

Charter Bylaw 18530

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 2632

WHEREAS Lot 7, Block 22, Plan 8322082; Lots 5 and 6, Block 28, Plan 8421891; Lot 6A, Block 22, Plan 8421542; and Lot 4, Block 28, Plan 8222590; located at 8882 - 170 Street NW and 17410 - 87 Avenue NW, Summerlea, 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 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 7, Block 22, Plan 8322082; Lots 5 and 6, Block 28, Plan 8421891; Lot 6A, Block 22, Plan 8421542; and Lot 4, Block 28, Plan 8222590; located at 8882 - 170 Street NW and 17410 - 87 Avenue NW, Summerlea, 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	5th	day of	September	, A. D. 2018;
READ a second time this	5th	day of	September	, A. D. 2018;
READ a third time this	5th	day of	September	, A. D. 2018;
SIGNED and PASSED this	5th	day of	September	, A. D. 2018.

THE CITY OF EDMONTON

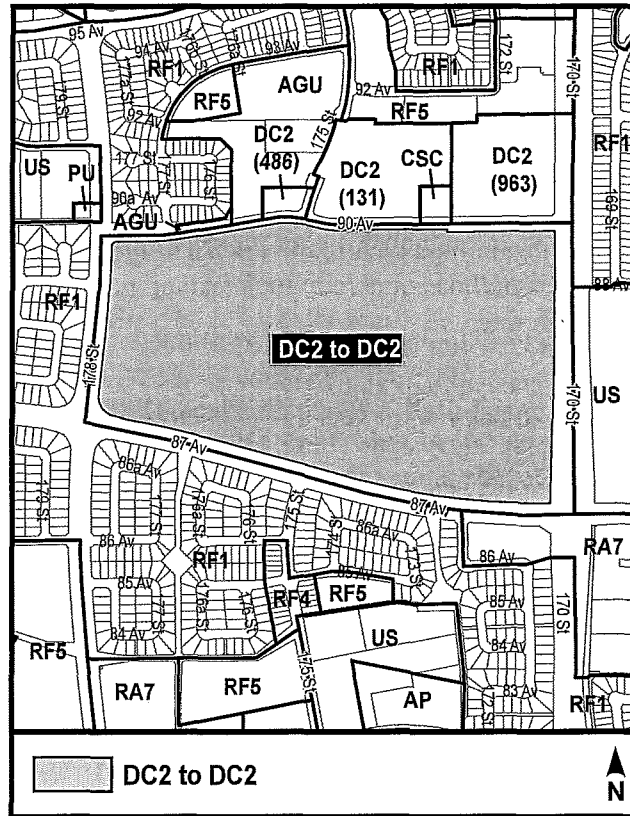


MAYOR



A/ CITY CLERK

CHARTER BYLAW 18530



SCHEDULE "B"

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

To accommodate a variety of uses including commercial, office and professional services, health care services, residential, community, recreational, entertainment and educational uses with specific development criteria that will achieve a compatible relationship between the subject site, currently known as West Edmonton Mall, and surrounding land uses; and establish a high standard of building appearance appropriate to the Site's proximity to residential development.

2. Area of Application

The Provision shall apply to Lot 7, Block 22, Plan 8322082; Lots 5 and 6, Block 28, Plan 8421891; Lot 6A, Block 22, Plan 8421542; and Lot 4, Block 28, Plan 8222590; located on the north of 87 Avenue and west of 170 Street, as shown on Schedule "A" of this Bylaw, adopting this Provision, Summerlea.

