

Charter Bylaw 19041

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 2901

WHEREAS Lot 11A, Plan 786MC, Lot 8A, Plan 1772MC; Lots 13-17 and Lots 22-25, Plan 5496HW; Lot 32, Plan 64KS; located east of Winterburn Road NW (215 Street NW) and south of Stony Plain Road NW, Lewis Farms Business Employment, Edmonton, Alberta, are specified on the Zoning Map as (RR) Rural Residential Zone; and

WHEREAS an application was made to rezone the above described property to (DC1) Direct 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 11A, Plan 786MC, Lot 8A, Plan 1772MC; Lots 13-17 and Lots 22-25, Plan 5496HW; Lot 32, Plan 64KS; located east of Winterburn Road NW (215 Street NW) and south of Stony Plain Road NW, Lewis Farms Business Employment, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (RR) Rural Residential Zone to (DC1) Direct Development Control Provision.
2. The uses and regulations of the aforementioned DC1 Provision are attached as Schedule "B".

3. The sketch plan attached as Schedule "A" and the uses and regulations of the DC1 Provision shown on Schedule "B" attached 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 August , A. D. 2020;

READ a second time this 18th day of August , A. D. 2020;

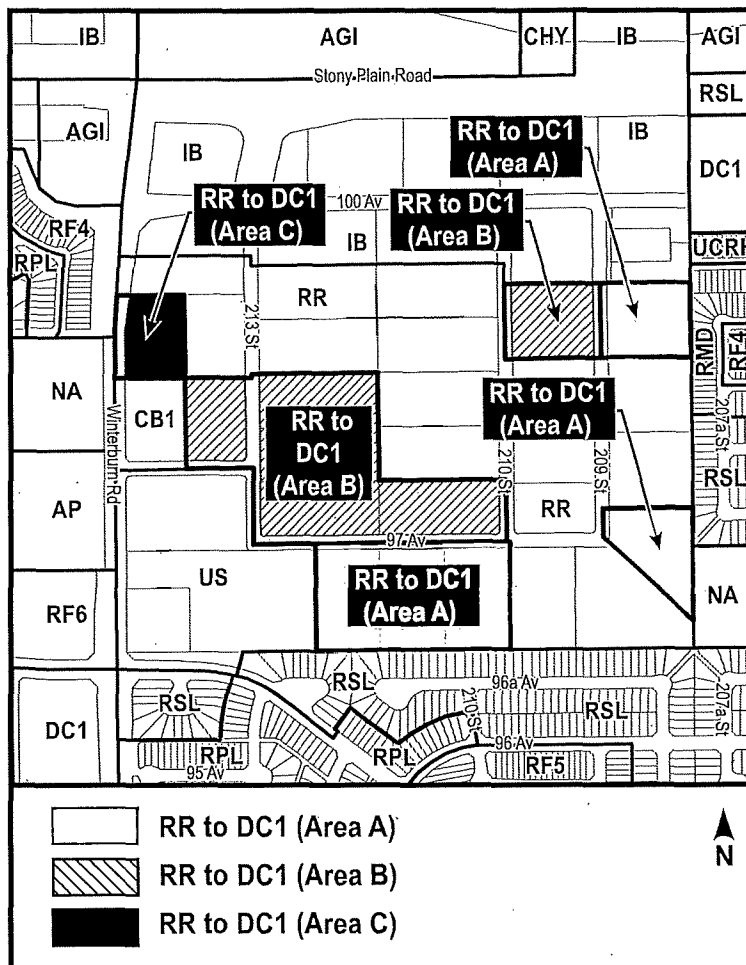
READ a third time this 18th day of August , A. D. 2020;

SIGNED and PASSED this 18th day of August , A. D. 2020

THE CITY OF EDMONTON

  
\_\_\_\_\_  
MAYOR  
\_\_\_\_\_  
CITY CLERK

## CHARTER BYLAW 19041



**SCHEDULE "B"**

**(DC1) DIRECT DEVELOPMENT CONTROL PROVISION**  
**Lewis Farms Business Employment**

**1. General Purpose**

To establish a Direct Development Control Provision to provide for a business employment area with a mix of commercial, business, and light industrial Uses that carry out their operations such that no nuisance is created or apparent outside an enclosed building and are compatible with adjacent Residential, Commercial, Natural Area, and Urban Service Zones.

