

Bylaw 17594

A Bylaw to amend Bylaw 11618, as amended,
being the Oliver Area Redevelopment Plan

WHEREAS pursuant to the authority granted to it, City Council on December 9, 1997, passed Bylaw 11618, as amended, being a bylaw to adopt the Oliver Area Redevelopment Plan; and

WHEREAS an application was received to amend Bylaw 11618, as amended, the Oliver Area Redevelopment Plan;

WHEREAS City Council considers it desirable to amend the Oliver Area Redevelopment Plan;

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 Oliver Area Redevelopment Plan is further amended by:

a. deleting DC1 – Direct Development Control – Area 1 and replacing it with:

“DC1 – Direct Development Control - Area 1

1. Area of Application

A portion of Sub Area 1, located between 103 Avenue and Jasper Avenue from 123 Street to 121 Street; and a portion of Sub Area 2, located at 121 Street and 102 Avenue, designated DC1 (Area 1) in Bylaw 11619, amending the Land Use Bylaw.

2. Rationale

To provide for a mixed use area that encourages the retention of existing older residential structures by providing opportunity for the conversion of these older structures to small scale, low impact commercial uses. New development and conversions will be of a scale and design that is complementary to the existing low density residential dwellings in the area.

3. Uses

The following uses are prescribed for lands designated DC1 (Area 1) pursuant to Section 710.3 of the Land Use Bylaw:

- i. Business Support Services*
- ii. Child Care Services*
- iii. Commercial Schools*
- iv. Community Recreation Services
- v. Custom Manufacturing Establishments*
- vi. Duplex Housing
- vii. Eating and Drinking Establishments, Minor*
- viii. Essential Utility Services
- ix. Foster Homes
- x. Group Homes
- xi. Group Homes, Limited
- xii. Health Services*
- xiii. Home Occupations, Major
- xiv. Home Occupations, Minor
- xv. Minor Impact Utility Services
- xvi. Personal Service Shops*
- xvii. Private Education Services*
- xviii. Professional, Financial and Office Support Services*
- xix. Professional Offices*
- xx. Retail Stores, Convenience*
- xxi. Row Housing
- xxii. Secondary Suites
- xxiii. Semi-detached Housing
- xxiv. Single Detached Housing

(Note: Commercial uses identified by an asterisk shall be only be allowed if located in a converted older residential structure, and shall not be allowed within a new development.)

4. Development Criteria

The following development criteria shall apply to the prescribed uses pursuant to Section 710.4 of the Land Use Bylaw:

- a. The maximum Floor Area Ratio shall be 1.0.
- b. The maximum Height shall not exceed 10 m (32.8 ft.) nor 2.5 storeys.
- c. The maximum density for Residential Uses shall be 42 dwellings/ha (17.0 dwellings/acre).
- d. The maximum site area shall be 2,787 m² (30,000 ft²).
- e. The minimum Front Yard shall be the average depth of the Front Yards of the two adjacent lots. Where an adjacent site is vacant, it shall be deemed to have a Front Yard depth of 6 m (19.7 ft.) for the purposes of this subsection. On a corner site where the building fronts on a flanking public roadway other than a lane, the minimum Side Yard abutting the flanking public roadway shall be 4.5 m (14.8 ft.). Notwithstanding this, at the discretion of the Development Officer, the area of a porch or verandah or portion thereof which does not have a principal building above may be allowed to be developed up to a maximum of 2 m (6.6 ft.) into a required Front Yard.
- f. A minimum Side Yard of 1 m (3.3 ft.) shall be provided, except where a Side Yard abuts a flanking public roadway other than a lane, not less than 3 m (9.8 ft.) shall be provided.
- g. The minimum Rear Yard shall be 7.5 m (24.6 ft.).
- h. Notwithstanding the above, no minimum yard requirements shall apply to conversions of old single detached residential housing stock, except to the extent where an addition to such a structure is to occupy additional area within the site.
- i. Vehicular access to a garage or parking area shall be from an abutting lane, where a lane abuts a site.
- j. Architectural treatment of new developments shall ensure that elements common to the residential architecture of the area are emphasized through the inclusion of features such as the following:
 - i. porches and verandahs;
 - ii. brick, clapboard or stucco as prominent exterior finishes;
 - iii. gambrel, pyramidal, gable or hip roofs; or
 - iv. dormers and bay windows.
- k. The Development Officer shall use the following guidelines when reviewing an application for conversion of a Single Detached Dwelling to a commercial use:
 - i. activities will be confined to a small-scale of operation with a staff of not greater than 5 persons;
 - ii. Minor Eating and Drinking Establishments shall be limited to a maximum of 70 seats; and

