Administration

Administration supports this proposed Bylaw.

#### Report

The proposed amendment would allow the Heritage Valley Town Centre NASP land use designations to be implemented through Standard, Special Area, and Direct Control Zoning. The amendment is in conformance with the Heritage Valley Town Centre NASP which supports a combination of mixed use, medium and high density residential development for the Town Centre. This plan amendments is accompanied by an associated proposed rezoning (Charter Bylaw 19427)

All comments from civic departments or utility agencies regarding this proposal have been addressed.

#### Public Engagement

Advance Notice was sent to surrounding property owners and the presidents of the Chappelle, Heritage Point, and Blackmud Creek Community Leagues on May 12, 2020. No responses were received.

#### Attachments

1. Bylaw 19426
2. Administration Report

Bylaw 19426

A Bylaw to amend Bylaw 15296  
being the Heritage Valley Town Centre  
Neighbourhood Area Structure Plan

WHEREAS pursuant to the authority granted to it by the Municipal Government Act, on December 16, 2009, the Municipal Council of the City of Edmonton passed Bylaw 15296, being the Heritage Valley Town Centre Neighbourhood Area Structure Plan; and

WHEREAS Council found it desirable to amend the Heritage Valley Town Centre Neighbourhood Area Structure Plan through the passage of Bylaws 15564, 18068, 18770, 19111 and 19333; and

WHEREAS an application was received by Administration to amend the Heritage Valley Town Centre Neighbourhood Area Structure Plan; and

WHEREAS Council considers it desirable to amend the Heritage Valley Town Centre Neighbourhood Area Structure Plan;

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 as follows:

1. The Heritage Valley Town Centre Neighbourhood Area Structure Plan is hereby amended by:
  - a. deleting the fourth bullet point of Section 3.2.2 Diverse and Compatible Land Uses and replacing it with the following: “Ensure permitted and discretionary uses are compatible where multiple standard zones, direct control provisions and/or special area zones are implemented.”;
  - b. deleting the seventh bullet point of Section 3.3.1 Land Use Concept Characteristics and replacing it with the following: “The NASP will be implemented through a combination of Section 900 Special Areas, Standard Zones, and Direct Control Provisions within the Edmonton Zoning Bylaw.”;



- c. deleting the Maximum Density column from the table for Main Street Retail (MSR) of Section 3.3.6 Commercial;
- d. deleting the Maximum Density column from the table for Town Centre Commercial (TC-C) of Section 3.3.6 Commercial;
- e. deleting the first two paragraphs from the table for 3.3.6.1 Policy - Implementation and replacing it with the following: “Figure 3.0: Land Use Concept illustrates the location of TC-C and MSR areas. A variety of retail and commercial uses shall be allowed in the Town Centre and implemented using Standard Zones, Direct Control Zones, and/or Special Areas in the Edmonton Zoning Bylaw.
- f. deleting the text for 3.3.6.2 Policy - Implementation of Section 3.3.6 Commercial and replacing it with the following: “Figure 3.0: Land Use Concept indicates the location of MSR. The MSR policies shall be implemented using Standard Zones, Direct Control Zones and/or Special Areas in the Edmonton Zoning Bylaw.
- g. deleting the Maximum Density column from the table for Mixed Uses LRT 1 (MU LRT 1) of Section 3.3.7 Mixed Uses;
- h. deleting the following text from the Height column from the table for Mixed Uses LRT 1 (MU LRT 1) of Section 3.3.7 Mixed Uses: “Maximum 8 Storeys”;
- i. deleting the Maximum Density column from the table for Mixed Uses LRT 2 (MU LRT 2) of Section 3.3.7 Mixed Uses;
- j. deleting the following text from the Height column from the table for Mixed Uses LRT 2 (MU LRT 2) of Section 3.3.7 Mixed Uses: “Maximum 6 storeys”;
- k. deleting the Maximum Density column from the table for Mixed Uses (MU) of Section 3.3.7 Mixed Uses;
- l. deleting the text for 3.3.7.2 Policy - Implementation of Section 3.3.7 Mixed Uses and replacing it with the following: “The mixed uses designations shall be implemented using Standard Zones, Direct Control Zones, and/or Special Areas in the Edmonton Zoning Bylaw.”;
- m. deleting the text for 3.3.7.3 Policy - Implementation of Section 3.3.7 Mixed Uses and replacing it with the following: “The mixed uses designations shall be implemented using Standard Zones, Direct Control Zones, and/or Special Areas in the Edmonton Zoning Bylaw.”;
- n. deleting the text for 3.3.7.4 b) Policy - NASP Policy;
- o. deleting the text for 3.3.7.4 Policy - Implementation of Section 3.3.7 Mixed Uses and replacing it with the following: “Intensified residential development within the mixed uses designations shall be implemented using Standard Zones, Direct Control Zones, and/or Special Area in the Edmonton Zoning Bylaw.”;
- p. deleting the text for 3.3.8.1 b) Policy - NASP Policy;
- q. deleting the text for 3.3.8.1 Policy - Implementation of Section 3.3.8 Residential and

replacing it with the following: “Intensified residential development of the Town Centre shall be implemented through Section 100, 200, and 300 of the Edmonton Zoning Bylaw.”;

- r. deleting the text for 3.3.11.2 c) Neighbourhood Level - Implementation of Section 3.3.11 Urban Design and replacing it with the following: “The NASP policy shall be implemented using Standard Zones, Direct Control Zoned and/or Special Areas in the Edmonton Zoning Bylaw.”;
- s. deleting the text for 3.3.11.8 Open Space and Pedestrian Circulation - Implementation of Section 3.3.11 Urban Design and replacing it with the following: “For the Special Areas Parcels (i.e. MSR, TC-C, MU LRT 1, MU LRT 2, and MU), the NASP policies shall be implemented using Standard Zones, Direct Control Zones and/or Special Areas in the Edmonton Zoning Bylaw.”;
- t. deleting the text for 3.3.11.9 Open Space and Pedestrian Circulation - Implementation of Section 3.3.11 Urban Design and replacing it with the following: “For the Town Centre Commercial, Main Streets Retail, Mixed Use, MDR and HDR parcels, the Development Officer shall ensure that pedestrian circulation is in conformance with policies 3.3.11 9a) to 3.3.11.9 e).”;
- u. deleting the text for 3.3.11.10 Implementation of Section 3.3.11 Urban Design and replacing it with the following: “For the Town Centre Commercial, Main Streets Retail, Mixed Use, MDR and HDR parcels, the Development Officer shall ensure that the Development Permit application is in conformance with 3.3.11.11 (a) to 3.3.11.11 (d).”;
- v. deleting the text for 3.3.11.14 Signage - Implementation of Section 3.3.11 Urban Design and replacing it with the following: “For the Town Centre Commercial, Main Streets Retail, Mixed Use, MDR and HDR parcels, the Development Officer shall ensure that the Development Permit application is in conformance with the Sign Regulations of the Edmonton Zoning Bylaw.”;
- w. deleting the first paragraph of Section 3.4 Specific Urban Design Guidelines (Special Areas) and replacing it with the following: “This Section outlines policies to achieve specific design objectives for Main Street Retail (MSR), Town Centre Commercial (TC-C), Mixed Uses LRT 1 (MU LRT 1), Mixed Uses LRT 2 (MU LRT 2), and Mixed Uses (MU). These guidelines combined with Section 3.3.11 Urban Design may be implemented using Standard Zones, Direct Controls and/or Section 900 (Special Areas) of the Edmonton Zoning Bylaw and will apply to the following land uses – MSR, TC-C, MU LRT 1, MU LRT 2, and MU. Special Area Zoning may be an appropriate implementation tool given the complexity of the Town Centre NASP (i.e. mixed-use, high density, transit-oriented, and a major retail/commercial component). However, standard zones or direct control zones may be used where urban design guidelines are met.”;
- x. deleting the second item under 3.4.3 Street Character - Mixed Uses LRT 1 and Mixed Uses LRT 2 of Section 3.4 Specific Urban Design Guidelines and replacing it with the following: “Development shall provide a transition in building height and massing in relation to the surrounding land uses.”;
- y. deleting the second item under 3.4.4 Street Character - Mixed Uses of Section 3.4 Specific Urban Design Guidelines and replacing it with the following: “Development

shall provide a transition in building height and massing in relation to the surrounding land uses.”; and

- z. deleting the text for 3.5.8.7 Policy - Implementation of Section 3.5.7 Truck Route and replacing it with the following: “Opportunity for reduced vehicle parking may be pursued through the application of Transit Oriented Development Overlay Schedule 1(c), of the Edmonton Zoning Bylaw.”.

READ a first time this	day of	, A. D. 2020;
READ a second time this	day of	, A. D. 2020;
READ a third time this	day of	, A. D. 2020;
SIGNED and PASSED this	day of	, A. D. 2020.

THE CITY OF EDMONTON

\_\_\_\_\_  
MAYOR

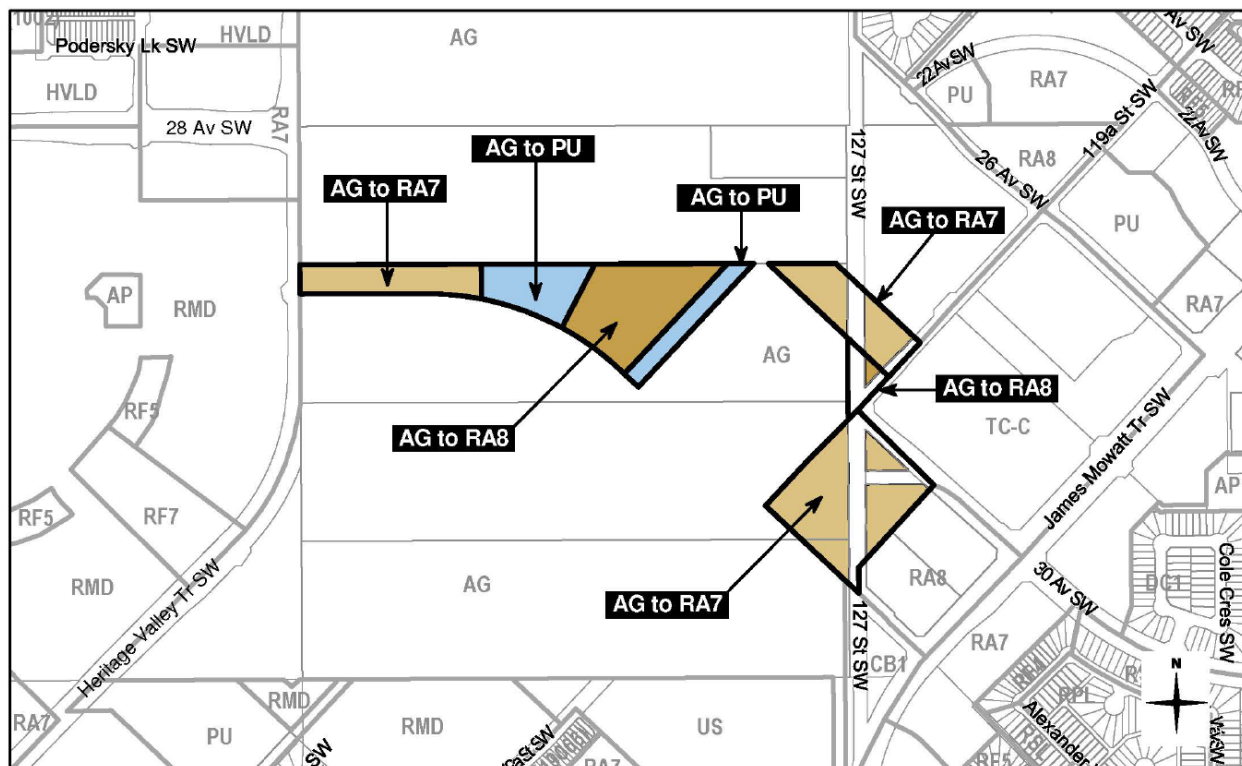
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CITY CLERK



## ADMINISTRATION REPORT REZONING, PLAN AMENDMENT HERITAGE VALLEY TOWN CENTRE

### 2615, 2704, 2910, 3003, 3150 - 127 Street SW

To allow for low and medium rise multi-unit housing with opportunities for ground oriented commercial uses, a stormwater management facility, and a pipeline utility corridor



### RECOMMENDATION AND JUSTIFICATION

Administration is in **SUPPORT** of this application because it will:

- increase the variety of housing choices in the Heritage Valley Town Centre neighbourhood;
- be compatible with surrounding and planned land uses; and
- comply with the Heritage Valley Town Centre NASP.

## THE APPLICATION

1. **BYLAW 19426** proposes to amend the Heritage Valley Town Centre Neighbourhood Area Structure Plan (NASP) to allow the NASP land use designations to be implemented through Standard Zoning, in addition to Special Area, and Direct Control Zoning.
2. **CHARTER BYLAW 19427** proposes to rezone the subject site from (AG) Agricultural Zone to (RA7) Low Rise Apartment Zone, (RA8) Medium Rise Apartment Zone, and (PU) Public Utility Zone. The proposed RA7 and RA8 Zones would allow for low and medium rise, multi-unit housing with a maximum height of 16 m and 23 m respectively, and would also allow for ground oriented commercial uses. The PU Zone will recognize an existing pipeline right-of-way and allow it to be developed as a multi-use trail corridor; as well as designating land for a planned stormwater management facility.

## SITE AND SURROUNDING AREA

The subject site is undeveloped and is located south of 28 Avenue NW and west of James Mowatt Trail SW.



### AERIAL VIEW OF APPLICATION AREA

	<b>EXISTING ZONING</b>	<b>CURRENT USE</b>
<b>SUBJECT SITE</b>	<ul style="list-style-type: none"> <li>• (AG) Agricultural Zone</li> </ul>	<ul style="list-style-type: none"> <li>• Undeveloped land</li> </ul>
<b>CONTEXT</b>		
North	<ul style="list-style-type: none"> <li>• (AG) Agricultural Zone</li> </ul>	<ul style="list-style-type: none"> <li>• Undeveloped land</li> </ul>
East	<ul style="list-style-type: none"> <li>• (TC-C) Heritage Valley Town Centre Commercial Zone</li> <li>• (RA8) Medium Rise Apartment Zone</li> </ul>	<ul style="list-style-type: none"> <li>• Undeveloped land</li> <li>• Undeveloped land</li> </ul>
South	<ul style="list-style-type: none"> <li>• (AG) Agricultural Zone</li> <li>• (CB1) Low Intensity Business Zone</li> </ul>	<ul style="list-style-type: none"> <li>• Undeveloped land</li> <li>• Undeveloped land</li> </ul>
West	<ul style="list-style-type: none"> <li>• (AG) Agricultural Zone</li> <li>• (RMD) Residential Mixed Dwelling Zone</li> </ul>	<ul style="list-style-type: none"> <li>• Undeveloped land</li> <li>• Undeveloped land</li> </ul>

## PLANNING ANALYSIS

The proposed rezoning to PU, RA7, and RA8 conforms to the intent of the Heritage Valley Town Centre NASP which designates the area for Mixed Uses (LRT 1 & 2) as part of a high density urbanized Transit Oriented neighbourhood, a Pipeline Right-of-Way, and stormwater management facility. The RA7 & RA8 Zones will facilitate intensified residential development of the Town Centre and will support future transit ridership. The pipeline right-of-way is intended to be developed as a multi-use trail corridor and will provide connection opportunities to the District Activity Park, the LRT station and both abutting neighbourhoods: Rutherford and Desrochers.

The proposed NASP amendment will allow for greater flexibility to accommodate development of the Town Centre by amending the text to allow for the use of Standard Zoning, in addition to the Special Area, and Direct Control Zoning. The development objectives of the LRT 1 and LRT 2 areas of the Plan are consistent with the regulations of standard zoning, and are suitable for implementing mixed use developments.

## TECHNICAL REVIEW

The proposed amendment and rezoning has been reviewed by all required technical agencies. The planned civic infrastructure can accommodate the proposed changes and will be provided in due course at later stages of development. All comments from affected City Departments and utility agencies have been addressed.

Associated applications to close portions of the 127 Street SW road right-of-way adjacent to the subject site are currently being reviewed by City Administration under LDA19-0166 & LDA19-0167. If approved, the closed road will be consolidated with the adjacent properties and become part of the future development in accordance with the Heritage Valley Town Centre NASP.