Area A is intended to limit the intensity and range of commercial, business, and light industrial Uses, as well as provide a buffer area for enhanced sensitivity to adjacent residential neighbourhoods. This Area allows and restricts the expansion of existing residential and specific non-residential Uses.

Area B is intended to allow for a greater level of intensity and range of commercial, business and light industrial Uses that are not immediately adjacent to residential neighbourhoods. This Area allows and restricts the expansion of existing residential and specific non-residential Uses.

Area C is intended to allow for low intensity commercial, office and service Uses located along the 215 Street arterial roadway. Development shall be sensitive and in scale with existing development along the commercial street and any surrounding residential neighbourhood.

**2. Area of Application**

The Provision shall apply to the following lands located within Lewis Farms Business Employment generally located south of Stony Plain Road and east of 215 Street NW (Winterburn Road), as shown on Appendix 1.

<b>Legal Description</b>	<b>Address</b>
Lot 32, Plan 64KS	9815 - 210 STREET NW
Lot 8A, Plan 1772MC	9811 - 209 STREET NW
E1/2 Lot 16, Plan 5496HW	21310 - 98 AVENUE NW
Lot 22, Plan 5496HW	9821 - 213 STREET NW
Lot 23, Plan 5496HW	9803 - 213 STREET NW
Lot 24, Plan 5496HW	21210 - 97 AVENUE NW
Lot 25, Plan 5496HW	9710 - 210 STREET NW
Lot 13, Plan 5496HW	21003 - 97 AVENUE NW
Lot 14, Plan 5496HW	21007 - 97 AVENUE NW
Lot 15, Plan 5496HW	21103 - 97 AVENUE NW
W1/2 Lot 17, Plan 5496HW	9915 - WINTERBURN ROAD NW
Lot 11A, Plan 786MC	9703 - 209 STREET NW

### **3. Uses**

#### **Area A**

1. Animal Hospitals and Shelters
2. Auctioneering Establishments
3. Automotive and Equipment Repair Shops, where existing prior to the adoption of this Bylaw
4. Automotive and Minor Recreation Vehicle Sales/Rentals, where existing prior to the adoption of this Bylaw
5. Bars and Neighbourhood Pubs, for less than 200 occupants and 240 m2 of Public Space
6. Business Support Services
7. Breweries, Wineries and Distilleries
8. Child Care Services
9. Commercial Schools
10. Convenience Retail Stores
11. Convenience Vehicle Rentals
12. Creation and Production Establishments
13. Equipment Rentals
14. Markets
15. Funeral, Cremation and Interment Services
16. General Industrial Uses
17. General Retail Stores, up to a maximum Floor Area of 1,000 m2.
18. Greenhouses, Plant Nurseries and Garden Centres
19. Health Services
20. Household Repair Services
21. Indoor Participant Recreation Services
22. Limited Contractor Services
23. Liquor Stores
24. Major Home Based Business
25. Media Studios
26. Minor Amusement Establishments
27. Minor Home Based Business
28. Mobile Catering Food Services
29. Outdoor Participant Recreation Services

30. Personal Service Shops
31. Private Clubs
32. Professional, Financial and Office Support Services
33. Rapid Drive-through Vehicle Services
34. Religious Assembly
35. Restaurants, for less than 200 occupants and 240 m2 of Public Space
36. Second Hand Stores
37. Single Detached Housing, where existing prior to the adoption of this Bylaw
38. Special Event
39. Specialty Food Services, for less than 100 occupants and 120 m2 of Public Space
40. Temporary Storage, where existing prior to the adoption of this Bylaw
41. Urban Gardens
42. Urban Indoor Farms
43. Urban Outdoor Farms
44. Veterinary Services
45. Warehouse Sales
46. Fascia On-premises Signs
47. Freestanding On-premises Signs
48. Projecting On-premises Signs
49. Temporary On-premises Signs

#### **Area B**

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. Child Care Services
9. Commercial Schools
10. Convenience Retail Stores
11. Convenience Vehicle Rentals

