

Charter Bylaw 18507

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 2619

WHEREAS Lot 2, Block 3, Plan 1620747; located at 3325 - 153 Avenue NW, Ebbers, Edmonton, Alberta, is specified on the Zoning Map as (AG) Agricultural Zone and (AGU) Urban Reserve 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 2, Block 3, Plan 1620747, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (AG) Agricultural Zone and (AGU) Urban Reserve 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.

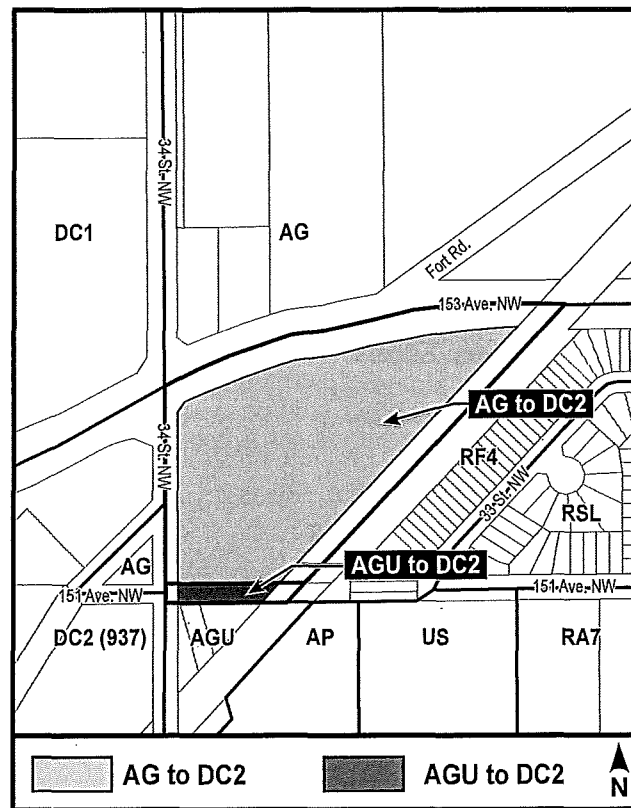
READ a first time this	20th	day of	August	, A. D. 2018;
READ a second time this	20th	day of	August	, A. D. 2018;
READ a third time this	20th	day of	August	, A. D. 2018;
SIGNED and PASSED this	20th	day of	August	, A. D. 2018.

THE CITY OF EDMONTON


MAYOR


CITY CLERK

CHARTER BYLAW 18507



(DC2) Site Specific Development Control Provision**1. General Purpose**

To allow for the development of low intensity commercial, office and service uses and to establish setbacks from the existing adjacent rail line and pipeline.

2. Area of Application

This Provision shall apply to Lot 2, Block 3, Plan 1620747, located east of 34 Street NW, west of a railway line and south of 153 Avenue as shown on Schedule 'A' of the Bylaw adopting this DC2 Provision; Ebbers.

3. Uses

- a. Bars and Neighbourhood Pubs
- b. Business Support Services
- c. Child Care Services
- d. Commercial Schools
- e. Convenience Retail Stores
- f. Creation and Production Establishments
- g. Drive-in Food Services
- h. Gas Bars
- i. General Retail Stores
- j. Greenhouses, Plant Nurseries and Garden Centres
- k. Health Services
- l. Indoor Participant Recreation Services
- m. Media Studios
- n. Minor Alcohol Sales
- o. Minor Amusement Establishments
- p. Personal Service Shops
- q. Private Clubs
- r. Professional, Financial and Office Support Services
- s. Restaurants
- t. Specialty Food Services
- u. Veterinary Services
- v. Fascia On-premises Signs
- w. Freestanding On-premises Signs
- x. Major Digital Signs

- y. Minor Digital On-premises Signs
- z. Projecting On-promises Signs
- aa. Roof On-premises Signs
- bb. Temporary On-premises Signs