## PUBLIC ENGAGEMENT

<b>ADVANCE NOTICE</b> May 12, 2020	<ul style="list-style-type: none"> <li>• Number of recipients: 348</li> <li>• No responses</li> </ul>
<b>PUBLIC MEETING</b>	<ul style="list-style-type: none"> <li>• Not held</li> </ul>
<b>WEBPAGE</b>	<ul style="list-style-type: none"> <li>• <a href="http://edmonton.ca/heritagevalleytowncentre">edmonton.ca/heritagevalleytowncentre</a></li> </ul>

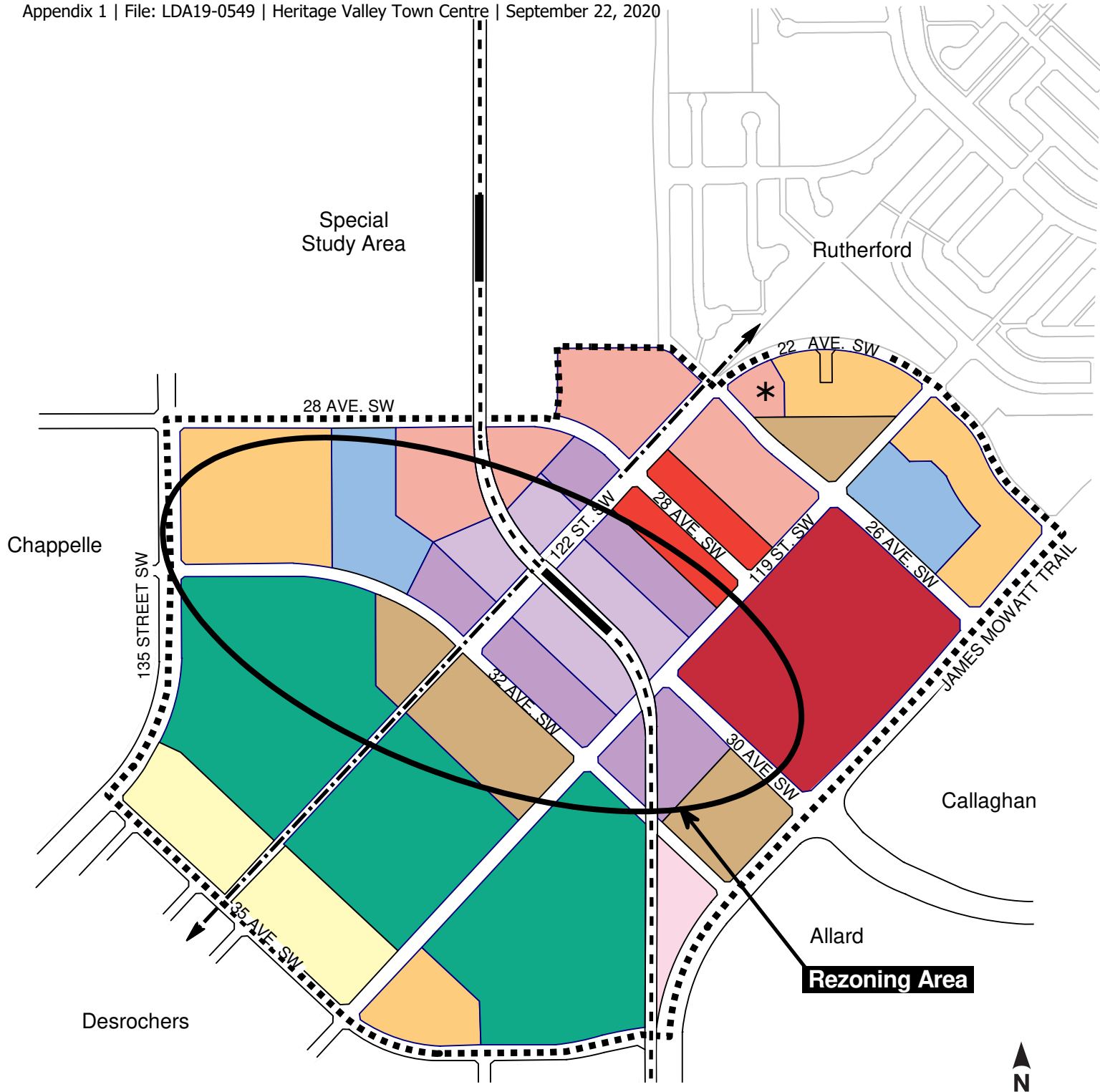
## CONCLUSION

Administration recommends that City Council **APPROVE** this application.

## APPENDICES

- 1 Context Plan Map
- 2 Application Summary





**BYLAW 19333**  
**HERITAGE VALLEY TOWN CENTRE**  
 Neighbourhood Area Structure Plan  
 (as amended)

	Town Centre Commercial		Low Density Residential		Light Rail Transit Station
	Neighborhood Commercial		Medium Density Residential		Oil/Gas Pipeline Right-of-Way
	Main Street Retail		High Density Residential		Fire Station
	Mixed Uses		Stormwater Management Facility		NASP Boundary
	Mixed Uses LRT 1		District Activity Park		
	Mixed Uses LRT 2		Light Rail Transit Corridor		

**Note:** Location of collector roads and configuration of stormwater management facilities are subject to minor revisions during subdivision and rezoning of the neighbourhood and may not be developed exactly as illustrated.



## APPLICATION SUMMARY

### INFORMATION

Application Type:	Plan Amendment Rezoning
Bylaw:	19426
Charter Bylaw:	19427
Location:	South of 28 Avenue SW and west of James Mowatt Trail SW
Addresses:	2615, 2704, 2910, 3003, and 3150 - 127 Street SW
Legal Descriptions:	portions of: Lot 2, Block 2, Plan 1222662, Lot B, Plan 7091KS, Lots C & D, Plan 1711MC, and Lot A, Block A, Plan 1124483
Site Area:	N/A
Neighbourhood:	Heritage Valley Town Centre
Notified Community Organizations:	Chappelle, Heritage Point, and Blackmud Creek Community Leagues
Applicant:	Mike Vivian; Stantec

### PLANNING FRAMEWORK

Current Zone:	(AG) Agricultural Zone
Proposed Zones :	(RA7) Low Rise Apartment Zone (RA8) Medium Rise Apartment Zone (PU) Public Utility Zone
Plans in Effect:	Heritage Valley Town Centre Neighbourhood Area Structure Plan (NASP) Heritage Valley Servicing Concept Design Brief (SCDB)
Historic Status:	None

Written By:	Sean Conway
Approved By:	Tim Ford
Branch:	Development Services
Section:	Planning Coordination

## Charter Bylaw 19427

To allow for low and medium rise multi-unit housing with opportunities for ground oriented commercial uses, and a pipeline utility corridor, Heritage Valley Town Centre

### Purpose

Rezoning from (AG) Agricultural Zone to (RA7) Low Rise Apartment Zone, (RA8) Medium Rise Apartment Zone and (PU) Public Utility Zone; located at 2615, 2704, 2910, 3003 and 3150 – 127 Street SW.

### Readings.

Charter Bylaw 19427 is ready for three readings after the public hearing has been held. If Council wishes to give three readings during a single meeting, Council must unanimously agree “That Charter Bylaw 19427 be considered for third reading.”

### Advertising and Signing

This Charter Bylaw was advertised in the Edmonton Journal on September 4, and September 12, 2020. The Charter Bylaw can be passed following the third reading.

### Position of Administration

Administration supports this proposed Charter Bylaw.

### Report

Charter Bylaw 19427 proposes to rezone the subject site from (AG) Agricultural Zone to (RA7) Low Rise Apartment Zone, (RA8) Medium Rise Apartment Zone, and (PU) Public Utility Zone. The proposed RA7 and RA8 Zones will allow for low and medium rise, multi-unit housing with a maximum height of 16 m and 23 m, respectively, and would also allow for ground oriented commercial uses. The (PU) Zone will recognize an existing pipeline right-of-way and allow it to be developed as a multi-use trail corridor, as well as designate land for a future Stormwater Management Facility.

Associated Bylaw 19426 proposes to amend the Heritage Valley Town Centre Neighbourhood Area Structure Plan to allow the use of standard zones to facilitate the proposed rezoning.

All comments from civic departments and utility agencies regarding this proposal have been addressed.

### Public Engagement

Advance Notice was sent to surrounding property owners and the presidents of the Chappelle, Heritage Point, and Blackmud Creek Community Leagues on May 12,

2020. No responses were received.

**Attachments**

1. Charter Bylaw 19427
2. Administration Report (Attached to Bylaw 19426 - item 3.16)

Charter Bylaw 19427

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 3085

WHEREAS portions of Lot 2, Block 2, Plan 1222662, Lot B, Plan 7091KS, Lot C & D, Plan 1711MC, and Lot A, Block A, Plan 1124483; located at 2615, 2704, 2910, 3003, and 3150 - 127 Street SW, Heritage Valley Town Centre, Edmonton, Alberta, are specified on the Zoning Map as (AG) Agricultural Zone; and

WHEREAS an application was made to rezone the above described property to (RA7) Low Rise Apartment Zone, (RA8) Medium Rise Apartment Zone, and (PU) Public Utility Zone;

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 portions of Lot 2, Block 2, Plan 1222662, Lot B, Plan 7091KS, Lot C & D, Plan 1711MC, and Lot A, Block A, Plan 1124483; located at 2615, 2704, 2910, 3003, and 3150 - 127 Street SW, Heritage Valley Town Centre, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule “A”, from (AG) Agricultural Zone to (RA7) Low Rise Apartment Zone, (RA8) Medium Rise Apartment Zone, and (PU) Public Utility Zone

READ a first time this	day of	, A. D. 2020;
READ a second time this	day of	, A. D. 2020;
READ a third time this	day of	, A. D. 2020;
SIGNED and PASSED this	day of	, A. D. 2020.

THE CITY OF EDMONTON

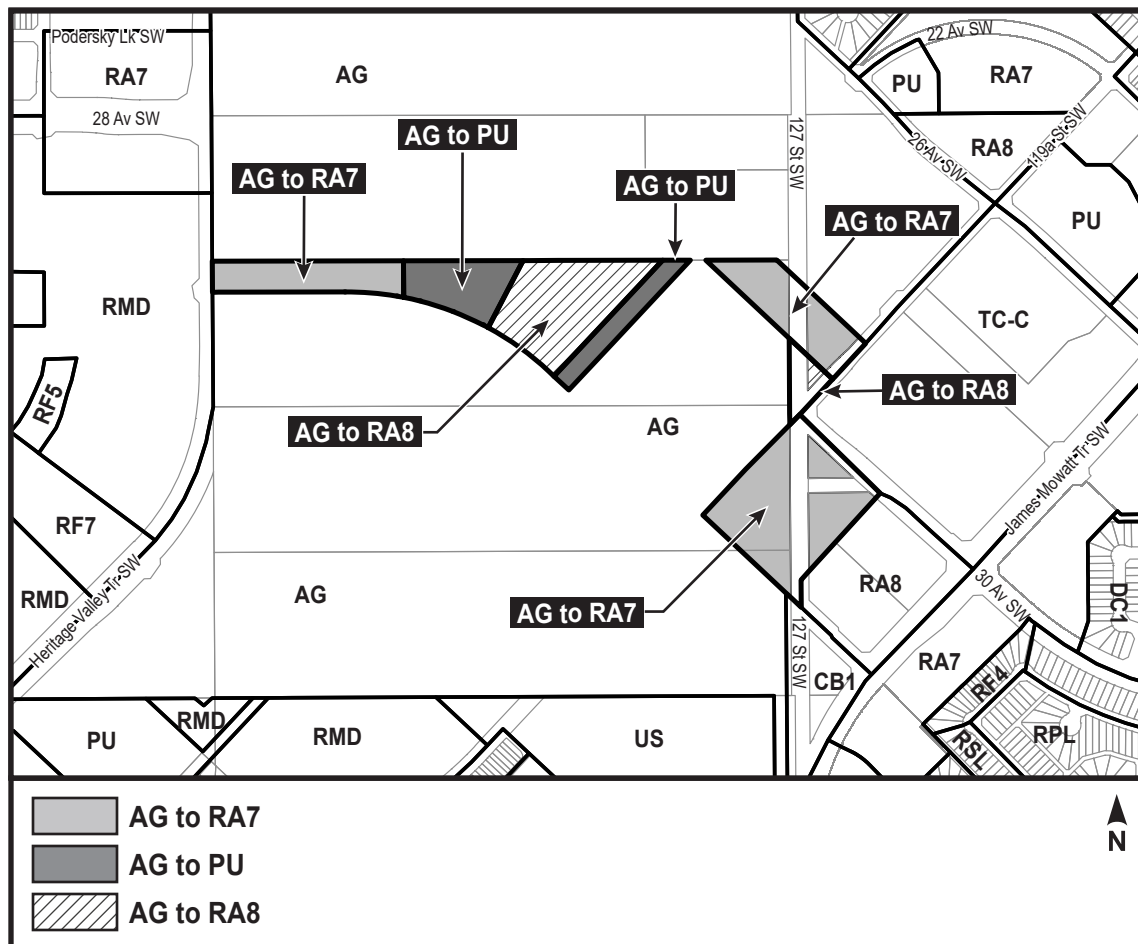
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MAYOR

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CITY CLERK

## CHARTER BYLAW 19427



# Bylaw 19228

## Amendment to the Oliver Area Redevelopment Plan

### Purpose

To update a land use map to reflect a proposed rezoning.

### Readings

Bylaw 19228 is ready for three readings after the public hearing has been held. If Council wishes to give three readings during a single meeting, Council must unanimously agree "That Bylaw 19228 be considered for third reading."

### Advertising and Signing

This Bylaw has been advertised in the Edmonton Journal on September 4, 2020, and September 12, 2020. The Bylaw can be passed following third reading.

### Position of Administration

Administration does not support this proposed Bylaw.

### Report

This application proposes to amend the Oliver Area Redevelopment Plan to update a land use map (Map 10) to reflect a proposed rezoning application (Charter Bylaw 19229). The proposed rezoning would allow a site along Jasper Avenue to be exempt from Section 70.1 of the Zoning Bylaw which requires that a Cannabis Retail Sales use have a separation distance of at least 200 metres from any other Cannabis Retail Sales use. There are currently two separate properties within 200 metres of the subject rezoning site that have approved development permits to operate Cannabis Retail Sales.

All comments from civic departments or utility agencies regarding this proposal have been addressed.

### Public Engagement

A pre-application notification was sent by the applicant to surrounding property owners and the Oliver Community League on November 18, 2019. On January 16, 2020, Administration sent an advanced notification to the same recipients. A summary of feedback received can be found in the attached Administration Report.

### Attachments

1. Bylaw 19228
2. Administration Report



Bylaw 19228

A Bylaw to amend Bylaw 11618, as amended,  
being the Oliver Area Redevelopment Plan

WHEREAS pursuant to the authority granted to it, City Council on December 9, 1997, passed Bylaw 11618, as amended, being a bylaw to adopt the Oliver Area Redevelopment Plan; and

WHEREAS an application was received to amend Bylaw 11618, as amended, the Oliver Area Redevelopment Plan;

WHEREAS City Council considers it desirable to amend the Oliver Area Redevelopment Plan;

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 Oliver Area Redevelopment Plan is further amended by:
  - a. deleting “Map 10 Sub Area 4 - Zoning” and replacing with “Map 10 Sub Area 4 - Zoning”, attached hereto as Schedule “A” and forming part of this Bylaw;

READ a first time this	day of	, A. D. 2020;
READ a second time this	day of	, A. D. 2020;
READ a third time this	day of	, A. D. 2020;
SIGNED and PASSED this	day of	, A. D. 2020.

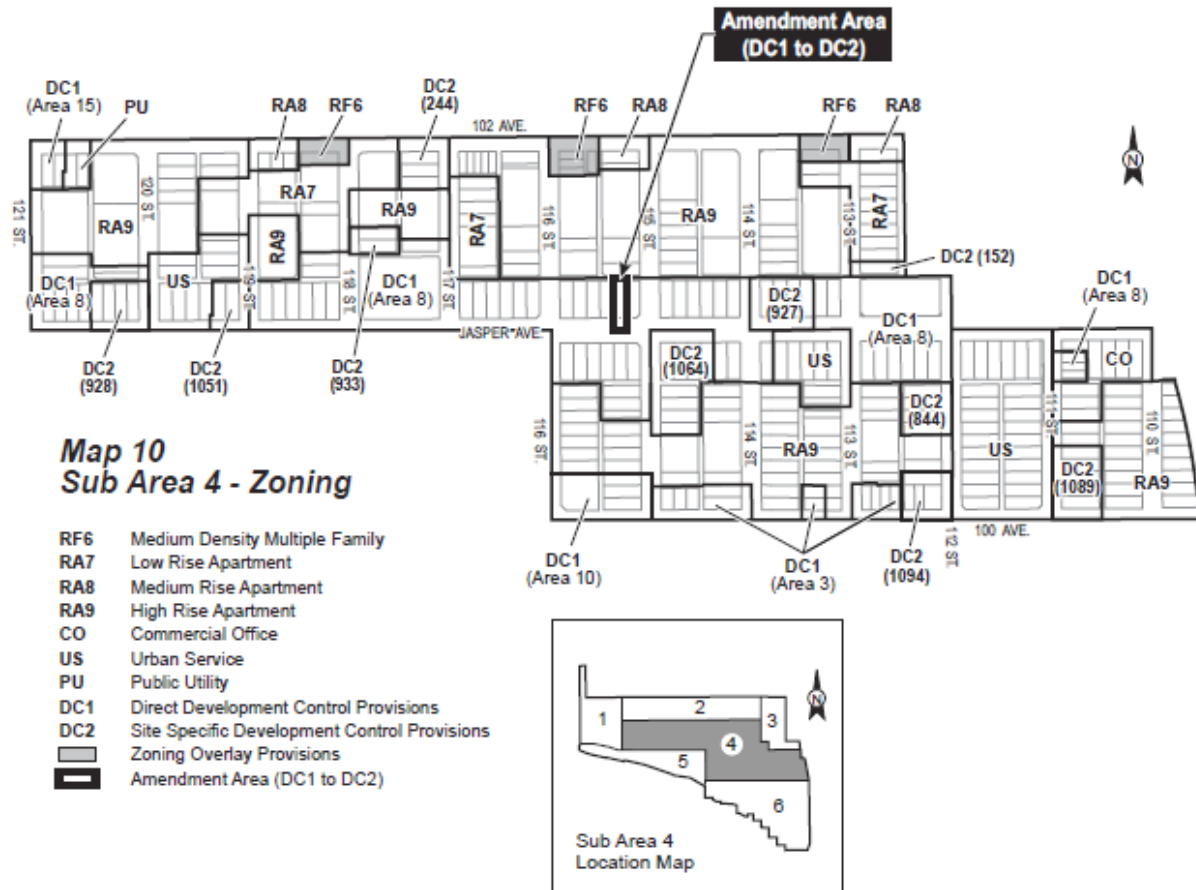
THE CITY OF EDMONTON

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK



## SCHEDULE "A"





## ADMINISTRATION REPORT REZONING & PLAN AMENDMENT OLIVER

### 11516 - Jasper Avenue NW

To allow for an exemption to Zoning Bylaw regulations related to the separation of Cannabis Retail Sales uses.



