

Charter Bylaw 20419

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 3611

WHEREAS Lot 1A, Block 1, Plan 0324647; located at 14904 - 123 Avenue NW, Gagnon Estate Industrial, Edmonton, Alberta, is specified on the Zoning Map as (IB) Industrial Business 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, 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 1A, Block 1, Plan 0324647; located at 14904 - 123 Avenue NW, Gagnon Estate Industrial, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (IB) Industrial Business 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.

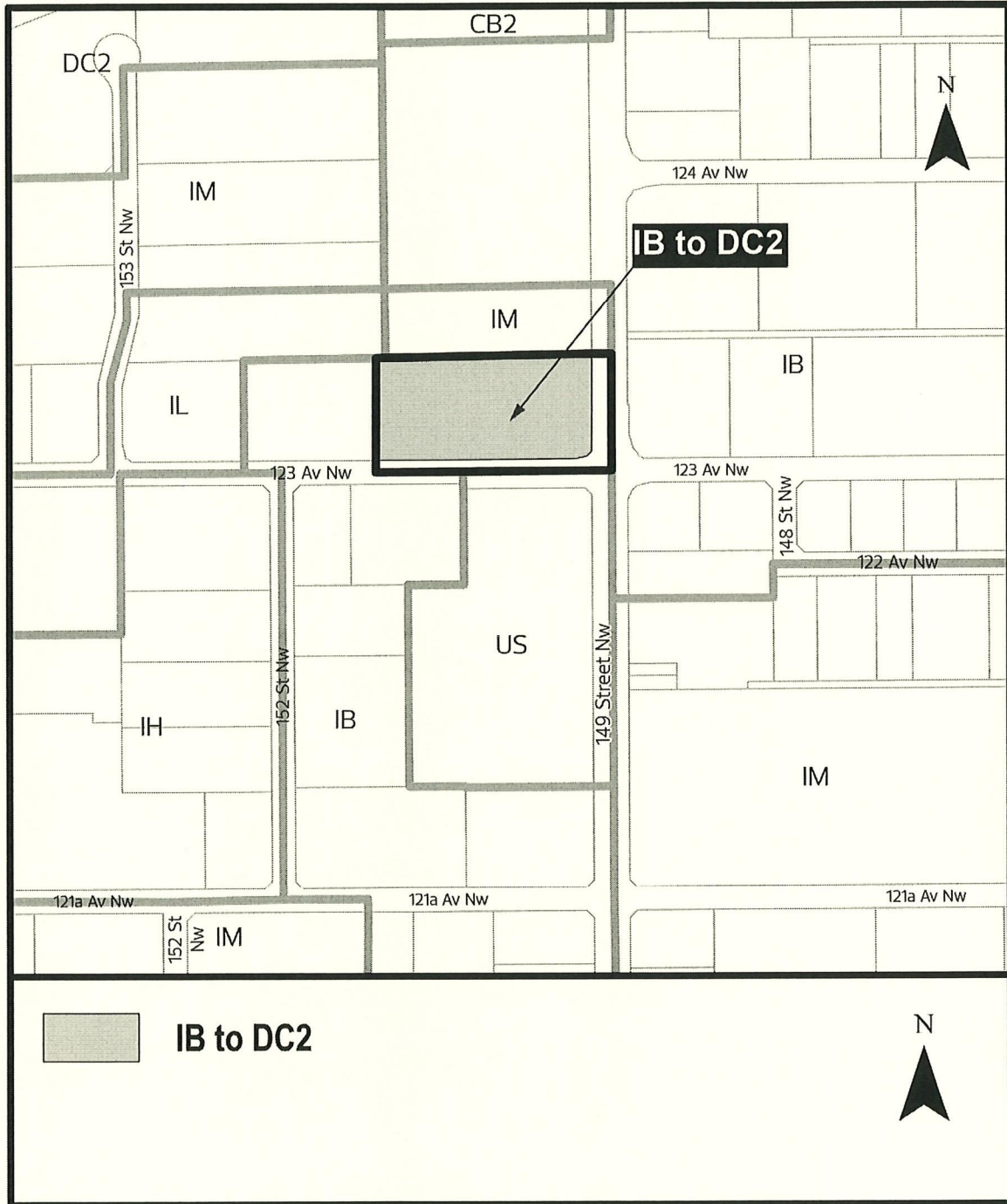
READ a first time this	13th day of March	, A. D. 2023;
READ a second time this	13th day of March	, A. D. 2023;
READ a third time this	13th day of March	, A. D. 2023;
SIGNED and PASSED this	13th day of March	, A. D. 2023.

THE CITY OF EDMONTON

  
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MAYOR

  
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A/ CITY CLERK

**CHARTER BYLAW 20419**



**SCHEDULE "B"****(DC2.####) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION****DC2.####.1 General Purpose**

To provide for industrial businesses that carry out their operations such that no nuisance is created or apparent outside an enclosed building and such that development is compatible with any adjacent non-industrial Zone, and to accommodate limited, compatible non-industrial businesses including Public Education Services and Private Education Services. This Zone should normally be located on the periphery of industrial areas and adjacent to arterial or major collector roadways.

