

Charter Bylaw 19842

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 3313

WHEREAS Condominium Plan 9720258, Units 1 and 2; Lot 2B, Block 11, Plan 9622857; Lot 1, Block 11, Plan 8922540; Condominium Plan 9123255, Units 1 to 29; located at 3819C, 3819, 3903, 3841, and 3955 -34 Street NW; 3204C, 3204, 3206, 3208, 3210, 3212, 3214, 3216, 3218, 3220, 3222, 3224, 3226, 3228, 3230, 3232, 3234, 3236, 3238, 3240, 3242, 3244, 3246, 3248, 3250, 3252, 3254, 3256, 3258, and 3260 – 38 Avenue NW, Larkspur, Edmonton, Alberta, are specified on the Zoning Map as (DC2) Site Specific Development Control Provision;

WHEREAS an application was made to rezone the above described properties 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 Condominium Plan 9720258, Units 1 and 2; Lot 2B, Block 11, Plan 9622857; Lot 1, Block 11, Plan 8922540; Condominium Plan 9123255, Units 1 to 29; located at 3819C, 3819, 3903, 3841, and 3955 -34 Street NW; 3204C, 3204, 3206, 3208, 3210, 3212, 3214, 3216, 3218, 3220, 3222, 3224, 3226, 3228, 3230, 3232, 3234, 3236, 3238, 3240, 3242, 3244, 3246, 3248, 3250, 3252, 3254, 3256, 3258, and 3260 – 38 Avenue NW, Larkspur, Edmonton, Alberta, which lands are shown on the sketch plan attached 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 two DC2 Provisions are annexed hereto as Schedule “B” and “C”.
- 3. The sketch plan annexed hereto as Schedule “A” and the uses and regulations of the DC2 Provisions shown on Schedule “B” and “C” annexed hereto are hereby incorporated into the Zoning Bylaw, being Part IV to Bylaw 12800, The Edmonton Zoning Bylaw.

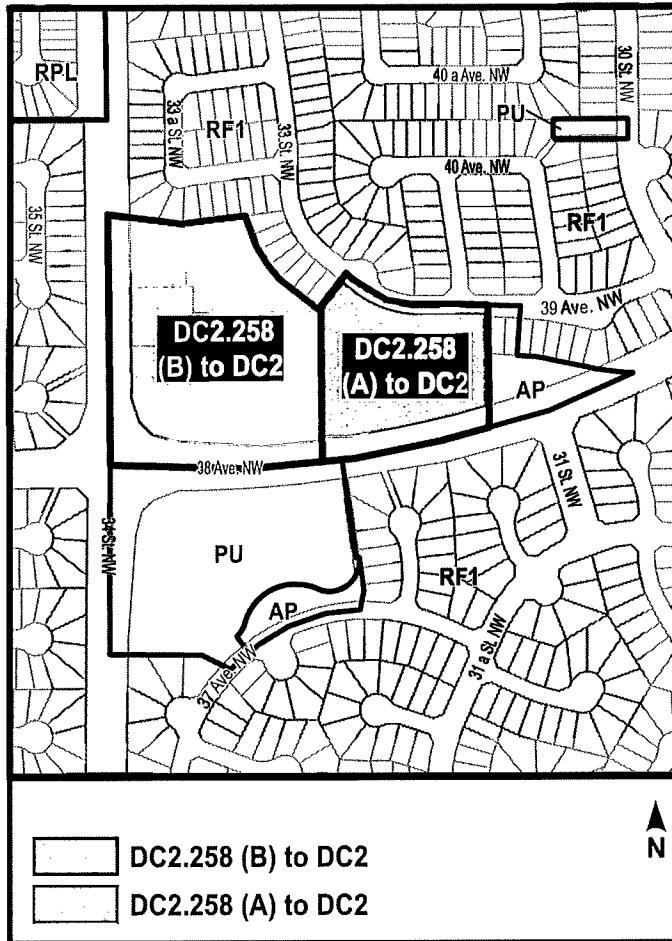
READ a first time this	8th day of September	, A. D. 2021;
READ a second time this	8th day of September	, A. D. 2021;
READ a third time this	8th day of September	, A. D. 2021;
SIGNED and PASSED this	8th day of September	, A. D. 2021.

