

Bylaw 21459

A Bylaw to amend Charter Bylaw 20001, as amended,
The Edmonton Zoning Bylaw
Amendment No. 391

WHEREAS Plan 5496HW Lots 13-15, a portion of Lot 16, and Lots 17, 22-25; Plan 64KS, Lot 32; Plan 1772MC, Lot 8A; and Plan 786MC, Lot 11A; located at 9828, 9821 & 9803 - 213 St NW, 9815 & 9710 - 210 St NW, 9811 & 9703 - 209 St NW, 21310 - 98 Ave NW, 21210, 21003, 21007 & 21103 - 97 Ave NW, and 9915 - Winterburn Rd NW, Lewis Farms Business Employment, Edmonton, Alberta, are specified on the Zoning Map as Rural Residential Zone (RR) and Direct Development Control Provision (DC1.19041); 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 5496HW Lots 13-15, a portion of Lot 16, and Lots 17, 22-25; Plan 64KS, Lot 32; Plan 1772MC, Lot 8A; and Plan 786MC, Lot 11A; located at 9828, 9821 & 9803 - 213 St NW, 9815 & 9710 - 210 St NW, 9811 & 9703 - 209 St NW, 21310 - 98 Ave NW, 21210, 21003, 21007 & 21103 - 97 Ave NW, and 9915 - Winterburn Rd NW, Lewis Farms Business Employment, Edmonton, Alberta, which lands are shown on the sketch plan attached as Schedule "A", from Rural Residential Zone (RR) and Direct Development Control Provision (DC1.19041) 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.

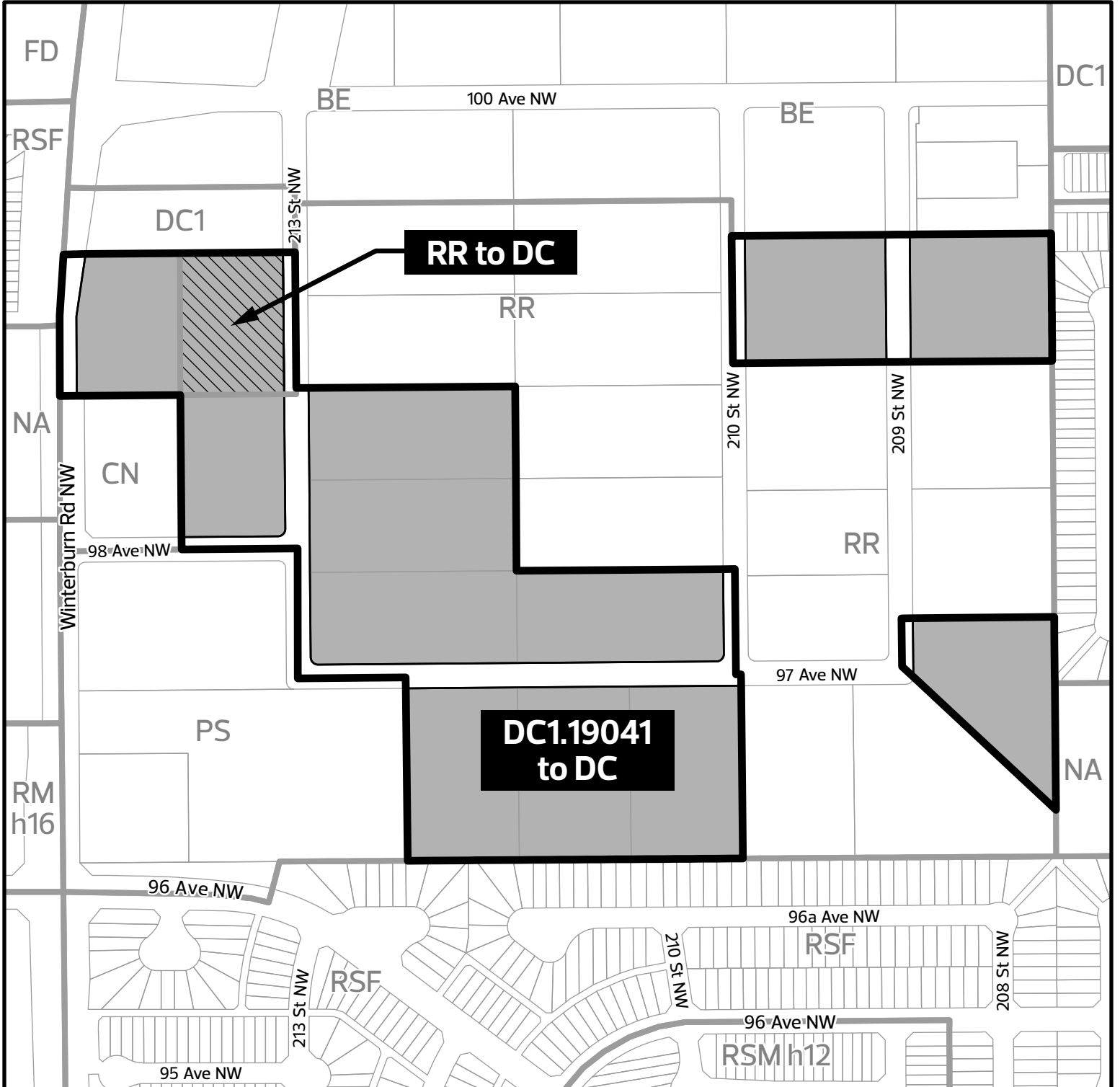
READ a first time this	day of	, A. D. 2026;
READ a second time this	day of	, A. D. 2026;
READ a third time this	day of	, A. D. 2026;
SIGNED and PASSED this	day of	, A. D. 2026.