12. Creation and Production Establishments
13. Drive-in Food Services
14. Equipment Rentals
15. Markets
16. Fleet Services
17. Funeral, Cremation and Interment Services
18. Gas Bars
19. General Contractor Services, where existing prior to the adoption of this Bylaw
20. General Industrial Uses
21. General Retail Stores
22. Greenhouses, Plant Nurseries and Garden Centres
23. Health Services
24. Household Repair Services
25. Indoor Participant Recreation Services
26. Limited Contractor Services
27. Liquor Stores
28. Major Home Bases Business
29. Major Service Stations
30. Media Studios
31. Minor Amusement Establishments
32. Minor Home Based Business
33. Minor Service Stations
34. Mobile Catering Food Services
35. Nightclubs
36. Outdoor Participant Recreation Services
37. Personal Service Shops
38. Private Clubs
39. Professional, Financial and Office Support Services
40. Rapid Drive-through Vehicle Services
41. Recycled Materials Drop-off Centres
42. Recycling Depots
43. Religious Assembly
44. Restaurants

- 45. Second Hand Stores
- 46. Single Detached Housing, where existing prior to the adoption of this Bylaw
- 47. Special Event
- 48. Specialty Food Services
- 49. Temporary Storage, where existing prior to the adoption of this Bylaw
- 50. Truck and Mobile Home Sales/Rentals
- 51. Urban Gardens
- 52. Urban Indoor Farms
- 53. Urban Outdoor Farms
- 54. Vehicle and Equipment Sales/Rentals
- 55. Veterinary Services
- 56. Warehouse Sales
- 57. Fascia On-premises Signs
- 58. Fascia Off-premises Signs
- 59. Freestanding On-premises Signs
- 60. Freestanding Off-premises Signs
- 61. Major Digital Signs
- 62. Major Digital Off-premises Signs
- 63. Minor Digital On-premises Signs
- 64. Minor Digital On-premises Off-premises Signs
- 65. Projecting On-premises Signs
- 66. Temporary On-premises Signs

**Area C**

- 1. Auctioneering Establishments
- 2. Automotive and Minor Recreation Vehicle Sales/Rentals
- 3. Bars and Neighbourhood Pubs
- 4. Breweries, Wineries and Distilleries
- 5. Business Support Services
- 6. Cannabis Retail Sales
- 7. Child Care Services
- 8. Commercial Schools
- 9. Convenience Retail Stores
- 10. Convenience Vehicle Rentals

11. Creation and Production Establishments
12. Drive-in Food Services
13. Equipment Rentals
14. Funeral, Cremation and Interment Services
15. Gas Bars
16. General Retail Stores
17. Greenhouses, Plant Nurseries and Garden Centres
18. Health Services
19. Hotels
20. Household Repair Services
21. Indoor Participant Recreation Services
22. Limited Contractor Services Market
23. Liquor Stores
24. Live Work Units
25. Major Amusement Establishments Minor Amusement Establishments
26. Major Home Based Business
27. Media Studios
28. Minor Home Based Business
29. Minor Service Stations
30. Mobile Catering Food Services
31. Multi-unit Housing
32. Nightclubs
33. Non-accessory Parking
34. Pawn Stores
35. Personal Service Shops
36. Private Clubs
37. Professional, Financial and Office Support Services
38. Public Libraries and Cultural Exhibits
39. Rapid Drive-through Vehicle Services
40. Recycled Materials Drop-off Centres
41. Recycling Depots
42. Residential Sales Centres
43. Restaurants

- 44. Secondhand Stores
- 45. Special Event
- 46. Spectator Entertainment Establishments
- 47. Specialty Food Services
- 48. Urban Indoor Farms
- 49. Urban Outdoor Farms
- 50. Urban Gardens
- 51. Veterinary Services
- 52. Fascia Off-premises Signs
- 53. Fascia On-premises Signs
- 54. Freestanding Off-premises Signs
- 55. Freestanding On-premises Signs
- 56. Major Digital Signs
- 57. Minor Digital Off-premises Signs
- 58. Minor Digital On-premises Signs
- 59. Minor Digital On-premises Off-premises Signs
- 60. Projecting On-premises Signs
- 61. Roof Off-premises Signs
- 62. Roof On-premises Signs
- 63. Temporary Off-premises Signs
- 64. Temporary On-premises Signs

#### 4. Development Regulations - General

- 1. Uses shall carry out operations such that no nuisance is created or apparent outside an enclosed building.
- 2. For Auctioneering Establishments, Equipment Rentals, and Recycling Depots all equipment and goods shall be contained within an enclosed building.
- 3. A minimum Setback of 3.0 m shall be required where any Lot line of a Site Abuts a public roadway, other than a Lane.
- 4. 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. If the rear or sides of a Site are used for parking, an outdoor service or display area or both, and abut a Residential Zone, such areas shall include landscaping to screen the view from adjacent Sites.

