

Bylaw 21050

A Bylaw to amend Charter Bylaw 20001, as amended,
The Edmonton Zoning Bylaw
Amendment No. 186

WHEREAS Plan 2135RS Blk 19 Lot 2 and Plan 5414NY Blk G; located at 5440 & 5450 - Whitemud Road NW, Brander Gardens, Edmonton, Alberta, is specified on the Zoning Map as Rural Residential Zone (RR); and

WHEREAS an application was made to rezone the above described property to Direct Control Zone (DC);

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 1.20 to Charter Bylaw 20001 The Edmonton Zoning Bylaw is hereby amended by rezoning the lands legally described as Plan 2135RS Blk 19 Lot 2 and Plan 5414NY Blk G; located at 5440 & 5450 - Whitemud Road NW, Brander Gardens, Edmonton, Alberta, which lands are shown on the sketch plan attached as Schedule "A", from Rural Residential Zone (RR) to Direct Control Zone (DC).
2. The uses and regulations of the aforementioned DC Zone are annexed hereto as Schedule "B".

3. The sketch plan annexed hereto as Schedule "A" and the uses and regulations of the DC Zone shown on Schedule "B" annexed hereto are hereby incorporated into the Zoning Bylaw, being Part 4 to Charter Bylaw 20001, The Edmonton Zoning Bylaw.
4. Appendix 1 of the North Saskatchewan River Valley and Ravine System Protection Overlay being Section 2.260 of the Edmonton Zoning Bylaw is hereby amended by adjusting the current Overlay boundary and the area of application of the Overlay in accordance with the sketch plan attached as Schedule "C" on such lands legally described as Plan 2135RS Blk 19 Lot 2, Plan 5414NY Blk G, Plan 1623531 Blk 19 Lot 9, and Plan 2220062 Blk 7 Lot 1A; located at 5440, 5450 & 5454 - Whitemud Road NW, and 5220 - 154 Street NW Brander Gardens, Edmonton, Alberta.

READ a first time this	24th day of February	, A. D. 2025;
READ a second time this	24th day of February	, A. D. 2025;
READ a third time this	24th day of February	, A. D. 2025;
SIGNED and PASSED this	24th day of February	, A. D. 2025.

THE CITY OF EDMONTON

A. Schi

MAYOR

Green Groblich

CITY CLERK

BYLAW 21050



RR to DC



(DC) DIRECT CONTROL ZONE**1. Purpose**

To allow for a health and wellness centre, including a variety of commercial business and limited residential opportunities, located adjacent to the North Saskatchewan River Valley.

2. Area of Application

This Zone applies to Lot 2, Block 19, Plan 2135RS and Block G, Plan 5414NY, located north of 53 Avenue and west of Whitemud Road, as shown in Schedule "A" of the Bylaw adopting this Zone, Brander Gardens.

3. Uses**Commercial Uses**

- 3.1. Food and Drink Service
- 3.2. Health Service
- 3.3. Indoor Sales and Service
- 3.4. Outdoor Sales and Service

Community Uses

- 3.5. Outdoor Recreation Service

Residential Uses

- 3.6. Residential

Agricultural Uses

- 3.7. Urban Agriculture

Sign Uses

- 3.8. Fascia Sign
- 3.9. Freestanding Sign
- 3.10. Projecting Sign

4. Additional Regulations for Specific Uses

Outdoor Sales and Services

- 4.1. Outdoor display and service areas visible and adjacent to a Site in a residential Zone, must be located and screened to minimize visual impacts. Screening must be provided through methods such as but not limited to trees, Landscaping, Fencing, or other similar measures.

Residential Uses

- 4.2. Residential Uses are limited to Sleeping Units.
- 4.3. Residential Uses must be on a Site with at least one (1) Commercial Use.
- 4.4. The maximum number of Sleeping Units is 24.

Commercial Uses

- 4.5. Food and Drink Service Uses are only permitted on Site that has one (1) or more Health Service or Indoor Sales and Service Use.

Sign Uses

- 4.6. Signs must comply with Subsections 3 and 5 of Section 6.90 of the Zoning Bylaw.

