

Charter Bylaw 18532

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 2634

WHEREAS Lot 1C, Block 36, Plan 9222983; located at 10321 - 34 Avenue NW, Calgary Trail North, 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, 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 1C, Block 36, Plan 9222983; located at 10321 - 34 Avenue NW, Calgary Trail North, 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. 2018;
READ a second time this	day of	, A. D. 2018;
READ a third time this	day of	, A. D. 2018;
SIGNED and PASSED this	day of	, A. D. 2018.

THE CITY OF EDMONTON

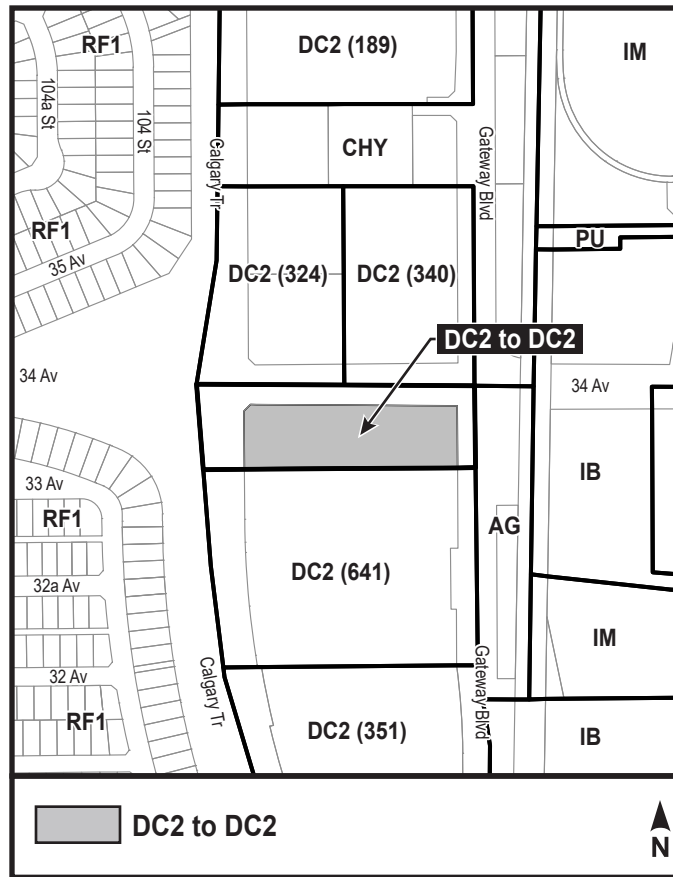
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MAYOR

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CITY CLERK

## CHARTER BYLAW 18532



## SCHEDULE “B”

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

To accommodate a shopping center development that will allow for cannabis retail sales, retail, general commercial and office uses such that by establishing specific site development criteria, a compatible relationship with surrounding land uses will be achieved.

**2. Area of Application**

Lot 1C , Block 36, Plan 9222983 as shown on Schedule “A” annexed to the Bylaw adopting this DC2 District, Calgary Trail South.

**3. Uses**

- a. Bars and Neighbourhood Pubs
- b. Breweries, Wineries and Distillers
- c. Business Support Services
- d. Cannabis Retail Sales
- e. Convenience Retail Stores
- f. Drive-in Food Services
- g. Gas Bars
- h. General Retail Stores
- i. Health Services
- j. Hotels
- k. Major Alcohol Sales
- l. Minor Alcohol Sales
- m. Major and Minor Amusement Establishments
- n. Minor Service Stations
- o. Motels
- p. Personal Service Shops
- q. Professional, Financial and Office Support Services
- r. Private Clubs
- s. Rapid Drive-through Vehicle Services

- t. Restaurants
- u. Speciality Food Services
- v. Warehouse Sales
- w. Fascia On-premises Signs
- x. Freestanding On-premises Signs
- y. Projecting On-premises Signs
- z. Temporary On-premises Signs
- aa. Major Digital Signs
- bb. Minor Digital Off-premises Signs
- cc. Minor Digital On-premises Off-premises Signs
- dd. Minor Digital On-premises Signs