### RECOMMENDATION AND JUSTIFICATION

Administration is in **NON-SUPPORT** of this application because the location is not compatible relative to City standards for separation distances between Cannabis Retail Sales uses.

## THE APPLICATION

1. BYLAW 19228 to amend the Oliver Area Redevelopment Plan (ARP) to update a land use map to reflect the zoning change proposed by Charter Bylaw 19229.
2. CHARTER BYLAW 19229 to amend the Zoning Bylaw from (DC1) Direct Development Control Provision to (DC2) Site Specific Development Control Provision to exempt the subject site from Zoning Bylaw regulations related to the separation of Cannabis Retail Sales uses.

Section 70 of the Edmonton Zoning Bylaw regulates the Cannabis Retail Sales Use. The application under consideration proposes to exempt the subject site from Section 70.1 of the Zoning Bylaw which requires that Cannabis Retail Sales not be located less than 200 metres from any other Cannabis Retail Sales use.

Section 70.1 states:

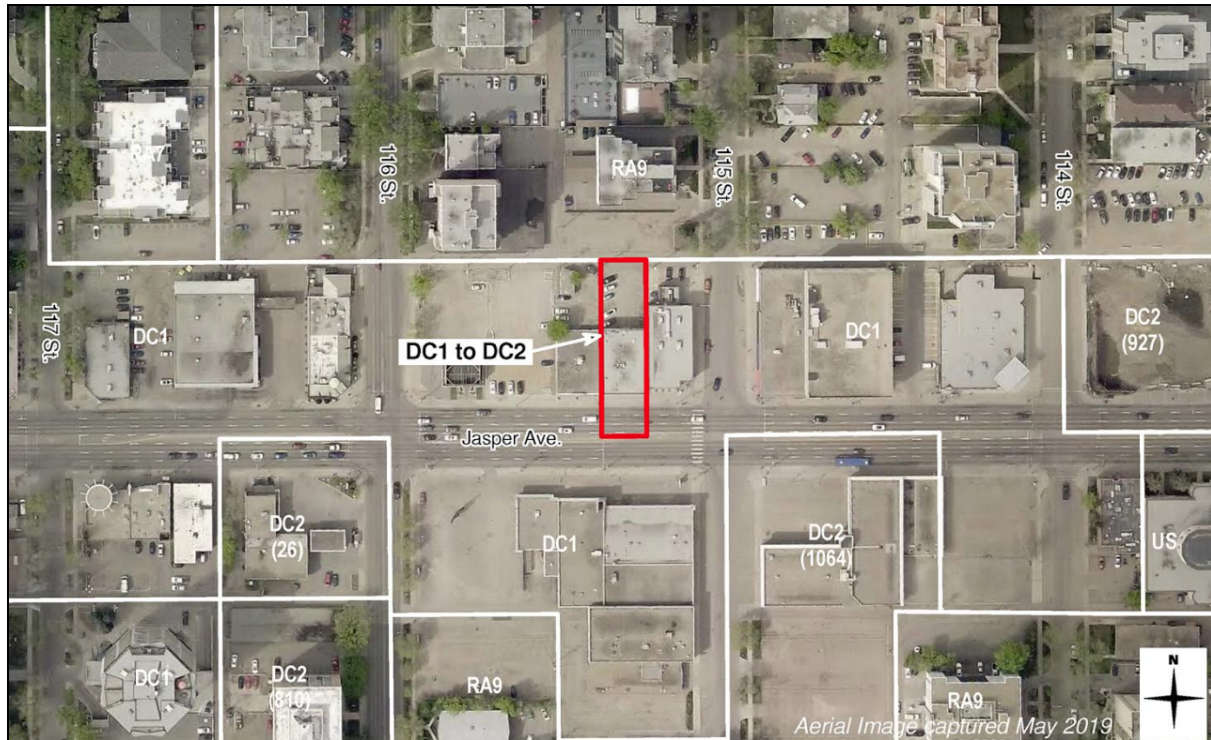
*Any Cannabis Retail Sales shall not be located less than 200 m from any other Cannabis Retail Sales.*

Central to this application's request to exempt the subject site from Section 70.1 of the Zoning Bylaw is that there are currently two separate sites within 200 metres of this site that have approved development permits to operate Cannabis Retail Sales uses (see Figure 1 in Planning Analysis). As a result, a development permit to operate a Cannabis Retail Sales use on this site was refused by a Development Officer. The decision to refuse the development permit was subsequently appealed to the Subdivision and Development Approval Board (SDAB), where the SDAB confirmed that the Development Authority's decision to refuse the development permit application upheld Council's direction as established in the (DC1) Direct Development Control Provision.

Through this rezoning application, the applicant is requesting an exemption from the separation space rule between Cannabis Retail Sales in order to obtain a development permit to operate a Cannabis Retail Sales use at this location.

## SITE AND SURROUNDING AREA

The subject site is located along the north side of Jasper Avenue, one of Edmonton's commercial main streets, which supports a broad mix of uses including commercial, retail and residential. The site is currently developed as a two-storey commercial building.



AERIAL VIEW OF APPLICATION AREA

	EXISTING ZONING	CURRENT USE
<b>SUBJECT SITE</b>	(DC1) Direct Development Control Provision	Two storey commercial building
<b>CONTEXT</b>		
North	(RA9) High Rise Apartment Zone	Seven storey residential building and surface parking
East	(DC1) Direct Development Control Provision	Two storey commercial building
South	(DC1) Direct Development Control Provision	Two storey commercial building and surface parking
West	(DC1) Direct Development Control Provision	One storey commercial building



VIEW FACING NORTH, FROM JASPER AVENUE NW

## PLANNING ANALYSIS

### REGULATING CANNABIS RETAIL SALES

Charter Bylaw 18387, which established Section 70 Cannabis Retail Sales, was passed at the June 12, 2018, City Council Public Hearing following a comprehensive stakeholder engagement and public consultation process. A key component of Administration's recommended approach in regulating the sales of cannabis was to impose limitations through separation distances from one Cannabis Retail Sales use to another in recognition of the sensitive nature of this use. Regulating minimum distances between Cannabis Retail Sales uses, as well as regulating minimum distances from other sensitive land uses such as parks, schools and libraries, would help to establish an even distribution of opportunities across the city for cannabis store locations as well as provide the general public, the Development Authority and applicants certainty about where Cannabis Retail Sales are allowed.

Section 70 of the Zoning Bylaw was further amended by Charter Bylaw 18720 on February 25, 2019 to make minor adjustments to land use regulations and reduce separation spaces distances on sites larger than 2.0 hectares. These further changes to Section have no bearing on this application.

### SEPARATION SPACE BETWEEN CANNABIS RETAILS SALES

In commercial areas, typical blocks are generally no more than 200 metres in width. As such, a 200 metre separation between Cannabis Retail Sales uses was introduced within Section 70 of the Zoning Bylaw to prevent clustering of stores within a particular neighborhood and along main streets to ensure that this new land use would not be concentrated in a given area.

During the review that led to the passing of Charter Bylaw 18387, engagement with stakeholders indicated support for the separation of Cannabis Retail Sales between uses with a distance of 2 blocks apart or more.

Section 70(1)(b) of the Zoning bylaw regulates variances to reduce separation distance between Cannabis Retail Uses. The regulation limits the Development Officer to variances of 20 metres or less.

## LAND USE COMPATIBILITY

In October 2018, through Charter Bylaw 18573, the Cannabis Retail Sales Use was added to the Direct Development Control Provision applied to the majority of land adjacent to Jasper Avenue from 110 Street NW to 121 Street NW, including the subject site. Although the Use was added, the issuance of any Development Permit would still be subject to Section 70 of the Zoning Bylaw. Since the passage of Charter Bylaw 18573, two development permits have been issued for Cannabis Retail Sales uses within this area, both of which directly affect the proponent's ability to obtain a Development Permit.

One permit has been issued approximately 153 m to the west of the subject site while another has been issued approximately 129 m to the east of this site.

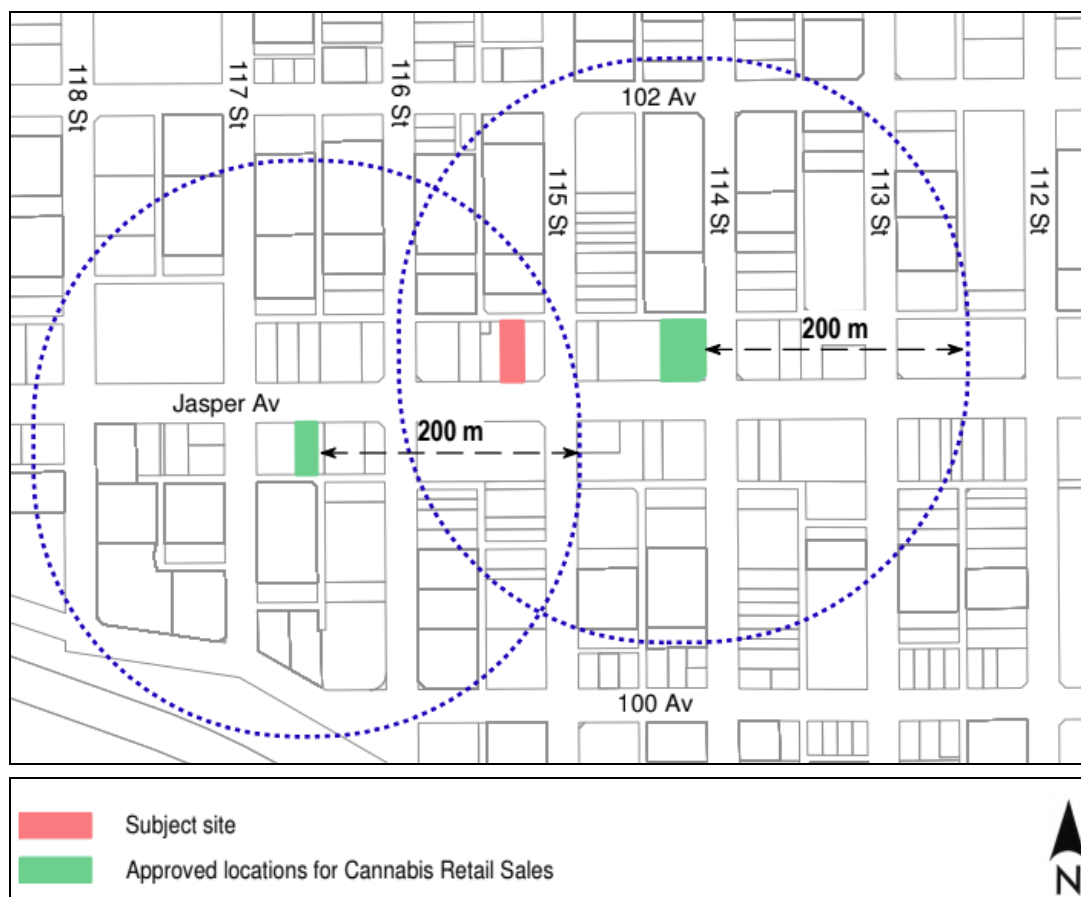


FIGURE 1



Should this rezoning application be approved and a development permit for this site subsequently issued, there would be three Cannabis Retail Uses permitted to operate within an approximately 290 metre distance. This would result in two problematic outcomes:

- multiple Cannabis Retail Sales would be present within a small area of Jasper Avenue, and
- the two existing Cannabis Retail Uses within 200 metres of the site would become legal non-conforming uses.

Being legal non conforming means that a permit for Cannabis Sales Use at the subject site of this application would have primacy over all other sites within 200 metres due to the exemption clause in the DC2. In the event the permits of the preexisting cannabis stores cease operations for 6 months or more, they would likely be unable to resume operations as the newly approved permit would create its own unique 200 metre buffer while other properties on this corridor would be subject to the separation rules of Section 70.

These outcomes are in direct conflict with the intended outcome of Section 70.1 of the Zoning Bylaw which is to provide evenly distributed opportunities and balanced outcomes for Cannabis Retail Sales uses.

## **OLIVER AREA REDEVELOPMENT PLAN (ARP)**

The site is within Area 4 of the Oliver ARP where land adjacent to Jasper Avenue is encouraged for a broad range of commercial uses. There are no policies directly related to the use of Cannabis Retail Sales.

## **TECHNICAL REVIEW**

All comments from affected City Departments and utility agencies have been addressed.

## **PUBLIC ENGAGEMENT**

<b>PRE-APPLICATION NOTIFICATION</b> November 18, 2019	<ul style="list-style-type: none"> <li>• Number of recipients: 197</li> <li>• Number of responses in support: 4</li> <li>• Number of responses with concerns: 0</li> </ul>
<b>PUBLIC MEETING</b> N/A	<ul style="list-style-type: none"> <li>• Not held</li> </ul>
<b>ADVANCED NOTIFICATION</b> January 16, 2020	<ul style="list-style-type: none"> <li>• Number of recipients: 197</li> <li>• Number of responses in support: 9</li> <li>• Number of responses with concerns: 7</li> <li>• Of the 9 responses of support, none indicated any further reasoning as to why the application should be supported</li> </ul>

	<ul style="list-style-type: none"> <li>● Of the 5 responses with concerns, further reasoning for concerns that were provided are summarized below: <ul style="list-style-type: none"> <li>○ Jasper Avenue is the face of downtown and should not be subject to an undue concentration of cannabis stores</li> <li>○ The regulations for separating cannabis stores should be adhered to by all cannabis retailers</li> <li>○ Allowing more cannabis stores will detract from Jasper Avenue and the Oliver neighborhood</li> <li>○ The rezoning application undermines retailer confidence in the area that the established rules of the Zoning Bylaw will be followed</li> </ul> </li> </ul>
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City Administration received a statement from the Oliver Community League (OCL) with a position of non-support. The OCL does not feel an exemption to separation distances between Cannabis Retail Uses is warranted, as Section 70 is still new and should be sufficiently monitored before deviations are considered.

City Administration also received letters of non-support from the two holders of approved development permits for Cannabis Retail Sales within 200 metres of this site. Stated concerns were the clustering of Cannabis Retail Sales within a small area and a desire for Cannabis Retail Sales uses to be held to the standards of Section 70 of the Zoning Bylaw.

## CONCLUSION

Administration recommends that City Council **REFUSE** this application.

## APPENDICES

- 1 Edmonton Zoning Bylaw 12800, Section 70. Cannabis Retail Sales
- 2 Application Summary



## 70. Cannabis Retail Sales

1. Any Cannabis Retail Sales shall not be located less than 200 m from any other Cannabis Retail Sales. For the purposes of this subsection only:
  - a. the 200 m separation distance shall be measured from the closest point of the Cannabis Retail Sales Use to the closest point of any other approved Cannabis Retail Sales Use;
  - b. A Development Officer shall not grant a variance to reduce the separation distance by more than 20 m in compliance with Section 11; and
  - c. The issuance of a Development Permit which contains a variance to separation distance as described in 70(1)(b) shall be issued as a Class B Discretionary Development.
2. Any Site containing Cannabis Retail Sales shall not be located less than:
  - a. 200 m from any Site being used for a public library, at the time of the application for the Development Permit for the Cannabis Retail Sales; and
  - b. 100 m from any Site being used for Community Recreation Services Use, a community recreation facility or as public lands at the time of application for the Development Permit for the Cannabis Retail Sales.
3. For the purposes of subsection 2:
  - a. separation distances shall be measured from the closest point of the subject Site boundary to the closest point of another Site boundary, and shall not be measured from Zone boundaries or from the edges of structures;
  - b. the term "public library" is limited to the collection of literary, artistic, musical and similar reference materials and learning resources in the form of books, electronic files, computers, manuscripts, recordings and films for public use, and does not include private libraries, museums or art galleries.
  - c. the term "community recreation facilities" means indoor municipal facilities used primarily by members of the public to participate in recreational activities conducted at the facilities, as per the Municipal Government Act; and
  - d. the term "public lands" is limited to Sites zoned [AP](#), and Sites zoned [A](#).
4. Subsection 105(3) of the *Gaming, Liquor and Cannabis Regulation*, is expressly varied by the following:

- a. any Site containing a Cannabis Retail Sales shall not be located less than:

***Public or private education***

- i. 200 m from a Site being used for public or private education, at the time of the application for the Development Permit for the Cannabis Retail Sales;

***Provincial health care facility***

- ii. 100 m from a Site being used for a provincial health care facility at the time of the application for the Development Permit for the Cannabis Retail Sales; and

***School reserve or municipal and school reserve***

- iii. 100 m from a Site designated as school reserve or municipal and school reserve at the time of the application for the Development Permit for the Cannabis Retail Sales.

***Measurement of Separation Distances***

- b. For the purposes of this subsection, separation distances shall be measured from the closest point of the subject Site boundary to the closest point of another Site boundary, and shall not be measured from Zone boundaries or from the edges of structures.

***Sites Greater than Two Hectares***

- c. For Sites that are greater than [2.0 ha](#) in size and zoned either [CSC](#) or [DC2](#), that do not contain a public library at the time of application for the Development Permit for the Cannabis Retail Sales:
- i. Subsection 70(2), and 70(4)(a) shall not apply; and
- ii. the distances referred to in Subsection 105(3) of the Gaming, Liquor and Cannabis Regulation shall be expressly varied to 0 m.
- d. For the purposes of subsection 70(4)(a)(i), the term "public or private education" means a school as defined in subsection (1)(y)(i) and (1)(y)(ii) of the *School Act* (as amended from time to time).
5. Notwithstanding [Section 11](#) of this Bylaw, a Development Officer shall not grant a variance to subsection 70(2), 70(3)(a) or 70(4).