THE CITY OF EDMONTON

  
MAYOR

  
A/ CITY CLERK

**CHARTER BYLAW 19842**



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

To establish a Site Specific Development Control Provision to accommodate a community level commercial development and to establish sensitive site development regulations that will ensure compatibility with surrounding low density residential land uses.

**DC2.XXX.2. Area of Application**

This Provision shall apply to Lot 1, Block 11, Plan 892 2540; Lot 2B, Block 11, Plan 962 2857; and Units 1 and 2, Condominium Plan 972 0258, as shown on Schedule "A" of the Bylaw adopting this Provision; Larkspur, The Meadows.

**DC2.XXX.3. Uses**

- a. Bars and Neighbourhood Pubs
- b. Business Support Services
- c. Cannabis Retail Sales
- d. Child Care Services
- e. Commercial Schools
- f. Convenience Retail Stores
- g. Creation and Production Establishments
- h. Drive-in Food Services
- i. Gas Bars
- j. General Retail Stores
- k. Government Services
- l. Health Services
- m. Indoor Participant Recreational Services
- n. Liquor Stores
- o. Minor Service Stations
- p. Nightclubs
- q. Personal Service Shops
- r. Professional, Financial and Office Support Services
- s. Rapid Drive-through Vehicle Services
- t. Residential Sales Centre
- u. Restaurants
- v. Specialty Food Services
- w. Vehicle Parking
- x. Veterinary Services
- y. Fascia Off-premises Signs
- z. Fascia On-premises Signs
- aa. Freestanding On-premises Signs
- bb. Minor Digital Off-premises Signs
- cc. Minor Digital On-premises Off-premises Signs
- dd. Minor Digital On-premises Signs
- ee. Projecting On-premises Signs

- ff. Temporary Off-premises Signs
- gg. Temporary On-premises Signs

#### **DC2.XXX.4. Development Regulations for Uses**

- a. The maximum Floor Area Ratio shall be 0.5.
- b. The maximum building Height shall not exceed 9.0 m.
- c. A minimum Setback of 15.0 m shall be required from the north, northeast and east boundaries of the Site for all buildings and structures which are greater than 5.5 m in Height, but not greater than 9.0 m in Height.
- d. A landscaped yard a minimum of 6.0 m in width shall be required adjacent to the north, northeast and east property lines where the site abuts a Residential Zone. A 1.0 m high berm centred on the property lines and solid screen fencing 1.82 m in height to be centred on the property line shall be provided within this yard. The screen fencing shall be of a design consistent with the residential context. The yard shall be intensively landscaped with a minimum of three deciduous, three coniferous trees and 20 shrubs for every 30.0 m of linear yard. The deciduous trees shall have a minimum caliper of 7.5 cm and the coniferous trees shall have a minimum height of 3.0 m. This landscaping shall be provided in groupings to the satisfaction of the Development Officer so as to achieve an attractive landscaped transition to the residential development to the north, northeast and east.
- e. A landscaped yard a minimum of 4.5 m in width shall be required adjacent to 34 Street NW and 38 Avenue NW. Landscaping treatment shall consist of three deciduous trees, a minimum caliper of 7.5 cm, three coniferous trees a minimum height of 3.0 m and 20 coniferous shrubs for every 30.0 m of linear yard. These groupings shall be provided to the satisfaction of the Development Officer.
- f. No parking, loading, storage, trash collection, outdoor services 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. No loading, storage and trash collection areas shall be permitted within a distance of 30.0 m from the north, northeast and east property lines, which abut a Residential Zone. Notwithstanding the foregoing, the minimum setback for loading areas adjacent to the north, northeast and east property lines, which abut a Residential Zone, may be reduced to a minimum of 9.0 m at the discretion of the Development Officer, if appropriate measures such as solid walls, an enclosed structure and additional landscaping are provided for that reduce any negative impacts of the loading area on the adjacent residential District.
- g. Development shall be in accordance with the following architectural guidelines, to the satisfaction of the Development Officer:
  - i. all exterior finishing materials must be of good quality, durable and attractive in appearance, and all exposed building faces shall have consistent and harmonious exterior finishing materials and the treatment of all four sides of building shall be consistent;
  - ii. 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;
  - iii. all rooflines shall include elements of a sloped residential character;
  - iv. that any buildings with a wall exceeding 30.0 m in length that is oriented to the north, northeast, and east property line, which abut a Residential Zone, shall comply with the following guidelines;
    - A. the roofline and building facades 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 muted colours with strong colours limited to use as an accent, and consist of brick, precast concrete, textured concrete, stone or stucco, with prefinished 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.
- D. The Development Officer may also require that such developments have a building setback greater than the requirements of Clause 4.c to minimize the perceived massing of the development when viewed from the residential development to the north, northeast and east.
  - v. that the placement of windows above one storey shall be oriented so as to minimize opposing views to the adjacent residential development.
- h. Any exterior lighting of the site shall be designed so that the lighting is directed away from the adjacent residential development to the north, northeast and east, and the intensity of illumination shall not extend beyond the boundaries of the site.
- i. Signs shall comply with Section 59 and Schedule 59F of the Zoning Bylaw.