5. Religious Assembly shall not include rectories, manses, dormitories, convents, monasteries, or other residential buildings.
6. The following regulations shall apply to Rapid Drive-through Vehicle Services developments:
  - a. The total number of bays shall not exceed four for any given building on a Site; and
  - b. All operations and mechanical equipment associated with this Use shall be located within an enclosed building.
7. 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.
8. Prior to the issuance of a Development Permit on Lot 14, Plan 5496HW, Lot 15, Plan 5496HW, and Lot 8A, Plan 1772MC, except for Development Permits for demolition, excavation, shoring or signage, a Phase II Environmental Site Assessment and any other associated environmental work as a result of that report is required for a change of use application. The Development Officer shall also impose any conditions necessary prior to the release of drawings for Building Permit review, to ensure that the Site is suitable for the full range of uses contemplated in the Development Permit application.
9. Any business premises or multiple occupancy building having a Floor Area greater than 2 000 m<sup>2</sup> 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.
10. Façade treatment of building(s) located along public roadways shall provide a consistent and compatible architectural profile with adjacent buildings.
11. All mechanical equipment, including roof mechanical units shall be concealed by screening or incorporation within the building roof in a manner that is consistent with the finishing of the building and the overall architectural style of the development,
12. In consideration of Crime Prevention Through Environmental Design (CPTED) principles, primary building entrances shall be identifiable, prominent, accessible, and inviting and shall incorporate weather protection features in the form of architectural elements such as a canopy, and provide adequate lighting to identify these areas at night, to the satisfaction of the Development Officer.
13. Access shall be maintained to abandoned oil or gas wells for maintenance and monitoring purposes.
14. Where Uses that may, in the opinion of the Development Officer, create negative impacts such as noise, light, or odours that may be noticeable on adjacent properties, and where the Site containing such Uses is directly

adjacent to Sites used or zoned for residential activities, Natural Area, or Public Park, the Development Officer may, at their discretion, require that these potential impacts be minimized or negated. This may be achieved through a variety of measures including: additional Landscaping; berming or screening; noise attenuation measures such as structural soundproofing; downward direction of all exterior lighting onto the proposed development; and any other measures as the Development Officer may deem appropriate.

15. Signs shall comply with Schedule 59F of the Zoning Bylaw, as amended.
16. A Landscape Plan prepared in accordance with the City of Edmonton Design and Construction Standards, Volume 5, shall be submitted with Development Permit applications including or affecting public land, to the satisfaction of the Development Officer.
17. Landscaping construction on road right-of-ways shall be in accordance with the City of Edmonton Design and Construction Standards, Volume 5.
18. An easement and disturbed soil restrictive covenant shall be registered for sewer installation within Lot 11A Plan 786MC and Lot 13 Plan 5496HW, prior to issuance of a Development Permit on the applicable Lot.
19. Upon submission of a Development Permit application, including one or more of the following:
  - a. a change of Use to an existing building on site;
  - b. a new building/structure on Site; or
  - c. an addition to an existing building/structure on Site.

The owner must enter into an Agreement with the City of Edmonton to construct improvements to serve the development including, but not limited to, the following:

Upgrade to an approved modified cross-section, based on the Complete Streets Design and Construction Standards and to the satisfaction of Subdivision and Development Coordination, the following local roadways (or necessary portion thereof that provides a functional extension of services) at the discretion of the Development Officer in consultation with Subdivision and Development Coordination and Planning Coordination:

- i. 97 Avenue, 209 Street to 213 Street
- ii. 98 Avenue, from 213 Street to 215 Street
- iii. 209 Street, from 97 Avenue to the north limit of the northernmost lot included in this DC1
- iv. 210 Street, from 97 Avenue to the north limit of the northernmost lot included in this DC1
- v. 213 Street, from 97 Avenue to the north limit of the northernmost lot included in this DC1

The local roads to be upgraded are listed above and identified in Appendix I

The upgrade is to include all underground and above ground servicing according to accepted technical reports (where applicable) and transition sections between the upgraded road and the existing roads. The roadway is to include a hybrid cross-section with sidewalk on a minimum of one side within the existing 20 m right-of-way.