### ***Design Requirements***

6. Cannabis Retail Sales shall include design elements that readily allow for natural surveillance to promote a safe urban environment, where applicable and to the satisfaction of the Development Officer, including the following requirements:
  - a. customer access to the store is limited to a storefront that is visible from the street other than a Lane, or a shopping centre parking lot, or mall access that allows visibility from the interior of the mall into the store;
  - b. the exterior of all stores shall have ample transparency from the street;
  - c. Any outdoor lighting shall be designed to ensure a well-lit environment for pedestrians and illumination of the property; and
  - d. Landscaping shall be low-growing shrubs or deciduous trees with a high canopy at maturity to maintain natural surveillance.

## APPLICATION SUMMARY

### INFORMATION

Application Type:	Plan Amendment & Rezoning
Bylaw & Charter Bylaw:	19228 & 19229
Location:	North side of Jasper Avenue NW, between 115 Street NW and 116 Street NW
Address:	11516 - Jasper Avenue NW
Legal Description:	Lot 79, Block 15, Plan B3
Site Area:	742 m <sup>2</sup>
Neighbourhood:	Oliver
Notified Community Organization:	Oliver Community League
Applicant:	Fire & Flower Inc.

### PLANNING FRAMEWORK

Current Zone:	(DC1) Direct Development Control Provision
Proposed Zone:	(DC2) Site Specific Development Control Provision
Plan in Effect:	Oliver Area Redevelopment Plan
Historic Status:	None

Written By:	Stuart Carlyle
Approved By:	Tim Ford
Branch:	Development Services
Section:	Planning Coordination

## Charter Bylaw 19229

To allow for an exemption to Zoning Bylaw regulations related to the separation of Cannabis Retail Sales uses, Oliver

### Purpose

Rezoning from (DC1) Direct Development Control Provision to (DC2) Site Specific Development Control Provision; located at 11516 - Jasper Avenue NW.

### Readings

Charter Bylaw 19229 is ready for three readings after the public hearing has been held. If Council wishes to give three readings during a single meeting, Council must unanimously agree "That Charter Bylaw 19229 be considered for third reading."

### Advertising and Signing

This Charter Bylaw has been advertised in the Edmonton Journal on September 4, 2020, and September 12, 2020. The Charter Bylaw can be passed following third reading.

### Position of Administration

Administration does not support this proposed Charter Bylaw.

### Report

The proposed rezoning would exempt this site from section 70.1 of the Zoning Bylaw which requires that a Cannabis Retail Sales use have a separation distance of at least 200 metres from any other Cannabis Retail Sales use. There are currently two separate properties within 200 metres of the subject rezoning site that have approved development permits to operate Cannabis Retail Sales.

The proposed rezoning is accompanied by an associated amendment to the Oliver Area Redevelopment Plan (Bylaw 19228).

All comments from civic departments or utility agencies regarding this proposal have been addressed.

### Public Engagement

A pre-application notification was sent by the applicant to surrounding property owners and the Oliver Community League on November 18, 2019. On January 16, 2020, Administration sent an advanced notification to the same recipients. A summary of feedback received can be found in the attached Administration Report.

**Attachments**

1. Charter Bylaw 19229
2. Administration Report (Attached to Bylaw 19228 - item 3.18)

Charter Bylaw 19229

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 2989

WHEREAS Lot 79, Block 15, Plan B3; located at 11516 - Jasper Avenue NW, Oliver, Edmonton, Alberta, is specified on the Zoning Map as (DC1) Direct Development Control Provision; and

WHEREAS an application was made to rezone the above described property to (DC2) Site Specific Development Control Provision;

NOW THEREFORE after due compliance with the relevant provisions of the Municipal Government Act RSA 2000, ch. M-26, as amended, and notwithstanding Section 720.3(2) of the Edmonton Zoning Bylaw, 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 79, Block 15, Plan B3; located at 11516 - Jasper Avenue NW, Oliver, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (DC1) Direct Development Control Provision to (DC2) Site Specific Development Control Provision.
2. The uses and regulations of the aforementioned DC2 Provision are annexed hereto as Schedule "B".

3. The sketch plan annexed hereto as Schedule "A" and the uses and regulations of the DC2 Provision shown on Schedule "B" annexed hereto 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. 2020;
READ a second time this	day of	, A. D. 2020;
READ a third time this	day of	, A. D. 2020;
SIGNED and PASSED this	day of	, A. D. 2020.

THE CITY OF EDMONTON

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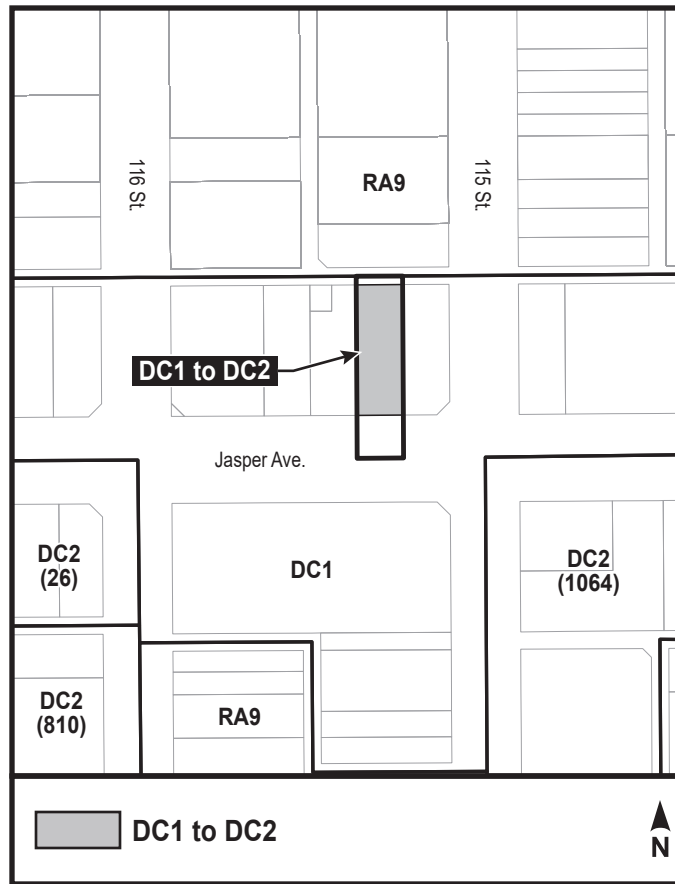
MAYOR

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CITY CLERK



## CHARTER BYLAW 19229



**SCHEDULE “B”****(DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION****1. General Purpose**

To provide for a range of uses, with the objective of promoting the continuing development of a pedestrian oriented commercial strip in terms of land use activities and design elements. The Provision also provides opportunity for the inclusion of residential uses above the ground floor level.

**2. Area of Application**

This provision shall apply to the lands legally described as Lot 79, Block 15, Plan B3, located at 11516 - Jasper Avenue NW, shown in Schedule “A” of the Charter Bylaw adopting this Provision, Oliver.

**3. Uses**

- a. Automotive and Minor Recreation Vehicles Sales/Rentals (where existing at the time of the adoption of this Bylaw 11619)
- b. Bars and Neighbourhood Pubs
- c. Business Support Services
- d. Cannabis Retail Sales
- e. Child Care Services
- f. Commercial Schools
- g. Community Recreation Services
- h. Convenience Retail Stores
- i. Creation and Production Establishments
- j. Essential Utility Services
- k. Exhibition and Convention Facilities
- l. General Retail Stores
- m. Government Services
- n. Group Home
- o. Health Services
- p. Hotels
- q. Household Repair Services
- r. Indoor Participant Recreation Services
- s. Limited Contractor Services

- t. Limited Group Home
- u. Liquor Stores
- v. Lodging Houses
- w. Major Amusement Establishments
- x. Minor Amusement Establishments
- y. Major Home Based Business
- z. Minor Home Based Business
- aa. Multi-unit Housing
- bb. Nightclubs
- cc. Personal Service Shops
- dd. Private Clubs
- ee. Professional, Financial and Office Support Services
- ff. Protective and Emergency Services
- gg. Public Libraries and Cultural Exhibits
- hh. Public Park
- ii. Restaurants
- jj. Religious Assembly
- kk. Secondhand Stores
- ll. Specialty Food Services
- mm. Spectator Entertainment Establishments
- nn. Vehicle Parking
- oo. Veterinary Services
- pp. Fascia On-premises Signs
- qq. Freestanding Off-premises Signs
- rr. Freestanding On-premises Signs
- ss. Roof On-premises Signs

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

- a. The maximum total Floor Area Ratio shall be 6.0. Of this total, the maximum Floor Area Ratio for Commercial Uses shall be 3.0;
- b. The maximum density for Residential Uses shall be:
  - i. 450 Dwellings/ha where development includes roof top landscaped amenity space in excess of the amenity space requirements of the Zoning Bylaw; and
  - ii. 400 Dwellings/ha in all other cases;
- c. The maximum Height shall not exceed 36.6 m;

- d. Residential Uses shall not be allowed on the ground floor of any development;
- e. The maximum business frontage for establishments located on the ground level shall be 16.1 m;
- f. In order to promote the formation of a pedestrian-oriented shopping street, no minimum Front Yard shall be required;
- g. The minimum Rear Yard shall be 7.5 m, except that this may be reduced to 2.0 m provided adequate access is provided for service vehicles and parking;
- h. A minimum Side Yard of 2.0 m shall be required where a Lot Abuts a flanking roadway other than a Lane;
- i. Residential Uses shall be set back a minimum of 6.0 m from the Front Lot Line and 7.5 m from the Rear Lot Line;
- j. Developments within the Specialty Food Services, Restaurants, Bars and Neighbourhood Pubs, and Nightclubs Use Classes shall be limited to a maximum of 200 seats, unless it can be demonstrated to the satisfaction of the Development Officer that sufficient on-site parking is available to support additional seating.
- k. Vehicular parking shall be located to the rear of the development and shall be accessed from the Abutting rear Lane, where a rear Lane Abuts a Site;
- l. Where required vehicular parking is located to the rear of a development, edge treatment design elements, such as wrought iron fencing, shall be provided to the satisfaction of the Development Officer in accordance with CPTED (Crime Prevention Through Environmental Design) principles, as identified in the Zoning Bylaw;
- m. Architectural treatment of new developments and/or renovations shall be designed to enhance the pedestrian character of Jasper Avenue by utilizing the following design features:
  - i. awnings and canopies over windows and doors.
  - ii. a minimum window area of 50% of the front Façade (using clear, untinted glass);
  - iii. entrance oriented towards Jasper Avenue; and

- iv. patio seating areas;
- n. All exterior trash collection areas shall be screened from view in accordance with the Zoning Bylaw;
- o. Notwithstanding Section 70.1 of the Zoning Bylaw, this Provision shall not be subject to the minimum separation distance from any other approved Cannabis Retail Sales Use; and
- p. Signs shall be developed in accordance with Schedule 59F.

## Charter Bylaw 19421

To relocate the parkade ramp and reduce the amount of landscaped screening required for an already approved high rise, high density residential building on a small site, Oliver

### Purpose

Rezoning from DC2.1020 to a new DC2; located at 9922 – 111 Street NW.

### Readings

Charter Bylaw 19421 is ready for three readings after the public hearing has been held. If Council wishes to give three readings during a single meeting, Council must unanimously agree “That Charter Bylaw 19421 be considered for third reading.”

### Advertising and Signing

This Charter Bylaw has been advertised in the Edmonton Journal on September 4, 2020, and September 12, 2020. The Charter Bylaw can be passed following third reading.

### Position of Administration

Administration supports this proposed Charter Bylaw.

### Report

The proposed (DC2) Site Specific Development Control Provision is identical to the existing DC2 Provision (high rise tower, approximately 25 storeys with 178 dwellings), except the parkade ramp is shifted 1.4 m closer to the south property line. This also results in a reduction in the amount of landscaped screening provided between this site and the property to the south.

Comments from civic departments and utility agencies have been addressed.

### Public Engagement

Advance Notice was sent to surrounding property owners and the president of the Oliver Community League on November 29, 2019. Three responses were received and are summarized in the attached Administration Report.

### Attachments

1. Charter Bylaw 19421
2. Administration Report



Charter Bylaw 19421

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 3082

WHEREAS Lot 67, Block 11, Plan 1922216; located at 9922 - 111 Street NW, Oliver, Edmonton, Alberta, is specified on the Zoning Map as (DC2) Site Specific Development Control Provision; and

WHEREAS an application was made to rezone the above described property to (DC2) Site Specific 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 67, Block 11, Plan 1922216; located at 9922 - 111 Street NW, Oliver, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (DC2) Site Specific Development Control Provision to (DC2) Site Specific Development Control Provision.
2. The uses and regulations of the aforementioned DC2 Provision are annexed hereto as Schedule "B".



3. The sketch plan annexed hereto as Schedule "A" and the uses and regulations of the DC2 Provision shown on Schedule "B" annexed hereto are hereby incorporated into the Zoning Bylaw, being Part IV to Bylaw 12800, The Edmonton Zoning Bylaw.

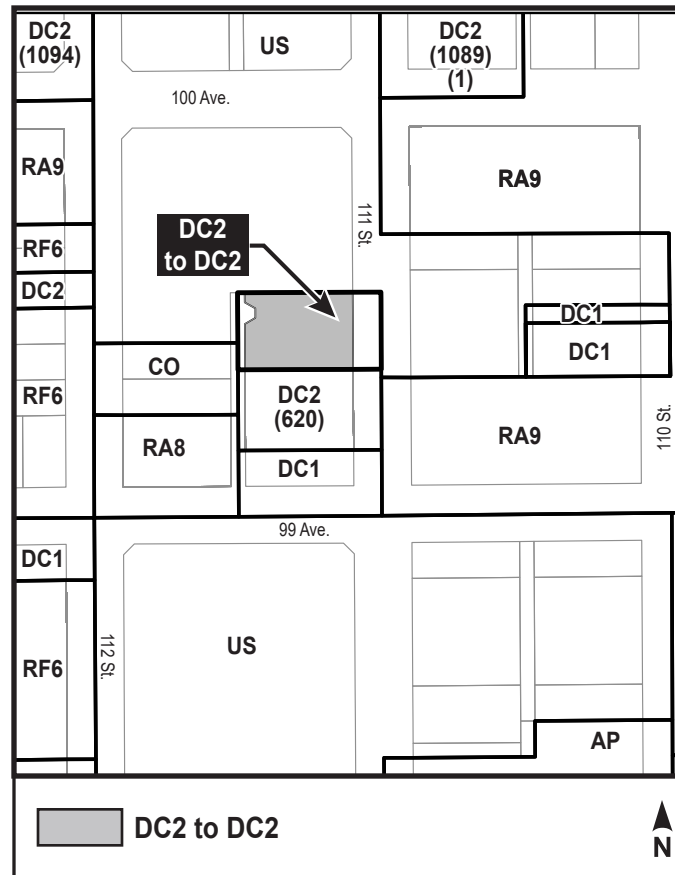
READ a first time this	day of	, A. D. 2020;
READ a second time this	day of	, A. D. 2020;
READ a third time this	day of	, A. D. 2020;
SIGNED and PASSED this	day of	, A. D. 2020.

THE CITY OF EDMONTON

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

## CHARTER BYLAW 19421



## SCHEDULE “B”

**(DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION****1. General Purpose**

To facilitate the development of a high-rise, high density residential Tower within 200 m of the Grandin LRT station.

**Area of Application**

The provision shall apply to Lot 67, Block 11, Plan 1922216; as shown on Schedule “A” of the Charter Bylaw adopting this DC2 provision.

**2. Uses**

- a. Apartment Housing
- b. Group Homes
- c. Limited Group Homes
- d. Lodging Houses
- e. Minor Home Based Business
- f. Residential Sales Centre
- g. Urban Gardens
- h. Fascia On-premises Signs
- i. Temporary On-premises Signs

**3. Development Regulations**

- a. The development shall be in general conformance with Appendices 1 to 6, to the satisfaction of the Development Officer.
- b. The maximum Floor Area Ratio (FAR) shall be 10.9.
- c. The maximum Height shall be 75.5 m.
- d. The maximum number of Dwellings shall be 178.
- e. The minimum Setbacks shall be:

- i. 7.5 m from the east Lot line;
  - ii. 1.5 m from the north Lot line;
  - iii. 1.8 m from the west Lot line; and
  - iv. 8.4 m from the south Lot line.
- f. Notwithstanding Section 4.1(f) of this Provision, the portions of the Parking Garage below Grade shall not be subject to required Setbacks and can extend to all Lot lines provided there is sufficient soil depth maintained to support any required Landscaping above.
- g. Notwithstanding Section 44 of the Zoning Bylaw: Platform Structures including verandas, porches, unenclosed steps; balconies located above the podium; or any other architectural features which are of a similar character may project into the required Setbacks provided that the following minimum distances are maintained from the Lot Lines:
  - i. 1.5 m from the east Lot line for the first Storey, in general accordance with Appendix 2;
  - ii. 5.5 m from the east Lot Line above the first Storey;
  - iii. 0.0 m from the north Lot line;
  - iv. 0.0 m from the west Lot line; and
  - v. 7.1 m from the south Lot line.
- h. A minimum Amenity Area of 7.5 m<sup>2</sup> per Dwelling shall be provided.
- i. A minimum communal Amenity Area of 50 m<sup>2</sup> shall be provided within the first Storey. The communal Amenity Area may be provided as indoor, outdoor, or a combination of indoor and outdoor space.
- j. Signs shall comply with the regulations found in Schedule 59B of the Zoning Bylaw.
- k. Temporary On-premises Signs shall be limited to project advertising associated with an on-Site Residential Sales Centre and shall not include trailer mounted or signs with changeable copy.