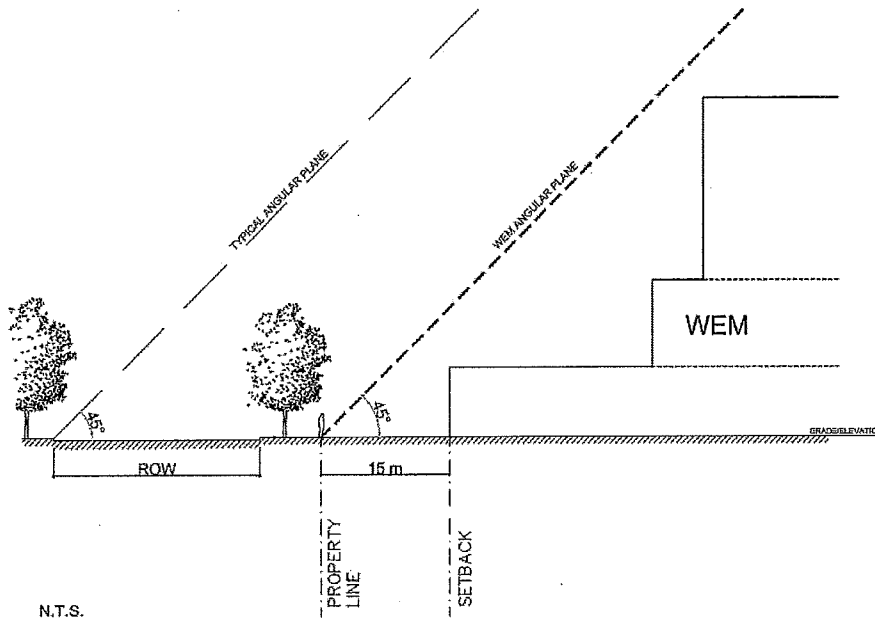
3 Uses

- a. Apartment Housing
- b. Automotive and Equipment Repair Shops
- c. Automotive and Minor Recreational Vehicles Sales/Rentals
- d. Bars and Neighbourhood Pubs
- e. Business Support Services
- f. Cannabis Retail Sales
- g. Cannabis Lounge
- h. Casinos and other Gaming Establishments
- i. Child Care Services
- j. Commercial Schools
- k. Convenience Retail Stores
- l. Convenience Vehicle Rentals
- m. Creation and Production Establishments
- n. Gas Bars
- o. General Retail Stores
- p. Government Services
- q. Health Services
- r. Hotels

- s. Household Repair Services
- t. Indoor Participant Recreation Services
- u. Major Alcohol Sales
- v. Major Amusement Establishments
- w. Media Studios
- x. Minor Alcohol Sales
- y. Minor Amusement Establishments
- z. Minor Impact Utility Services
- aa. Minor Service Stations
- bb. Nightclubs
- cc. Outdoor Amusement Establishments
- dd. Outdoor Participant Recreation Services
- ee. Personal Service Shops
- ff. Private Education Services
- gg. Professional, Financial and Office Support Services
- hh. Public Education Services
- ii. Public Libraries and Cultural Exhibits
- jj. Rapid Drive through Vehicle Services
- kk. Religious Assembly
- ll. Residential Sales Centre
- mm. Restaurants
- nn. Specialty Food Services
- oo. Warehouse Sales
- pp. Veterinary Services
- qq. Fascia On-premises Signs
- rr. Freestanding On-premises Signs
- ss. Major Digital Signs
- tt. Minor Digital On-premises Signs
- uu. Minor Digital Off-premises Signs
- vv. Minor Digital On-premises Off-premises Signs
- ww. Projecting On-premises Signs
- xx. Roof On-premises Signs
- yy. Temporary Signs

4. Development Regulations

- a. The Site layout shall be in general accordance with the Site Plan as illustrated in Appendix I attached to this Provision;
- b. Building Height shall be determined as follows:
 - i. For the purpose of determining Height, the existing main floor of the principal building, currently known as the West Edmonton Mall, is deemed to be Grade.
 - ii. The maximum building Height shall be 49.9 m.
 - iii. The maximum building Height shall not intersect a 45 degree angular plane starting at the intersection of the main floor elevation and the property line sloping inward.



Graphic for Illustration purposes.

- c. The maximum Floor Area Ratio shall be 1.8.
- d. The maximum number of Dwelling units shall be 500.
- e. If the outer edge of any existing or future parking structure is within 1.0 m of average Grade then that structure shall be deemed a basement and excluded from Floor Area Ratio calculations.
- f. New ramps and isleways that project into Setbacks shall be considered on a case by case basis. Projections into Setbacks may be allowed pending the review and

approval of the Development Officer in consultation with City Planning, UFCSD.

