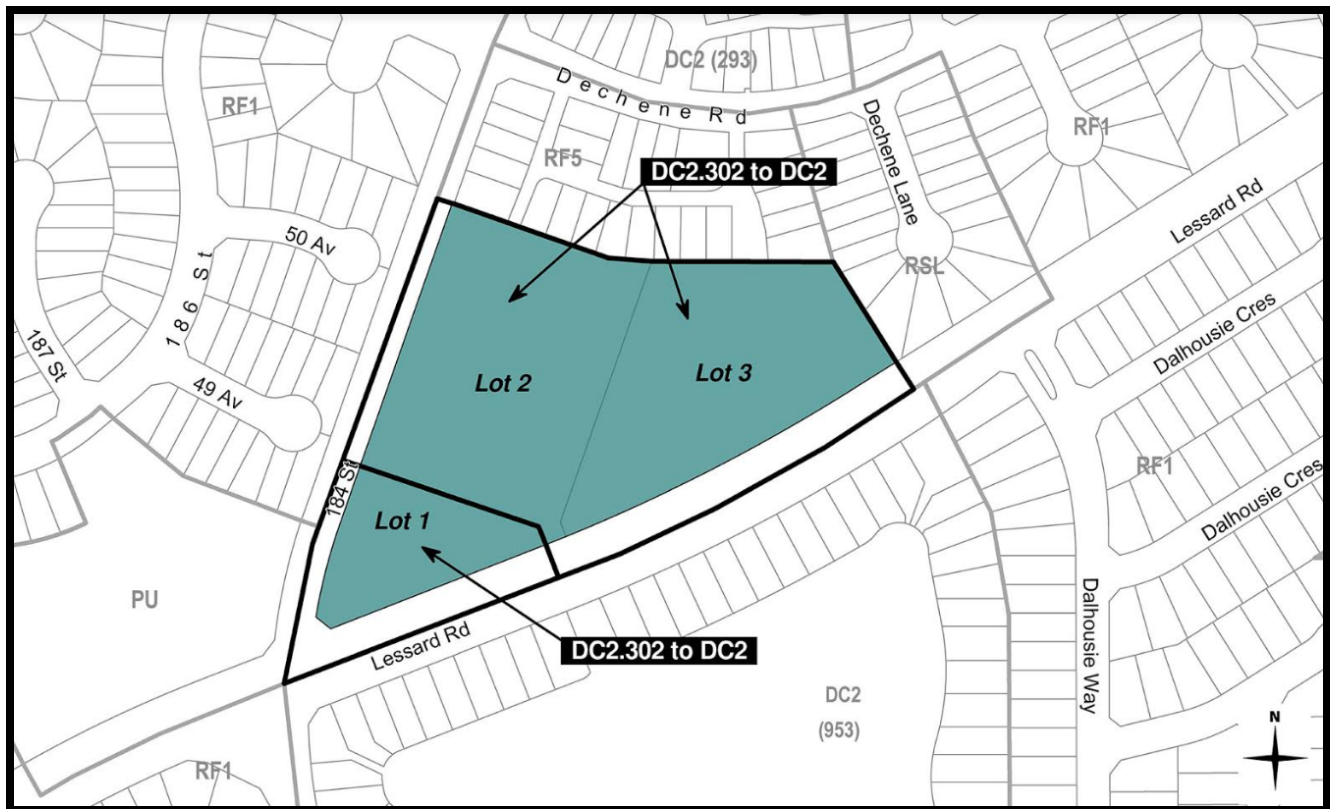




ADMINISTRATION REPORT **REZONING** DECHENE NEIGHBOURHOOD

18348 Lessard Road NW, and 4819 & 4903 - 184 Street NW.

To allow for a broader range of commercial uses and multi-unit housing.



RECOMMENDATION AND JUSTIFICATION

Administration is in **SUPPORT** of this application because it:

- will increase the range of commercial uses to serve the local community;
- will provide an opportunity for residential housing;
- will augment a vibrant commercial/residential node;
- will incorporate site and building design guidelines that address compatibility with the adjacent land uses; and
- conforms to the Dechene Neighbourhood Structure Plan.

THE APPLICATION

CHARTER BYLAW 19285 proposes to amend the Zoning Bylaw from (DC2) Site Specific Development Control Provision to (DC2) Site Specific Development Control Provision to allow for a broader range of commercial and residential land uses. The DC2 provides the opportunity for:

- a. stand-alone or above commercial mid-rise apartment uses;
- b. the continued use and allowance for additional commercial opportunities; and
- c. commercial uses allowed under the standard CSC and CNC Zones.

The change proposes to divide the existing DC2 Provision into two separate DC2 Provisions. The two new Provisions will be allocated to Lot 1 and Lots 2 & 3 respectively. The range of uses and regulations for Lot 1 will remain unchanged and include: business support, convenience retail, gas bars, and general retail store uses. The DC2 Provision for Lot 2 and 3 will allow for the development of Multi-Unit Housing (up to a maximum height of 16 m) and a broader range of commercial uses including: automotive and equipment repair shops, bars and neighbourhood pubs, and cannabis retail services uses. The current Provision was approved by Bylaw 10366 on June 17, 1993 as such administrative updates are included to coincide with new terminologies under the Zoning Bylaw.

SITE AND SURROUNDING AREA

The subject site is located on a corner lot at the intersection of an arterial and collector roadway (Lessard Road NW and 184 Street NW). The site currently functions as an existing commercial node which includes a gas bar, professional office and services, grocery store and retail commercial services.



AERIAL VIEW OF APPLICATION AREA

	EXISTING ZONING	CURRENT USE
SUBJECT SITE	(DC2) Site Specific Development Control Provision	Commercial
CONTEXT		
North	(RF5) Row Housing Zone	Row Houses
East	(RSL) Small Lot Residential Zone	Single Detached Houses
South	(DC2.953) Site Specific Development Control Provision	Single Detached Houses & Multi Unit Residential
West	(RF1) Single Detached Residential Zone (PU) Public Utility Zone	Single Detached Houses Stormpond

PLANNING ANALYSIS

The Dechene neighbourhood is an established, built-out residential neighbourhood with a commercial node (the subject site) located on the northeast corner of Lessard Road NW and 184 Street NW. The proposed DC2 Provisions will recognize the separate ownership of the Gas Bar site (Lot 1) and will expand the range of commercial uses for Lots 2 and 3 (see chart below for complete list of uses). It will also add the opportunity for multi-unit housing above ground floor commercial or in stand alone form.

