

Charter Bylaw 19331

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 3036

WHEREAS Lot 20 Block 33 Plan RN94; located at 12202 88 Street NW, Delton, Edmonton, Alberta, is specified on the Zoning Map as (CNC) Neighbourhood Convenience Commercial 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 20 Block 33 Plan RN94; located at 12202 88 Street NW, Delton Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (CNC) Neighbourhood Convenience Commercial 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	day of	, A. D. 2020;
READ a second time this	day of	, A. D. 2020;
READ a third time this	day of	, A. D. 2020;
SIGNED and PASSED this	day of	, A. D. 2020.

THE CITY OF EDMONTON

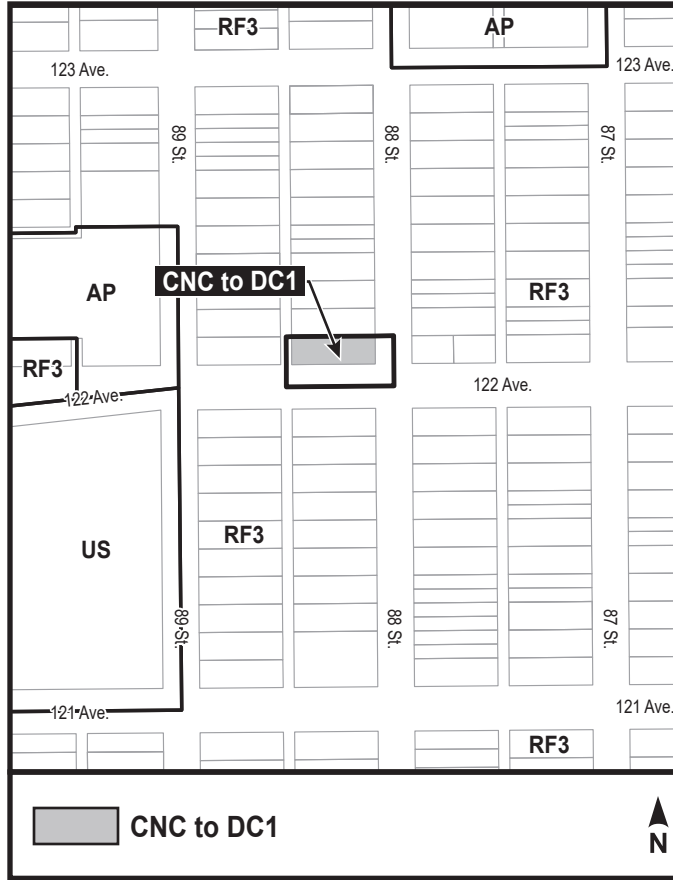
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MAYOR

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CITY CLERK

**CHARTER BYLAW 19331**



**(DC1) DIRECT DEVELOPMENT CONTROL PROVISION****1. General Purpose**

To provide for the preservation and restoration of Delton Grocery, a designated Municipal Historic Resource, while allowing for the development of complementary and compatible pedestrian friendly commercial and residential Uses on the remaining portions of the Site.

**2. Area of Application**

This Provision shall apply to Lot 20, Block 33, Plan RN 94; as shown on Schedule "A" of the Charter Bylaw adopting this provision, Delton.

**3. Uses**

- a. Duplex Housing
- b. Child Care Services
- c. Convenience Retail Stores
- d. Health Services
- e. Live Work Unit
- f. Minor Home Based Business
- g. Multi-unit Housing
- h. Personal Service Shops
- i. Professional, Financial and Office Support Services
- j. Secondary Suite
- k. Secondhand Stores
- l. Semi-detached Housing
- m. Single Detached Housing
- n. Specialty Food Services
- o. Fascia On-premises Signs
- p. Projecting On-premises Signs

**4. Development Regulations for Uses**

- a. The maximum Floor Area of any individual non-Residential or non-Residential-Related Use shall not exceed 275 m<sup>2</sup>.
- b. Signs shall comply with the regulations found in Schedule 59D.
- c. Signs erected on the designated heritage Façades and any addition shall comply with the following regulations to the satisfaction of the Development Officer in consultation with the Heritage Officer:
  - i. Signs may only be illuminated from an external source or individually backlit logogram or lettering. Internally lit or canned backlit signs are not permitted; and

- ii. a maximum of 10% of the first Storey glazing along the east and south Façades may be covered by Signs. The remainder of the glazing shall remain free from obstruction.