Should a servicing scheme/funding mechanism (such as an Owner's Agreement, Developer Funding, a Local Improvement Levy, or a Boundary Assessment) for the upgrade of the local roadways in the Lewis Farms Business Employment neighbourhood be approved and in place to the satisfaction of City Administration, the above noted upgrade of the local roads may be waived as a requirement of Development Permit in consultation with Subdivision and Development Coordination.

#### 5. Development Regulations – Area A

1. The maximum Floor Area Ratio shall be 1.2.
2. A minimum Setback of 6.0 m shall be required where any Lot line of a Site Abuts the property line of a Site zoned Residential or Natural Areas Protection Zone (NA).
3. Notwithstanding Section 5 (2), a minimum setback of 10.0 m shall be provided from the Rear Lot Line Abutting a Site zoned Residential within Stewart Greens or Webber Greens, in general accordance with Figure 1. Stormwater management features shall be permitted on Site, including within the Setback area, except within 6.0 m of the Rear Lot Line and 5.0 m of an abandoned oil or gas well.

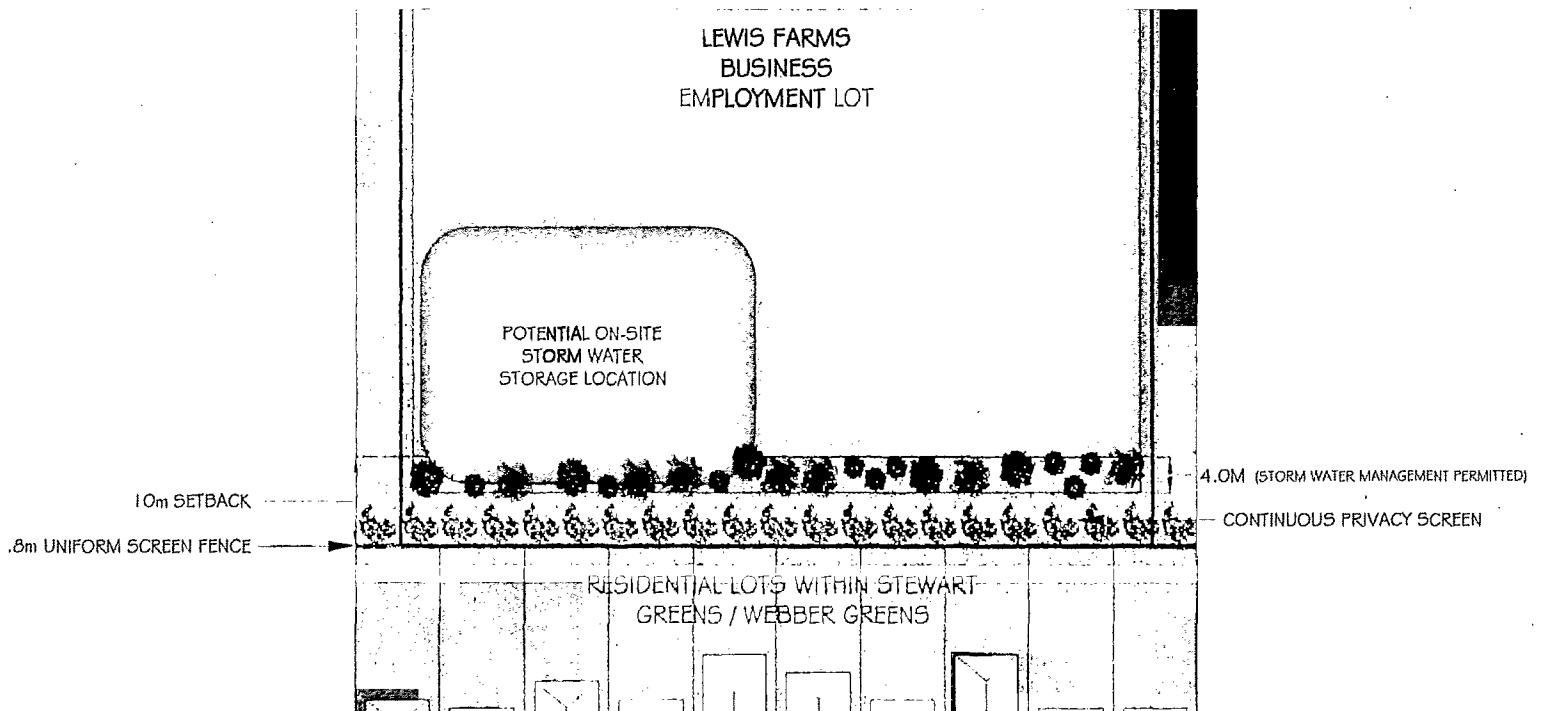


Figure 1 – Buffer Example

4. A 1.8 m uniform screen Fence constructed 150 mm wholly inside private property, where not already existing, shall be provided along the Rear Lot Line Abutting a Site zoned Residential or Natural Areas Protection Zone (NA) within Stewart Greens or Webber Greens.
5. A 6.0 m landscape area shall be provided from the Rear Lot Line Abutting a Site zoned Residential within Stewart Greens or Webber Greens. This area shall include:
  - a. a continuous privacy screen in the form of a continuous row of trees. The trees shall be coniferous species, a minimum 3.0 m in Height and planted 5.0 m apart. Existing trees may be used in part to achieve this outcome.
6. Notwithstanding Section 5 (2-3), a minimum setback of 10.0 m shall be provided from the Rear Lot Line of Lot 11A, Plan 786MC, identified on Appendix I, where Abutting a Site zoned residential in Stewart Greens, except that:
  - a. a 4.0 m setback shall be provided from the Rear Lot Line if adjacent to a 6.0 m right-of-way for walkway and/or servicing
7. Notwithstanding 5. (5), a continuous privacy screen shall be provided in the form of a continuous row of trees within the setback identified in 5. (6) for Lot 11A, Plan 786MC. The trees shall be coniferous species, a minimum 3.0 m in Height and planted a maximum 5.0 m apart. Existing trees may be used in part to achieve this outcome.