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

- a. Notwithstanding Section 720.3 (2), no Site Plan is appended to this Provision.
- b. The maximum Floor Area Ratio shall be 1.0.
- c. Except for those Use Classes listed in 4(d) below, the maximum building Height shall not exceed 10 m (32.8 ft.) and the maximum Height of the principal walls of a building shall not exceed a Height of 8 m (26.2 ft.), measured from grade to the top of the parapet. The portion of a building greater than 8 m above grade shall be set back from the building line of the principal building or utilize glazing or sloped roof elements to reduce the perceived massing of the building and achieve architectural interest, to the satisfaction of the Development Officer.
- d. Notwithstanding Clause 4 (c), a maximum Height of 15 m (49.2 ft.) and four storeys shall be allowed for Hotels, Motels, Professional, Financial and Office Support Services and Health Services.
- e. A minimum building setback of 14 m (45.9 ft.) along Gateway Boulevard , Calgary Trail Southbound and along 34 Avenue shall be required. At the discretion of the Development Officer, this minimum set back requirement may be reduced to a minimum of 7.5 m for developments having a gross floor area of less than 1,000 m<sup>2</sup> and a Height less than 6 m, and where landscaping and building treatments minimize the perception of massing and create a high standard of building appearance.
- f. A landscaped Yard an average of 7.5 m and a minimum of 4.5 m in depth shall be provided adjacent to the east and west property lines. A landscaped Yard an average of 4.5 m and a minimum of 4.0 m in depth shall be provided adjacent to the north property line. The landscape treatment for these yards shall contain not less than four mature deciduous trees and four mature evergreens and 20 shrubs for each 35 m of frontage with the plant material grouped in modules not greater

than 25 m in length, to the satisfaction of the Development Officer. Mature deciduous trees shall have a minimum calliper of 8 cm and mature evergreen trees shall be a minimum of 3.0 m in Height.

- g. A landscaped Yard of a minimum of 1 m in width shall be provided adjacent to the south property line. The landscaping for this Yard shall include the planting of mature deciduous and evergreen trees to the satisfaction of the Development Officer, having regard to ensuring a high standard of appearance for the site as a whole.
- h. Detailed landscaping plans shall be submitted with the initial Development Permit application for approval by the Development Officer, in compliance with the landscaping requirements specified by the Clauses of this District and as required by Section 55.5 of the Zoning Bylaw for the landscaping of parking areas to ensure a high standard of appearance and a sensitive transition to the surrounding land uses.
- i. The Development Officer shall require, as a condition of approval that the applicant provide an irrevocable letter of credit or a performance bond, in the amount of 100% of the established landscaping costs, the conditions of security being that:
  - i. If the landscaping is not completed in accordance with the provisions of this District and the landscaping plan, within one growing season after the completion of the development, then the amount fixed shall be paid to the City, and
  - ii. notwithstanding Section 55.8, the Development Officer shall not release the Letter of Credit until an inspection of the site has demonstrated that the landscaping has been well maintained and is in a healthy condition two growing seasons after completion of the landscaping.
- j. No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required yard, and loading, storage, parking and trash collection areas shall be screened from view from any adjacent sites and public roadways in accordance with the provisions of Section 55.5 of the Zoning Bylaw.
- k. Development shall be in accordance with the following architectural guidelines, to the satisfaction of the Development Officer:
  - i. the design of the project shall include the use of sloped roof elements or parapet details;
  - ii. all exterior finishing materials must be of good quality, durable and attractive in appearance, and the exposed faces of all buildings on the site shall have harmonious exterior finishing materials having regard to the objective of ensuring a high standard of appearance appropriate to the entrance location of this site;
  - iii. on-site security and building lighting must be situated and designed such that the illumination is directed downwards and no direct rays of light are directed outward from the site;