THE CITY OF EDMONTON

MAYOR

CITY CLERK

BYLAW 21459



DC1.19041 to DC



RR to DC



SCHEDULE “B”**DIRECT CONTROL ZONE (DC)****1. Purpose**

- 1.1. To allow for light industrial, small commercial businesses and small scale commercial centres 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 allow for commercial, business, and light industrial Uses with limits to the intensity and range of these uses, as well as provide a buffer area for enhanced sensitivity to adjacent residential neighbourhoods. This Area restricts the expansion of existing residential and specific non-residential Uses.

Area B is intended to allow for a range of commercial, business and light industrial Uses that are not immediately adjacent to residential neighbourhoods. This Area 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 that is sensitive and in scale with existing development along the commercial street and any surrounding residential neighbourhood.

2. Area of Application

- 2.1. This Zone applies to the following lands located within Lewis Farms Business Employment generally located south of Stony Plain Road NW and east of 215 Street NW (Winterburn Road), as shown on Appendix 1.

3. Uses**Residential Uses**

- 3.1. Home Based Business

Commercial Uses

- 3.2. Bar
 3.3. Custom Manufacturing
 3.4. Food and Drink Service

- 3.5. Health Service
- 3.6. Indoor Sales and Service
- 3.7. Liquor Store
- 3.8. Minor Indoor Entertainment
- 3.9. Office

Community Uses

- 3.10. Child Care Service
- 3.11. Community Service
- 3.12. Special Event

Agricultural Uses

- 3.13. Urban Agriculture

Sign Uses

- 3.14. Fascia Sign
- 3.15. Freestanding Sign
- 3.16. Portable Sign

4. Additional Uses for Area A

Residential Uses

- 4.1. Residential, where existing prior to August 18, 2020

Commercial Uses

- 4.2. Outdoor Sales and Service, where existing prior to August 18, 2020
- 4.3. Vehicle Support Service

Industrial Uses

- 4.4. Indoor Self Storage
- 4.5. Minor Industrial

Community Uses

- 4.6. Outdoor Recreation Service

5. Additional Uses for Area B

Residential Uses

- 5.1. Residential, where existing prior to August 18, 2020

Commercial Uses

- 5.2. Major Indoor Entertainment
- 5.3. Outdoor Sales and Service
- 5.4. Vehicle Support Service

