

Charter Bylaw 19925

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 3362

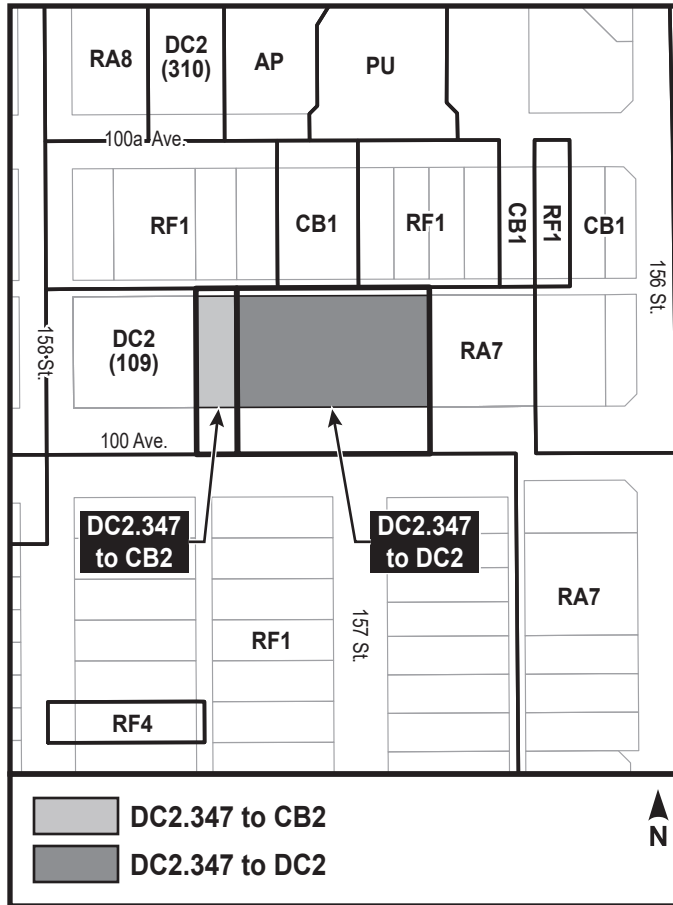
WHEREAS Lot 11, Block 1C, Plan 6798ET and Lot 7A, Block 1C, Plan 0227779; located at 15716 100 Avenue NW and 15628 100 Avenue NW, Glenwood, Edmonton, Alberta, is specified on the Zoning Map as (DC2) Site Specific Development Control Provision; and

WHEREAS an application was made to rezone the above described properties to (CB2) General Business Zone and (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 11, Block 1C, Plan 6798ET and Lot 7A, Block 1C, Plan 0227779; located at 15716 100 Avenue NW and 15628 100 Avenue NW, Glenwood, Edmonton, Alberta, which lands are shown on the sketch plan attached as Schedule "A", from (DC2) Site Specific Development Control Provision to (CB2) General Business Zone and (DC2) Site Specific Development Control Provision.
2. The uses and regulations of the aforementioned DC2 Provision is attached as Schedule "B".

CHARTER BYLAW 19925



DC2 Site Specific Development Control Provision

1. General Purpose

To establish a Site Specific Development Control District that will accommodate mixed use development with a range of general business uses on the main floor and residential uses above in accordance with the 100 Avenue Planning Study. This district will contain site development regulations that will ensure compatibility with existing and future land uses as well as the function of roadways adjacent to the site.

2. Area of Application

This Provision shall apply to Lot 7A, Block 1C, Plan 0227779 located north of 100 Avenue between 156 and 158 Street, Glenwood.

3. Uses

1. Bars and Neighbourhood Pubs for less than 100 Occupants
2. Business Support Services
3. Child Care Services
4. Commercial Schools
5. Convenience Retail Stores
6. Creation and Production Establishments
7. Equipment Rentals, provided that all equipment and goods for rent are contained within an enclosed building
8. General Retail Stores
9. Health Services
10. Household Repair Services
11. Indoor Participant Recreational Services
12. Limited Contractor Services
13. Minor Amusement Establishments
14. Multi-unit Housing
15. Personal Service Shops
16. Private Clubs
17. Professional, Financial and Office Support Services
18. Residential Sales Centres
19. Restaurants
20. Secondhand Stores
21. Specialty Food Services
22. Veterinary Services