#### **4. Parking, Access, Loading, and Storage**

- a. 10 visitor parking spaces shall be required.
- b. A minimum of 1 parking space shall be provided to accommodate a vehicle from a car share program. Should this program be proven not to be implementable, the stall

shall be used for visitor parking.

- c. All vehicular parking shall be provided within an underground Parking Garage.
- d. Vehicular access and egress shall be provided from the Lane abutting the Site.
- e. The driveway ramp for the underground Parking Garage shall not exceed a slope of 10% for a minimum of 5 m inside the property line and the ramp must be at Grade at the property line.
- f. Retaining Walls bordering the underground driveway/Parking Garage ramp must not exceed a Height of 0.3 m for a distance of 3.0 m from the Lot line and no portion of the wall may encroach onto road right-of-way. Should the owner/applicant wish to increase this Height, adequate sight line data must be provided to ensure vehicles can exit safely to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination.
- g. A minimum of 30 Bicycle Parking spaces shall be provided within secured communal bicycle storage areas within the underground Parking Garage.
- h. A minimum of 175 vehicular parking stalls within the underground Parking Garage shall have a cage storage unit at the front of the parking stall and shall be located with racks or railings for Bicycle Parking at ground level within the storage cage or affixed to the Parking Garage wall. Notwithstanding Section 54.3 of the Zoning Bylaw Bicycle Parking spaces shall be incorporated into the vehicular parking space which shall comply with required vehicular parking space dimensions as specified in Section 54.2 of the Zoning Bylaw.
- i. A minimum of 10 Bicycle Parking spaces shall be provided at grade in general conformance with Appendix I.
- j. Loading, storage, and waste collection areas shall be located within the building. The waste collection area shall be accessed from the abutting Lane and be designed to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination and Waste Management Services.
- k. Any underground parking access card devices must be located on site, a minimum of 3.0 m inside the property line.

## **5. Landscaping**

- a. Notwithstanding Section 55.3(1)(a) of the Zoning Bylaw, the minimum number of trees shall be 13 and the minimum number of shrubs shall be 92, in general conformance with Appendix 2 to the satisfaction of the Development Officer.
- b. In addition to the requirements of the Zoning Bylaw, a detailed Landscape Plan prepared by a registered AALA Landscape Architect shall be submitted with an

application for a Development Permit for the building, in general conformance with Appendix 2 and to the satisfaction of the Development Officer.

- c. The selection of plant materials shall consider plants and shrubs that provide colour throughout the year to enhance the appearance of the development.
- d. The Landscaping Plan shall demonstrate:
  - i. entry transitions, including features such as steps, decorative fences, gates, hedges, low walls, and/or planting beds within the Setback from a public roadway, other than a Lane;
  - ii. Outdoor Common Amenity Area at Grade shall be landscaped with soft landscaping, garden boxes/planters, seating area or other complementary amenities;
  - iii. clear delineation of all Amenity Areas at Grade with vertical landscaping features (e.g. hedges, decorative fences, screens, low walls, shrubs, and other plant material); and
  - iv. that soil above the underground Parking Garage shall be of sufficient depth to accommodate required Landscaping, including trees, shrubs, flower beds, grass, and ground cover.
- e. An arborist report and tree preservation plan, to the satisfaction of the Development Officer in consultation with Urban Forestry, shall be submitted with the Development Permit application to determine the impact of the proposed development, including excavation and construction, on the existing boulevard trees along 89 Avenue NW. If required by the Development Officer, an air spading tool shall be used to determine the amount and size of roots that may need to be cut for the parkade/foundation wall. If the arborist report indicates that the development will unduly compromise the ongoing viability and health of a tree or trees:
  - i. each tree shall be removed and replaced by a new tree within an enhanced growing medium at the cost of the owner; or
  - ii. each tree shall be retained and protected as per the City's Corporate Tree Management Policy C456A to the satisfaction of the Development Officer in consultation with Urban Forestry.

## **6. Other Regulations**

- a. A Crime Prevention through Environmental Design Assessment shall be prepared and submitted with the Development Permit application. Prior to the issuance of the Development Permit, recommendations of the assessment shall be incorporated into the design of the building 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).

- b. A Wind Impact Study shall be prepared by a qualified, registered Professional Engineer and submitted with the Development Permit application for the principal building. Prior to the issuance of the Development Permit, any mitigation measures recommended by the study shall be incorporated into the design of the building, to the satisfaction of the Development Officer, to ensure the space around the building is fit for the intended Uses and that the balconies and terraces of the adjacent building to the south are anticipated to be comfortable for sitting relative to expected wind levels.
- c. A Sun Shadow Study shall be prepared and submitted for review by the Development Officer and prior to the issuance of the Development Permit. Any mitigation measures recommended by the study shall be incorporated into the design of the building, to the satisfaction of the Development Officer to ensure the shadow impacts are adequately mitigated.
- d. Notwithstanding the other Development Regulations and Appendices of this Provision and Section 720.3(2) of the Zoning Bylaw, in the event that the owner/developer does not obtain a Development Permit and commence construction of the building within 10 years of the passage of the Bylaw adopting this Provision, development shall be in accordance with this Provision, except that:
  - i. the maximum Height shall be 14.5 m; and
  - ii. the maximum Floor Area Ratio shall be 1.4.

## **7. Urban Design Regulations**

- a. The building shall be oriented to 111 Street NW.
- b. Dwellings in the ground floor facing 111 Street NW shall have individual private exterior entrances facing 111 Street NW. Sliding patio doors shall not serve as this entrance.
- c. The Setback area in front of each at Grade Dwelling shall be designed such that it establishes a transition area from the public roadway and shall include a change from Grade of at least 0.5 m to the entrance and Landscaping such as shrub/tree beds, different paving materials and/or decorative fencing/screening.
- d. Each at Grade Dwellings shall have direct access to a minimum of 25 m<sup>2</sup> outdoor Amenity Area.
- e. Weather protection in the form of a canopy or other architectural element that is visible and distinct from the rest of the Façade shall be provided above the main residential entrance on 111 Street NW and shall not be subject to Section 44 of the Zoning Bylaw

- f. The maximum Floor Plate of the Tower shall be 700 m<sup>2</sup>.
- g. The exterior of the building shall be finished with high quality, durable materials such as, but not limited to, stone, brick, metal, wood, concrete, architectural panels, and/or glass.
- h. Interface along the south Lot Line shall be developed to maximize privacy and minimize overlook to the adjacent residential property through the following:
  - i. A 0.6 m setback from the property line shall be provided for the length of the parkade ramp in general conformance with Appendix 2;
  - ii. A landscaped screen of a minimum of 2.0 m in width shall be provided from the point of termination of the parkade ramp to the east property line, comprised of planting materials in general conformance with Appendix 2 (notwithstanding areas used for required venting or hardscape features);
  - iii. The windows of Dwellings contained within a Height of 13.5 m from Grade shall be offset or oriented away from the windows of the existing building; and
  - iv. Where possible, Privacy Screening shall be used for additional screening of windows and balconies within a Height of 13.5 m from Grade.
- i. Balconies located on the west side of the building shall be located a minimum of 7.0 m in Height from Grade.
- j. Balconies located on the north side of the building shall be located a minimum of 13.0m in Height from Grade to ensure the safety and privacy of Dwelling units.
- k. The base of the Tower shall include the use of different architectural elements and treatments, such as variation in materials and colour, to provide articulation of Facades and break up the massing, in general conformance to Appendices 3 to 6, to the satisfaction of the Development Officer.
- l. To reduce the visual impacts of massing of the building, balconies of the Tower, except for instances described in Section 5(h)(iii) of this Provision, shall maintain transparency through provision of metal railings with tempered glass panels or other durable transparent panels at the discretion of the Development Officer.
- m. Decorative and security lighting shall be designed and finished in a manner consistent with the design and finishing of the development and shall be provided to ensure a well-lit environment for pedestrians, to accentuate artwork and building elements, and to highlight the development at night time and in winter months. Exterior lighting associated with the development shall be designed to minimize impact on an adjacent property. Particular attention shall be given to minimizing light trespass into the property immediately south of the Site. A detailed exterior lighting plan shall be



provided to the satisfaction of the Development Officer.

- n. All mechanical equipment, including roof mechanical units and Parking Garage intake/exhaust vents shall be concealed by screening in a manner compatible with the architectural character of the building, or concealed by incorporating it within the building.
- o. Any portion of a Parking Garage entrance that is exposed shall be designed and articulated to the satisfaction of the Development Officer.

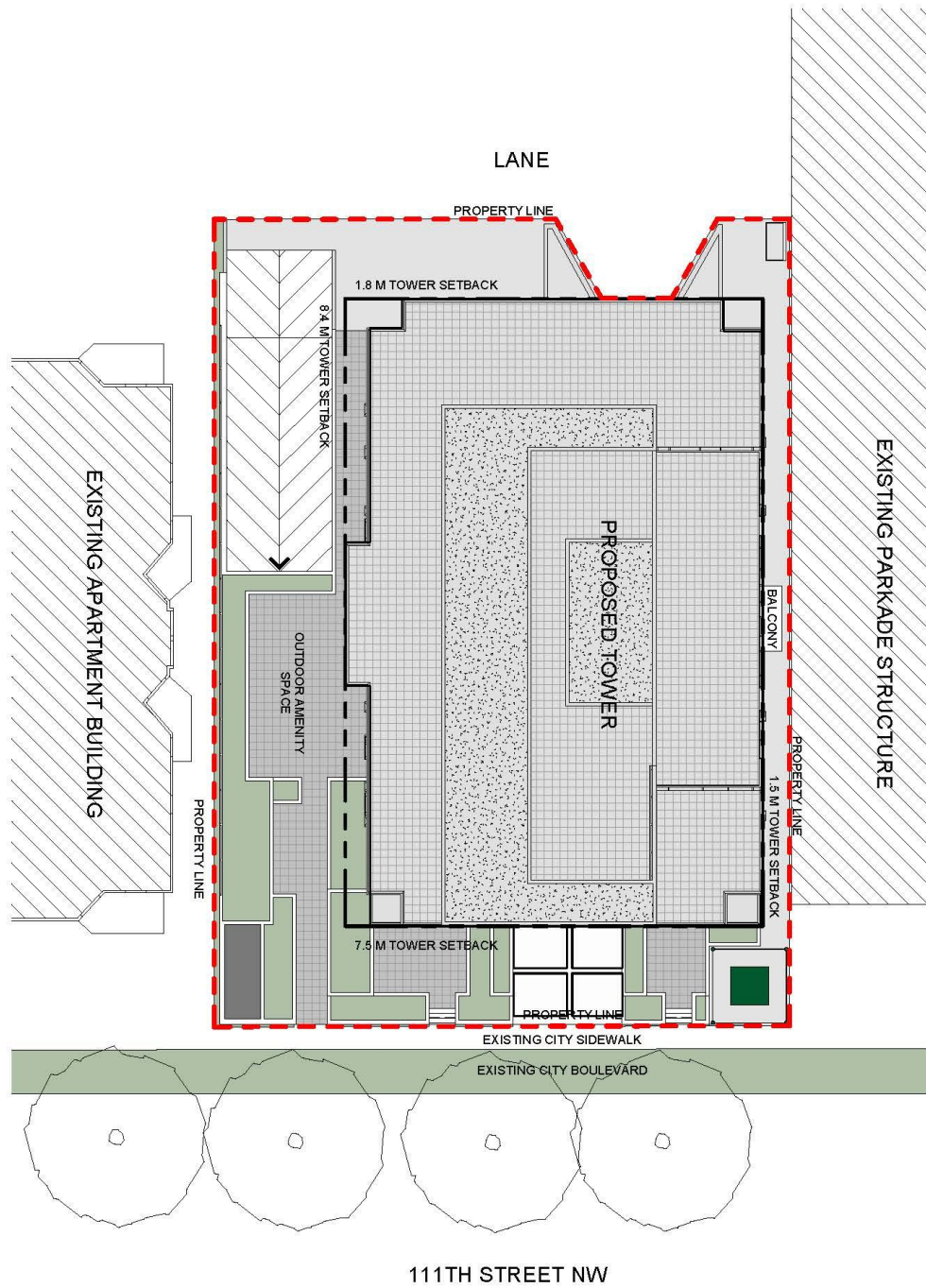
## **8. Contributions**

- a. The Development shall include a minimum of eleven, three bedroom, Family Oriented Dwellings.
- b. Family Oriented Dwellings shall meet the definition of the Zoning Bylaw except that Amenity Area may be provided by direct access to balconies, patios and/or through the provision of a minimum of 27 m<sup>2</sup> of indoor Common Amenity Area designed for children.
- c. Prior to the issuance of a Development Permit for the construction of a principal building within this Provision, the Development Officer shall ensure that a signed agreement has been executed between the City and the Owner, requiring the Owner to provide to the City, the option to purchase 5% of the proposed number of residential Dwellings at 85% of the market price or pay the equivalent cash in lieu to the City.
- d. Prior to the issuance of the Development Permit, the developer shall enter into an agreement to contribute a minimum of \$100,000 to the Oliver Community League for the creation of a community hall, community garden, and/or another amenity within the Oliver Neighbourhood, with specific details to be determined at the Development Permit stage between the Owner and City Administration in consultation with the Oliver Community League.
- e. Prior to the issuance of the Development Permit, details shall be provided to the satisfaction of the Development Officer that a minimum of \$54,800 shall be provided towards the acquisition of public art. The following shall apply to this contribution:
  - i. The owner shall enter into an agreement with the City of Edmonton detailing the requirements of this provision of artwork, to the satisfaction of the Development Officer.
  - ii. Artworks may be located on or within private property and shall be in locations that are publicly visible to the satisfaction of the Development Officer.
  - iii. Artworks shall be commissioned or purchased by the owner(s) and all costs and procedures related to the procurement of the artworks, operation and

future maintenance shall be the responsibility of the owner(s).

## **9. Off-Site Improvements**

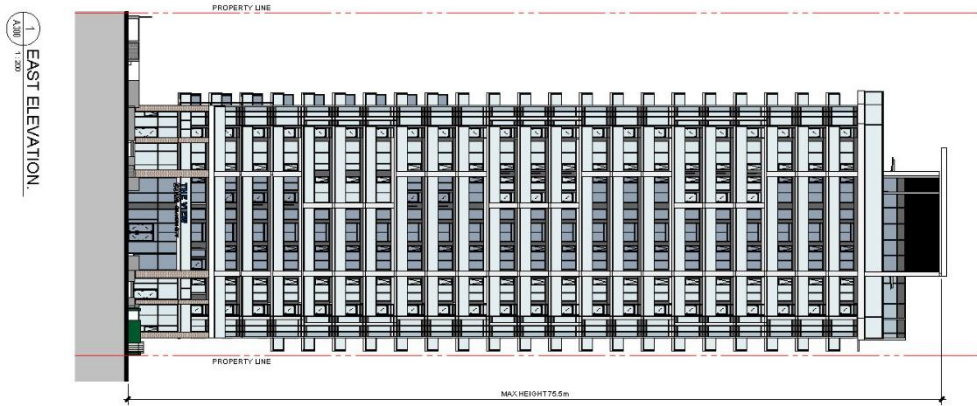
- a. As a condition of Development Permit, the owner shall enter into an Agreement with the City of Edmonton for off-site improvements necessary to service the development. The off-site improvements shall include, but not be limited to:
  - i. Installation of signage and/or pavement markings necessary to distinguish the right-of-way of the publicly accessible turnaround from the area within the private property that only waste vehicles are permitted.
  - ii. The installation of signs banning parking on 99 Avenue in the vicinity of the north-south alley serving the development.
- b. The drainage systems required to service the development, including off-site improvements and on-site stormwater management, shall be in general conformance with the Drainage Servicing Report or alternatives to the satisfaction of the Development Officer in consultation with Development Services (Drainage). Such improvements are to be constructed at the owner's cost.