8. Where the west Lot line of Lot 15, Plan 5496HW Abuts the Lot line of Lot R, Plan 5496HW, identified on Appendix I, the following shall be required:
  - a. a minimum 6.0 m Setback containing a landscaped buffer. The landscape buffer shall contain a continuous row of trees, planted adjacent the fence, spaced as appropriate to the species. Existing trees may be used in part to achieve this outcome. Poplar and willow species shall not be planted unless appropriate setbacks are provided, as noted within the City of Edmonton Design and Construction Standards, Volume 5. Existing grade shall be maintained, where possible, adjacent to the property line to avoid adverse impacts to the adjacent school site;
  - b. a 1.8 m uniform screen Fence constructed 150 mm wholly inside private property; and
  - c. Notwithstanding 5 (8.a and b), where Indoor Participant Recreation Services or Outdoor Participant Recreation Services are developed, the minimum Setback shall be 4.5 m, and a 1.8 m uniform chain link or ornamental metal fence shall be constructed 150 mm wholly inside private property.
9. The maximum Height shall not exceed 12.0 m, except that where Indoor Participant Recreation Services or Outdoor Participant Recreation Services are developed on Lot 15, Plan 5496HW, identified on Appendix I, the maximum Height shall not exceed 14.0 m.

10. Drive-in Food Services, Rapid Drive-through Vehicle Services, and General Industrial Uses shall only be permitted within 60.0 m of the Front Lot Line.
11. The following regulations shall apply to Convenience Vehicle Rentals and Automotive and Minor Recreation Vehicle Sales/Rentals:
  - a. all storage, display or parking areas shall be Hardsurfaced;
  - b. all display areas that Abut a Residential Zone or a Lane serving a Residential Zone shall be screened; and
  - c. lighting for the display areas shall be mounted on lamp standards with fixtures that prevent and/or minimize glare and light pollution, and no exposed bulbs or strings of lights shall be used.
12. The Development Officer may attach conditions to Convenience Vehicle Rentals and Automotive and Minor Recreation Vehicle Sales/Rentals 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.