4. Development Criteria

1. The maximum Floor Area Ratio shall be 1.0.
2. The maximum building Height shall not exceed 12 m nor three storeys.

3. A minimum side yard of 2 m shall be provided along the west property line and a minimum side yard of 3 m shall be provided along the east property line.
4. A minimum building setback of 14 m shall be provided from 100 Avenue except for the easternmost and westernmost 20 m of this site where the minimum building setback requirement may be reduced to 4.5 m provided that landscaping and building treatments minimize the perception of massing and create a high standard of building appearance.
5. The minimum rear building setback shall be 3 m provided that adequate space and access is provided for service vehicles and parking as per the Land Use Bylaw
6. A minimum landscaped front yard of 4.5 m shall be provided. Landscaping shall consist of a berm with an average height of 1 m and planting modules containing three deciduous (a minimum of 8.5 cm in calliper), two evergreen trees (a minimum of 2.5 m in height) and 10 shrubs per module. Such modules may be a maximum of 15 m in length and be arranged so that no more than 6 m of open space exists between each module. Large existing trees will be saved where possible.
7. A minimum Amenity Area of 7.5 m² per Dwelling shall be provided.
8. Continuous screen fencing of a solid design, no less than 1.8 m nor greater than 1.85 m in height, shall be provided along the entire length of the east and west property lines, excepting that portion which forms the required front yard.
9. The site shall be designed in such a manner that primary access is obtained from 100 Avenue, however, access through the site, from 100 Avenue to the lane, shall not be allowed.
10. Where off-street parking for 25 or more vehicles is required, and is being provided at Grade, dispersed landscaped areas shall be provided within the interior of the parking area(s) for the purpose of providing visual relief and to breakup large areas of parking into smaller cells. This landscaping treatment shall be in the form of (a) landscaped islands, particularly at the termini of long rows of parking; (b) tree lines separating facing row of parking stalls; or (c) some other form or combination of landscaping treatments, to the satisfaction of the Development Officer. A minimum of 1.2 m² of landscaping in the interior of the parking area(s) shall be required for each parking space provided and shall consist of deciduous trees (a minimum caliper of 6 cm), coniferous trees (a minimum caliper of 6 cm), coniferous trees (a minimum height of 3 m) and shrubs. The location, extent and type of plantings and other landscaping treatment shall be to the satisfaction of the Development Officer.
11. The applicant shall provide three irrevocable letters of credit having a combined value equal to 100% of the total established landscaping costs. One of these letters of credit shall be in the amount of 50%, with the remaining two letters of credit each being 25% of the total established landscaping costs. The conditions of the security shall be as follows:
 - a. the letters of credit shall be in a form satisfactory to the Office of the City Solicitor and shall be kept in good standing by the owner(s) until an inspection of the site by the Development Officer has demonstrated that the landscaping has been well maintained and is in a healthy condition two growing seasons after completion by the owner(s). The expiry date for the letters of credit shall fall on a weekday which is not a statutory holiday. The letters of credit shall allow for partial draws.
 - b. if the landscaping is not completed in accordance with the approved landscaping plan within one growing season after completion of the development or if the landscaping is not well maintained and in a healthy condition two growing seasons after completion of

the landscaping, then the City may draw on the letters of credit and the amount thereof shall be paid to the City for its use absolutely;

- c. in the event that the owner(s) do not complete the required landscaping, or if the owner(s) fail to maintain the landscaping in a healthy condition to the satisfaction of the Development Officer for the specified periods of time and the proceeds from the letters of credit are not sufficient for the City to complete the required work, should it elect to do so, then the owner(s) shall pay such deficiency to the City immediately upon being invoiced therefor. The City shall provide an accounting to the owner(s) indicating how the proceeds of the letters of credit were applied within sixty (60) days of completing or maintaining the landscaping;
 - d. notwithstanding Clause (a) above, if the Development Officer is satisfied that the required landscaping has been properly installed then at the request of the owner(s) the 50% letter of credit shall be released. If the Development Officer is satisfied after one growing season that the required landscaping has been well maintained and is in a healthy condition he shall, upon the request of the owner(s), release a 25% letter of credit. If after two growing seasons the Development Officer is satisfied that the required landscaping has been well maintained and is in a healthy condition he shall, upon the request of the owner(s), release the remaining 25% letter of credit; and
 - e. inspections of the landscaping will be performed at the discretion of the Development Officer or within four weeks from the date of receiving a written request from the owner(s) to perform said inspections.
12. All development on this site shall be constructed using a similar architectural theme. The roof line and building facade(s) shall include design elements that add architectural interest, and the exterior wall finishing materials shall be predominantly composed of muted colours, with strong colours limited to use as an accent.
 13. Any building having a single wall length greater than 40 m that is visible from 100 Avenue shall provide landscaping adjacent to such walls in order to minimize the perceived mass of the building and to create visual interest. Such additional landscaping shall be to the satisfaction of the Development Officer.
 14. Building roofs shall be sloped and of a residential character, to the satisfaction of the Development Officer. All mechanical equipment on the roof of the building shall be completely screened or incorporated within the building roof.
 15. Signs shall be allowed in this Provision as provided for in Schedule 59D, except that a minimum setback of 3 m from 100 Avenue shall be required for any Freestanding Signs. Notwithstanding any other provisions of the Zoning Bylaw, individual business identification signs located on the facades of buildings shall be similar as to proportion, construction materials and placement. The design, placement and scale of the sign shall be to the satisfaction of the Development Officer so as to ensure that the signage does not detract from the overall appearance of the development and is not obtrusive, having regard to the scale of the buildings on the site and the distance of the building setback.
 16. No parking, loading, storage, trash collection, outdoor service or display areas shall be permitted within a required yard. 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 the adjacent sites and public roadways.