The proposed commercial/residential node will support walking, cycling and transit, where people can live, work, shop, and access services in close proximity. The proposed addition of multi-unit residential uses will increase housing choices and add to a vibrant and complete community.

The DC2 Provision for Lots 2 and 3 include development regulations to mitigate land use impacts upon the neighbouring lands, including a setback of 15.0 m with a 6 m landscaped yard along the north and east property lines to ensure that any future redevelopment is appropriately transitioned and integrated. Furthermore, the DC2 includes a 50 m setback regulation from the existing gas bar on Lot 1, to ensure that any (future) sensitive uses are suitably located relative to that existing use.

The site is currently served by alternative modes of transportation including existing bus stops that are located on the west side of the subject site and active bus routes along both Lessard Road NW and 184 Street NW.

The proposed land use changes are appropriate for this site given its frontage and access with good visibility to an arterial road (Lessard Road NW), proximity to Anthony Henday Drive, and existing transit routes. Overall, the subject site is compatible with existing and surrounding land uses and conforms to the NSP by providing a neighbourhood/community commercial function at this location.

A zoning comparison chart is provided below to illustrate the permissions proposed by both of the DC2 Provisions.

Note: the **red** highlighted/strikeout text denotes administrative updates to current Zoning Bylaw terminologies (they are not 'new' uses being added to the site), the **blue** highlighted text denotes the additional 'new' land uses between the existing DC2 and proposed DC2s.

Zoning Comparison Chart		
Regulation	Current: DC2 Provision	Proposed: DC2 Provision Lot 1
Height	10.0 m	10.0 m
FAR	1.0	1.0
Setbacks	15.0 (north and east) 6.0 m (west and south)	6.0 m
Uses	Business Support Services Daytime Child Care Services Commercial Schools Convenience Retail Drive-in Food Services	Bars and Neighborhood Pubs Business Support Services Child Care Services Commercial Schools Convenience Retail Drive-in Food Services

	Gas Bars General Retail Stores Government Services Health Services Indoor Participant Recreation Services Major/Minor Alcohol Sales Major and Minor Amusement Est. Minor Service Stations Personal Service Shops Professional, Financial and Office Support Services Public Libraries and Cultural Exhibits Rapid Drive-through Vehicle Services Residential Sales Centre Major and Minor Eating and Drinking Establishments Minor Secondhand Stores Spectator Entertainment	Gas Bars General Retail Stores Government Services Health Services Indoor Participant Recreation Services Liquor Stores Major and Minor Amusement Est. Minor Service Stations Personal Service Shops Professional, Financial and Office Support Services Public Libraries and Cultural Exhibits Rapid Drive-through Vehicle Services Residential Sales Centre Restaurants Secondhand Stores Spectator Entertainment Specialty Food Services Fascia On-premises Signs Freestanding On-premises Signs Projecting On-premises Signs Temporary On-premises Signs
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Zoning Comparison Chart		
Regulation	Current: DC2 Provision	Proposed: DC2 Provision Lot 2 & 3
Height	10.0 m	12.0 m Commercial Uses 16.0 m Residential Uses
FAR	1.0	1.25 (commercial Uses shall be 0.25)
Setbacks	15.0 (north and east) 6.0 m (west and south)	15.0 m (east and north) 6.0 m (west and south)

Uses		
	<p>Business Support Services</p> <p>Daytime Child Care Services</p> <p>Commercial Schools</p> <p>Convenience Retail</p> <p>Drive-in Food Services</p> <p>Gas Bars</p> <p>General Retail Stores</p> <p>Government Services</p> <p>Health Services</p> <p>Indoor Participant Recreation Services</p> <p>Major/Minor Alcohol Sales</p> <p>Major and Minor Amusement Est</p> <p>Minor Service Stations</p> <p>Personal Service Shops</p> <p>Professional, Financial/Office Support</p> <p>Public Libraries and Cultural Exhibits</p> <p>Rapid Drive-through Vehicle Services</p> <p>Residential Sales Centre</p> <p>Major and Minor Eating and Drinking Establishments</p> <p>Minor Secondhand Stores</p> <p>Spectator Entertainment</p>	<p>Automotive and Equipment Repair Shops</p> <p>Bars and Neighbourhood Pubs</p> <p>Breweries, Wineries and Distilleries</p> <p>Business Support Services</p> <p>Cannabis Retail Sales</p> <p>Carnivals</p> <p>Child Care Services</p> <p>Commercial Schools</p> <p>Convenience Retail Stores</p> <p>Creation and Production Establishments</p> <p>Drive-in Food Services</p> <p>Equipment Rentals</p> <p>Gas Bars</p> <p>General Retail Stores</p> <p>Government Services</p> <p>Health Services</p> <p>Hotels</p> <p>Indoor Participant Recreation Services</p> <p>Liquor Stores</p> <p>Live Work Units</p> <p>Major/Minor Amusement Est.</p> <p>Media Studios</p> <p>Minor Home Based Business</p> <p>Minor Service Stations</p> <p>Mobile Catering Food Services</p> <p>Multi-Unit Housing</p> <p>Private Clubs</p> <p>Personal Service Shops</p> <p>Private Education Services</p> <p>Professional, Financial/ Office Support</p> <p>Public Education Services</p> <p>Public Libraries and Cultural Exhibits</p> <p>Rapid Drive-through Vehicle Services</p> <p>Recycled Materials Drop-off Centres</p> <p>Religious Assembly</p> <p>Residential Sales Centre</p> <p>Restaurants</p> <p>Secondhand Stores</p> <p>Spectator Entertainment</p> <p>Specialty Food Services</p> <p>Urban Gardens</p> <p>Urban Indoor Farms</p> <p>Urban Outdoor Farms</p> <p>Veterinary Services</p> <p>Fascia On-premises Signs</p>

		Freestanding On-premises Signs Freestanding Off-premises Signs Projecting On-premises Signs Roof On-premises Signs Temporary On-premises Signs Major Digital Signs Minor Digital On-premises Signs Minor Digital Off-premises Signs
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TECHNICAL REVIEW

Fire Rescue has FRS has reviewed the revised DC2 zoning text and has no major objections but requires the following regulation in the DC2 Provision for Lots 2 & 3:

"With the exception of demolition, excavation and signage permits, upon submission of a Development Permit application, the applicant shall submit a Fire Underwriter's Survey that demonstrates, to the satisfaction of the Development Officer in consultation with Fire Rescue Services and EPCOR Water Services, that the fire flows to the site are adequate for the proposed building and construction type. A review of appropriate hydrant spacing will also be required by Epcor Water in consultation with FRS at the Development Permit Stage. Any infrastructure or systems required to ensure these standards are met shall be included in the design scope of the buildings."

