

Charter Bylaw 18613

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 2681

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) Adding the following after Section 3.2(1)(j):

“k. Flea Market is deemed to be Market.”;

b) Deleting Section 7.4(3) entirely, and replacing it as follows:

“3. **Auctioneering Establishment** means development specifically intended for the auctioning of goods and equipment, including Temporary Storage of such goods and equipment. This Use does not include Markets.”;

c) Deleting Section 7.4(19) entirely, and replacing it as follows:

“19. **Market** means development used for the sale of new or used goods by multiple vendors renting tables or space either in an enclosed building or outdoors. Vendors may vary from day to day, although the general layout of space to be rented remains the same. The goods sold are generally household items, tools, electronic equipment, food products or concessions, plants, clothing and furniture. Common examples include: public markets and farmers markets. This Use does not include Secondhand Stores or Pawn Stores.”;

- d) Adding the following after Section 7.8(14), and renumbering the remainder of the Section accordingly:

“15. Special Event means a temporary activity occurring for a limited duration. This Use does not include activities related to Cannabis Lounges, Cannabis Retail Sales, Cannabis Production and Distribution, Body Rub Centres, or Adult Mini-Theatres.”;

- e) Deleting Section 12.2(1)(e) entirely, and replacing it as follows:

“e. interior alterations and maintenance to a non-residential building, including mechanical or electrical work, provided that neither the Use nor the intensity of Use is changed, nor that another Use is added, except in accordance with subsection 12.2(1)(f);”;

- f) Adding the following after Section 12.2(1)(e), and renumbering the remainder of the Section accordingly:

“f. a change of Use, provided that:

- i. it does not result in exterior alterations to the building or Site;
- ii. it does not result in additional gross Floor Area to the building;
- iii. it is a Permitted Use;
- iv. it complies with regulations that restrict the size and location of the Use in the applicable Zone; and
- v. the change of Use is for one or more of the following Uses:
 - A. Business Support Services
 - B. Commercial Schools
 - C. Convenience Retail Stores
 - D. Community Recreation Services
 - E. Creation and Production Establishments
 - F. Equipment Rentals, provided that all equipment and goods for rent are contained within an enclosed building
 - G. Greenhouses, Plant Nurseries and Garden Centres, provided that all goods are contained within an enclosed building
 - H. General Retail Stores
 - I. Government Services
 - J. Household Repair Shop

K. Limited Contractor Services

L. Media Studios

M. Minor Amusement Establishments

N. Mobile Catering Food Services

O. Personal Service Shops, not including those operating as a Body Rub Centre

P. Professional, Financial, and Office Support Services

Q. Public Libraries and Cultural Exhibits

R. Public Parks

S. Specialty Food Services, for less than 100 occupants and 120 m2 of Public Space, and not including Drive-in Food Services

T. Restaurants, for less than 200 occupants and 240 m2 of Public Space, and not including Drive-in Food Services

U. Veterinary Services

V. Warehouse Sales”;

g) Adding to the end of Section 12.2(1):

“z. a Minor Home Based Business that fully complies with the regulations of this Bylaw and is a Permitted Use in the applicable Zone.

aa. a Special Event that fully complies with the regulations of Section 91.1 of this Bylaw and:

- i. is on a Site zoned US, PU, AP, A or AN owned by the City of Edmonton;
- ii. is for the purpose of seasonal plant sales Accessory to a non Residential or non Residential-Related Use and complies with the regulations of Section 91.2(b); or
- iii. does not exceed 5 consecutive days, or 5 cumulative days per calendar year.

bb. Signs associated with a Special Event, provided the Signs are Temporary Signs, do not contain Digital Copy and are located on the same Site as the Special Event for no longer than the duration of the Special Event.”;

h) Deleting and replacing Section 54.1(1) with the following, and renumbering the remainder of the Section accordingly:

“ 1. Applicability and Exceptions:

- a. The regulations contained within this Section shall not apply to buildings or Uses existing at the time of the adoption of Zoning Bylaw 12800 until development takes place in a manner outlined in 54.1(1)(b).
- b. When any development takes place on any Site, off-street parking and loading facilities for each building type or Use, including Accessory Uses, shall be provided and maintained in accordance with the regulations and standards of this Bylaw, except that:
 - i. a change in Use development in accordance with subsection 12.2.(1)(f) shall not be required to provide additional parking on Site and shall maintain the parking requirement of the existing or proposed Use, whichever is less; and
 - ii. where new off-street parking facilities or loading facilities are provided when not required, the location, design and operation of such facilities shall comply with all the regulations of this Bylaw.
- c. All required parking and loading facilities shall only be used for the purpose of accommodating the vehicles of clients, customers, employees, members, residents or visitors in connection with the building or Use for which the parking and loading facilities are provided, and the parking and loading facilities shall not be used for driveways, access or egress, commercial repair work, display, sale or storage of goods of any kind, except for the purpose of Special Events.”;
- i) Deleting subsection (17) ‘Flea Markets’ from Section 54.2 Schedule 1(A) and renumbering the remainder of the Section accordingly.
- j) Inserting into Section 54.2 Schedule 1(A) the following and renumbering the remainder of the Section accordingly:

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44. Special Event	No Parking is required
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”;

- k) Inserting into Section 54.2 Schedule 1(B) the following and renumbering the remainder of the Section accordingly:

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10. Special Event	No Parking is required
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”

- l) Inserting into Section 54.2 Schedule 1(C) the following and renumbering the remainder of the Section accordingly:

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7. Special Event	No Parking is required
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”

- m) Deleting Section 82 entirely, and replacing as follows:

“82. Residential Sales Centres

The following regulations shall apply to all Residential Sales Centres except those developments provided for in subsections 12.2(1)(j) and 12.2(1)(q) of this Bylaw:

1. Residential Sales Centres shall be a Temporary Development. The Development Permit for a Residential Sales Centre shall be valid for such a period of time as specified by the Development Officer having regard for the amount of land or development being marketed, but in no case shall the time period exceed three years.
2. Sites containing Residential Sales Centres shall be located and developed such that their impacts on local roadways and surrounding residential development are minimized. In deciding upon an application, the Development Officer shall take into consideration the scale of the Residential Sales Centre, its proximity to arterial or neighbourhood collector roadways, and to occupied residential development.
3. Where a Site is located within 60.0 m of existing development, the applicant shall demonstrate that sufficient parking is available on or adjacent to the Site so that parking congestion shall not develop on that portion of local streets serving existing development in the vicinity of the Residential Sales Centre.

4. Notwithstanding Section 54.2 Schedule 1, there shall be no parking required for Residential Sales Centres located in the areas identified in Schedule 1(B) and 1(C).
5. The Setbacks for Residential Sales Centre buildings shall comply with the regulations of the Zone applying to the Site except that:
 - a. in the case of a temporary structure located on a Site zoned DC1 or DC2, the location of the building shall be Setback to the satisfaction of the Development Officer; and
 - b. the Development Officer may attach conditions requiring additional Setbacks to minimize any adverse impacts on adjacent development.
6. In the case of a temporary structure, the Height of the building including any hoardings or false fronts shall not exceed 10.0 m, or the maximum Height of the Zone and any applicable Overlay, whichever is less.
7. All curb crossings and access points shall be designed and located so as to minimize on-site and off-site traffic impacts and, in consultation with Transportation Services.
8. Where a Site is located within a Residential Zone or is visible from residential development located within 60.0 m of the Site, the colour and material of the exterior finish of the temporary structure and hoardings or false fronts, excluding advertising Copy, shall be compatible with those commonly found in Residential Zones.
9. Any exterior lighting shall be developed in accordance with Section 51 of this Bylaw.
10. Notwithstanding Section 55, Landscaping shall not be required for a Residential Sales Centre.
11. A Development Application for a Residential Sales Centre shall be accompanied by the following information in addition to the information required by subsection 13.3 of this Bylaw:
 - a. a context plan identifying the nature of the Uses and development within a 60.0 m radius of the proposed Site;
 - b. a description of the exterior finish materials and colours for any temporary sales structure including any proposed hoardings or false fronts;

- c. drawings showing the location, area, Height, construction material, colour and method of support for any proposed on-site identification and advertising Signs, including any advertising or supergraphics that shall be displayed on a hoarding or false front; and
- d. drawings showing the area, Height, construction materials and method of support for any proposed off-site Directional Signs that shall exceed 1.0 m² in area 1.5 m in Height, and a description of the proposed location for the Signs.”;

n) Deleting Section 91 entirely, and replacing as follows:

“91. Special Events

1. Special Event shall be in accordance with the following:

- a. exterior lighting shall provide a safe lit environment in accordance with Section 51 and 58;
- b. all outdoor trash collection areas shall be screened or located away from the activity;
- c. all event structures must be removed after the Special Event and the Site shall be cleared of all debris and returned to its original condition; and
- d. Notwithstanding Section 50, where a temporary structure is erected as part of the function of an event:
 - i. the maximum Height of the structure above ground level shall not exceed the maximum Height of the Zone;
 - ii. Site Coverage and Floor Area Ratio of the underlying Zone shall not apply; and
 - iii. Setbacks shall only apply to those Setbacks which Abut a Zone where Residential Uses are a Permitted Use, except for Sites within the Special Area Downtown.