#### **DC2.XXX.5. Additional Development Regulations for Specific Uses**

- a. Minor Service Stations, Rapid Drive-through Vehicle Services, and Drive-in Food Services shall be located a minimum of 25.0 m from the north, northeast and east property lines and oriented such that their primary business exposure and access is directed towards the southerly portion of the site adjacent to 34 Street NW and 38 Avenue NW.
- b. Rapid Drive-through Vehicle Services shall be developed in accordance with the following:
  - i. the development shall be limited to a single bay rollover type of car wash;
  - ii. that all mechanical equipment shall be housed within a enclosed building; and
  - iii. that a development permit application shall contain information regarding anticipated noise impacts of the development and shall also be accompanied by a statement from a qualified professional engineer indicating what noise attenuation measures, if any, are required to ensure that the proposed development will comply with the City of Edmonton Noise regulations. The Development Officer may require as conditions of Development Permit Approval that the applicant provide the noise attenuation measures recommended in the noise impact statement, or any other measure recommended by the City Engineer on the noise impact statement.
- c. Overhead doors associated with the development of Minor Service Stations or Rapid Drive-through Vehicle Services shall not directly face towards a Residential Zone.
- d. Gas Bars shall be located a minimum of 30.0 m from the north, northeast and east property lines and oriented such that their primary business exposure and access is directed towards the southerly portion of the site adjacent to 34 Street NW and 38 Avenue NW. In addition, a canopy shall be located over the gas pump islands to ensure that illumination be directed downwards and away from direct view by adjacent residential uses. Any canopy 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 is lower than, or maintains the consistency with, the eave line or parapet of the principal building.

- e. Restaurants, Nightclubs, Specialty Food Services, Bars and Neighbourhood Pubs shall be oriented such that their primary business exposure and access is directed towards the southern portion of the site adjacent to 34 Street NW and 38 Avenue NW.
- f. Nightclubs shall not exceed 200 occupants and 240 m<sup>2</sup> of Public Space, if the site is adjacent to or across a Lane from a Site zoned residential.
- g. Notwithstanding Section 720.3.2 of the Zoning Bylaw, no site plan is appended to this Provision.

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

To establish a Site Specific Development Control Provision to accommodate low to medium density residential development consisting of semi-detached housing, and row housing and to establish sensitive site development regulations to ensure that development will be compatible with the surrounding residential development.

**DC2.XXX.2. Area of Application**

This Provision shall apply to Units 1-29, Condominium Plan 912 3255, as shown on Schedule "A" of the Bylaw adopting this Provision, Larkspur, The Meadows.

**DC2.XXX.3. Uses**

- a. Major Home Based Business
- b. Minor Home Based Business
- c. Row Housing
- d. Semi-detached Housing
- e. Fascia On-premises Signs
- f. Freestanding On-premises Signs
- g. Temporary On-premises Signs