Please note: this regulation has been included in the DC2 Provision.

The proposed amendments have been reviewed by all required departments and technical agencies. The planned civic infrastructure can accommodate the proposed changes and will be provided in due course at later stages of development. All comments from affected City Departments and utility agencies have been addressed.

PUBLIC ENGAGEMENT

ADVANCE NOTICE

Date: June 18, 2019

- Number of recipients: 109
- Number of responses in support: 0
- Number of responses with concerns: 15
- Common comments included:
 - multi-unit over shadowing on neighboring development;
 - Increased noise, traffic, drug use and prostitution;
 - off street parking;
 - opposed to the residential component;
 - Opposed to Cannabis Stores, Pubs & Bars/Drinking Establishments;

	<ul style="list-style-type: none"> • Opposed to population increase; and • Fear of losing the Co-Op store.
PUBLIC MEETING Date: October 8, 2019	<ul style="list-style-type: none"> • Number of attendees: 68 • Number of feedback forms in support: 1 <ul style="list-style-type: none"> • Open to multi-housing development if done right • 19 feedback forms with concerns. Common comments included: <ul style="list-style-type: none"> • Apartment over shadowing on neighboring development; • Increased noise; • Increased traffic; • Loss of existing services for seniors, (ie: Co-Op store); • More crime; • Opposed to Cannabis Stores, Pubs & Bars/Drinking Establishments; • Opposed to residential component; • property value will decrease; • not enough landscaping between commercial and residential uses; and • increase taxes on existing residents.
WEBPAGE	<ul style="list-style-type: none"> • www.planning.applications/Dechene

Advanced notice was sent out to 109 surrounding property owners and the Lessard and Willowby Community Leagues on June 18, 2019. As a result of the notice 20 emails were received.

A Public Meeting was held on October 8, 2019. Comments received from the Public Meeting are found in the attached What We Heard Report.

Administration visited the Touchmark Seniors facility on Dec 8, 2019 to provide information and answer questions to the Seniors Citizens of the community.

Many members of the Hawstone Community, RF5 zoned site, north of the subject site are concerned with the proposed zoning. As noted above, they are concerned about shadows, increased crime, decreasing property values, crime and traffic congestion.

In response to their concerns about the proposed DC2, the proposed regulations for Lots 2 & 3 includes a large setback of 15.0 m along the north and east lot lines and a 6m landscaped yard to ensure that any development of Multi-Unit Housing is appropriately transitioned and integrated with commercial uses on site and with adjacent low density residential uses.

CONCLUSION

Administration recommends that City Council **APPROVE** this application.

APPENDICES

- 1 What We Heard Report
- 2 Context Plan Map
- 3 DC2 Tracked Changes Lot 1
- 4 DC2 Tracked Changes Lots 2 & 35
- 5 Application Summary

WHAT WE HEARD REPORT

Rezoning Public Engagement Session Feedback Summary LDA19-0029 - Dechene

PROJECT ADDRESS: 18348 - LESSARD ROAD NW
4819 - 184 STREET NW
4903 - 184 STREET NW

PROJECT DESCRIPTION: Proposed rezoning from ([DC2.302](#)) Site Specific Development Control provision to a new (DC2) Site Specific Development Control Provision, to allow for expanded commercial uses and added multi-unit housing.

PROJECT WEBSITE: edmonton.ca/dechene

EVENT TYPE: Public Engagement Session

MEETING DATE: Tuesday, October 8, 2019

NUMBER OF ATTENDEES: 68

ABOUT THIS REPORT

The information in this report includes feedback gathered during the October 8th, 2019 public engagement session. This report is shared with all attendees who provided their email address during the event. This summary will also be shared with the applicant and the Ward Councillor. If/when the proposed rezoning advances to Public Hearing, these comments will be summarized in a report provided to Council.

Planning Coordination
CITY PLANNING



MEETING FORMAT

The meeting format was a station-based open house where attendees were able to view display boards with project information. Participants were encouraged to ask questions of City Staff, and the applicant. From the engagement session, 21 feedback forms were received. Additionally, 17 emails expressing feedback and/or looking for further information and 2 social media posts were received. The comments & questions we received are summarized by the main themes below.

The number of times a comment was received by participants are recorded in brackets following that comment.

WHAT WE HEARD

Engagement Session

- A wider area should have been notified (x2)
- Not enough resources at the session (x1)
- The information provided is pretty vague (x1)
- Process is a lot of fuss over a problem that doesn't exist 'just in case' (x1)
- Developer provided no input or plan, is relying on blind trust (x1)
- Developer claimed they were not going to be changing anything, so why is there an application? (x1)
- An engagement session should be held within the Touchmark seniors development (x1)

Existing Development, Transportation, & Infrastructure

- Neighbourhood roads are not wide enough / traffic should be kept to Lessard Road (x2)
- Surrounding roads need to be re-engineered / sidewalks added first (x2)
- Apartments need public transportation, and plan is to reduce buses in the area (x1)
- Negative issues experienced with current businesses (x1)

Proposed Development & Form

- Concerns over shadowing on neighboring development (x6)
 - Should be set back more to avoid shadowing existing houses (x1)
- Not enough parking there currently / for what is proposed (x4)
- Landscape buffer should be big enough / similar to what is currently there for neighbouring properties (x2)
 - Like the current trees and the separation they provide (x1)
- Concern over nature of residential ownership and tenancy - Is this owned? Rented? Who is moving in (Seniors, family, etc)? (x2)
- 6 Storeys is too tall (x1)
- Too much development for this piece of land (x1)
- Would be an eyesore (x1)
- Unspecified opposition to the proposal (x1)

Effects on Surroundings

- Increased noise (x10)
- Concerns property values will decrease (x7)
 - Apartments may attract young people, depreciating surrounding seniors residences (x1)
- Increased traffic (x6)
- Loss of existing services for seniors, Co-Op (x6)
- More area crime (x4)
- Opposition to more population / increased population density (x2)
- Concerns property tax will increase to fund development / servicing (x2)
- Unspecified negative impact on seniors (x1)
- Negative change to the nature of the area (x1)
- Bring prostitution to the area (x1)
- Concern over more families putting pressure on schools. What accommodations will be made? (x1)
- Will increase distance to a grocers and other amenities (x1)