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

- a. Where additional buildings are developed and are not connected to the existing Delton Grocery building, there shall be a minimum distance of 3.0 m between buildings;
- b. The maximum building Height shall be 10.0 m.
- c. The maximum Floor Area Ratio shall be 1.3.
- d. Development regulations for the Delton Grocery building:
  - i. the Delton Grocery building and the associated lands are a Designated Municipal Historic Resource. Exterior alterations and additions shall be sympathetic to and compatible with the historic Façades of the Delton Grocery building to the satisfaction of the Development Officer in consultation with the Heritage Officer. The following standards and guidelines shall be applied when reviewing Development Permit applications for the Delton Grocery building:
    - A. the General Guidelines for Rehabilitation contained in the City of Edmonton Bylaw 18940, a Bylaw to designate Delton Grocery as a Municipal Historic Resource; and
    - B. The Standards and Guidelines for the Conservation of Historic Places in Canada.
  - ii. the Setbacks shall be as follows:
    - A. no Setbacks shall be required from the east and south Lot lines; and
    - B. a minimum of 3.5 m from the north Lot line.
- e. Development Regulations for additional development west of the west Facade of the designated Delton Grocery building:
  - i. the minimum Setbacks shall be as follows:
    - A. a minimum of 3.0 m from the south Lot line, except this may be reduced to a minimum of 1.5 m if the building does not exceed 5.0 m in Height for the portion of the building within 3.0 m of the Lot line;
    - B. a minimum of 7.0 m from the west Lot line, except this may be reduced to a minimum of 1.2 m if the building does not exceed 5.0 m in Height for the portion of the building within 7.0 m of the Lot line.
    - C. A minimum of 3.0 m from the north Lot line, except this may be reduced to a minimum of 2.0 m if the building does not exceed 5.0 m in Height for the portion of the building within 3.0 m of the Lot line.

**6. Development Regulations for Building Design and Features for additional development west of the west Façade of the designated Delton Grocery building**

- a. Architectural treatment of all Façades of the building(s) shall create a unified exterior and complement the historic Façades of the Delton Grocery building.
- b. The building shall incorporate design elements to reduce the perceived mass, allowing the Delton Grocery building to be more prominently featured visually. These elements may include, but are not limited to:
  - i. articulation of the Façades in a manner similar or complementary to the historic Delton Grocery building, using a defined pattern of projections and recessions;
  - ii. the use of similar or complementary exterior building cladding materials to those of the historic building. The use of vinyl siding is prohibited; and
  - iii. prominent front entrance(s) facing 122 Avenue NW that shall provide distinctive architectural features consistent with the style of the building.
- c. All ground level Dwellings adjacent to a public roadway other than a Lane shall have a private exterior entrance that fronts onto the roadway. Sliding patio doors shall not serve as this entrance.
- d. All ground level Dwellings shall have a semi-private outdoor Amenity Area of at least 12 m<sup>2</sup> in front of each exterior entry that establishes a transition area between the Amenity Area and the adjacent public roadway area using Landscape features such as decorative fencing, change in grade, shrub beds, rock gardens and/or built elements such as private entrance features and verandas or porches.
- e. All mechanical equipment, including roof mechanical units, shall be concealed by screening in a manner compatible with the architectural character of the building or concealed by incorporating it within the building.

**7. Development Regulations for Parking, Loading, Storage and Access**

- a. Vehicular access and egress shall be provided from the abutting Lane.
- b. Vehicular parking, loading, storage and waste collection areas shall be located at the rear of the property, entirely on private property, and shall be screened from view from 122 Avenue NW, using methods that shall include trees and shrubs, to the satisfaction of the Development Officer.
- c. Parking, loading, storage, or trash collection may be permitted within the north Setback, provided a minimum 1.5 m wide landscaping buffer is provided within the setback.
- d. No vehicular parking shall be located within 3.0 m of the south Lot line.

**8. Development Regulations for Landscaping, Lighting and Amenity Areas**

- a. The required Landscape Plan shall be prepared by a registered AALA Landscape Architect.

- b. An arborist report and tree preservation plan to the satisfaction of the Development Officer in consultation with Urban Forestry, shall be submitted with the Development Permit application to determine the impact of the proposed development, including excavation and construction, on the existing boulevard trees along 122 Avenue NW and 88 Street NW. If required by the Development Officer, an air spading tool shall be used to determine the amount and size of roots that may need to be cut for the foundation wall. If:
  - i. the arborist report indicates that the development will unduly compromise the ongoing viability and health of a tree or trees, each tree shall be removed as part of the redevelopment of the site. The owner/developer shall be responsible for the cost of removal as well as compensating the City for the value of the tree being removed. If required by the Development Officer, each tree removed shall be replaced by a new tree in an enhanced growing soil medium in the form of soil cells or continuous trenches, at the cost of the owner; or
  - ii. the arborist report indicates that the development will not unduly compromise the ongoing viability and health of a tree or trees, each tree shall be retained and protected as per the City's Corporate Tree Management Policy C45B6.

## **9. Public Improvements and Contributions**

- a. Prior to the issuance of a Development Permit for:
  - i. a building that contains 12 or more Dwelling units; or
  - ii. a building that contains less than 12 Dwelling units, but is part of a Site with 12 or more Dwelling units in total;

the Development Officer shall ensure a signed agreement has been executed between the City and the owner, requiring the owner to provide the City, at the time of each development permit approval, the option to purchase up to 5% of the proposed number of Dwelling units (rounded to the nearest Dwelling unit) in each building with Dwelling units, at 85% of market value or the equivalent value as cash in lieu (at the discretion of the owner) to the City.