Industrial Uses

- 5.5. Indoor Self Storage
- 5.6. Minor Industrial

Community Uses

- 5.7. Outdoor Recreation Service
- 5.8. Park

Basic Service Uses

- 5.9. Recycling Drop-off Centre

Sign Uses

- 5.10. Major Digital Sign
- 5.11. Minor Digital Sign
- 5.12. Projecting Sign

6. Additional Uses for Area C

Residential Uses

- 6.1. Residential, limited to:
 - 6.1.1. Lodging House
 - 6.1.2. Multi-unit Housing
 - 6.1.3. Supportive Housing

Commercial Uses

- 6.2. Cannabis Retail Store

- 6.3. Hotel
- 6.4. Major Indoor Entertainment
- 6.5. Outdoor Entertainment
- 6.6. Outdoor Sales and Service
- 6.7. Residential Sales Centre
- 6.8. Vehicle Support Service

Community Uses

- 6.9. Library

Basic Service Uses

- 6.10. Recycling Drop-off Centre

Sign Uses

- 6.11. Major Digital Sign
- 6.12. Minor Digital Sign
- 6.13. Projecting Sign

7. Additional Regulations for Specific Uses

Commercial Uses

- 7.1. The following regulations apply to Vehicle Support Services:
 - 7.1.1. All operations and mechanical equipment associated with this Use must be located within an enclosed building.

Industrial Uses

- 7.2. Minor Industrial must be located within an enclosed building except that loading, waste collection, and storage activities may be located outdoors.

Community Uses

- 7.3. Community Services in the form of Religious Assemblies must not include rectories, manses, dormitories, convents, monasteries, and other associated residential buildings.

Sign Uses

- 7.4. In Area A, Signs must comply with Subsections 3 and 5 of Section 6.90 of the Zoning Bylaw.
- 7.5. In Areas B and C, Signs must comply with Subsections 3 and 6 of Section 6.90 of the Zoning Bylaw

8. Site and Building Regulations - General

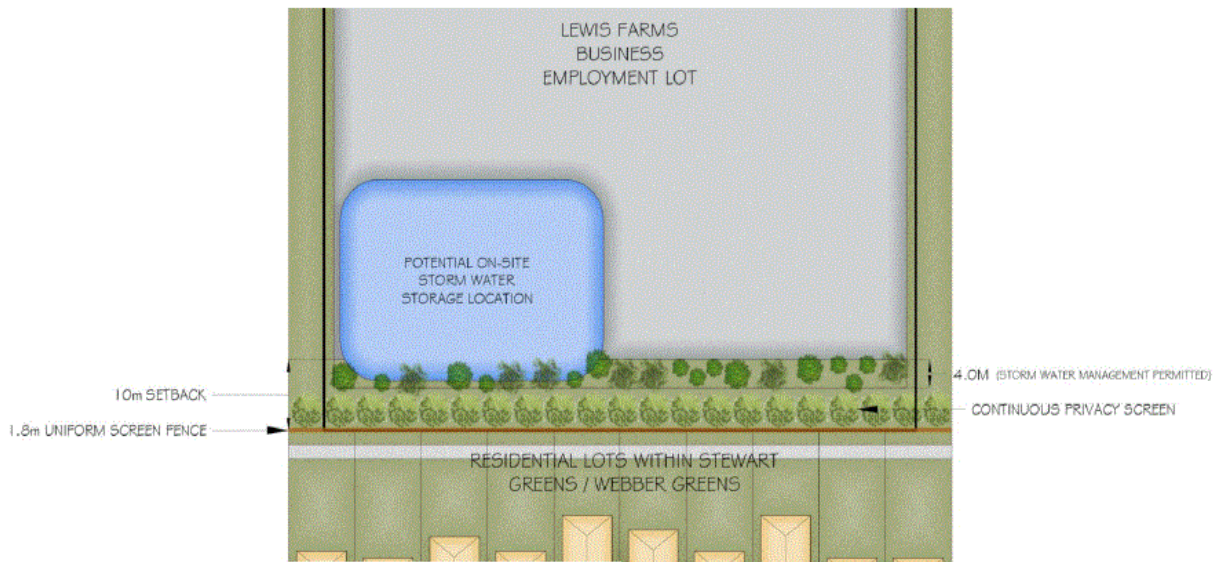
- 8.1. The minimum Setback Abutting a Street is 3.0 m.
- 8.2. Development shall be in general accordance with Appendix I