5. Site and Building Regulations

- 5.1. The development must be in general conformance with Appendix 1.
- 5.2. The maximum building height is 16.0 m.
- 5.3. The maximum Floor Area Ratio is 0.37.
- 5.4. The minimum Setbacks are:
 - 5.4.1. 6.0 m from the north property line of Lot 2, Block 19, Plan 2135RS.
 - 5.4.2. 6.0 m from the east property line adjacent to Whitemud Road NW.
 - 5.4.3. 6.0 m from the south property line adjacent to 53 Avenue NW.
- 5.5. Major structures or buildings with a foundation are not permitted below the Structure Development Line as identified on Appendix 1 in accordance with the Thurber Geotechnical Reports 36428, dated May 18, 2023 and September 6, 2024, and the geotechnical letters dated November 25, 2024 and December 12, 2024.
 - 5.5.1. Despite 5.5, structures such as, but not limited to patios, seating, trails, or other similar features are permitted below the Structure Development Line in accordance with the Thurber Geotechnical Reports 36428, dated May 18, 2023 and September 6, 2024, and the geotechnical letters dated November 25, 2024 and December 12, 2024.

5.6. Development is not permitted below Top of Bank as identified on Appendix 1.

5.6.1. Despite 5.6, fencing is permitted below the Top of Bank as identified on Appendix

1. The location of the fence must be determined at the Development Permit Stage in accordance with the Thurber Geotechnical Reports 36428, dated May 18, 2023 and September 6, 2024, and the geotechnical letters dated November 25, 2024 and December 12, 2024.

6. Design Regulations

6.1. Where a building wall has a total length greater than 25.0 m that is visible from a Street, Park, or a Site in a Residential Zone the Façade must be articulated using 2 or more design techniques or features to minimize the perception of massing, eliminate large blank walls, provide visual interest, and enhance the appearance of buildings during winter months. Design techniques or features may include: variations in rooflines; vertical or horizontal building wall projections or recessions; visual breaks of building Facades into smaller sections; use of a combination of finishing materials; or other similar techniques or features.

6.2. Where a building is located at the corner of Whitemud Road and 53 Avenue, and visible from the Street, the Façade design and materials must wrap around the side of the building to provide a consistent profile facing both Streets.

7. Parking, Loading, Storage, and Access Regulations

7.1. All vehicular parking must be provided on Site.

7.2. Despite Subsection 1 of Section 7.40 of the Zoning Bylaw, the following regulations of Section 5.80 of the Zoning Bylaw do not apply to development on the Site:

7.2.1. Subsection 5.80.4.5;

7.2.2. Subsection 5.80.4.6;

7.2.3. Subsection 5.80.4.7; and

7.2.4. Subsection 5.80.5.7.

7.3. Pathway(s) from Parking Areas to main building entrances must be provided, and must be delineated through methods such as but not limited to, the use of different materials, wayfinding signages, or other similar means to the satisfaction of the Development Planner.

7.4. Parking Areas and loading, waste collection, storage, service, and display areas must not be located within a required Setback.

- 7.4.1. Despite 7.4, waste collection areas for non-Residential Uses in the form of containers with underground or semi-underground waste containment may be located between a principal building and a Street.
- 7.4.2. Despite 7.4 Parking Areas are permitted to encroach into the north, south or east Setback, where there are no existing trees located in the Setback at the time of Development Permit application.
- 7.5. Vehicle Access to the Site must be provided from the existing vehicle access, as generally shown in Appendix 1. A secondary access may be permitted to the Site for service vehicles. Approval of the secondary service vehicle access must be to the satisfaction of the Development Planner in consultation with the department responsible for Transportation.
- 7.6. All Vehicle Accesses must be Hard Surfaced from the curb to 10.0 m into the Site.

8. Landscape and Lighting Regulations

- 8.1. A landscape plan, prepared by a landscape architect registered with the Alberta Association of Landscape Architects (AALA), is required as part of a Development Permit application.
- 8.2. Any on-site tree removal must, where possible, consider the preservation of the natural setting and is permitted on-site for items such as but not limited to building sites, servicing of the site, health and maintenance of trees.
 - 8.2.1. Despite 8.2 Tree removal is prohibited within the north, south and east Setback areas except for the purposes of access, servicing of the Site, and the maintenance and health of the existing tree stand. This could include but is not limited to removal of dead trees, sick trees, and clean up of the Site.
- 8.3. Despite Section 5.60, Table 4.1 of Zoning Bylaw 20001, shrubs are not required within the Setback area.
- 8.4. Existing trees preserved on the Site must count towards the Landscaping requirements.
- 8.5. All vegetation below the Top of Bank as identified on Appendix 1 must be retained.
- 8.6. All mature trees between the Top of Bank and Urban Development Line as identified on Appendix 1 must be retained.
- 8.7. Despite 8.5 and 8.6, vegetation or trees below the Top of Bank that are dead or deemed to be a safety hazard may be removed.