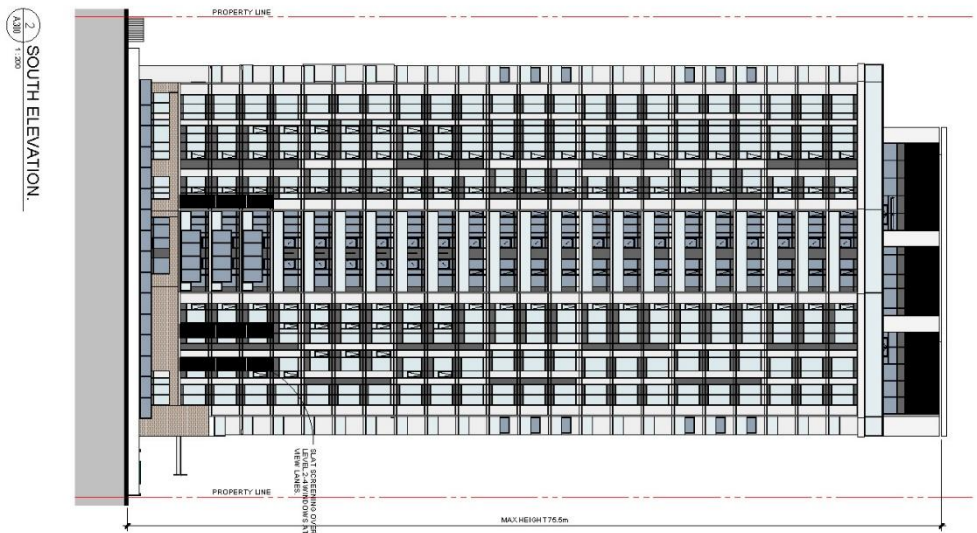
APPENDIX 1: SITE PLAN



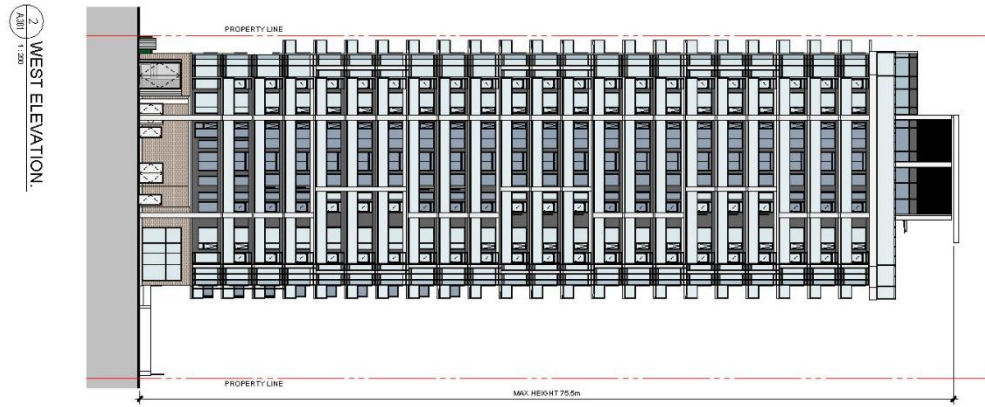
APPENDIX 3: EAST ELEVATION



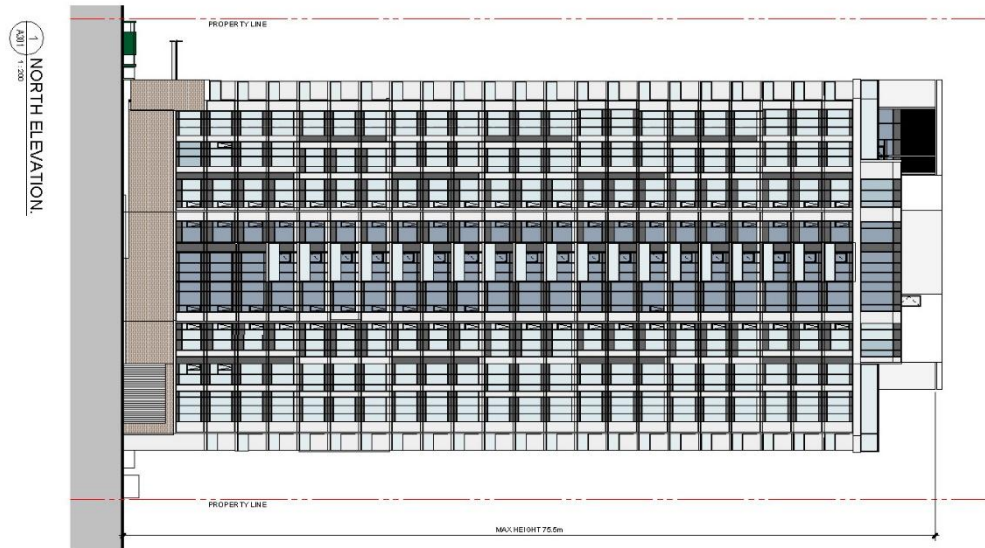
APPENDIX 4: SOUTH ELEVATION



# APPENDIX 5: WEST ELEVATION



# APPENDIX 6: NORTH ELEVATION







## ADMINISTRATION REPORT **REZONING** OLIVER

### 9922 - 111 STREET NW

To relocate the parkade ramp and reduce the amount of landscaped screening required for an already approved high rise, high density residential building on a small site



### RECOMMENDATION AND JUSTIFICATION

Administration is in **SUPPORT** of this application because:

- it facilitates a tower development that Council has already approved and is under construction; and
- the change in the overall land use impact from the high rise tower is not significant.

## THE APPLICATION

CHARTER BYLAW 19421 to rezone the site from (DC2.1020) Site Specific Development Control Provision to a new (DC2) Site Specific Development Control Provision. The proposed (DC2) Site Specific Development Control Provision is identical to the existing DC2 Provision, except the parkade ramp is shifted 1.4 m closer to the south property line. This also results in a reduction in the amount of landscaped screening provided between this site and the property to the south. New appendices to reflect these changes and a regulation related to drainage servicing is also added with the new DC2 Provision

On September 17, 2018, City Council approved the existing DC2 Provision which allows for a high rise tower with the following characteristics:

- A maximum Height of 75.5 metres (approximately 25 storeys);
- A maximum Floor Area Ratio of 10.9;
- Up to 178 residential dwellings; and
- Parking provided underground and accessed from the rear lane.

## SITE AND SURROUNDING AREA

The site area is 1475 m<sup>2</sup>, is located in the interior of Oliver, mid-block along the west side of 111 Street NW north of 99 Avenue NW, both collector roads.



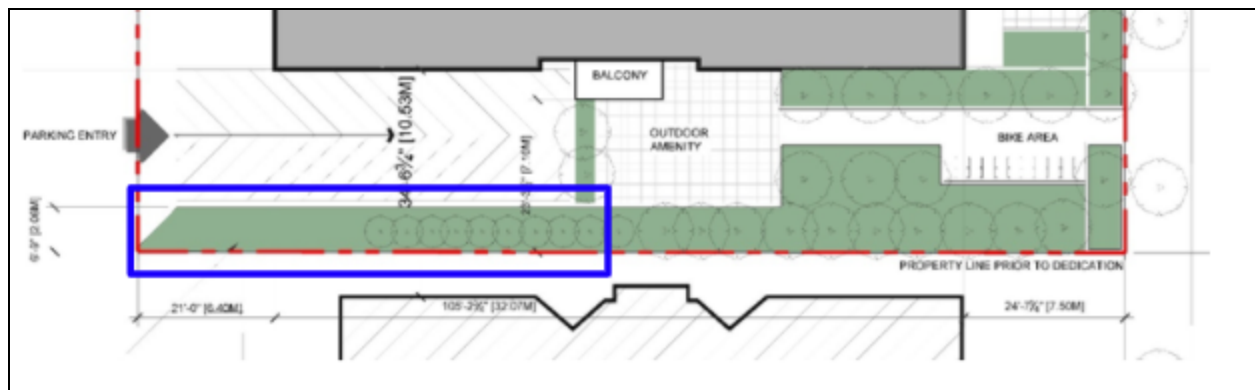
AERIAL VIEW OF APPLICATION AREA



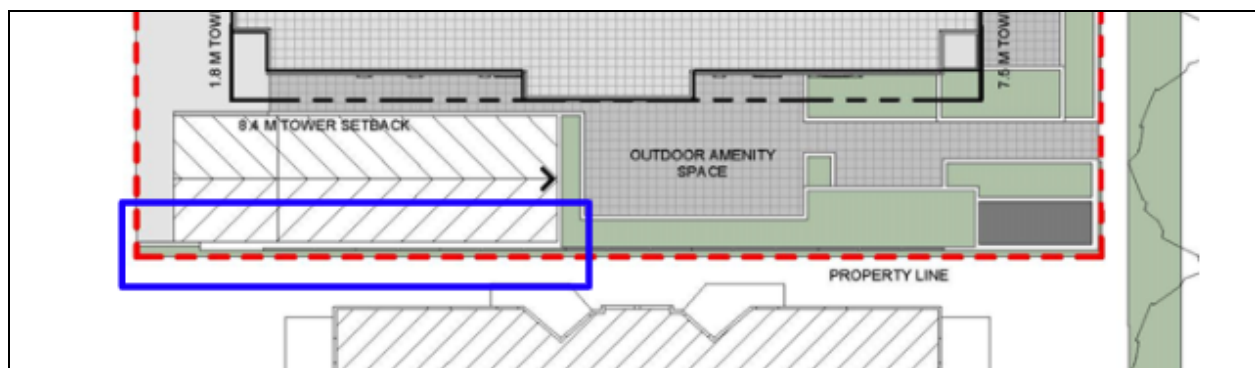
	EXISTING ZONING	CURRENT USE
<b>SUBJECT SITE</b>	(DC2.1020) Site Specific Development Provision	<ul style="list-style-type: none"> <li>Construction site for high rise tower</li> </ul>
<b>CONTEXT</b>		
North	(US) Urban Services Zone	<ul style="list-style-type: none"> <li>Parking Structure for Edmonton General Hospital</li> </ul>
East	(US) Urban Services Zone	<ul style="list-style-type: none"> <li>Surface Parking Lot</li> </ul>
South	(DC2.620) Site Specific Development Provision	<ul style="list-style-type: none"> <li>4 storey Apartment House</li> </ul>
West	(CO) Commercial Office Zone (US) Urban Services Zone	<ul style="list-style-type: none"> <li>3 storey mixed use building</li> <li>Surface Parking Lot</li> </ul>

## PLANNING ANALYSIS

Administration did not support the previous rezoning that created the existing DC2 Provision, primarily because it was considered an over-development of a small site without appropriate separation space or transitions to adjacent properties. However, to assist with this issue a 2.0 m landscaped buffer was required adjacent to the property to the south. The applicant has now indicated that they can no longer provide this in its entirety because of the need to move the parkade ramp further south to allow for proper internal circulation of vehicles in their underground parkade. This has resulted in a reduction of the landscape buffer to 0.6 m along a portion of the southern property line adjacent to the existing residential building. Below are the current and proposed site plans showing the area of change outlined in blue.



PORTION OF SITE PLAN FROM EXISTING DC2 PROVISION



PORTION OF SITE PLAN FROM PROPOSED DC2 PROVISION

Administration is supporting this application as City Council has already approved the overall tower development, it is already under construction, and the change in the overall land use impact from the high rise tower is minimal.

## TECHNICAL REVIEW

All comments from affected City Departments and utility agencies have been addressed.

## PUBLIC ENGAGEMENT

<b>APPLICANT PRE-APPLICATION NOTICE</b> September 25, 2019	<ul style="list-style-type: none"> <li>Number of recipients: 67</li> </ul> As reported by the applicant: <ul style="list-style-type: none"> <li>Number of responses in support: 0</li> <li>Number of responses with concerns: 1 <ul style="list-style-type: none"> <li>Increased noise from removal of landscaped buffer along the parkade entry wall.</li> </ul> </li> </ul>
<b>ADVANCE NOTICE</b> November 29, 2020	<ul style="list-style-type: none"> <li>Number of recipients: 68</li> <li>Number of responses in support: 0</li> <li>Number of responses with concerns: 3 <ul style="list-style-type: none"> <li>Loss of green buffer from tower</li> <li>Noise &amp; light pollution</li> </ul> </li> </ul>
<b>WEBPAGE</b>	<ul style="list-style-type: none"> <li><a href="https://www.edmonton.ca/residential_neighbourhoods/neighbourhoods/oliver-planning-applications.aspx">https://www.edmonton.ca/residential_neighbourhoods/neighbourhoods/oliver-planning-applications.aspx</a></li> </ul>

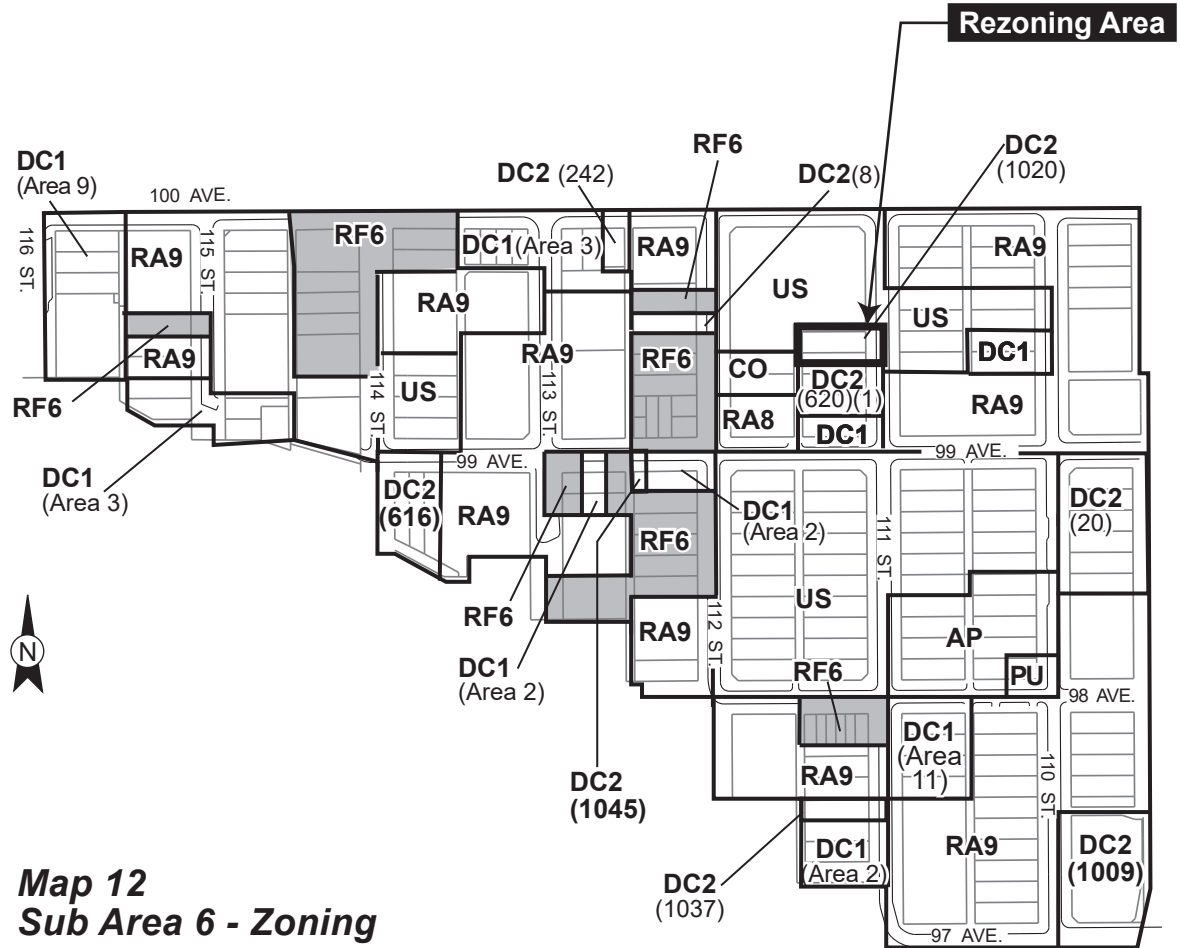
## CONCLUSION

Administration recommends that City Council **APPROVE** this application.

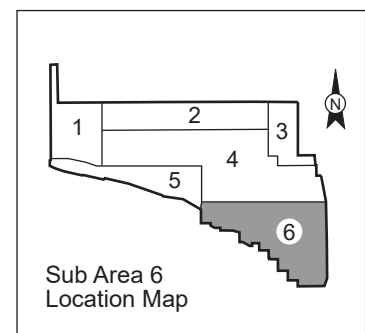
## APPENDICES

- 1 Context Map
- 2 Proposed Changes from Existing DC2 Provision
- 3 Application Summary

## CONTEXT MAP



- RF6** Medium Density Multiple Family
- RA8** Medium Rise Apartment
- RA9** High Rise Apartment
- CO** Commercial Office
- US** Urban Service
- PU** Public Utility
- AP** Public Parks
- DC1** Direct Development Control Provisions
- DC2** Site Specific Development Control Provision
- Zoning Overlay Provisions



## PROPOSED CHANGES FROM EXISTING DC2 PROVISION

Black Font: Text of existing DC2 Provision

~~Strikethrough~~: Proposed deletion from existing DC2 Provision

Underline: Proposed addition in proposed DC2 Provision

### (DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION

#### 1. General Purpose

To facilitate the development of a high-rise, high density residential Tower within 200 m of the Grandin LRT station.

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  - iii. clear delineation of all Amenity Areas at Grade with vertical landscaping features (e.g. hedges, decorative fences, screens, low walls, shrubs, and other plant material); and
  - iv. that soil above the underground Parking Garage shall be of sufficient depth to accommodate required Landscaping, including trees, shrubs, flower beds, grass, and ground cover.
- e. An arborist report and tree preservation plan, to the satisfaction of the Development Officer in consultation with Urban Forestry, shall be submitted with the Development Permit application to determine the impact of the proposed development, including excavation and construction, on the existing boulevard trees along 89 Avenue NW. If required by the Development Officer, an air spading tool shall be used to determine the amount and size of roots that may need to be cut for the parkade/foundation wall.

If the arborist report indicates that the development will unduly compromise the ongoing viability and health of a tree or trees:

- i. each tree shall be removed and replaced by a new tree within an enhanced growing medium at the cost of the owner; or
- ii. each tree shall be retained and protected as per the City's Corporate Tree Management Policy C456A to the satisfaction of the Development Officer in consultation with Urban Forestry.