**DC2.XXX.4. Development Regulations for Uses**

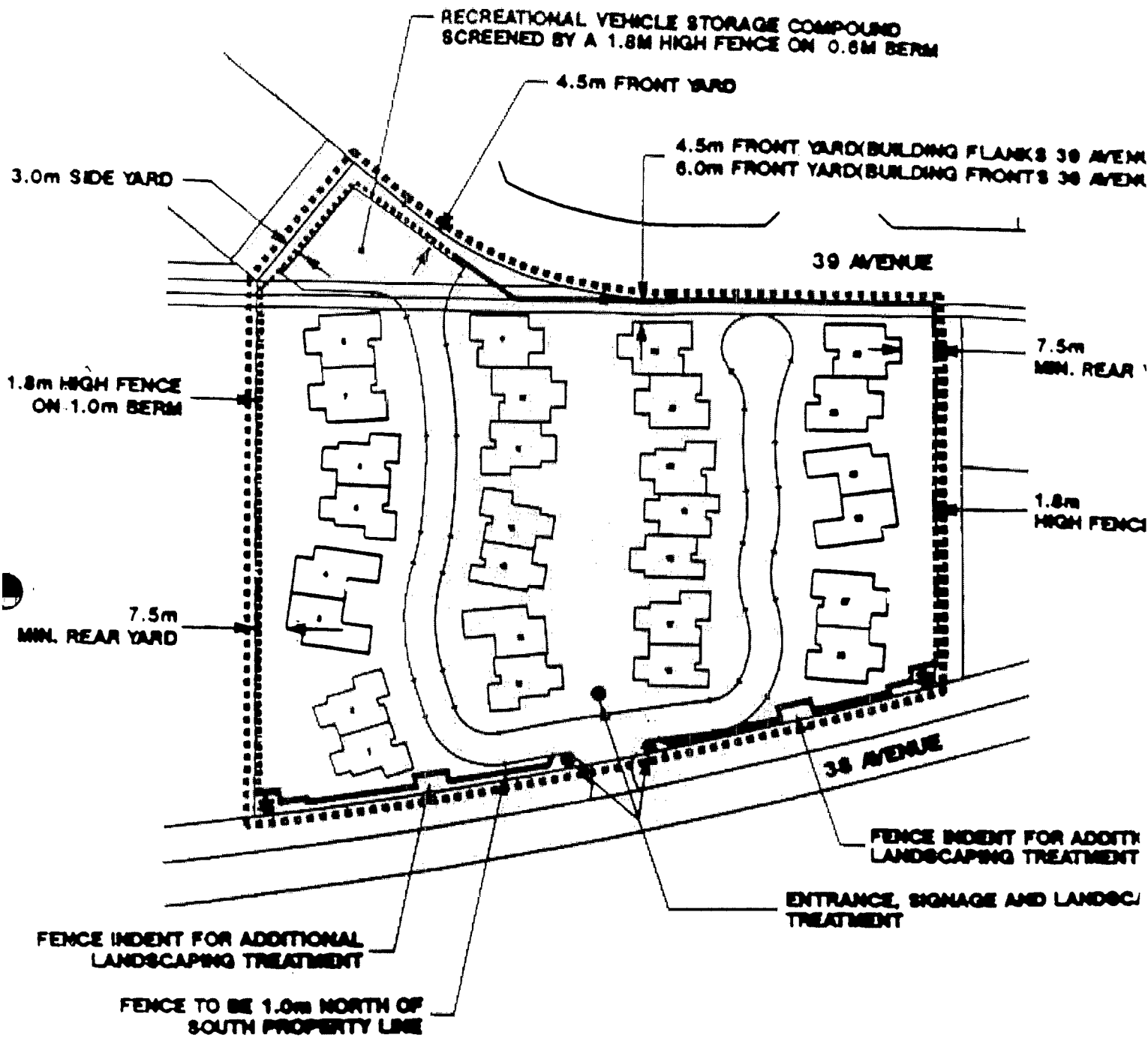
- a. The development shall be in general accordance with Appendix I.
- b. The maximum Density shall not exceed 20 Dwellings/ha.
- c. The maximum Height shall not exceed 5.0 m nor 1 Storey.
- d. The minimum Site area shall be 300.0 m<sup>2</sup> for each Dwelling.
- e. The minimum Site width shall be 10.0 m for each Dwelling.
- f. The minimum Site depth shall be 25.0 m for each Dwelling.
- g. The maximum total Site Coverage shall not exceed 40% with a maximum of 12% for Accessory Buildings. Garages shall be designed as an integral part of the principal building.
- h. A landscaped yard, a minimum of 7.5 m in width, shall be provided adjacent to the west property line, with the exception of that portion of the yard adjacent to the RF1 Zone land which shall be a minimum of 3.0 m in width. The entire yard adjacent to the west property line shall be landscaped with mature coniferous trees a minimum of 3.0 m in height with one tree for every 4.0 m of linear yard. A berm/retaining wall a minimum of 0.61 m in height and solid screen fencing a minimum of 1.8 m in height shall be provided in that portion of the west yard abutting the recreational vehicle storage compound. A 1.0 m high berm centred on the property line and solid screen fencing, a minimum of 1.8 m in height, shall be provided along the balance of the west yard.
- i. A landscaped yard, a minimum of 7.5 m in width, shall be provided adjacent to the east property line, together with solid screen fencing a minimum of 1.8 m in height.
- j. A landscaped yard, a minimum of 6.0 m in width shall be provided adjacent to the north property line, except that this yard shall be reduced to a minimum of 4.5 m if buildings are sited in a flanking manner which reduces their perceived massing when viewed from the north. Private Outdoor Amenity Areas and their associated fencing, and perimeter fencing for the site shall not extend into this landscaped yard. That portion of the north yard abutting the recreational vehicle storage compound shall be a minimum of