Opposed Uses

- Cannabis Stores (x7), Pubs & Bars / Drinking Establishments (x6)
 - Don't like these uses available together (x3)
 - Too close to schools (x2)
 - More crime (x1)
- Residential Development (x6)
- Unspecified Business Uses (x4)
- Automotive and Repair Shops (x3)
- Hotel (x2)
- Massage parlors (x1)
- Proposed uses don't serve area seniors (x1)

Preferred Uses

- Grocery Store (x5)
 - Very useful and convenient for surrounding seniors (x3), area residents (x1)
- Open to multi-housing development if done right (x2)
- Having unspecified additional commercial uses (x1)

ANSWERS TO QUESTIONS

Why an engagement session occurred

- City Administration received several emails of concern in response to the advance notice mailout. As such, Administration determined that a Public Engagement Session would be helpful for the surrounding residents to hear and learn more about the proposal.

Concerns over extent of notification / engagement

- The standard notification area identified in the Zoning Bylaw extends to a 60 m distance from the site boundaries to capture adjacent property owners. For this engagement session, Administration extended the range up to 200 m and encompassed 196 properties.

In addition to direct mailings, Administration also employs additional methods such as:

- a. Notices in various newsprint;
- b. A posting on the City of Edmonton Engagement Calendar;
- c. A posting on the City of Edmonton's Planning Application Webpage; and
- d. A posting on the City of Edmonton Facebook page

Community Leagues are also included in our direct mailings, and we further anticipate some word-of-mouth to spread through the League and surrounding neighbourhoods.

Concerns over traffic / existing road infrastructure

- Planning Coordination (Transportation) has reviewed the existing traffic volumes along Lessard Road and 184 Street adjacent to this site. There is capacity along both of these roadways. The proposed development is not anticipated to require infrastructure changes. At the development permit stage, Transportation will review vehicular circulation and pedestrian connectivity within the site.

Concerns over ownership and tenancy of multi-unit housing

- Rezoning applications focus on land use and regulations to guide the land use and not possession of land or property as a tenant.

Concerns over area crime

- As part of the application review process, Police Services is invited to review and provide input into the proposal. Police Services has provided “no comment” to this application.

Concerns over impacts on neighborhood schools

- As part of the application review process, school boards are invited to review and provide input into the proposal. School boards have provided “no comment” to the application.

Concern over adult massages and prostitution

- Adult massage centres (‘Body Rub Centres’) are regulated under [Section 97](#) of the Zoning Bylaw. These types of services shall not be located on a site with valid permits for Residential Uses or Bars and Neighborhood Pubs (97.2). Under the uses sought by the applicant in the DC2 rezone, Body Rub Centres would not be permissible for the development.

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Will the feedback from this event be used?

- Feedback collected from public engagement events are used for three main purposes:
 - to inform conversations with the applicant about making revisions to the application to address concerns raised;
 - to collect local insight and ensure that the City’s planning analysis considers all applicable factors; and
 - to inform City Council about the feedback received so they have an understanding of the opinions of residents prior to making a decision on the application.
 - This “What We Heard Report” will be included as part of Administration’s report to City Council if/when the proposed rezoning advances to Public Hearing.
-

If you have questions about this application please contact:

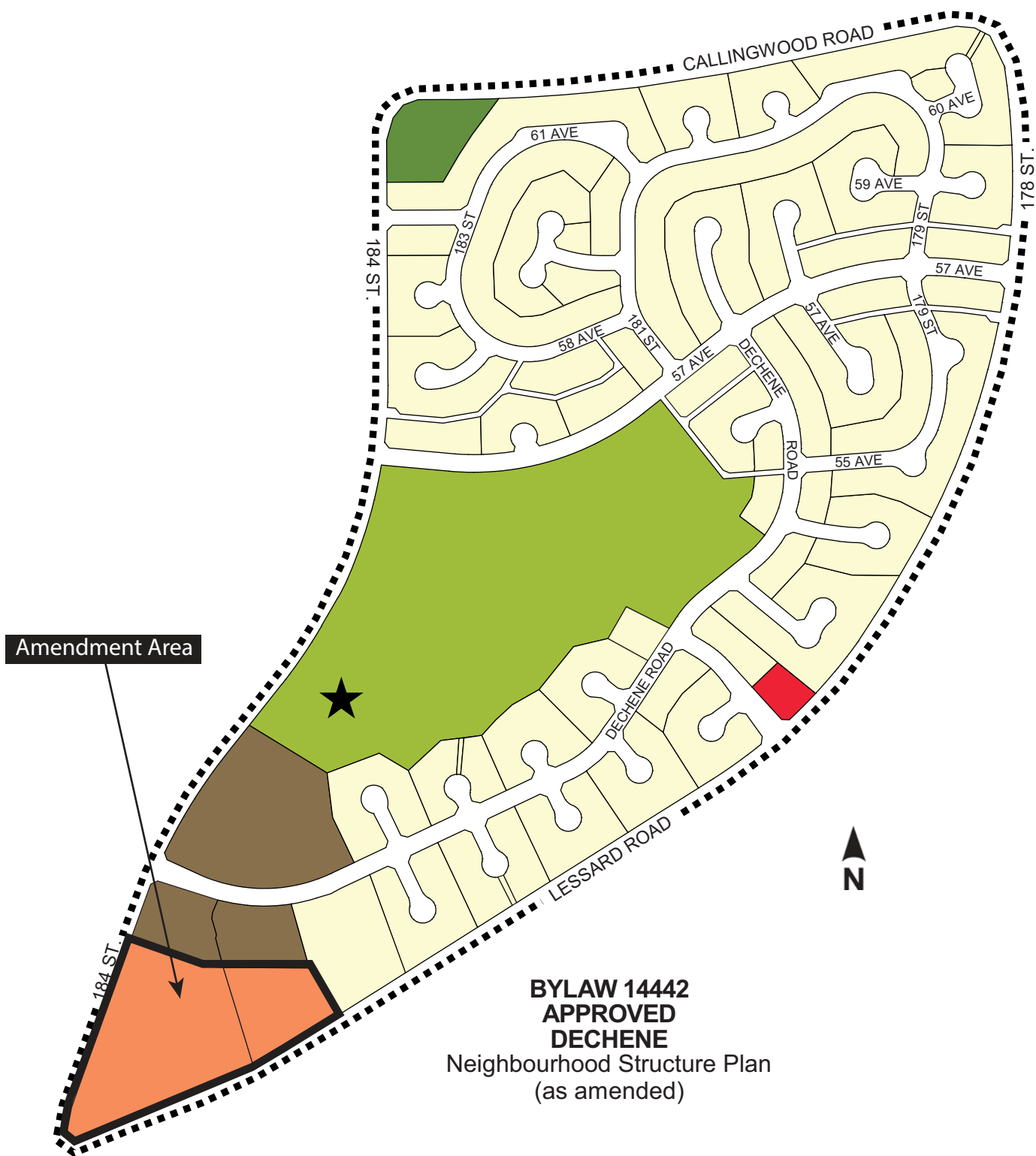
Vivian Gamache, Principal Planner









780-944-0122

vivian.gamache@edmonton.ca

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- | | | | |
|--|--|--|--|
|  | Single Family Residential |  | School/Park |
|  | Row Housing (Site Specific) |  | Urban Services |
|  | Neighbourhood/Community Commercial (Site Specific) |  | N.S.P. Boundary |
|  | Neighbourhood Convenience Commercial (Site Specific) |  | Housing Opportunity for First Time Homebuyers on Surplus School Site |

(DC2) Site Specific Development Control Provision
Part IV Edmonton Zoning Bylaw

~~Section DC2.302~~

~~**Amended by Bylaw 10600 January 24, 1994 re: Alcohol Sales**~~

~~Bylaw 10366
June 17, 1993~~

1.

General Purpose

To establish a Site Specific Development Control District to accommodate a range of commercial uses with the application of sensitive site development regulations designed to ensure an effective transition to the surrounding residential development and result in appropriate development for the Site.

2.

Area of Application

This provision shall apply to Lot 1, Block 21, Plan 9722753, within the Dechene Neighbourhood as shown on Schedule "A" of this Bylaw.

The red highlighted text denotes administrative updates to current Zoning Bylaw terminologies (they are not 'new' uses being added to the site),

3.

Uses

- a. Bars and Neighborhood Pubs Business
- b. Business Support Services
- c. Commercial Schools
- d. Convenience Retail
- e. Child Care Services
- f. Drive-in Food Services
- g. Gas Bars
- h. General Retail Stores
- i. Government Services
- j. Health Services
- k. Indoor Participant Recreation Services
- l. Liquor Stores
- m. Major Amusement Establishments
- n. Minor Amusement Stores
- o. Minor Service Station
- p. Personal Service Shops
- r. Professional, Financial and Office Support Services
- s. Public Libraries and Cultural Exhibits
- t. Rapid Drive-through Vehicle Services
- u. Residential Sales Centre
- v. Restaurants
- w. Secondhand Stores
- x. Specialty Food Service
- y. Spectator Entertainment Establishments
- aa. Fascia On-premises Signs
- bb. Freestanding On-premises Signs
- cc. Projecting On-premises Signs
- dd. Temporary On-premises Signs

4. Development Criteria

- a. The maximum floor area ratio shall be 1.0.
- b. The maximum Height shall not exceed 10.0 m.
- c. A minimum Setback of 6.0 m shall be provided along the north and east Lot lines. I
- d. A minimum Setback of 6.0 m shall be required where the Site Abuts a public roadway.
- e. Landscaping within the required Setbacks shall be developed in accordance with Section 55 of the Zoning Bylaw.
- f. Development shall comply with the following architectural guidelines:
 - i. All exterior finishing materials must be of good quality, durable and attractive in appearance with consistent treatment on all faces of a building. No painted and/or scored concrete block construction will be permitted on any building facade;
 - ii. A harmonious architectural and landscaping theme shall be created through the exterior treatment of buildings (i.e., materials, colours and designs) on the site and through the use of landscaping techniques and planting materials which are compatible with the residential context of the development.
 - iii. Buildings shall be designed and finished in a manner that minimizes the perceived massing of the development when viewed from the residential lands adjacent to the site, through the consideration of such factors as the choice and colour and texture of finishing materials, and the articulation of roof and building facade details. Structures shall incorporate a sloping roof treatment to reflect the character of surrounding residential development.
 - iv. Design details such as dormers, gables, accent trim boards, etc. will be used together with variations in roof and/or elevation details so as to create variety within the project. Building features may project up to 4.0 m above the maximum height allowed under Clause 4b; and
 - v. All roof mechanical appurtenances shall be concealed by screening in a manner compatible with the architectural character of the building or concealed by incorporating it within the building.

- g. No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required yard. Storage, loading and trash collection areas shall be screened from view from any adjacent sites and public roadways in accordance with the provisions of Section 69.3 of the Land Use Bylaw. That waste collection siting shall provide opportunities for recycling initiatives.
- h. Outdoor lighting is required to provide a well-lit environment for pedestrians and to illuminate the property. The Development Officer shall require the applicant to provide a plan showing the location and details of perimeter lighting to ensure adequate lighting.
- i. Illumination of canopies shall be directed downward and their design and finishing shall be consistent with the design and finishing of the relevant associated building.
- j. Signs shall be in accordance with Schedule 59E.

5. Other Regulations

- a. For the areas and buffers depicted in Appendix I, prior to the issuance of a Development Permit, excluding a development permit for demolition, excavation or signage, Environmental Site Assessment (ESA) work such as, but not limited to, additional Phase II ESAs, Remedial Action Plan(s), and/or Risk Management Plan(s), may be required at the discretion of the Development Officer in consultation with the Environmental Planner, to be submitted and reviewed to the satisfaction of the Development Officer. The Development Officer shall impose any Development Permit conditions necessary, prior to the release of the drawings for Building Permit review, to ensure that the Site is suitable for the full range of uses contemplated in the Development Permit application.