9. Development Regulations - Area A

- 9.1. The maximum Height is 12.0 m, except:
 - 9.1.1. The maximum Height is 14.0 m for Minor Indoor Entertainment, Outdoor Recreation Services, or Community Services developed on Lot 15, Plan 5496HW, as identified on Appendix I.
- 9.2. The maximum Floor Area Ratio is 1.2.
- 9.3. Stormwater management facilities must be designed in consultation with the City and the abandoned well licensee to determine the need for a larger open area around the 5 m minimum setback to safely accommodate potential future well leak repair work.
- 9.4. The minimum Setback Abutting a residential or Natural Areas Zone is 6.0 m, except:
 - 9.4.1. A minimum Setback of 10.0 m is required Abutting a residential Zone in Stewart Greens or Webber Greens, in general accordance with Diagram 9.4.1 and as identified on Appendix I, except that
 - 9.4.1.1. Stormwater management facilities may project into this required Setback as long as a minimum distance of 6.0 m is maintained between the residential Zone and the stormwater management facility and 5.0m is maintained between abandoned oil or gas wells and the stormwater management facility.

- 9.4.1.2. The Pathway referenced in Section 9.5 and shown in Appendix I may project into this Setback.
- 9.4.1.3. Landscape Buffers referenced in Sections 9.7 and 9.8 and as shown in Appendix I may project into this Setback.

Diagram for Subsection 9.4.1.



- 9.5. A 1.8 m Pathway connection from 209 Street to the Pathway on the west side of Stewart Greens, as shown on Appendix I, must be provided through a 6.0 m wide access easement within Lot 11A, Plan 786MC.
- 9.6. A 1.8 m uniform screen Fence constructed 150 mm wholly inside private property, where not already existing, must be provided adjacent to a Site in a residential or Natural Areas Zone (NA) within Stewart Greens or Webber Greens, as shown on Appendix I.
- 9.7. A 6.0 m Landscape Buffer must be included in the Setback provided Abutting a Site zoned residential within Stewart Greens or Webber Greens, as identified on Appendix I.
- 9.7.1. The Landscape Buffer must provide a continuous privacy screen in the form of a continuous row of trees. The trees must be coniferous, a

minimum height of 3.0 m and spaced as appropriate for the species.
Existing trees may contribute to this outcome.

- 9.8. A 4.0 m Landscape Buffer must be provided Abutting the 6.0 m Pathway right of way located along the Rear Lot Line of Lot 11A, Plan 786MC, as identified on Appendix I.
 - 9.8.1. The Landscape Buffer must provide a continuous privacy screen in the form of a continuous row of trees. The trees must be coniferous, a minimum Height of 3.0 m, and spaced as appropriate for the species. Existing trees may contribute to this outcome.
- 9.9. Where the Lot line of Lot 15, Plan 5496HW Abuts the Lot line of Lot R, Plan 5496HW, identified on Appendix I, the following is required:
 - 9.9.1. A minimum 6.0 m Setback containing a Landscape Buffer must be provided. The Landscape Buffer must contain a continuous row of trees, be planted adjacent to the Fence, and spaced as appropriate for the species. Existing trees may contribute to this outcome. Poplar and willow species must not be planted unless appropriate spacing is provided, as noted within the City of Edmonton Design and Construction Standards, Volume 5. Existing grade must be maintained, where possible, adjacent to the Lot line to avoid adverse impacts to the adjacent School Site;
 - 9.9.2. A 1.8 m uniform screen Fence must be constructed 150 mm wholly inside private property; and
 - 9.9.3. Despite Subsections 9.9.1. and 9.9.2., where Minor Indoor Entertainment, Outdoor Recreation Services, or Community Services are developed, the minimum Setback is 4.5 m, and a 1.8 m uniform chain link or ornamental metal Fence must be constructed 150 mm wholly inside private property.
- 9.10. Food and Drink Service, Vehicle Support Service, Minor Industrial and Indoor Self Storage are only permitted within 60.0 m of the Front Lot Line.
- 9.11. The following regulations apply to Outdoor Sales and Service:
 - 9.11.1. All outdoor display areas that Abut a residential Zone or an Alley serving a residential Zone must be screened.
- 9.12. The Development Planner may impose conditions on a Development Permit for Outdoor Sales and Services regarding the size, location, screening and Landscaping of the outdoor display areas, to ensure that development is compatible with the appearance of surrounding developments.