- iv. all mechanical equipment on the roof of any building shall be concealed by screening in a manner compatible with the architectural character of the building, or concealed by incorporating it within the building roof; and
- v. any buildings with a wall exceeding 30 m in length shall comply with the following guidelines;
  - A. the roof-line and building facade shall include design elements and variations that reduce the perceived mass of the building and add architectural interest;
  - B. the exterior wall finishing materials shall be predominantly composed of light earth tone or muted colours and consist of brick, textured concrete, stone, glazing or stucco, with pre-finished metal or wood limited to use as an accent; and
  - C. the provision of landscaping to minimize the perceived mass of the building and create visual interest.
- l. Signs shall be allowed in accordance with Sign Schedule Section 59F of the Zoning Bylaw subject to the following additional provisions: a comprehensive Sign Design Plan and Schedule consistent with the overall intent of Section 59F of the Zoning Bylaw shall be prepared for each phase of the Development to be approved by the Development Officer, having regard to the following additional requirements;
  - i. no part of a Freestanding Sign shall extend beyond the property line, and signs shall have a separation distance of at least 30 m between Signs; and
  - ii. individual business identification signs located on the facade shall be similar as to proportion, construction materials and placement. The design and placement and scale of the sign shall be to the satisfaction of the Development Officer so as to ensure that signage does not detract from the overall appearance of the development and that signage is not obtrusive.
- m. Developments in this District shall be evaluated with respect to compliance with the General Development Regulations of Section 40 to 61 inclusive of the Zoning Bylaw.
- n. The Development Officer may grant relaxations to the regulations contained in Sections 40 to 61 of the Zoning Bylaw and the provision of this District if, in his opinion, such a variance would be in keeping with the General Purpose of the District and would not adversely affect the amenities, use and enjoyment of the neighbouring properties.

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

- a. Specialty Food Services shall not exceed 200 occupants and 240 m<sup>2</sup> of Public Space.

- b. Bars and Neighbourhood Pubs, shall not exceed 200 occupants and 240 m<sup>2</sup> of Public Space and shall only be allowed as an accessory use to Motels, Hotels, or Restaurants only.
- c. Restaurants shall not exceed 350 occupants and 420 m<sup>2</sup> of Public Space
- d. Gas Bars, Minor Service Stations and Rapid Drive-through Vehicle Services shall have a minimum building setback of 14 m from the eastern and western boundaries of this site and shall be developed in accordance with Section 82 of the Zoning Bylaw and the following additional criteria;
  - i. Rapid Drive-through Vehicle Services shall have the orientation of the bays and circulation and queuing aisles being to the satisfaction of the Development Officer in consultation with the City Planning having regard to on-site and off-site traffic impacts;
  - ii. the design, finishing, and siting of development, including the orientation of gas pump islands and service bays, shall be to the satisfaction of the Development Officer having regard to achieving a consistent and compatible relationship with the overall design and finishing of the project, ensuring a high standard of appearance when viewed from adjacent public roadways, and minimizing traffic circulation conflicts both off and on-site; and
  - iii. any canopy located over the gas pump islands shall be designed and finished in a manner consistent with the design and finishing of the principal building, with the overall Height and scale of the canopy to be to the satisfaction of the Development Officer, such that the canopy is not obtrusive and maintains consistency with the eave line of the principal building.
- e. Drive-in Food Services shall have a minimum building setback of 14 m from the eastern and western boundaries of the site and be developed in accordance with Section 72 of the Zoning Bylaw..
- f. Specialty Food Services (with accessory food pick-up window) shall have a minimum building setback of 14 m from the eastern and western boundaries of this site..
- g. Major and Minor Alcohol Sales shall be developed in accordance with Section 85 of the Zoning Bylaw.
- h. Cannabis Retail Sales shall be developed in accordance with Section 70 of the Zoning Bylaw
- i. Signs shall comply with the regulations of Schedule 59E and any other provisions of the Zoning Bylaw