**DC2.####.2 Area of Application**

This Provision shall apply to Lot 1A, Block 1, Plan 0324647, located on the Northwest corner of 123 Avenue NW and 149 Street NW, as shown in Schedule "A" of the Charter Bylaw adopting this Provision, Gagnon Estate Industrial.

**DC2.####.3 Uses**

1. Animal Hospitals and Shelters
2. Auctioneering Establishments
3. Automotive and Equipment Repair Shops
4. Automotive and Minor Recreation Vehicle Sales/Rentals
5. Bars and Neighbourhood Pubs
6. Business Support Services
7. Breweries, Wineries and Distilleries
8. Cannabis Retail Sales
9. Child Care Services
10. Commercial Schools
11. Convenience Retail Stores
12. Convenience Vehicle Rentals
13. Creation and Production Establishments
14. Drive-in Food Services
15. Equipment Rentals
16. Fleet Services
17. Funeral, Cremation and Interment Services
18. Gas Bars
19. General Industrial Uses
20. Greenhouses, Plant Nurseries and Garden Centres

**SCHEDULE "B"**

21. Health Services
22. Indoor Participant Recreation Services
23. Limited Contractor Services
24. Liquor Stores
25. Major Service Stations
26. Market
27. Media Studios
28. Minor Amusement Establishments
29. Minor Service Stations
30. Mobile Catering Food Services
31. Nightclubs
32. Outdoor Participant Recreation Services
33. Personal Service Shops
34. Private Clubs
35. Private Education Services
36. Professional, Financial and Office Support Services
37. Public Education Services
38. Rapid Drive-through Vehicle Services
39. Recycling Depots
40. Recycled Materials Drop-off Centres
41. Religious Assembly
42. Residential Sales Centre
43. Restaurants
44. Special Event
45. Specialty Food Services
46. Truck and Mobile Home Sales/Rentals
47. Urban Gardens
48. Urban Indoor Farms
49. Urban Outdoor Farms
50. Warehouse Sales
51. Vehicle and Equipment Sales/Rentals
52. Veterinary Services
53. Fascia Off-premises Signs
54. Fascia On-premises Signs
55. Freestanding Off-premises Signs
56. Freestanding On-premises Signs
57. Major Digital Signs
58. Minor Digital Off-premises Signs
59. Minor Digital On-premises Signs
60. Minor Digital On-premises Off-premises Signs



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- 61. Projecting On-premises Signs
- 62. Roof On-premises Signs
- 63. Temporary Off-premises Signs
- 64. Temporary On-premises Signs

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

1. Private and Public Education Services shall not be allowed on site where any of the following Uses exist at the time of Development Permit application:
  - a. an Industrial Use on site that may have environmental nuisance or health impacts;
  - b. any Use that involves the use, manufacturing or storage of hazardous substances. This includes, but is not limited to: Automotive and Equipment Repair Shops, Automotive and Minor Recreation Vehicle Sales/Rentals, Rapid Drive-through Vehicle Services and Recycling Depots.
2. If elementary aged children (Grades K-6) are to occupy the site under a Private Education Services Use or Public Education Services Use, the applicant shall provide a risk assessment that demonstrates acceptable risk levels. The risk assessment must be submitted in compliance with the following:
  - a. be prepared by a qualified professional who specializes in and can demonstrate extensive experience in risk assessment;
  - b. be prepared to the satisfaction of the Development Officer, in consultation with the appropriate City department; and
  - c. include mitigation recommendations.
3. The Development Officer:
  - a. must consider the recommendations of the risk assessment before making a decision on a Development Permit application; and
  - b. in consultation with the appropriate City department, may impose any conditions on the Development Permit necessary to implement any of the mitigation recommendations identified in the risk assessment.
4. For Auctioneering Establishment Uses all goods and equipment to be auctioned must be stored and displayed within an enclosed building.
5. For Equipment Rental Uses all equipment and goods for rent must be contained within the enclosed building.

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6. Religious Assembly shall not include rectories, manses, dormitories, convents, monasteries and other residential buildings.
7. The following regulations shall apply to Automotive and Minor Recreation Vehicle Sales/Rentals, Vehicle and Equipment Sales/Rentals and Convenience Vehicle Rentals Uses:
  - a. all storage, display or parking areas shall be Hardsurfaced in accordance with subsection 54.4.6 of this Bylaw;
  - b. lighting for the display areas shall be mounted on lamp standards and no exposed bulbs or strings of lights shall be used; and
  - c. The Development Officer may attach conditions to these Uses regarding the size, location, screening and landscaping of the outdoor vehicular display areas, to ensure that development is compatible with the appearance of surrounding developments.
8. The minimum Floor Area for a Warehouse Sales establishment shall not be less than 1,000 m<sup>2</sup> unless at least 50% of the Floor Area of the establishment is used for warehousing or storage of the goods sold or distributed from the establishment.
9. Cannabis Retail Sales shall comply with Section 70 of this Bylaw.
10. Liquor Stores shall comply with Section 85 of this Bylaw.
11. Signs shall comply with the regulations found in Schedule 59F, including the regulations for Discretionary signs.