As a result of dividing the existing DC 2 into two Provisions, the following regulations have been removed from Lot 1:

~~f. A berm a minimum of 1.0 m in height centered on the east and north property lines and solid screen fencing, 1.8 m in height centered on the property line shall be provided.~~

~~g. Landscaping treatment within the required yards shall consist of three deciduous trees a minimum caliper of 7.5 cm, three coniferous trees a minimum height of 3.0 m and a mixture of deciduous shrubs for every 30.0 m of linear yard. These groupings shall be provided to the satisfaction of the Development Officer.~~

~~h. To ensure that a high standard of appearance and sensitive transition to the surrounding land uses are achieved, detailed landscaping plans shall be submitted with the initial Development Permit application for approval by the Development Officer which, in the opinion of the Development Officer, comply with the landscaping requirements specified by Clauses 4d, 4e, 4f and 4g of this District.~~

~~i. The Development Officer shall require, as a condition of approval, that the applicant provide an irrevocable letter of credit, in the amount of 100% of the established landscaping cost, the conditions of the security being that:~~

~~i. if the landscaping is not completed in accordance with the provisions of this district and the landscaping plan, within one growing season after the completion of the development, then the amount fixed shall be paid to the City, for its use absolutely; and~~

~~ii. the Development Officer shall not release the Letter of Credit until an inspection of the site has demonstrated that the landscaping has been well maintained and is in a healthy condition, two growing seasons after completion of the landscaping.~~

~~n. Indoor Participant Recreation Facilities shall be limited to athletic and health and fitness clubs.~~

~~p. Development in this District shall be evaluated with respect to compliance with the General Development Regulations of Sections 50 to 79 inclusive, of the Land Use Bylaw.~~

~~q. The Development Officer may grant relaxations to Sections 50 to 79 of the Land Use Bylaw and the provisions of this District, if in his opinion, such variance would be in keeping with the general purpose of this District and would not adversely affect the amenities, use and enjoyment of neighbouring properties.~~

~~DC2.302.5. Additional Development Criteria~~

~~a. Daytime Child Care Services shall be developed in accordance with Section 93 of the Land Use Bylaw and an outdoor play area for the exclusive use of the day care shall be provided. This play area shall be enclosed by a combination of building walls and fencing, a minimum of 1.8 m in height, and the play area shall be located away~~

~~from any parking or loading areas on the site.~~

~~b. Gas Bars, Drive-in Food Services, Rapid Drive-through Vehicle Services and Minor Service Stations shall be developed in accordance with the provisions of Section 82 of the Land Use Bylaw.~~

~~C. Residential Sales Centres shall be developed in accordance with the provisions of Section 95 of the Land Use Bylaw.~~

~~D. Major and Minor Alcohol Sales shall be developed in accordance with Section 98 of the Land Use Bylaw.~~

(DC2) Site Specific Development Control Provision

Part IV Edmonton Zoning Bylaw

~~Section DC2.302~~

~~**Amended by Bylaw 10600 January 24, 1994 re: Alcohol Sales**~~

~~Bylaw 10366
June 17, 1993~~

Note: the **red** highlighted/
strikeout text denotes
administrative updates to
current Zoning Bylaw
terminologies (they are not
'new' uses being added to the
site), the **blue** highlighted text
denotes the additional 'new'
land uses between the existing
DC2 and proposed DC2s.

1. General Purpose

To accommodate a high quality commercial development with the opportunity to develop medium density residential Uses designed in a manner to support a pedestrian-friendly and functional environment.

~~To establish a Site Specific Development Control District to accommodate a range of commercial uses with the application of sensitive site development regulations designed to ensure an effective transition to the surrounding residential development and result in a high quality development appropriate for the site.~~

2. Area of Application

This provision shall apply to Lots 2 and 3, Block 21, Plan 9722753, within the Dechene Neighbourhood as shown on Schedule "A" of this Bylaw.

3. Uses

1. **Automotive and Equipment Repair Shops**
2. **Bars and Neighbourhood Pubs**
3. **Breweries, Wineries and Distilleries**

4. Business Support Services
5. Cannabis Retail Sales
6. Carnivals
7. Child Care Services
8. Commercial Schools
9. Convenience Retail Stores
10. Creation and Production Establishments
11. Drive-in Food Services
12. Equipment Rentals
13. Gas Bars
14. General Retail Stores
15. Government Services
16. Health Services
17. Hotels
18. Indoor Participant Recreation Services
19. Liquor Stores
20. Live Work Units
21. Major Amusement Establishments
22. Media Studios
23. Minor Amusement Establishments
24. Minor Home Based Business
25. Minor Service Stations
26. Mobile Catering Food Services
27. Multi-Unit Housing
28. Private Clubs
29. Personal Service Shops
30. Private Education Services
31. Professional, Financial and Office Support
32. Public Education Services
33. Public Libraries and Cultural Exhibits
34. Rapid Drive-through Vehicle Services
35. Recycled Materials Drop-off Centres
36. Religious Assembly

- 37. Residential Sales Centre
- 38. Restaurants
- 39. Secondhand Stores
- 40. Specialty Food Services
- 41. Urban Gardens
- 42. Urban Indoor Farms
- 43. Urban Outdoor Farms
- 44. Veterinary Services
- 45. Fascia On-premises Signs
- 46. Freestanding On-premises Signs
- 47. Freestanding Off-premises Signs
- 48. Projecting On-premises Signs
- 49. Roof On-premises Signs
- 50. Temporary On-premises Signs
- 51. Major Digital Signs
- 52. Minor Digital On-premises Signs
- 53. Minor Digital Off-premises Signs

~~Spectator Entertainment~~

~~Major and Minor Eating and Drinking Establishments~~

4. Development Criteria

- a. The maximum Floor Area Ratio shall be 1.25.
- b. The minimum Floor Area Ratio for commercial Uses shall be 0.25.
- c. The maximum building Height shall ~~10.0~~12.0m for commercial Uses. This Height shall be increased to 16.0 m for Multi-Unit Housing.
- d. A minimum Setback of 15.0 m shall be required along the north and east Lot lines.
- e. A minimum Setback of 6.0 m, shall be required along the west and south Lot lines ~~or any Lot line Abutting a public roadway.~~
- f. A 6.0 m landscaped Yard, shall be required along the north and east Lot lines.
- g. Each use of Bars and Neighbourhood Pubs and Restaurants shall be limited to 200 occupants and 240 m² of Public Space.
- h. Specialty Food Services shall be limited to 100 occupants and 120 m² of Public Space.
- i. Equipment Rentals shall ensure that all equipment and goods for rent are contained within an enclosed building.
- j. Multi-Unit Housing may be permitted above a commercial building or stand-alone. Multi-Unit housing shall be designed and sited so as to minimize any impacts from the commercial component and adjacent Residential Uses to the north and east related to noise, traffic circulation or loss of privacy.
- k. Multi-Unit Housing shall have access at ground level, which is separate from the access for the non-Residential and non-Residential Related Uses.
- l. Personal Services Shops shall not include Body Rub Centres.
- m. Signs shall be provided in accordance with Schedule 59E of the Zoning Bylaw, as amended.

