

Charter Bylaw 20206

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 3498

WHEREAS Lot 2, Block 3, Plan 1620747; located at 3325 - 153 Avenue NW, Ebbers, 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, 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; located at 3325 - 153 Avenue NW, Ebbers, 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	18th day of October	, A. D. 2022;
READ a second time this	18th day of October	, A. D. 2022;
READ a third time this	18th day of October	, A. D. 2022;
SIGNED and PASSED this	18th day of October	, A. D. 2022.

THE CITY OF EDMONTON

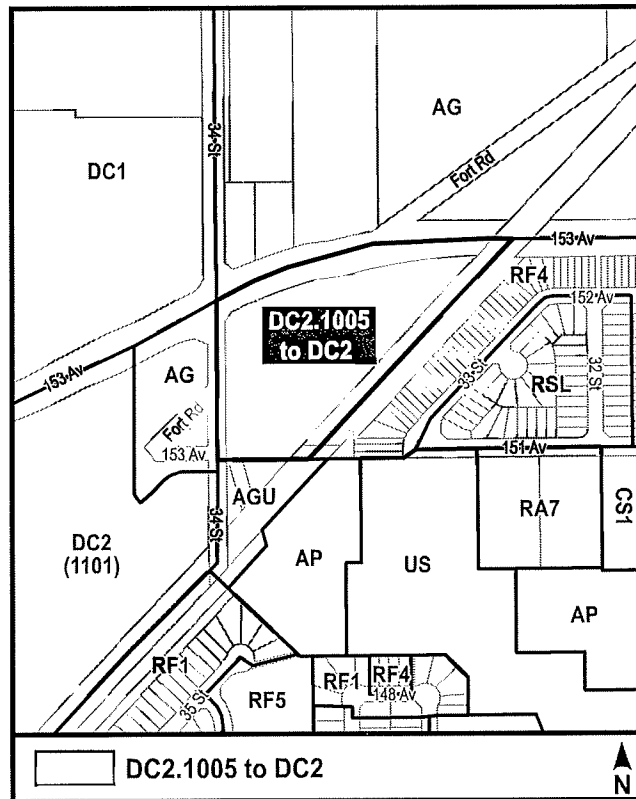


MAYOR



CITY CLERK

CHARTER BYLAW 20206



SCHEDULE "B"

(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.

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 Charter Bylaw adopting this DC2 Provision; Ebbers.

3. Uses

1. Bars and Neighbourhood Pubs
2. Breweries, Wineries and Distilleries
3. Business Support Services
4. Cannabis Retail Stores
5. Child Care Services
6. Commercial Schools
7. Convenience Retail Stores
8. Creation and Production Establishments
9. Drive-in Food Services
10. General Retail Stores
11. Greenhouses, Plant Nurseries and Garden Centres
12. Health Services
13. Household Repair Services
14. Indoor Participant Recreation Services
15. Liquor Stores
16. Market
17. Media Studios
18. Minor Amusement Establishments
19. Personal Service Shops
20. Private Clubs
21. Professional, Financial and Office Support Services
22. Restaurants
23. Secondhand Stores
24. Specialty Food Services
25. Veterinary Services
26. Fascia On-premises Signs
27. Freestanding On-premises Signs

- 28. Major Digital Signs
- 29. Minor Digital On-premises Signs
- 30. Projecting On-promises Signs
- 31. Roof On-premises Signs
- 32. Temporary On-premises Signs

4. Development Regulations

- 1. 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 Coordination (Drainage and Transportation).
- 2. The maximum Floor Area Ratio shall be 0.35.
- 3. The maximum building Height shall not exceed 12 m.
- 4. A minimum Setback of 15.0 m shall be provided Abutting the railway property line and a berm shall be provided within the Setback for the purpose of safety. The berm shall be a minimum of 2.0 m in Height from the top of the railway tracks. This facility shall be provided to the satisfaction of the Development Officer, in consultation with Subdivision and Development Coordination, as generally shown on Appendix 1, Site Plan.
- 5. Minimum Setbacks shall be required as follows:
 - a. 6.0 m Abutting 153 Avenue NW, except where a public access easement in a form satisfactory to the City for road right-of-way is accepted by Transportation, in which case the 6.0 m minimum shall be increased by the corresponding width of the easement;
 - b. 1.3 m from the east boundary of the pipeline easement adjacent to 34 Street NW.; and
 - c. 3 m from the south property line.
- 6. 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. .
- 7. A 1.83 m chain link security fence, located on private property abutting the railway property line shall be provided to the satisfaction of the Development Officer, in consultation with Subdivision and Development Coordination, as generally shown on Appendix 1, Site Plan.
- 8. 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:
 - a. the roof line and building façade shall include design elements and add architectural interest; and
 - b. Landscaping adjacent to exterior walls shall be used to minimize the perceived mass of the building and to create visual interest.
- 9. 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.
10. 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.
 11. A landscaped Amenity Area of approximately 500 m² shall be provided as generally identified on Appendix 1 – Site Plan.
 12. Notwithstanding Section 55, as amended, and subsections 4.4 and 4.5. of this provision, Landscaping requirements shall be calculated as if these Setbacks were 3 m.
 13. Signs shall comply with the regulations found in Schedule 59F, including Sections pertaining to Discretionary Signs.
 14. The applicant shall provide a Comprehensive Sign Design Plan, in accordance with the regulations of the Zoning Bylaw, with each application for a Sign.
 15. As a condition of the first Development Permit issued after the passing of Charter Bylaw 20206, the owner shall:
 - a. register an easement for all road right-of-way necessary for the construction of a turnaround at the southern terminus of 34 Street NW and the construction of the northbound right turn bay and taper along the east side of 34 Street from the subject site; and
 - b. 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 34 Street to the right-in/right-out access from the subject site to the satisfaction of Subdivision and Development Coordination (Transportation).

5. Use Specific Regulations

1. Bars and Neighbourhood Pubs shall be limited to less than 240 m² of Public Space.
2. General Retail Stores shall be restricted to a maximum Floor Area of 1,000 m².
3. Restaurants shall be restricted to 240 m² of Public Space.
4. Specialty Food Services shall be restricted to 120 m² of Public Space.
5. Unless otherwise stipulated in this Provision, the maximum Floor Area of any one Use shall be 2,500m².
6. The following regulations shall apply to Child Care Services and Commercial Schools:
 - a. Notwithstanding Setback regulations of this Provision, these Uses shall

be Setback a minimum of 30 m from the property line which Abuts the railway.

- b. A Development Permit application for these Uses shall require a Noise Study prepared by an approved Noise Consultant and will require implementation of the recommendations from the report, to the satisfaction of the Development Officer, in consultation with Subdivision and Development Coordination (Transportation).

6. Off-Site Improvements

1. 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 Coordination (Transportation) upon the submission of Development Application(s).
2. 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 offsite improvements shall include, but not be limited to:
 - a. 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;
 - b. the construction of a right-in right-out access to 153 Avenue NW including all ancillary work such as right turn bay and taper, relocation of the existing shared use path, boulevard restoration, any required utility relocations, etc.;
 - c. the construction of the 34 Street NW access;
 - d. modifications of the traffic signals at 153 Avenue NW and 34 Street NW intersection;
 - e. payment of Arterial Roadway Assessments owing; and
 - f. the extension of offsite storm sewer mains as per the Ebbers Neighbourhood Design Report Amendment dated July 29, 2016.