**DC2.####.5 Development Regulations for Site Layout and Built Form**

1. Notwithstanding Section 720.3(2) of the Zoning Bylaw, the general site plan is not required to be attached to this DC2 Provision.
2. The maximum building Height shall not exceed 12.0 m, in accordance with Section 52 except that the Development Officer may, notwithstanding Section 11.4, grant a variance to permit a greater Height for a building housing a General Industrial Use up to a maximum of 14.0 m, where this is required to facilitate the industrial development of the Use involved.
3. The maximum Floor Area Ratio shall be 1.2.
4. A minimum Setback of 6.0 m shall be required where any lot line of a Site Abuts a public roadway, other than a Lane.



**SCHEDULE "B"****DC2.####.6 Development Regulations for Parking, Loading, Storage and Access**

1. No loading, storage, trash collection, outdoor service or display area shall be permitted within a Setback.
2. For a Private Education Services Use or Public Education Services Use, the applicant shall provide a site plan that demonstrates pick-up and drop-off locations, site circulation, and offsite infrastructure improvements, to the satisfaction of the Development Officer and Subdivision and Development Coordination.

**DC2.####.7 Other Regulations**

1. General Performance Standards for Industrial Developments:
  - a. all Uses and activities, except for Automotive and Minor Recreational Vehicle Sales/Rentals, Convenience Vehicle Rentals, Child Care Services, and those noted in clauses (b) and (c) below, shall be located and carried on within an enclosed building and there shall be no outdoor display areas;
  - b. all loading, service trash collection and Accessory storage areas, and trucking yards shall be located to the rear or sides of the principal building, and shall be screened from view from any public roadway other than a Lane, and from adjacent Sites, by building walls, freestanding walls, landscape materials, berms, wood fences or a combination of these, to the satisfaction of the Development Officer;
  - c. Except for landscape materials, screening shall be a maximum height of 3.7 m;
  - d. the Development Officer may require that exposed projections outside the building such as mechanical and electrical equipment, transformer ducts, cooling towers and materials handling equipment be screened from view from any public roadway other than a Lane, and from adjacent Sites if such projections are inconsistent with the character and appearance of surrounding development or the intended visual qualities of this Provision;
  - e. all buildings shall be constructed and finished with durable materials designed to maintain the initial appearance of the development throughout the life of the project. The Development Officer may require that the appearance of metal, or concrete block walls exposed to public view from beyond the Site be made consistent with the finishing materials or appearance characteristic of surrounding development; and



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- f. for Child Care Services Uses, the applicant shall provide a Site plan that mitigates the risk of interference between pedestrian and vehicular traffic, to the satisfaction of the Development Officer.
2. General Performance Standards for Temporary Storage:
    - a. Any Temporary Storage Use shall be screened from view from any public roadway other than a Lane, and from adjacent Sites, by building walls, freestanding walls, landscape materials, berms, wood Fences or a combination of these.
    - b. Except for landscape materials, screening materials shall have a maximum height of 3.7 m.
  3. General Performance Standards for Non-industrial Developments:
    - a. In all non-industrial developments, the design and use of exterior finishing materials shall be to the satisfaction of the Development Officer who shall ensure, as far as reasonably practicable, proposed buildings and structures shall use materials similar to, or better than, the standard of surrounding development.

**DC2.####.8 Public Improvements and Contributions**

1. As a condition of a development permit to operate a Private or Public Education Services Use, the owner shall enter into an agreement with the City of Edmonton for off-Site improvements necessary to serve or enhance the development, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation). Such improvements shall be constructed at the owner's cost. The Agreement process shall include an engineering drawing review and approval as required. Improvements to address in the Agreement include, but are not limited to:
  - a. Repair of any damage to the abutting roadways, sidewalks, boulevard, and infrastructure caused by the construction of the development.
2. The owner will be responsible for the installation of highly visible, semi-permanent, non-flexible barriers adjacent to the school bus loading area (located on the north side of the school building) to delineate and protect a 1.5m walkway along the school building, to the satisfaction of the Development Officer, in consultation with Subdivision and Development Coordination (Transportation).

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3. Vehicular and bicycle parking shall be provided in accordance with the parking requirements of the Zoning Bylaw, with appropriate signage.
4. Site parking and vehicle circulation shall be monitored and controlled by the owner to ensure appropriate parking and circulation management, to the satisfaction of the Development Officer, in consultation with Subdivision and Development Coordination (Transportation).