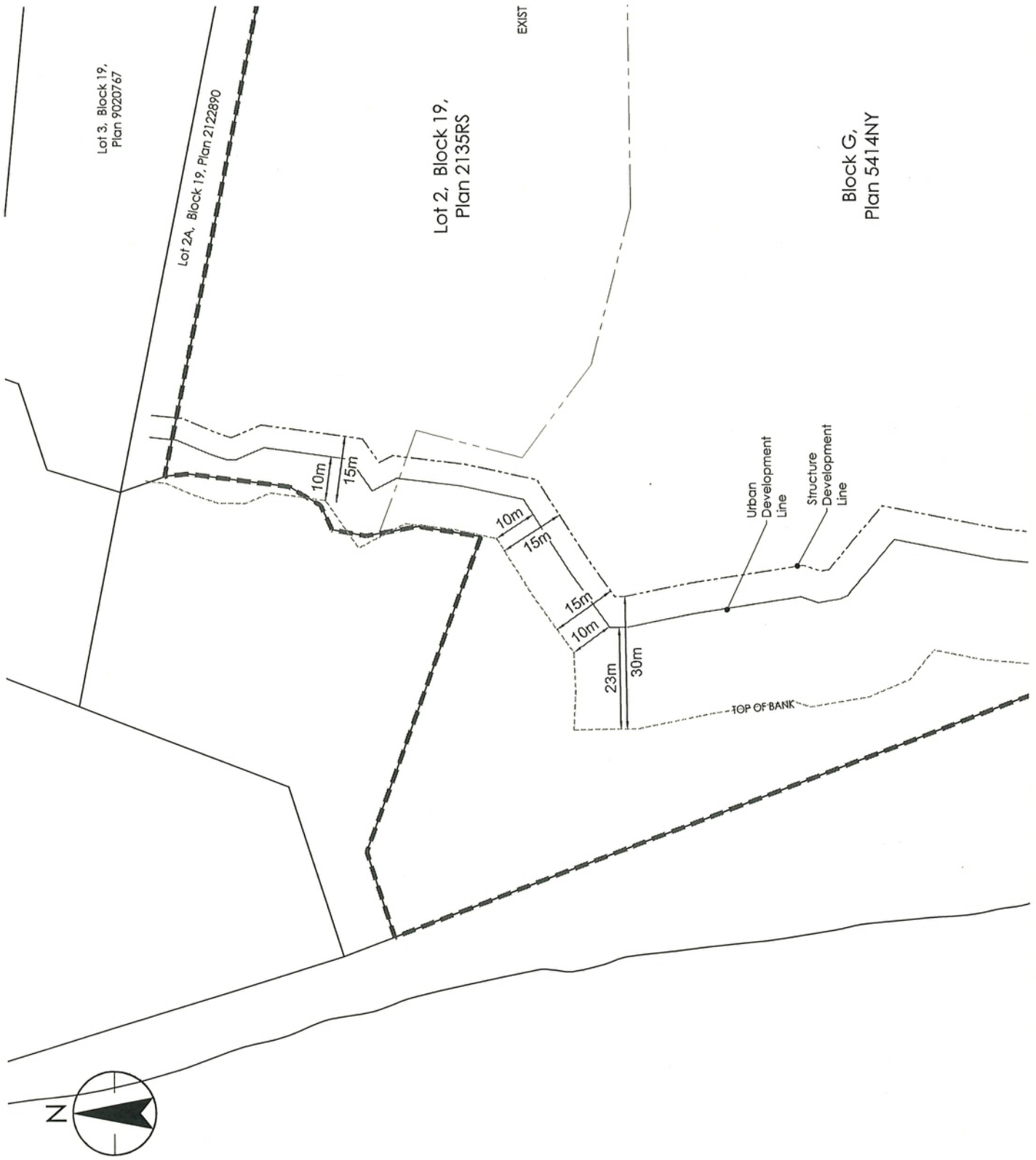
- 8.8. Fences that contain or are constructed of hazardous materials, such as barbed wire, or which have sharp pickets extending above the top rail, are not permitted.
- 8.9. Lighting must be minimized to prevent light trespass from the Site and targeted lighting is to be used to improve visibility of the night sky and to reduce the negative impact on wildlife.
 - 8.9.1. Despite Section 8.9 lighting is permitted to shine up towards signage and trees and no lighting must be located below Top of Bank.