- n. For the areas within the 50 m buffer as illustrated on Appendix I – Conceptual Site Plan, prior to the issuance of a Development Permit, with the exception of demolition, excavation or Sign permits, an Environmental Site Assessment (ESA) which may include but not limited to Phase II ESA's, Remedial Action Plan(s), Final Remediation Report, and/or a Risk Management Plan(s), may be required at the discretion of the Development Officer in consultation with the Environmental and Energy Coordination Unit. The Development Officer may require further information necessary to ensure the area that is subject to the Development Permit application is suitable for the Uses contemplated in the Development Permit application.

5. Development Regulations – Vehicular Oriented Uses

1. Drive-in Food Services, Gas Bars, Minor Service Stations shall comply with the regulations of the Zoning Bylaw, except that:
 - i. Gas Bars, Minor Service Stations shall be located not less than 15.0 m from any portion of a building containing a Residential or Residential-related Use. This distance shall be measured from the closest pump island, fill pipes, vent pipes, drive-through vehicle service or service station to the Residential Use. This Setback distance may be reduced at the discretion of the Development Officer if the Development Officer is satisfied that impacts on the Residential or Residential-related Use shall be minimal due to structural and design measures incorporated into the proposed development.
 - ii. Drive-in Food Services and associated access aisles and queuing spaces shall be located not less than 20 m from any portion of a building containing a Residential or Residential-related Use. This Setback distance may be reduced at the discretion of the Development Officer if the Development Officer is satisfied that impacts on the Residential or Residential-related Use shall be minimal due to structural and design measures incorporated into the proposed development.
 - iii. Where Drive-in Food Services and associated access aisles and queuing spaces are located within 30 m of a building containing a Residential or Residential-related Use, the following Fencing and Landscaping requirements shall apply:
 - i. Solid, screen Fencing constructed of wood or suitable wood-like synthetic

- substitute, 1.83 m in Height; and
 - ii. Required Fencing shall be augmented with tree and shrub planting designed to soften the visual effect of the required Fencing, and shall be provided in accordance with the standards identified in Section 55.
- iv. The location, orientation and setback of drive-through service windows shall be to the satisfaction of the Development Officer in consultation with Transportation Services, having regard to the minimization of on-site and off- site traffic impacts. Notwithstanding Section 210.4(5) and 210.4(6), for buildings on a Site larger than 1.0 ha Abutting a Site zoned to allow Single Detached Housing as a Permitted Use, the following shall apply:
 - i. The minimum Setback along that Abutting property line shall be 7.5 m. This minimum Setback is permitted to be a minimum of 3.0 m where an acceptable landscaped buffer is provided. In no case shall the Setback be reduced where the proposed building Abuts the south property line of a neighbouring site;
 - ii. For buildings over 10.0 m in Height, the portion of the building above this Height shall require a minimum Setback of 10.0 m from that Abutting property line, except that:
 - 1. This minimum Setback is permitted to be a minimum of 1.0 m per Storey, plus 2.5 m where variations in Yards and Stepbacks, recessed balconies, or other design techniques minimize building massing and/or shadow impacts, provide architectural interest, and is complementary to the surrounding development. In no case shall this Setback be less than 5.5 m nor shall the Setback be reduced where the proposed building Abuts the south property line of a neighbouring site.

6. Parking, Loading and Access

- a. Vehicular access shall be from the adjacent public roadways, the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination.
- b. Loading, storage and waste collection areas shall be located to the rear or sides of the principal building and shall be screened from view from any adjacent Sites and public roadways.

- c. Parking, loading and passenger drop-off areas shall be designed to minimize pedestrian-vehicle conflicts and prioritizes pedestrian movement through the site.

7. Landscaping

- a. When required to be submitted as part of a Development Permit application, a Landscape Plan prepared by a Landscape Architect, registered with the Alberta Association of Landscape Architects (ALAA), shall be submitted for review and approval by the Development Officer.
- b. A detailed Landscape Plan for the Site, including all existing and proposed utilities within the road right-of-way must be submitted for review and approval by the City of Edmonton, prior to the issuance of any Development Permit.
- c. Additional landscaping shall be provided along the north and east Lot line and shall include, but not be limited to, coniferous planting (minimum 3.0 m in Height) to provide a Landscaped buffer for privacy for the adjacent residential property.
- d. A screen fence a minimum of 1.83 m in Height shall be required along the north and east property lines.

8. Urban Design

- a. Building design shall use a variety of architectural elements and treatments, materials, colours, and articulation to break up the massing and provide human- scale development.
- b. Building materials must be durable, high quality and appropriate for the development. The contextual fit, design, proportion, quality, texture, and application of various finishing materials shall be to the satisfaction of the Development Officer.
- c. Decorative and security lighting shall be designed and finished in a manner consistent with the design and finishing of the development and shall enhance the appearance of the building, minimize light pollution, and ensure a safe well-lit environment, to the satisfaction of the Development Officer. The Development Officer shall require the applicant to provide a plan showing the location and details of perimeter lighting to

- ensure adequate lighting.
- d. A maximum of 10% of the first Storey glazing may be covered by Signs. The remainder of the glazing shall remain free from obstruction.
- e. Multi-Unit Housing shall include the following design elements to reduce the perceived mass and add architectural interest:
 - i. Use recesses and projections to add articulation to the facade.
 - ii. Use a variety of exterior building cladding materials and colours.
 - iii. Provide a prominent entrance that is highly visible.
- f. 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, to the satisfaction of the Development Officer.

9. Crime Prevention Through Environmental Design

- a. A Crime Prevention Through Environmental Design Assessment shall be provided to the satisfaction of the Development Officer to ensure that the development provides a safe urban environment.