## **6. Other Regulations**

- a. A Crime Prevention through Environmental Design Assessment shall be prepared and submitted with the Development Permit application. Prior to the issuance of the Development Permit, recommendations of the assessment shall be incorporated into the design of the building 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).
- b. A Wind Impact Study shall be prepared by a qualified, registered Professional Engineer and submitted with the Development Permit application for the principal building. Prior to the issuance of the Development Permit, any mitigation measures recommended by the study shall be incorporated into the design of the building, to the satisfaction of the Development Officer, to ensure the space around the building is fit for the intended Uses and that the balconies and terraces of the adjacent building to the south are anticipated to be comfortable for sitting relative to expected wind levels.
- c. A Sun Shadow Study shall be prepared and submitted for review by the Development Officer and prior to the issuance of the Development Permit. Any mitigation measures recommended by the study shall be incorporated into the design of the building, to the satisfaction of the Development Officer to ensure the shadow impacts are adequately mitigated.
- d. Notwithstanding the other Development Regulations and Appendices of this Provision and Section 720.3(2) of the Zoning Bylaw, in the event that the owner/developer does not obtain a Development Permit and commence construction of the building within 10 years of the passage of the Bylaw adopting this Provision, development shall be in accordance with this Provision, except that:
  - i. the maximum Height shall be 14.5 m; and
  - ii. the maximum Floor Area Ratio shall be 1.4.



## 7. Urban Design Regulations

- a. The building shall be oriented to 111 Street NW.
- b. Dwellings in the ground floor facing 111 Street NW shall have individual private exterior entrances facing 111 Street NW. Sliding patio doors shall not serve as this entrance.
- c. The Setback area in front of each at Grade Dwelling shall be designed such that it establishes a transition area from the public roadway and shall include a change from Grade of at least 0.5 m to the entrance and Landscaping such as shrub/tree beds, different paving materials and/or decorative fencing/screening.
- d. Each at Grade Dwellings shall have direct access to a minimum of 25 m<sup>2</sup> outdoor Amenity Area.
- e. Weather protection in the form of a canopy or other architectural element that is visible and distinct from the rest of the Façade shall be provided above the main residential entrance on 111 Street NW and shall not be subject to Section 44 of the Zoning Bylaw
- f. The maximum Floor Plate of the Tower shall be 700 m<sup>2</sup>.
- g. The exterior of the building shall be finished with high quality, durable materials such as, but not limited to, stone, brick, metal, wood, concrete, architectural panels, and/or glass.
- h. Interface along the south Lot Line shall be developed to maximize privacy and minimize overlook to the adjacent residential property through the following:
  - i. ~~Provision of a landscape screen a minimum of 2.0 m in width adjacent to the southeast portion of the site comprised of planting materials in general conformance with Appendix 2. A 0.6 m setback from the property line shall be provided for the length of the parkade ramp in general conformance with Appendix 2;~~
  - ii. A landscaped screen of a minimum of 2.0 m in width shall be provided from the point of termination of the parkade ramp to the east property line, comprised of planting materials in general conformance with Appendix 2 (notwithstanding areas used for required venting or hardscape features);
  - iii. ~~A landscaped screen of a minimum of 2.0 m in width shall be provided adjacent to the Outdoor Amenity Area on the southeast portion of the site, comprised of planting materials in general conformance with Appendix 2;~~

- iv. The windows of Dwellings contained within a Height of 13.5 m from Grade shall be offset or oriented away from the windows of the existing building; and
- v. Where possible, Privacy Screening shall be used for additional screening of windows and balconies within a Height of 13.5 m from Grade.
- i. Balconies located on the west side of the building shall be located a minimum of 7.0 m in Height from Grade.
- j. Balconies located on the north side of the building shall be located a minimum of 13.0 m in Height from Grade to ensure the safety and privacy of Dwelling units.
- k. The base of the Tower shall include the use of different architectural elements and treatments, such as variation in materials and colour, to provide articulation of Facades and break up the massing, in general conformance to Appendices 3 to 6, to the satisfaction of the Development Officer.
- l. To reduce the visual impacts of massing of the building, balconies of the Tower, except for instances described in Section 5(h)(iii) of this Provision, shall maintain transparency through provision of metal railings with tempered glass panels or other durable transparent panels at the discretion of the Development Officer.
- m. Decorative and security lighting shall be designed and finished in a manner consistent with the design and finishing of the development and shall be provided to ensure a well-lit environment for pedestrians, to accentuate artwork and building elements, and to highlight the development at night time and in winter months. Exterior lighting associated with the development shall be designed to minimize impact on an adjacent property. Particular attention shall be given to minimizing light trespass into the property immediately south of the Site. A detailed exterior lighting plan shall be provided to the satisfaction of the Development Officer.
- n. All mechanical equipment, including roof mechanical units and Parking Garage intake/exhaust vents shall be concealed by screening in a manner compatible with the architectural character of the building, or concealed by incorporating it within the building.
- o. Any portion of a Parking Garage entrance that is exposed shall be designed and articulated to the satisfaction of the Development Officer.

## **8. Contributions**

- a. The Development shall include a minimum of eleven, three bedroom, Family Oriented Dwellings.

- b. Family Oriented Dwellings shall meet the definition of the Zoning Bylaw except that Amenity Area may be provided by direct access to balconies, patios and/or through the provision of a minimum of 27 m<sup>2</sup> of indoor Common Amenity Area designed for children.
- c. Prior to the issuance of a Development Permit for the construction of a principal building within this Provision, the Development Officer shall ensure that a signed agreement has been executed between the City and the Owner, requiring the Owner to provide to the City, the option to purchase 5% of the proposed number of residential Dwellings at 85% of the market price or pay the equivalent cash in lieu to the City.
- d. Prior to the issuance of the Development Permit, the developer shall enter into an agreement to contribute a minimum of \$100,000 to the Oliver Community League for the creation of a community hall, community garden, and/or another amenity within the Oliver Neighbourhood, with specific details to be determined at the Development Permit stage between the Owner and City Administration in consultation with the Oliver Community League.
- e. Prior to the issuance of the Development Permit, details shall be provided to the satisfaction of the Development Officer that a minimum of \$54,800 shall be provided towards the acquisition of public art. The following shall apply to this contribution:
  - i. The owner shall enter into an agreement with the City of Edmonton detailing the requirements of this provision of artwork, to the satisfaction of the Development Officer.
  - ii. Artworks may be located on or within private property and shall be in locations that are publicly visible to the satisfaction of the Development Officer.
  - iii. Artworks shall be commissioned or purchased by the owner(s) and all costs and procedures related to the procurement of the artworks, operation and future maintenance shall be the responsibility of the owner(s).

## **9. Off-Site Improvements**

- a. As a condition of Development Permit, the owner shall enter into an Agreement with the City of Edmonton for off-site improvements necessary to service the development. The off-site improvements shall include, but not be limited to:
  - i. Installation of signage and/or pavement markings necessary to distinguish the right-of-way of the publicly accessible turnaround from the area within the private property that only waste vehicles are permitted.

- ii. The installation of signs banning parking on 99 Avenue in the vicinity of the north-south alley serving the development.
- b. *The drainage systems required to service the development, including off-site improvements and on-site stormwater management, shall be in general conformance with the Drainage Servicing Report or alternatives to the satisfaction of the Development Officer in consultation with Development Services (drainage). Such improvements are to be constructed at the owner's cost.*

## APPLICATION SUMMARY

### INFORMATION

Application Type:	Rezoning
Charter Bylaw:	19421
Location:	North of 99 Avenue NW and west of 111 Street NW
Address:	9922 - 111 Street NW
Legal Description:	Lot 67, Block 11, Plan 1922216
Site Area:	1475 m <sup>2</sup>
Neighbourhood:	Oliver
Notified Community Organization(s):	Oliver Community League
Applicant:	Stantec Planning

### PLANNING FRAMEWORK

Current Zone:	(DC2.1020) Site Specific Development Control Provision
Proposed Zone:	(DC2) Site Specific Development Control Provision
Plan in Effect:	Oliver Area Redevelopment Plan
Historic Status:	None

Written By:	Luke Cormier
Approved By:	Tim Ford
Branch:	Development Services
Section:	Planning Coordination

# Bylaw 19219

## Amendment to the Summerlea Neighbourhood Area Structure Plan

### Purpose

To amend the Summerlea Neighbourhood Area Structure Plan (NASP).

### Readings

Bylaw 19219 is ready for three readings after the public hearing has been held. If Council wishes to give three readings during a single meeting, Council must unanimously agree “That Charter Bylaw 192196 be considered for third reading.”

### Advertising and Signing

This Bylaw has been advertised in the Edmonton Journal on September 4, 2020 and September 12, 2020. The Charter Bylaw can be passed following third reading.

### Position of Administration

Administration supports this proposed Bylaw.

### Report

The Summerlea NASP was originally approved in May 1978. Since that time, it has been amended in 1983 to allow for West Edmonton Mall, in 1998 to add the hotel on the northside of 90 Avenue NW. This application proposes to redesignate a site that is approximately 5 hectares in size from Urban Services to Shopping Centre in order to allow for the future development of the site for retail and associated uses. In the interim, the site is intended to be used as a temporary transit centre while the Valley Line LRT is being built on the south side of West Edmonton Mall.

The proposed redesignation is compatible with surrounding commercial uses. A berm and planting exist to provide a buffer adjacent to the residential area and vehicular access to the property is by way of major arterials and collectors.

### Public Engagement

Advance Notice was sent to surrounding property owners and the Summerlea Community League and the West Edmonton Council of Community Leagues on December 19, 2019. A meeting was held with the Summerlea Community League executive on December 2, 2019. On February 24, 2020, the Community League held a meeting open to neighbourhood residents. A summary of the comments is included in the attached report.

**Attachments**

1. Bylaw 19219
2. Administration Report

Bylaw 19219

A Bylaw to amend Bylaw No. 7209, as amended,  
being the Summerlea Neighbourhood Area Structure Plan

WHEREAS pursuant to the authority granted to it by the Planning Act, on March 22, 1983, the Municipal Council of the City of Edmonton passed Bylaw 7209, being the Summerlea Neighbourhood Area Structure Plan; and

WHEREAS Council found it desirable from time to time to amend the Summerlea Neighbourhood Area Structure Plan through the passage of Bylaws 7174, 7355, and 11889; and

WHEREAS an application was received by Administration to further amend the Summerlea Neighbourhood Area Structure Plan; and

WHEREAS Council considers it desirable to amend the Summerlea Neighbourhood Area Structure Plan;

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. Bylaw 7209, as amended, the Summerlea Neighbourhood Area Structure Plan is hereby amended by:



a) adding the following after Section 6 as Section 7, and renumbering them accordingly;

“7. Shopping Centre north of 90 Avenue NW to 175 Street NW

On the north side of 90 Avenue NW between 170 Street and 175 Street NW, land may be used for commercial uses by way of the CSC zone or Direct Control zoning. The intent is to minimize impacts on adjacent non-commercial uses and provide a transition between West Edmonton Mall and the existing residential and parkland. Access is only by way of 170 Street NW, 90 Avenue NW and/or 175 Street NW. No vehicular access is permitted to the existing residential area”; and

b) deleting the map entitled “Bylaw 11889: Amendment to Summerlea Neighbourhood Area Structure Plan” and substituting therefore the map entitled “Bylaw 19219: Amendment to Summerlea Neighbourhood Area Structure Plan” attached hereto as Schedule “A” and forming part of this Bylaw.

READ a first time this	day of	, A.D. 2020;
READ a second time this	day of	, A.D. 2020;
READ a third time this	day of	, A. D. 2020;
SIGNED and PASSED this	day of	, A. D. 2020.

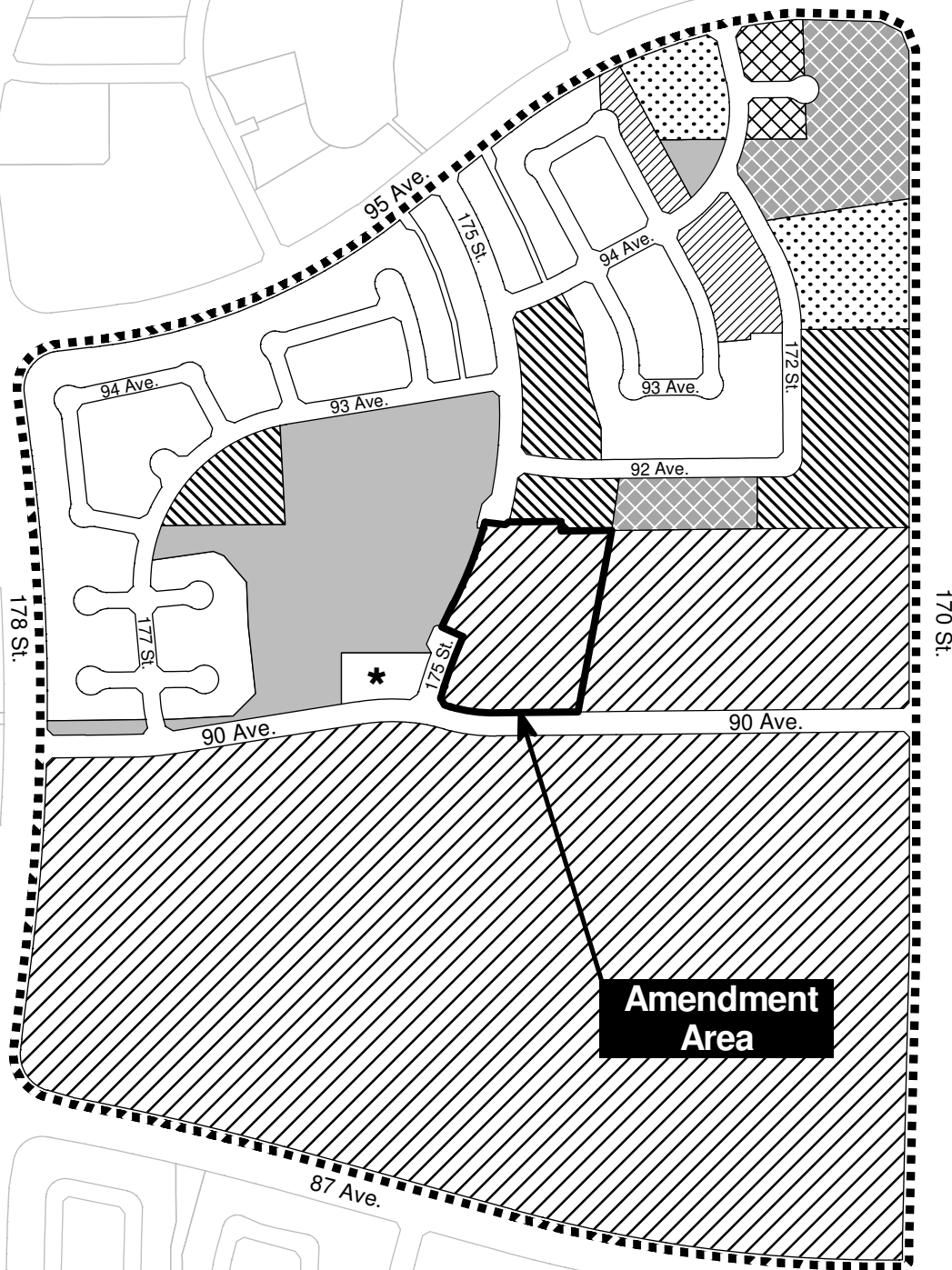
THE CITY OF EDMONTON

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MAYOR

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CITY CLERK



# **BYLAW 19219 AMENDMENT TO SUMMERLEA**

## **Neighbourhood Area Structure Plan (as amended)**

	Single Detached Residential		Urban Services
	Semi-Detached Residential		Shopping Centre
	Row Housing		Park / School
	Medium Density Multi Family		Direct Control (Hotel)
	Low Rise Apartments		Boundary of N.A.S.P.
	Medium Rise Apartments		Amendment Area

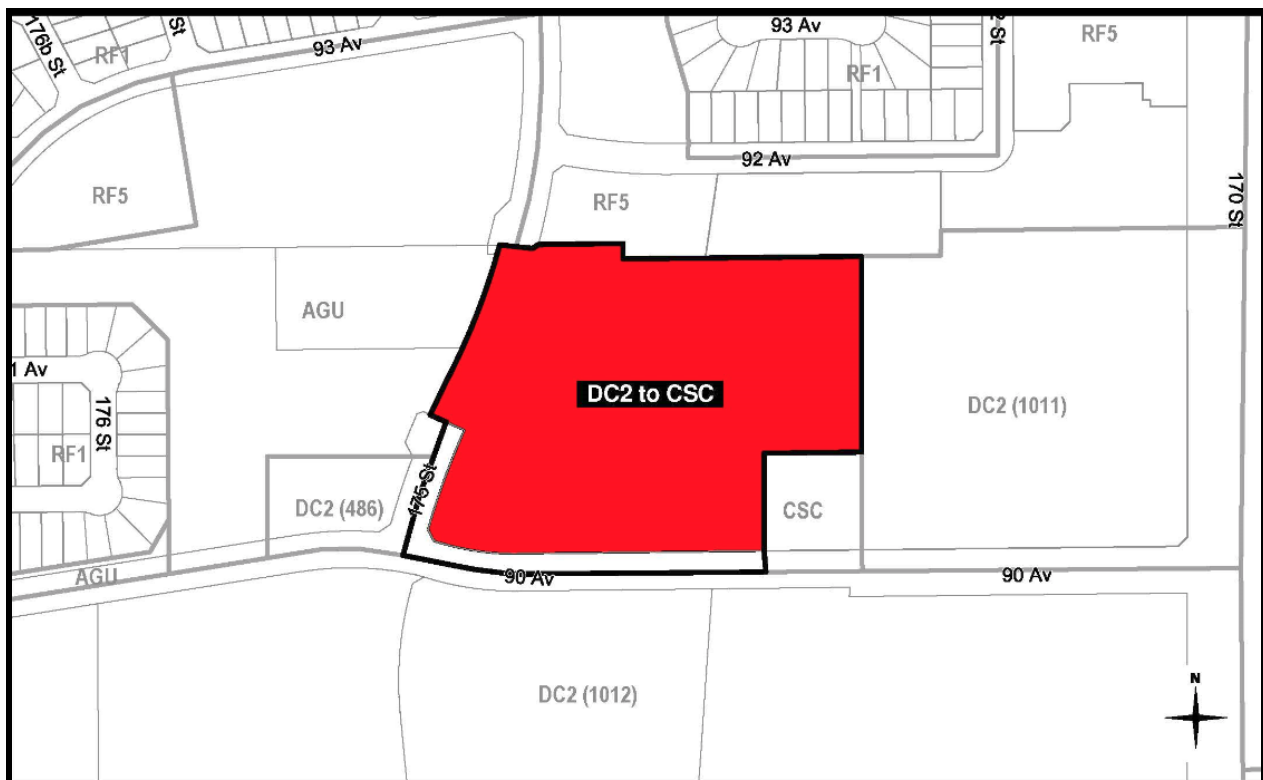
**Note:** Location of collector roads and configuration of stormwater management facilities are subject to minor revisions during subdivision and rezoning of the neighbourhood and may not be developed exactly as illustrated.