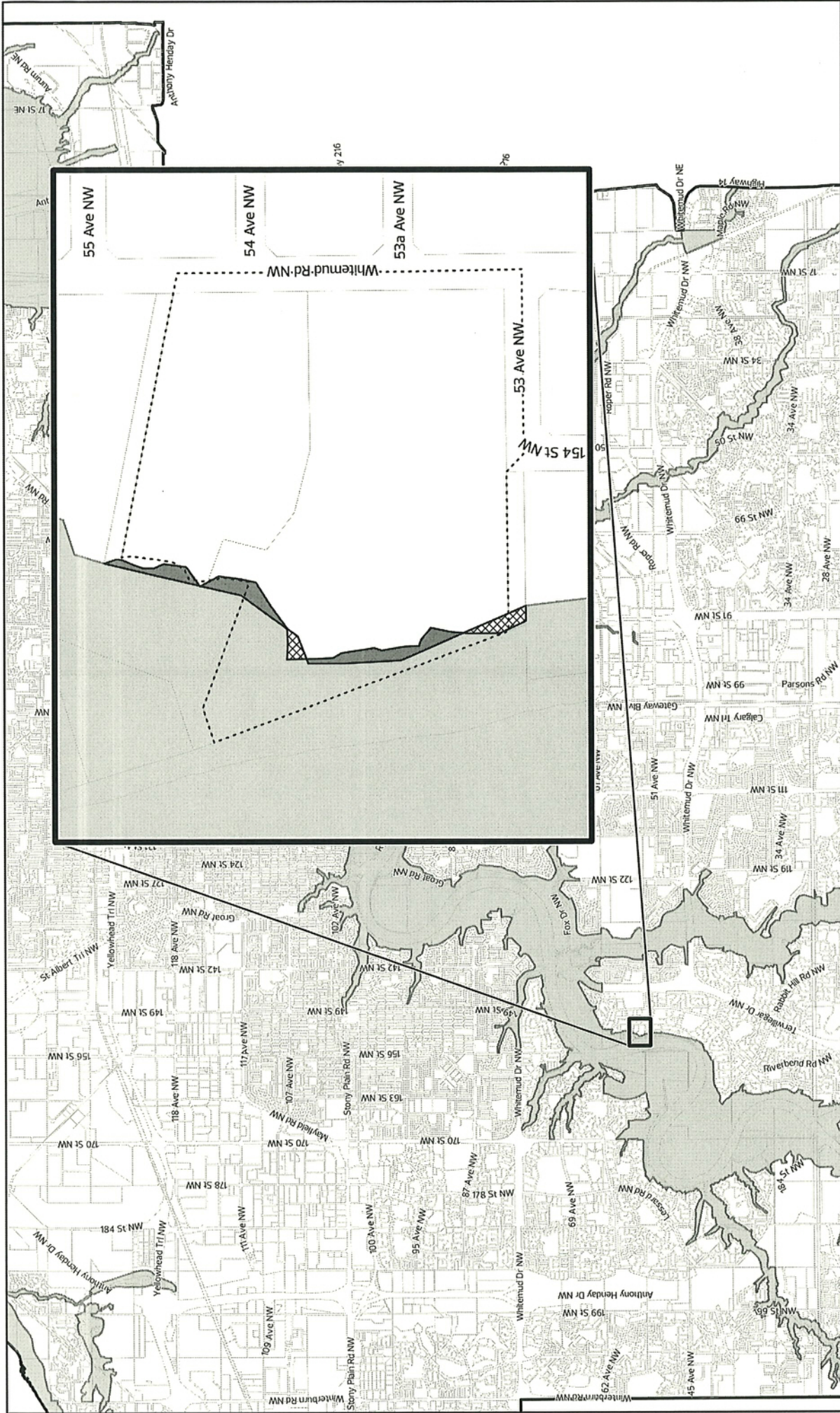
9. General Regulations

- 9.1. Development must comply with the Thurber Geotechnical Reports 36428, dated May 18, 2023 and September 6, 2024, and the geotechnical letters dated November 25, 2024 and December 12, 2024 to the satisfaction of the Development Planner in consultation with the department responsible for geotechnical engineering.
- 9.2. The owner must register a Top of Bank restrictive covenant in favour of the City of Edmonton, as per the applicable development restrictions shown by the geotechnical reports prepared by Thurber Engineering Ltd., dated May 18, 2023 and September 6, 2024, and geotechnical letters dated November 25, 2024 and December 12, 2024.
- 9.3. As a condition of a Development Permit for an activity other than a Health Service (health and wellness centre) and its ancillary Uses (as listed in this Zone), the owner must provide public access for a shared use pathway in accordance with the Top of Bank Policy (C542, as amended).

Appendix 1

9/10





Schedule "C"

- DC Rezoning Area
- North Saskatchewan River Valley and Ravine System Protection Overlay
- Legal Block Lines
- Amendment Area (area to be added)
- Amendment Area (area to be removed)

Note: In case of contradiction between the land use concept and other figures in the plan, the concept takes precedence.