9.13. Bars, and Food and Drink Services

9.13.1. The maximum Floor Area is 500 m² per individual establishment.

9.14. Loading, waste collection, and storage must not be located between a building and a Street and must be screened from view from Abutting Streets and Abutting Sites in non-industrial Zones using methods such as Landscaping, Fencing, or other similar measures.

10. Development Regulations - Area B

10.1. The maximum Height is 16.0 m

10.2. The maximum Floor Area Ratio is 1.6

10.3. The minimum Setback Abutting a Site in a residential Zone is 6.0 m

10.4. The following regulations apply to Outdoor Sales and Service:

10.4.1. All outdoor display areas that Abut a residential Zone or an Alley serving a residential Zone must be screened.

10.5. The Development Planner may impose conditions on a Development Permit for Outdoor Sales and Services regarding the size, location, screening and Landscaping of the outdoor display areas, to ensure that development is compatible with the appearance of surrounding developments.

11. Development Regulations - Area C

11.1. The maximum Height is 12.0 m

11.2. The maximum Floor Area Ratio is 2.0.

11.3. The maximum Floor Area is 2,500 m² per establishment for non-Residential uses.

11.4. The following regulations apply to Multi-unit Housing:

11.4.1. Where provided, Multi-unit Housing must be located above Ground Floor non-Residential Uses;

11.4.2. Multi-unit Housing must have access at ground level, which is separate from the access for the non-residential Uses; and

11.4.3. Despite Section 11.2, the maximum Floor Area Ratio of Multi-unit Housing is 1.5.

- 11.5. The following regulations apply to Outdoor Sales and Services:
- 11.5.1. The maximum total area for Outdoor Sales and Services is 2000m² per individual establishment;
 - 11.5.2. Servicing and repair operations must only be permitted as Accessory Uses;
 - 11.5.3. In addition to Section 16 (Public Improvements and Contributions Section), as a condition of the first Development Permit, the owner must:
 - 11.5.3.1. 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 the Development Planner in consultation with the City department responsible for transportation planning
 - 11.5.3.2. Enter into an Agreement(s) with the City of Edmonton for off-Site improvements necessary to serve the developments, to the satisfaction of the Development Planner in consultation with the City department responsible for transportation planning. The Agreement process includes an engineering drawing review and approval process. The off-Site improvements may include, but are not limited to:
 - 11.5.3.2.1. Construction of a right-in/right-out access, median modification, and an auxiliary lane to facilitate access to the Site;
 - 11.5.3.2.2. 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 the Development Planner in consultation with the City department responsible for transportation planning.

12. Regulations for Specific Lots

- 12.1. Prior to the issuance of a development permit for Lot 14, Plan 5496HW; Lot 15, Plan 5496HW; and Lot 8A, Plan 1772MC; the applicant must submit a Phase II Environmental Site Assessment and, where required, subsequent environmental reporting and work identified by the Phase II Environmental Site Assessment, satisfactory to the Development Planner in consultation with the City department responsible for environmental planning.
 - 12.1.1. The Development Planner:

- 12.1.1.1. Must consider the environmental assessment information before making a decision on a Development Permit application; and
- 12.1.1.2. In consultation with the City department responsible for environmental planning, must impose conditions on the Development Permit necessary to mitigate impacts identified in the environmental assessment.
- 12.1.2. Despite Subsection 12.1 a Phase II Environmental Site Assessment and subsequent work is not required for permits for signage, demolition, excavation, or shoring.