10. Other Regulations

- a. With the exception of demolition, excavation and signage permits, upon submission of a Development Permit application, the applicant shall submit a Fire Underwriter's Survey that demonstrates, to the satisfaction of the Development Officer in consultation with Fire Rescue Services and EPCOR Water Services, that the fire flows to the site are adequate for the proposed building and construction type. A review of appropriate hydrant spacing will also be required by Epcor Water in consultation with FRS at the Development Permit Stage. Any infrastructure or systems required to ensure these standards are met shall be included in the design scope of the buildings.

b. For the areas and buffers depicted in Appendix I, prior to the issuance of a Development Permit, excluding a development permit for demolition, excavation or signage, Environmental Site Assessment (ESA) work such as, but not limited to, additional Phase II ESAs, Remedial Action Plan(s), and/or Risk Management Plan(s), may be required at the discretion of the Development Officer in consultation with the Environmental Planner, to be submitted and reviewed to the satisfaction of the Development Officer. The Development Officer shall impose any Development Permit conditions necessary, prior to the release of the drawings for Building Permit review, to ensure that the Site is suitable for the full range of uses contemplated in the Development Permit application.

The following regulations have been removed from the existing DC2:

~~DC2.302.5. Additional Development Criteria~~

~~A berm a minimum of 1.0 m in height centered on the east and north property lines and solid screen fencing, 1.8 m in height centered on the property line shall be provided.~~

~~Indoor Participant Recreation Facilities shall be limited to athletic and health~~

~~Daytime Child Care Services shall be developed in accordance with Section 93 of the Land Use Bylaw and an outdoor play area for the exclusive use of the day care shall be provided. This play area shall be enclosed by a combination of building walls and fencing, a minimum of 1.8 m in height, and the play area shall be located away from any parking or loading areas on the site.~~

~~Residential Sales Centres shall be developed in accordance with the provisions of Section 95 of the Land Use Bylaw.~~

~~Major and Minor Alcohol Sales shall be developed in accordance with Section 98 of the Land Use Bylaw.~~

~~and fitness clubs.~~

~~Development in this District shall be evaluated with respect to compliance with the General Development Regulations of Sections 50 to 79 inclusive, of the Land Use Bylaw.~~

~~The Development Officer may grant relaxations to Sections 50 to 79 of the Land Use Bylaw and the provisions of this District, if in his opinion, such variance would be in keeping with the general purpose of this District and Would not adversely affect the amenities, use and enjoyment of neighbouring properties.~~

The following regulation was replaced with "Section 5. Development Regulations – Vehicular Oriented Uses" above.

~~Gas Bars, Drive-in Food Services, Rapid Drive-through Vehicle Services and Minor Service Stations shall be developed in accordance with the provisions of Section 82 of the Land Use Bylaw.~~

The following regulations are replaced with "Section 6. Parking, Loading and Access" above.

~~No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required yard. Storage, loading and trash collection areas shall be screened from view from any adjacent sites and public roadways in accordance with the provisions of Section 69.3 of the Land Use Bylaw. That waste collection siting shall provide opportunities for recycling initiatives.~~

The following regulations are replaced with "Section 7. Landscaping" above.

~~Landscaping treatment within the required yards shall consist of three~~

~~deciduous trees a minimum caliper of 7.5 cm, three coniferous trees a minimum height of 3.0 m and a mixture of deciduous shrubs for every 30.0 m of linear yard. These groupings shall be provided to the satisfaction of the Development Officer.~~

~~To ensure that a high standard of appearance and sensitive transition to the surrounding land uses are achieved, detailed landscaping plans shall be submitted with the initial Development Permit application for approval by the Development Officer which, in the opinion of the Development Officer, comply with the landscaping requirements specified by Clauses 4d, 4e, 4f and 4g of this District.~~

~~The Development Officer shall require, as a condition of approval, that the applicant provide an irrevocable letter of credit, in the amount of 100% of the established landscaping cost, the conditions of the security being that:~~

~~if the landscaping is not completed in accordance with the provisions of this district and the landscaping plan, within one growing season after the completion of the development, then the amount fixed shall be paid to the City, for its use absolutely; and~~

~~the Development Officer shall not release the Letter of Credit until an inspection of the site has demonstrated that the landscaping has been well maintained and is in a healthy condition, two growing seasons after completion of the landscaping.~~

The following regulations are replaced with "Section 8. Urban Design" above.

~~Development in the District shall comply with the following architectural guidelines:~~

~~All exterior finishing materials must be of good quality, durable and attractive in appearance with consistent treatment on all faces of a building. No painted and/or scored concrete block construction will be~~

~~permitted on any building facade;~~

~~A harmonious architectural and landscaping theme shall be created through the exterior treatment of buildings (i.e., materials, colours and designs) on the site and through the use of landscaping techniques and planting materials which are compatible with the residential context of the development.~~

~~Buildings shall be designed and finished in a manner that minimizes the perceived massing of the development when viewed from the residential lands adjacent to the site, through the consideration of such factors as the choice and colour and texture of finishing materials, and the articulation of roof and building facade details. Structures shall incorporate a sloping roof treatment to reflect the character of future residential development to the west, north and east of the property;~~

~~Design details such as dormers, gables, accent trim boards, etc. will be used together with variations in roof and/or elevation details so as to create variety within the project. Building features may project up to 4.0 m above the maximum height allowed under Clause 4b; and~~

~~All roof mechanical appurtenances shall be screened from the view of abutting residential areas when viewed from street level.~~

~~Any exterior lighting of the site shall be designed so that the lighting is directed away from the adjacent residential development.~~

~~Illumination of canopies shall be directed downward and their design and finishing shall be consistent with the design and finishing of the relevant associated building.~~

APPLICATION SUMMARY

INFORMATION

Application Type:	Rezoning
Charter Bylaw:	19285
Location:	North of Lessard Road NW and east of 184 Street NW
Addressees:	18348 Lessard Road NW, 4819 - 184 Street NW, and 4903 - 184 Street NW
Legal Description(s):	Lot 1, 2 & 3 Block 21, Plan 9722753
Site Areas:	Lot 1: 0.54 ha Lot 2: 1.63 ha Lot 3: 1.42 ha Total Area 3.59 ha
Neighbourhood:	Dechene
Notified Community Organization(s):	Lessard and Willowby Community Leagues
Applicant:	Chris Dulaba, Beljan Development

PLANNING FRAMEWORK

Current Zone:	(DC2) Site Specific Development Control Provision
Proposed Zone:	(DC2) Site Specific Development Control Provision
Plan in Effect:	Dechene Neighbourhood Structure Plan
Historic Status:	None

Written By:	Vivian Gamache
Approved By:	Tim Ford
Branch:	Development Services
Section:	Planning Coordination