- iii. the design shall maintain the appearance of a Single Detached Dwelling.
- l. Single Detached, Semi-detached, Duplex Housing and Secondary Suites in this District shall be developed in accordance with the provisions of the RF4 District.
- m. All exterior trash collection areas shall be screened from view in accordance with Section 69.4(4) of the Land Use Bylaw.
- n. Notwithstanding other regulations in this District:
 - i. Minor Home Occupations shall be developed in accordance with Section 84 of the Land Use Bylaw.
 - ii. Major Home Occupations shall be developed in accordance with Section 85 of the Land Use Bylaw.
 - iii. Professional Offices shall be developed in accordance with Section 88 of the Land Use Bylaw.
 - iv. Essential Utility Services shall be developed in accordance with Section 90 of the Land Use Bylaw.
 - v. Group Homes shall be developed in accordance with Section 91 of the Land Use Bylaw.
 - vi. Child Care Services shall be developed in accordance with Section 93 of the Land Use Bylaw.
 - vii. Secondary Suites shall be developed in accordance with Section 99 of the Land Use Bylaw.”
- b. deleting DC1 – Direct Development Control – Area 4 in its entirety,.
- c. deleting DC1 – Direct Development Control – Area 5 and replacing it with:

“DC1 – Direct Development Control - Area 5

1. Area of Application

A portion of Sub Area 3, located on the west side of 112 Street between 102 Avenue and 103 Avenue, designated DC1 (Area 5) in Bylaw 11619, amending the Land Use Bylaw.

2. Rationale

To provide a mix of residential and low intensity commercial uses, intended to buffer the predominantly residential areas fronting onto 113 Street, from the higher intensity commercial lands located on the east side of 112 Street.

3. Uses

The following uses are prescribed for lands designated DC1 (Area 5) pursuant to Section 710.3 of the Land Use Bylaw:

- i. Amusement Establishments, Minor
- ii. Apartment Housing

- iii. Boarding and Lodging Houses
- iv. Business Support Services
- v. Child Care Services
- vi. Commercial Schools
- vii. Community Recreation Services
- viii. Custom Manufacturing Establishments
- ix. Duplex Housing
- x. Essential Utility Services
- xi. Foster Homes
- xii. Government Services
- xiii. Group Homes
- xiv. Group Homes, Limited
- xv. Health Services
- xvi. Home Occupations, Major
- xvii. Home Occupations, Minor
- xviii. Household Repair Services
- xix. Minor Impact Utility Services
- xx. Personal Service Shops
- xxi. Private Clubs
- xxii. Professional, Financial and Office Support Services
- xxiii. Professional Offices
- xxiv. Public Libraries and Cultural Exhibits
- xxv. Retail Stores, Convenience
- xxvi. Retail Stores, General
- xxvii. Row Housing
- xxviii. Secondary Suites
- xxix. Secondhand Stores, Minor
- xxx. Semi-detached Housing
- xxxi. Single Detached Housing
- xxxii. Stacked Row Housing

4. Development Criteria

The following development criteria shall apply to the prescribed uses pursuant to Section 710.4 of the Land Use Bylaw:

- a. The maximum Floor Area Ratio shall be 2.0.
- b. The maximum Height shall not exceed 14 m (45.9 ft.) nor 4 storeys.
- c. The maximum density for Residential Uses shall be 125 dwellings/ha (50.6 dwellings/acre).
- d. A minimum Yard of 3 m (9.84 ft.) shall be required where a site abuts a public roadway other than a lane except:
 - i. where adjacent commercial buildings abut the property line to form a pedestrian-oriented shopping street, no Front Yard shall be required; and
 - ii. where there is no vehicular access to the site from the public roadway the minimum Yard shall be not less than 1.5 m (4.93 ft.).
- e. For Residential Uses, vehicular access to required off-street parking shall be from an abutting lane, where a lane abuts a site.
- f. The minimum Side Yard shall be 1 m (3.3 ft.) for each storey or partial storey, except that a total of at least 2 m (6.6 ft.) shall be provided in all cases. A Side Yard shall not be less than 4.5 m (14.8 ft.) when it abuts a flanking roadway other than a lane.
- g. Commercial uses shall provide a minimum Side Yard of 3 m (9.84 ft.) where the rear or side lot line abuts the lot line of a site in Residential use.
- h. Single Detached, Semi-detached, Duplex and Secondary Suites in this District shall be developed in accordance with the provisions of the RF4 District.
- i. All exterior trash collection areas shall be screened from view in accordance with Section 69.4(4) of the Land Use Bylaw.
- j. Notwithstanding other regulations in this District:
 - i. Minor Home Occupations shall be developed in accordance with Section 84 of the Land Use Bylaw.
 - ii. Major Home Occupations shall be developed in accordance with Section 85 of the Land Use Bylaw.
 - iii. Boarding and Lodging Houses shall be developed in accordance with Section 86 of the Land Use Bylaw.
 - iv. Professional Offices shall be developed in accordance with Section 88 of the Land Use Bylaw.
 - v. Essential Utility Services shall be developed in accordance with Section 90 of the Land Use Bylaw.
 - vi. Group Homes shall be developed in accordance with Section 91 of the Land Use Bylaw.

- vii. Child Care Services shall be developed in accordance with Section 93 of the Land Use Bylaw.
- viii. Secondary Suites shall be developed in accordance with Section 99 of the Land Use Bylaw.”

READ a first time this	day of	, A. D. 2016;
READ a second time this	day of	, A. D. 2016;
READ a third time this	day of	, A. D. 2016;
SIGNED and PASSED this	day of	, A. D. 2016.

THE CITY OF EDMONTON

MAYOR

CITY CLERK