13. Design Regulations

- 13.1. 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 Street, must comply with the following criteria:
 - 13.1.1. The roof line and building Façade must include design elements and add architectural interest; and
 - 13.1.2. Landscaping adjacent to exterior walls must be used to minimize the perceived mass of the building and to create visual interest.
- 13.2. All mechanical equipment, including roof mechanical units must 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.
- 13.3. Developments must incorporate design elements that promote a safe urban environment for portions of development accessible to the public, including the following:
 - 13.3.1. Main entrances for public access to a building must be visible from a Street or Surface Parking Lot.
 - 13.3.2. A maximum of 10% of Ground Floor windows facing a Street or Surface Parking Lot may be covered by non-transparent material. The remainder must be clear, untinted and free from obstruction.
 - 13.3.3. Landscaping must be arranged to ensure clear sightlines into Ground Floor storefronts that are visible from a Street.

14. Parking, Loading, Storage, and Access Regulations

- 14.1. Surface Parking Lots, and loading, waste collection, storage, service, and display areas must not be located within a Setback.

15. General Regulations

- 15.1. Uses must carry out their operations so that no Nuisance is created or apparent outside an enclosed building.
- 15.2. Access must be maintained to abandoned oil or gas wells for maintenance and monitoring purposes.
- 15.3. Prior to the issuance of a Development Permit for any Lot, a utility easement and disturbed soil restrictive covenant for sewer installation within Lot 11A Plan 786MC and Lot 13 Plan 5496HW must be registered in favour of EPCOR, and in general conformance with the drainage servicing study entitled, Lewis Farms Commercial Storm & Sanitary Servicing Study dated December 8, 2017 by Stantec Consulting Limited and in consultation with the City department responsible for drainage planning.
- 15.3.1. An updated servicing study may be accepted by the Development Planner in consultation with the City department responsible for drainage planning.
- 15.3.2. Despite Subsection 15.3 an easement and disturbed soil restrictive covenant for sewer installation within Lot 11A Plan 786MC and Lot 13 Plan 5496HW is not required for permits for signage, demolition, excavation, or shoring.
- 15.3.3. The Development Planner:
- 15.3.3.1.1. must consider the drainage servicing study before making a decision on a Development Permit application; and
- 15.3.3.1.2. in consultation with the City department responsible for drainage planning, may impose conditions on the Development Permit necessary to create the drainage servicing scheme identified in the drainage servicing study.

16. Public Improvements and Contributions

- 16.1. As a condition of a Development Permit for a change of Use to an existing building on Site; a new building or structure on Site; or an addition to an existing building or 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:

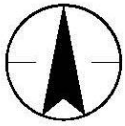
16.1.1 Upgrade the following local roadways as identified in Appendix I (or necessary portion thereof that provides a functional extension of services) to an approved modified cross-section, based on the Complete Streets Design and Construction Standards, to the satisfaction of the Development Planner in consultation with the City department responsible for transportation planning:

- 16.1.1.1. 97 Avenue, 209 Street to 213 Street
- 16.1.1.2. 98 Avenue, from 213 Street to 215 Street
- 16.1.1.3. 209 Street, from 97 Avenue to the north limit of the northernmost lot included in this DC1
- 16.1.1.4. 210 Street, from 97 Avenue to the north limit of the northernmost lot included in this DC1
- 16.1.1.5. 213 Street, from 97 Avenue to the north limit of the northernmost lot included in this DC1

The upgrades must include all underground and above ground sewer infrastructure, which must be completed in accordance with the accepted drainage report to the satisfaction of the Development Planner in consultation with the City department responsible for drainage planning. Additionally, transition sections between the upgraded and the existing roads are required. 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.

16.2 Despite Subsection 16.1, the upgrades of local roads are not required as a condition of Development Permit if a servicing scheme or funding mechanism for the upgrades in the Lewis Farms Business Employment neighbourhood is established, to the satisfaction of the Development Planner in consultation with the City department responsible for transportation, and the City department responsible for drainage planning.







APPENDIX I



STONY PLAIN ROAD



Legend

-  Pathway
-  1.8m Uniform Screen Fence
-  1.8m Uniform Screen Fence Or 1.8m Uniform Chain Link/Ornamental Fence
-  4m Landscape Buffer
-  6m Landscape Buffer
-  6m Landscape Buffer or 4.5m Landscape Buffer