2. The maximum duration of a Special Event, inclusive of set-up and take-down, shall:

- a. be up to 30 consecutive days, and up to a maximum of 30 cumulative days per calendar year; or
- b. be of unlimited temporary duration between May 01 to August 31 or November 01 to December 31 in the same calendar year, where the Special Event is for the purpose of seasonal plant sales Accessory to a Use other than a Residential or Residential-Related Use.

3. Notwithstanding sections 11.3 and 91.2, the Development Officer may approve a Special Event for a longer duration or a duration other than the dates listed in 91.2(b), only if the Development Officer is satisfied that the Special Event is compatible with the character of the area and the other Uses located on, or Abutting, the Site, having regard for:

- a. the siting of the event;
- b. the location, size and height of the associated temporary structures, including Signs;
- c. the location and use of outdoor speakers and amplification systems is sensitive to adjacent Residential Uses;
- d. screening and buffering; and
- e. hours of operation.

In such cases, the development shall be considered a Class B Discretionary Development.”;

- o) Adding “Special Event” alphabetically to the following Sections and renumbering the remainder of the Sections accordingly:

110.3; 115.3; 120.3; 130.3; 140.3; 150.3; 155.3; 160.3; 165.3; 170.3; 210.3; 220.3; 230.3; 240.3; 250.3; 310.2; 320.2; 330.2; 340.2; 350.2; 360.2; 370.2; 400.2; 410.2; 420.2; 430.2; 510.2; 520.2; 530.2; 531.3; 540.2; 541.2; 550.2; 551.2; 552.2; 553.2; 570.2.1; 570.2.4; 571.2.1; 571.2.4; 572.2.1; 572.2.4; 573.2.1; 573.2.4; 574.2; 610.2; 620.2; 630.2; 910.5(2); 910.6(2); 910.7(2); 910.8(2); 910.9(2); 910.10(2); 910.11(2); 910.12(2); 920.8(3); 920.9(3); 920.10(2); 930.4(2); 930.5(2); 940.5(4); 940.6(3); 940.9(4); 950.4(2); 950.5(2); 950.8(2); 960.4(2); 960.5(2); 960.6(2); 970.6(2); 970.7(2); 970.8(2); 970.9(2); 970.10(2); 970.11(6)(c)(i); 980.4; 981(4); 990.4(2); 995(3); 997.7(2); 997.8(3); 997.9(3); 997.10(3); 998.4(3); 998.5(3); 998.6(3); 999.4(2); 999.5(2); 999.6(2); 999.7(2);

- p) Adding the following after Section 950.6(2), and renumbering accordingly:

“3) Discretionary Uses

- a. Special Events”;

q) Adding the following after Section 950.7(2), and renumbering accordingly:

“3) Discretionary Uses

a. Special Events”;

r) Deleting “Flea Market” from the following Sections, and renumbering the remainder of the Sections alphabetically accordingly:

320(3); 340(3); 400(3); 410(3); 420(3); 430(3); 910.7(3); 910.11(3); 910.12(3); 960.5(3);
960.6(2); 997.7(2); 999.4(2); 999.6(2); 999.7(2);

s) Adding “Market” alphabetically to the following Sections and renumbering the remainder of the Sections accordingly:

310.2; 320.2; 330.2; 340.2; 350.2; 360.2; 370.2; 400.3; 410.3; 420.3; 430.3; 510.3; 520.3; 530.3;
540.3; 541 Appendix I - Fort Edmonton Park (2); 541 Appendix II - Muttart Conservatory (2);
541 Appendix III - Louise McKinney Riverfront (2); 541 Appendix IV - The Edmonton Valley
Zoo (2); 550.3; 551.3; 552.3; 553.3; 570.2.2; 571.2.2; 574.2; 610.3; 620.3; 630.3; 910.5(2);
910.6(2); 910.7(2); 910.8(2); 910.9(2); 910.11(2); 910.12(2); 920.10(2); 930.4(3); 930.5(3);
940.6(3); 950.8(2); 960.5(2); 960.6(2); 970.6(3); 970.8(3); 970.9(3); 970.10(3); 970.11(6)(c)(ii);
990.4(2); 997.7(2); 999.4(2); 999.5(2); 999.6(2); 999.7(2).

READ a first time this	26th	day of	November	, A. D. 2018;
READ a second time this	26th	day of	November	, A. D. 2018;
READ a third time this	26th	day of	November	, A. D. 2018;
SIGNED and PASSED this	26th	day of	November	, A. D. 2018.

THE CITY OF EDMONTON

MAYOR

CITY CLERK