4.5 m in width and a berm/retaining wall a minimum of 0.61 m in height and solid screen fencing a minimum of 1.8 m in height shall be provided within this yard. The entire yard adjacent to the north property line shall be landscaped with a minimum of three mature coniferous trees (a minimum height of 3.0 m) and three mature deciduous trees (a minimum caliper of 7.5 cm), together with a minimum of 20 shrubs for each 30 m of linear yard.

- k. A minimum building setback of 4.5 m shall be provided adjacent to the south property line.
- l. A 1.8 m high solid screen fence shall be provided along the south private property line, with the exception of the opening required for access to 38 Avenue NW. This fence shall be set back to provide a minimum yard of 1.0 m adjacent to the south property line and shall be indented near the east and west property lines and within the centre portion, as shown on Appendix 1, to provide an additional area for landscape treatment. Landscaping treatment within these set back areas shall consist of a minimum of two coniferous trees (a minimum of 3.0 m in height) and one deciduous tree (a minimum caliper of 7.5 cm) and ten shrubs. The balance of the 1.0 m yard shall be landscaped with cluster planting of shrubs, with 20 shrubs provided for each 30 m of linear yard.
- m. A minimum landscaped yard of 6.0 m shall be provided for all dwelling units fronting on an internal roadway and not more than 50 percent of the yard shall be used for parking and driveways.
- n. Landscaping consisting of three deciduous trees, three coniferous trees and a minimum of 20 shrubs shall be provided opposite the driveway access to 38 Avenue NW. This landscaping shall be required to provide a landscaped transition from the Private Outdoor Amenity Areas and row house units to 38 Avenue NW. The deciduous trees shall have a minimum caliper of 7.5 cm and the coniferous trees shall have a minimum height of 3.0 m.
- o. Landscaping for the balance of the site shall consist of an equal mix of mature deciduous and coniferous trees. The deciduous trees shall have a minimum caliper of 7.5 cm and coniferous trees shall have a minimum height of 3.0 m. Two trees per dwelling unit shall be provided together with a mixture of deciduous shrubs. The main intent of this landscaping shall be to screen the Private Outdoor Amenity Areas from abutting sites and to create a landscaped transition between development on the site and adjacent sites.
- p. Detailed landscaping plans shall be submitted with development permit applications.
- q. There shall be no vehicular access to the site along 39 Avenue NW.
- r. A Private Outdoor Amenity Area, at grade, a minimum of 30 m<sup>2</sup> per Dwelling shall be provided.
- s. Separation Space shall be provided between two or more dwellings in accordance with the Zoning Bylaw.
- t. No parking, loading, storage or trash collection shall be permitted within a required yard. Storage and trash collection shall be located in such a manner as to be screened from view from adjacent residential sites and public roadways in accordance with the Zoning Bylaw.
- u. Signs shall comply with the regulations of Section 59 and Schedule 59A of the Zoning Bylaw.
- v. Development shall comply with the following architectural guidelines:
  - i. Exterior building finishes shall be of durable quality, attractive in appearance, be limited to muted earth tones with strong colour limited to use as accents; and
  - ii. Roofs shall be sloped and of a residential character.
- w. Vehicular parking shall be provided adjacent to each Dwelling or designed as an integral part of the Dwelling. Recreational vehicles shall be stored in the storage compound as shown on Appendix 1.

APPENDIX



- DEVELOPMENT BOUNDARY
- ✱ FENCE ARTICULATION AT SOUTHEAST SOUTHWEST CORNERS OF SITE