## ADMINISTRATION REPORT PLAN AMENDMENT, REZONING SUMMERLEA

### 17310 - 90 AVENUE NW

To allow for the development of a temporary transit centre and the future commercial opportunities.



### RECOMMENDATION AND JUSTIFICATION

Administration is in **SUPPORT** of this application because

- it allows for the temporary relocation of the transit centre use while the LRT line is being built on the southside of West Edmonton Mall; and
- is compatible and complementary to the commercial nature of the immediate area fronting on 90 Avenue NW.

## THE APPLICATION

BYLAW 19219 proposes to amend the Summerlea Neighbourhood Area Structure Plan (NASP) to redesignate the subject site to “Shopping Centre” from “Urban Services” in support of the associated Charter Bylaw.

CHARTER BYLAW 19220 proposes to amend the Zoning Bylaw from (DC2) Site Specific Development Control Provision to (CSC) Shopping Center Zone.

The application is being made in order to allow the site to be used for the interim transit station while the LRT is being constructed on the south side of West Edmonton Mall. The CSC zone is being proposed in order to allow for future commercial opportunities.

## SITE AND SURROUNDING AREA

The 4.77 hectare site is north of 90 Avenue NW and West Edmonton Mall. The site is currently used as the West Edmonton Mall overflow parking lot and other various seasonal uses do take place on the site.

There are a mix of commercial uses to the east, West Edmonton Mall to the south, and a motel and the Summerlea Park to the west. Immediately north of the subject site, the land is zoned (RF5) Row Housing Zone and developed with townhouses. The residential uses are separated from the commercial uses and parking lot with both a fence and a mature landscaped buffer.



## AERIAL VIEW OF APPLICATION AREA

	EXISTING ZONING	CURRENT USE
<b>SUBJECT SITE</b>	(DC2) Site Specific Development Control	parking lot
<b>CONTEXT</b>		
North	(RF5) Row Housing Zone	row housing
West	(DC2) Site Specific Development Control (AGU) Urban Reserve Zone	hotel park
East	(CSC) Shopping Center Zone (DC2) Site Specific Development Control	mixed commercial uses
South	(DC2) Site Specific Development Control	West Edmonton Mall

## PLANNING ANALYSIS

The site has been in use since 1987 as an overflow surface parking lot for West Edmonton Mall and is identified as Urban Services in the Summerlea NASP. The NASP does not provide guidance on the Urban Service designation. The proposed Plan amendment and rezoning will allow for the site to be used for commercial uses over the long term. In the interim, the zoning allows for a temporary site for the West Edmonton Mall transit centre while the future LRT station and associated Transit Centre are built on the south side of the mall.

The proposed redesignation of the site to Shopping Centre is in character with development fronting onto 90 Avenue and recognizes the long range potential of the site. The proposed amendment does restrict access to the commercial area to the collectors and arterials, restricts vehicular access to the residential development to the north, recognizes existing buffering (berm and mature trees) and promotes a transition between West Edmonton Mall and the residential area through landscaping and restrictions on maximum height.

The proposed CSC Zone allows for larger shopping centre developments intended to serve a community or regional trade area. Residential, office, entertainment and cultural uses may also be included within such shopping complexes. It is consistent with adjacent existing zoning and development along 90 Avenue NW / 170 Street NW. The CSC Zone includes regulations to ensure setbacks and buffering is provided to adjacent residential uses.

All comments from affected City Departments and utility agencies have been addressed.

## PUBLIC ENGAGEMENT

<b>ADVANCE NOTICE</b> December 19, 2019	Number of recipients: 604 Responses: 4 objections
<b>PUBLIC MEETING</b>	Not held

Following the Advance notice, four responses were received - all in opposition to the proposed rezoning. The callers were objecting to the rezoning based on the amount of commercial already in the area both to the east and West Edmonton Mall.

Administration was invited to discuss the applications with the Summerlea Community League Executive on December 1, 2019. On February 24, 2020 the Summerlea Community League held an open meeting with the community that Administration attended. Concerns raised at the meeting related to this application include:

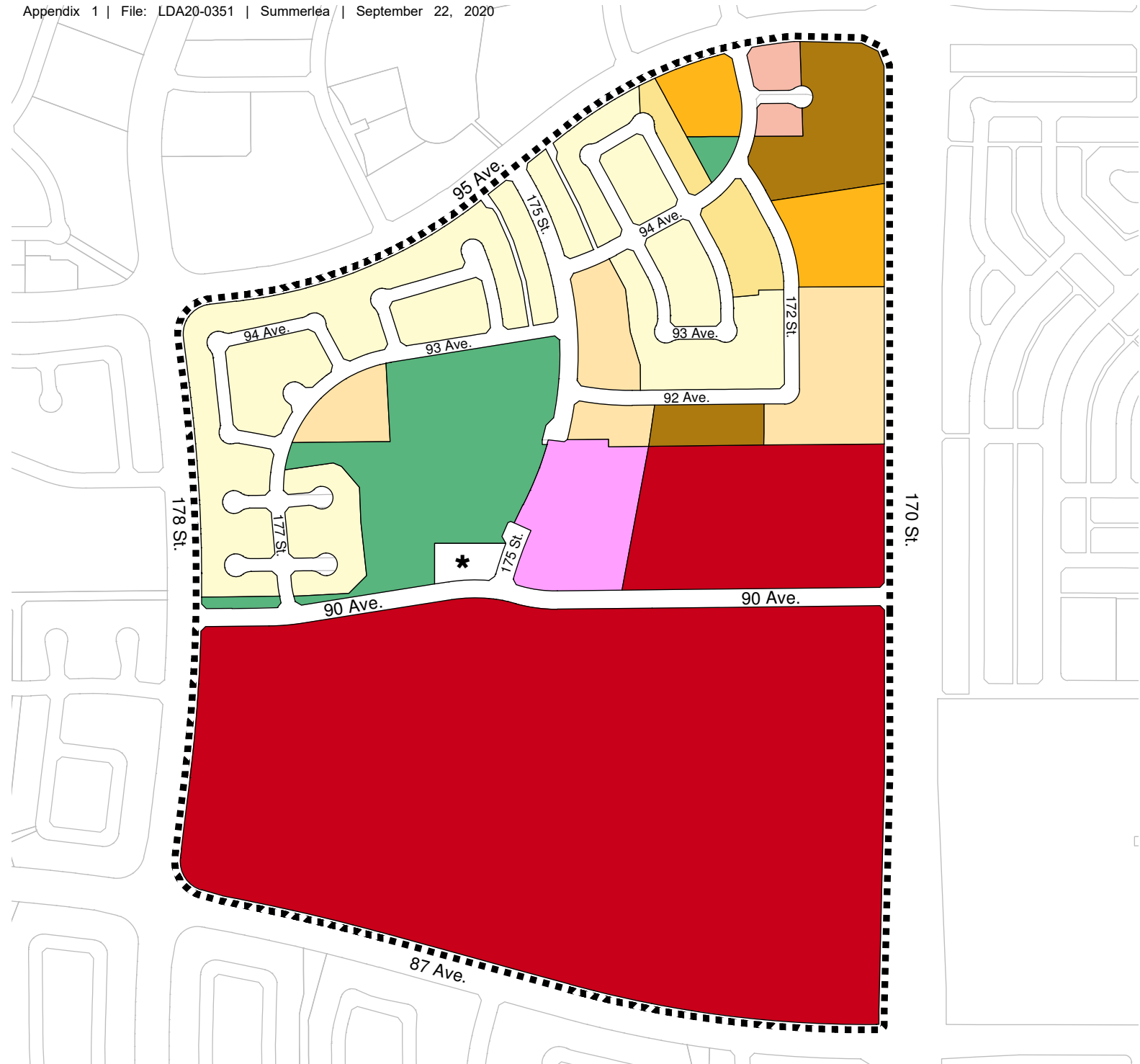
- questioning the need for more commercial space in this area;
- the impact of a transit centre and potential future commercial development on the adjacent neighbourhood park;
- security currently and in the future, damage to property and garbage issues are currently issues in the neighbourhood;
- potential use of neighbourhood streets for parking for transit centre;
- actual timeframe for temporary transit centre;
- appropriateness of uses in CSC zone at this location;
- 90 Avenue being able to handle additional vehicle and pedestrian traffic.

## CONCLUSION

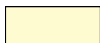

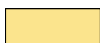








The Administration recommends that City Council **APPROVE** this application.

## APPENDICES

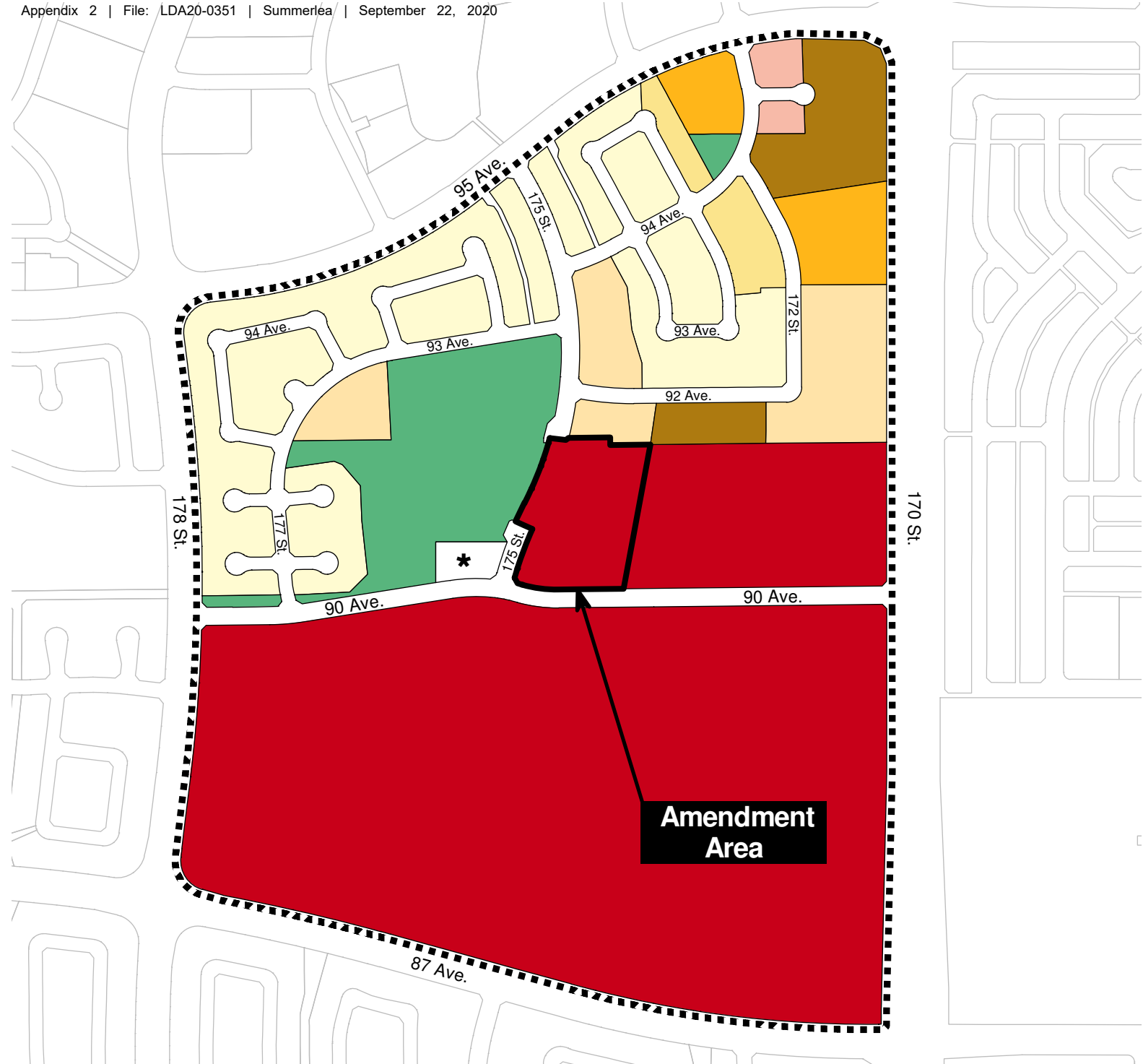
- 1 Approved Summerlea Neighbourhood Area Structure Plan - Bylaw 11889
- 2 Proposed Summerlea Neighbourhood Area Structure Plan - Bylaw 19219
- 3 Application Summary



**BYLAW 11889**  
**APPROVED**  
**SUMMERLEA**  
Neighbourhood Area Structure Plan  
(as amended)













- |   |                             |  |                        |
|---|-----------------------------|--|------------------------|
|  | Single Detached Residential |  | Urban Services         |
|  | Semi-Detached Residential   |  | Shopping Centre        |
|  | Row Housing                 |  | Park / School          |
|  | Medium Density Multi Family |   | Direct Control (Hotel) |
|  | Low Rise Apartments         |  | Boundary of N.A.S.P.   |
|  | Medium Rise Apartments      |  |                        |





**BYLAW 19219  
AMENDMENT TO  
SUMMERLEA**  
Neighbourhood Area Structure Plan  
(as amended)



- |   |                             |  |                        |
|---|-----------------------------|--|------------------------|
|  | Single Detached Residential |  | Urban Services         |
|  | Semi-Detached Residential   |  | Shopping Centre        |
|  | Row Housing                 |  | Park / School          |
|  | Medium Density Multi Family |  | Direct Control (Hotel) |
|  | Low Rise Apartments         |  | Boundary of N.A.S.P.   |
|  | Medium Rise Apartments      |  | Amendment Area         |

**Note:** Location of collector roads and configuration of stormwater management facilities are subject to future revisions during subdivision and rezoning of the neighbourhood and may not be developed exactly as illustrated.



## APPLICATION SUMMARY

### INFORMATION

Application Type:	Rezoning & Plan amendment
Bylaw:	19219
Charter Bylaw:	19220
Location:	North of 90 Avenue NW and east of 175 Street NW
Address:	17310 - 90 Avenue NW
Legal Description(s):	Block 30, Plan 8621577
Site Area:	4.77 ha.
Neighbourhood:	Summerlea
Notified Community Organization(s):	Summerlea Community League West Edmonton Council of Community Leagues
Applicant:	Stantec

### PLANNING FRAMEWORK

Current Zone:	(DC2) Site Specific Development Control Provision
Proposed Zone:	(CSC) Shopping Center Zone
Plan in Effect:	Summerlea Neighbourhood Area Structure Plan
Historic Status:	None

Written By:	Don Read
Approved By:	Tim Ford
Branch:	Development Services
Section:	Planning Coordination

# Charter Bylaw 19220

To allow for a shopping centre intended to serve a community or regional trade area, Summerlea

## Purpose

To rezone from DC2 to CSC; located at 17310 - 90 Avenue NW, Summerlea.

## Readings

Charter Bylaw 19220 is ready for three readings after the public hearing has been held. If Council wishes to give three readings during a single meeting, Council must unanimously agree "That Charter Bylaw 19220 be considered for third reading."

## Advertising and Signing

This Charter Bylaw has been advertised in the Edmonton Journal on September 4, 2020 and September 12, 2020. The Charter Bylaw can be passed following third reading.

## Position of Administration

Administration supports this proposed Charter Bylaw.

## Report

The proposed (CSC) Shopping Center Zone will allow for larger retail developments intended to serve a community or regional trade area. Residential, office, entertainment and cultural uses may also be included within such shopping complexes. Given that this is part of a large commercial area, this site is compatible with the surrounding land use.

This application conforms to the associated Summerlea Neighbourhood Area Structure Plan amendment.

## Public Engagement

Advance Notice was sent to surrounding property owners and the Summerlea Community League as well as the West Edmonton Council of Community Leagues on December 19, 2019. Four responses were received in opposition to the proposed use.

## Attachments

1. Charter Bylaw 19220
2. Administration Report ( Attached to Bylaw 19219 - item 3.21)

Charter Bylaw 19220

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 2985

WHEREAS Block 30, Plan 8621577; located at 17310 - 90 AVENUE NW, Summerlea, Edmonton, Alberta, is specified on the Zoning Map as (DC2) Site Specific Development Control Provision; and

WHEREAS an application was made to rezone the above described property to (CSC) Shopping Centre Zone;

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 Block 30, Plan 8621577; located at 17310 - 90 AVENUE NW, Summerlea, Edmonton, Alberta, which lands are shown on the sketch plan attached as Schedule “A”, from (DC2) Site Specific Development Control Provision to (CSC) Shopping Centre Zone.

READ a first time this	day of	, A. D. 2020;
READ a second time this	day of	, A. D. 2020;
READ a third time this	day of	, A. D. 2020;
SIGNED and PASSED this	day of	, A. D. 2020.

THE CITY OF EDMONTON

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

## CHARTER BYLAW 19220