4. Development Regulations

- a. The Site shall be developed in general accordance with Appendix 1 –Site Plan, to the satisfaction of the Development Officer, in consultation with Subdivision and Development Co-ordination (Drainage and Transportation).
- b. The maximum Floor Area Ratio shall be 0.35.
- c. The maximum building Height shall not exceed 12 m.
- d. A minimum Setback of 15.0 m shall be required from the railway property line.
- e. Notwithstanding subsection 4(d) of this provision, a berm and fence shall be provided within the 15 m railway Setback for the purpose of safety and noise attenuation. A minimum 4.5 m differential between the top of the berm / fence and the top of the railway tracks shall be provided. The noise attenuation fence shall be gated to provide secure access to the backside of the berm for maintenance purposes. A 1.83 m chain link security fence, located on private property abutting the railway property line and any other abutting property line or road right of way, shall be provided. These facilities shall be provided to the satisfaction of the Development Officer, in consultation with Subdivision and Development Co-ordination (Drainage and Transportation), as generally shown on Appendix I - Site Plan.
- f. A minimum Setback of 6.0 m shall be required abutting 153 Avenue NW.
- g. A minimum Setback of 22.0 m shall be required abutting 34 Street NW.
- h. A minimum Setback of 3 m shall be required from the south property line.
- i. 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 located to the rear or sides of the principal building and shall be screened from view from any adjacent Sites or public roadways in accordance with the Provisions of the Zoning Bylaw.
- j. Notwithstanding subsection 4(i) of this provision, parking and/or queuing lanes may be permitted within the most easterly 7 m of the 22 m Setback abutting 34 Street NW, as generally identified on Appendix 1 – Site Plan.
- k. Any business premises or multiple occupancy building having a Floor Area greater than 2,000 m² or a single wall length greater than 20.0 m that is visible from a public road, shall comply with the following criteria:
 - i. the roof line and building façade shall include design elements and add architectural interest; and

- ii. Landscaping adjacent to exterior walls shall be used to minimize the perceived mass of the building and to create visual interest.
- l. 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.
- m. Provision shall be made for adequate on-Site pedestrian circulation as generally identified on Appendix 1 - Site Plan. Adequate on-Site pedestrian circulation means Hardsurfaced sidewalks or Walkways connecting the main entrance of all on-Site principal buildings to public sidewalks and Walkways adjacent to roadways or within rights-of-ways Abutting the Site.
- n. A landscaped Amenity Area of approximately 500 m² shall be provided as generally identified on Appendix 1 – Site Plan.
- o. Notwithstanding Section 55, as amended, and subsections 4.d and 4.e. of this provision that require Setbacks of 15 m and 22 m respectively, Landscaping requirements shall be calculated as if these Setbacks were 3 m.
- p. Signs shall comply with the regulations found in Schedule 59F, including Sections pertaining to Discretionary Signs.
- q. The applicant shall provide a Comprehensive Sign Design Plan, in accordance with the regulations of the Zoning Bylaw, with each application for a Sign.
- r. As a condition of the first Development Permit, the owner shall:
 - i. register an easement for all road right-of-way necessary for the construction of a turnaround at the southern terminus of 34 Street NW from the subject site; and
 - ii. register an easement for all road right-of-way necessary for the construction of a right-in-right-out access to 153 Avenue NW, including construction of right turn bay and taper and the relocation of the shared use path from subject.

5. Use Specific Regulations

- a. Bars and Neighbourhood Pubs shall be limited to less than 240 m² of Public Space.
- b. General Retail Stores shall be restricted to a maximum Floor Area of 1,000 m².
- c. Restaurants shall be restricted to 240 m² of Public Space.
- d. Specialty Food Services shall be restricted to 120 m² of Public Space.
- e. Unless otherwise stipulated in this Provision, the maximum Floor Area of any one Use shall be 2,500m².
- f. Notwithstanding the Setbacks identified in Section 4, the following Uses shall not be located within the Setbacks specified below:

- i. Child Care Services shall not be located within a 51 m Setback from 34 Street NW.
- ii. Commercial Schools, Health Services and Indoor Participant Recreation Services shall not be located within a 37 m Setback from 34 Street NW.

6. Off-Site Improvements

- a. A Traffic Impact Assessment (TIA) may be required at the Development Permit stage to identify any off-site improvements necessary to service the development. The owner shall enter into an agreement with the City of Edmonton for the completion of any such improvements. The requirement of a TIA shall be determined by the Development Officer in consultation with Subdivision and Development Co-ordination (Transportation) upon the submission of Development Application(s).
- b. As a condition of any Development Permit, the owner shall enter into a Servicing Agreement with the City of Edmonton for off-site improvements necessary to serve the development, to the satisfaction of Subdivision and Development Coordination (Transportation). The agreement process includes an engineering drawing review and approval process. The off-site improvements shall include, but not be limited to:
 - i. the construction of 34 Street NW to a full urban collector standard, including sidewalks, curbs and gutters, street lighting, landscaping and any required underground utilities. This will require construction of a turnaround at the southern terminus of 34 Street NW;
 - ii. the construction of a right-in-right-out access to 153 Avenue NW including all ancillary work such as a right turn bay and taper, relocation of the existing shared use path, boulevard restoration, any required utility relocations, etc.;
 - iii. the construction of the 34 Street NW access;
 - iv. modifications of the traffic signals at 153 Avenue NW and 34 Street NW intersection;
 - v. payment of Arterial Roadway Assessments owing; and
 - vi. the extension offsite storm sewer mains as per the Ebbers Neighborhood Design Report Amendment dated July 29, 2016.