- g. Any application adjacent to 87 Avenue shall be reviewed by the Development Officer in consultation with City Planning, UFCSD for compatibility with future LRT alignment plans.
- h. Existing Yards, which accommodate structures, Accessory Parking Garages, retaining walls, and access ramps shall be maintained. Yards in all other locations shall be 3.0 m.
- i. Setbacks shall be a minimum of 15 m., excepting existing structures, Accessory Parking Garages, retaining walls, and points of access.
- j. A minimum of 9 deciduous trees (a minimum caliper of 8 cm), 15 coniferous trees (a minimum height of 3.0 to 4.0 m) and 20 shrubs shall be required for each 35 m of lineal Yard Frontage.
- k. All Landscaping shall be in accordance with Section 55 of the Zoning Bylaw excepting the following conditions and exclusions:
 - i. Section 55.3.1) shall only be applied to a proposed development and not to the entire Area of Application;
 - ii. Sections 55.4.1), 2), 3), 6) and 7) shall not apply;
 - iii. Sections 55.5.1), 2) and 3) shall not apply; and
 - iv. Section 55.8.3) shall not apply.
- l. Detailed Landscaping Plans shall be submitted with all major development permit applications to ensure a high standard of appearance from surrounding streets and avenues, and to create a sensitive transition to surrounding residential areas.
- m. Landscaping Plans shall not be required for development permit applications involving minor alterations to existing buildings.
- n. Signs shall be in accordance with Schedule 59E (Regulations for Permitted Signs) and the general provisions of Section 59 of the Zoning Bylaw, and the following:
 - i. All exterior Signs shall be compatible with the architectural character and style of development on the Site, to the satisfaction of the Development Officer.
 - ii. The movement and brightness of Signs shall be limited to minimize light pollution/visual intrusion on surrounding residential properties.
 - iii. No lighting devices shall be allowed to shine directly into the windows of adjacent residences.
 - iv. Fascia On-premises Signs shall not extend higher than 75.0 cm above the top of the building.
 - v. Projecting On-premises Signs shall not extend higher than 2.4 m above the top of the building.

- vi. The maximum number of Freestanding On-premises Signs shall be 24.
 - vii. Freestanding On-premises Signs shall have a maximum Height of 12.0 m.
 - viii. Roof On-premises Signs shall have a maximum Height of 8.0 m above the building roof or parapet wall.
 - ix. The combined Height of any Roof On-premises Signs and the building to which it is attached shall not exceed the maximum Height regulations of this Provision.
 - x. Sections 59E.2.1.b), 3.a) and 3.C) shall not apply.
 - xi. Sections 59E.2.2. and 3. shall not apply.
 - xi. Existing Signs shall be exempt from these regulations provided they are not increased in size or area, or a change of Use.
- o. To ensure a high standard of development, Site and building design plans shall be submitted with each development permit application. Such plans shall include details of overall Site layout, exterior building treatment and colour scheme, fencing and screening, parking layout, and signage plans. These plans shall be to the satisfaction of the Development Officer, in order to ensure a high standard of appearance appropriate to its proximity to low density residential development.
- p. Development shall comply with the following architectural guidelines, to the satisfaction of the Development Officer:
- i. The use of architectural treatments such as variation in building form, variation in Façades, Heights and rooflines, and the articulation of building walls for major buildings and additions to existing buildings to create visual interest and to minimize the perceived mass of buildings as viewed from the surrounding streets, avenues and adjacent residential communities;
 - xi. All building faces shall have consistent and harmonious exterior finishing materials and the treatment of each side of the building shall be consistent;
 - xii. The use of exterior wall finish materials for all development shall be high quality and consisting of glass and glazed curtain wall systems, brick, stone, architectural concrete and pre-cast, coloured stucco and pre-finished metal. The use of muted colours with strong colours, limited to use as an accent, shall be used so as to increase visual interest and reduce perceived massing of the buildings; and
 - xiii. All mechanical equipment on the roof of any building shall be concealed by incorporating it within the building roof, or shall be concealed by screening that is consistent with the character and finishing of the building.
- q. Existing access and egress points shall be retained, to the satisfaction of the Development Officer, in consultation with City Planning.

r. Vehicular Parking shall be as follows:

- i. A minimum 10,300 active parking stalls shall be provided.
- ii. For any single development increasing the net area by more than 15,000 m², the applicant shall submit a Parking Impact Assessment for analysis to determine parking requirements.
- iii. Cumulative structural additions increasing the net area by a total of more than 15,000 m² may require the submission of a Parking Impact Assessment, at the discretion of the Development Officer, in consultation with City Planning.
- iv. Notwithstanding 4 (r) (i) above, for any applications for Residential Uses, Cultural Uses, or Professional, Financial and Office Support Uses, parking shall be required in accordance with Section 54 of the Zoning Bylaw.
- v. Parking stalls provided for Residential Uses shall be dedicated to the Use.
- vi. Applications for Professional, Financial and Office Support Uses shall be reviewed by the Development Officer, in conjunction with a Parking Impact Assessment, to determine if dedicated parking stalls are required, to the satisfaction of City Planning.

s. Bicycle Parking shall be provided as follows:

i. Residential Use	5% of the number of vehicular parking spaces under Section 4.s.iv. to a maximum of 25 bicycle parking spaces and a minimum of 5 bicycle parking spaces.
ii. Any Commercial, Community, Educational, Recreational, Cultural, Professional, Financial or Office Support Services Use Class	A minimum of 100 bicycle parking spaces shall be provided. This minimum requirement of 100 bicycle parking spaces shall be considered to represent the bicycle parking requirements for all uses located within this Zone.
iii. Size, Location and Design of Spaces	As per Section 54.3 of the Zoning Bylaw, for new development only.

t. Off-Street Vehicular Loading Facilities shall be as follows:

i. Any new Residential, Cultural, Professional, Financial and Office Support Services Use Class	As per Section 54.4 of the Zoning Bylaw
ii. Size, Location and Design of Space	As per Section 54.4.3 of the Zoning Bylaw

- u. The sequence and timing of implementation of roadway improvements shall be determined by Transportation Services based on development submissions.
- v. Barbed wire fencing shall not be allowed.

5. Additional Development Regulations for Specific Uses

- a. Apartment Housing shall be in accordance with Section 320.5 (1) (Shopping Centre Zone) of the Zoning Bylaw and shall provide separate and clearly identifiable accesses and parking stalls to distinguish between the commercial and residential components of the shopping centre.
- b. Veterinary Services and Household Repair Services shall be within a wholly enclosed building.
- c. Child Care Services shall be in accordance with Section 80 (Child Care Services) of the Zoning Bylaw, and shall be located such that direct access at Grade can be provided to an outdoor play area, away from vehicular-oriented uses, away from parking and loading areas, and shall be enclosed by building walls or a screen fence a minimum of 1.8m in Height.

- d. Gas Bars, Minor Service Stations, Automotive and Minor Recreational Vehicles Sales/Rental, and Automotive and Equipment Repair Shops shall be in accordance with Section 72 (Vehicular-Oriented Uses) of the Zoning Bylaw and the following additional criteria:
 - i. A canopy shall be constructed over the gas pump islands to ensure that illumination is directed downwards and away from direct view by adjacent Residential Uses. Such canopy shall be designed and finished in a manner consistent with the design and finishing of the principal building, and such that the maximum Height of the underside of the canopy above Grade does not exceed 4.3 m and the overall Height of the canopy does not exceed 6m; and
 - ii. Minor Service Stations, Automotive and Minor Recreational Vehicles Sales/Rental, and Automotive and Equipment Repair Shops shall be developed within a wholly enclosed building.
- e. Automotive and Minor Recreational Vehicles Sales/Rental shall be limited to new vehicle sales only.
- f. Minor Impact Utility Services shall be limited to a bus/ LRT Terminal.
- g. Outdoor Amusement Establishments and Outdoor Participant Recreation Services shall be allowed at the discretion of the Development Officer, having regard to minimizing impacts on adjacent residential land uses and ensuring a high standard of appearance on the Site. Any building associated with these uses must be set back a minimum of 30.0 m from any public roadway and be of an architectural style similar to the other buildings within this district, to the satisfaction of the Development Officer.
- h. Outdoor Participant Recreation Services shall not include a heliport.

- i. Religious Assembly uses shall be in accordance with Section 71 of the Zoning Bylaw.
- j. The total maximum Floor Area for Nightclubs shall not exceed 26,178 m².
- k. Cannabis Retail Sales shall be in accordance with Section 70 of the Zoning Bylaw.