#### 6. Development Regulations – Area B

1. The maximum Floor Area Ratio shall be 1.2.
2. A minimum Setback of 6.0 m shall be required where any lot line of a Site Abuts the property line of a Site zoned Residential.
3. The maximum Height shall not exceed 14.0 m.
4. The following regulations shall apply to Convenience Vehicle Rentals and Automotive and Minor Recreation Vehicle Sales/Rentals:
  - i. all storage, display or parking areas shall be Hardsurfaced;
  - ii. all display areas that Abut a Residential Zone or a Lane serving a Residential Zone shall be screened; and
  - iii. lighting for the display areas shall be mounted on lamp standards with fixtures that prevent and/or minimize glare and light pollution, and no exposed bulbs or strings of lights shall be used.
5. The Development Officer may attach conditions to Convenience Vehicle Rentals and Automotive and Minor Recreation Vehicle Sales/Rentals 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.

#### 7. Development Regulations – Area C

1. The maximum Floor Area shall be 2500 m<sup>2</sup>.
2. The maximum Floor Area Ratio shall be 2.0.

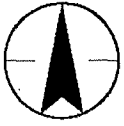
3. Notwithstanding 4. Development Regulations- General (3), where adjacent commercial buildings abut the property line to form a pedestrian- oriented shopping street, buildings shall be built at the property line of the Site;
4. A minimum Setback of 3.0 m shall be required where the Rear or Side Lot line of the Site Abuts the Lot line of a Site in a Residential Zone;
5. Bars and Neighbourhood Pubs, Nightclubs, and Restaurants for more than 200 occupants and 240 m<sup>2</sup> of Public Space, shall be permitted where the Site is not adjacent to or across the Lane from a Site zoned Residential.
6. Where the Site is part of a pedestrian oriented shopping street, the following regulations shall apply, at the discretion of the Development Officer:
  - a. the architectural treatment of the building shall include features such as:
    - i. placement of windows to allow for viewing in the building by pedestrians;
    - ii. entrance features;
    - iii. canopies;
    - iv. features that lend visual interest and create a human scale; and
    - v. on corner Sites, the Façade treatment shall wrap around the side of the building to provide a consistent profile;
  - b. vehicular access shall be designed in a manner that has minimal impact on the pedestrian-oriented shopping street; and
  - c. vehicular parking, loading and facilities shall be located at the rear of the building.
7. The maximum building Height shall not exceed 12.0 m.
8. The following regulations shall apply to Multi-unit Housing developments:
  - a. Multi-unit Housing shall be permitted only in buildings where the first Storey is used for commercial purposes;
  - b. the housing component shall have access at ground level, which is separate from the access for the commercial premises; and
  - c. the maximum Floor Area Ratio of Multi-Unit Housing shall be 1.5.
9. The following regulations shall apply to Automotive and Minor Recreational Vehicle Sales/Rentals and Convenience Vehicle Rentals developments:
  - a. the maximum Site Area for a business shall be 2 000 m<sup>2</sup>;
  - b. servicing and repair operations shall be permitted only as Accessory Uses;
  - c. all storage, display or parking areas shall be Hardsurfaced;
  - d. all outdoor display areas that Abut a Residential Zone shall be obscured from direct view by providing a visual screen at least 1.8 m in Height; and

- e. lighting for the display area shall be mounted on lamp standards with fixtures that prevent and/or minimize glare and light pollution, and no exposed bulbs or strings of lights shall be used.

10. In addition to 4. Development Regulations - General, as a condition of the first Development Permit, the owner shall:

- a. register an easement for all road rights-of-way necessary for the construction of 215 Street from the site, to conform to the approved 215 Street Concept Plan or to the satisfaction of Subdivision and Development Coordination; and
- b. enter into an Agreement(s) with the City of Edmonton for off-site improvements necessary to serve the developments, to the satisfaction of Subdivision and Development Coordination. The Agreement process includes an engineering drawing review and approval process. The off-site improvements may include, but are not limited to:
  - i. construction of a right-in/right-out access, median modification, and an auxiliary lane to facilitate access to the Site;
  - ii. construction of a 3.0 m asphalt shared use path along the east side of 215 Street adjacent to the site, to the satisfaction of Subdivision and Development Coordination.

## APPENDIX 1



## STONY PLAIN ROAD

