

Bylaw 15446

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 1166

WHEREAS City Council at its meeting of February 22, 2001, gave third reading to Bylaw 12800, as amended; and

WHEREAS Council considers it desirable to amend the text of the Edmonton Zoning Bylaw;

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. Bylaw 12800, as amended, The Edmonton Zoning Bylaw is hereby further amended by:
 - a) adding a new section “Section 370. (CB3) Commercial Mixed Business Zone” attached hereto as Schedule “A” and forming part of this bylaw.

READ a first time this	day of	, A. D. 2010;
READ a second time this	day of	, A. D. 2010;
READ a third time this	day of	, A. D. 2010;
SIGNED and PASSED this	day of	, A. D. 2010.

THE CITY OF EDMONTON

MAYOR

CITY CLERK

370 (CB3) Commercial Mixed Business Zone

370 (CB3) Commercial Mixed Business Zone

370.1 General Purpose

The purpose of this Zone is to provide for medium intensity commercial use, primarily in the form of offices, as well as limited opportunity for residential development, in locations near high capacity transportation nodes, including existing or planned Light Rail Transit stations, Transit Centres, arterial roadways, or other locations offering good accessibility. This Zone is not intended to accommodate "big box" style commercial development that utilize significant amounts of surface parking, nor for locations abutting or adjacent to any Zone that allows Single Detached Housing as a Permitted Use.

370.2 Permitted Uses

1. Bars and Neighbourhood Pubs , for less than 200 occupants and 240 m² of Public Space
2. Business Support Services
3. Commercial Schools
4. Convenience Retail Stores
5. General Retail Stores, up to a maximum Floor Area of 1000 m²
6. Government Services
7. Health Services
8. Minor Alcohol Sales
9. Minor Amusement Establishments
10. Private Education Services
11. Professional, Financial and Office Support Services
12. Public Education Services
13. Public Libraries and Cultural Exhibits
14. Restaurants, for less than 200 occupants and 240 m² of Public Space
15. Specialty Food Services, for less than 100 occupants and 120 m² of Public Space
16. Fascia On-premises Signs
17. Freestanding On-premises Signs
18. Projecting On-premises Signs
19. Temporary On-premises Signs

370.3 Discretionary Uses

1. Apartment Hotels
2. Apartment Housing
3. Bars and Neighbourhood Pubs, for more than 200 occupants and 240 m² of Public Space
4. Broadcasting and Motion Picture Studios
5. Child Care Services
6. General Retail Stores with a Floor Area greater than 1000 m²

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7. Hotels
8. Indoor Participant Recreation Services
9. Major Alcohol Sales
10. Major Amusement Establishments
11. Minor Impact Utility Services
12. Nightclubs, for less than 200 occupants and 240 m² of Public Space, provided the Use does not share a Site with, nor a Site that is abutting, adjacent to, or across a Lane from, a Site zoned to allow Residential or Residential-Related Use Classes
13. Personal Service Shops
14. Private Clubs
15. Residential Sales Centre
16. Restaurants, for more than 200 occupants and 240 m² of Public Space
17. Specialty Food Services, for more than 100 occupants and 120 m² of Public Space
18. Spectator Entertainment Establishments
19. Veterinary Services
20. Warehouse Sales
21. Fascia Off-premises Signs
22. Freestanding Off-premises Signs
23. Roof Off-premises Signs
24. Roof On-premises Signs

370.4 Development Regulations

1. The maximum Floor Area Ratio shall be 4.0 for office and commercial development. This may be increased to a maximum Floor Area Ratio of 7.0 if the development includes Apartment Housing, provided the office and commercial development shall not exceed a Floor Area Ratio of 4.0.
2. The maximum Building Height shall not exceed 30.0 m nor six Storeys, except that the Development Officer may, at his discretion, allow a greater Height, not to exceed a maximum of 45.0 m nor 10 Storeys where this would not adversely affect the privacy and amenity of development in any adjacent Site zoned to allow Residential or Residential-Related Use Classes. Any development exceeding 30.0 m in Height shall be a Class B Development.
3. A minimum Yard of 4.5 m shall be required where a Site abuts a public roadway, other than a Lane, except where adjacent commercial buildings abut the property line to form a pedestrian-oriented shopping street, no Yard shall be required.
4. Where the rear or side lot line abuts a Site zoned to allow Residential or Residential-Related Use Classes, a minimum yard of 7.5 m shall be provided. This yard may be reduced where the development consists of a commercial podium that forms part of a pedestrian-oriented shopping street.
5. A minimum building Setback of 10 m shall be provided for the portion of a building that exceeds 14.0 m, or four Storeys, in height. The Development Officer may consider privacy

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and a Sun Shadow Impact Study when any development is adjacent to a Site zoned to allow Residential or Residential-Related Use Classes.

6. No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required Yard. Loading, storage and trash collection areas shall be located to the rear or sides of the principal building and shall be screened from view from any adjacent Sites, public roadways or Light Rail Transit lines in accordance with the provisions of subsection 55.4 of this Bylaw. If the rear or sides of a Site are used for parking, an outdoor service or display area and abut a Residential Zone or a Lane serving a Residential Zone, such areas shall be screened in accordance with the provisions of subsection 55.4 of this Bylaw.
7. Any business premises or multiple occupancy building having a Floor Area greater than 3000 m² or a single wall length greater than 25.0 m visible from a public road, shall comply with the following criteria:
 - a. the roof line and building façade shall include design elements that reduce the perceived mass of the building and add architectural interest; and
 - b. Landscaping adjacent to exterior walls shall be used to minimize the perceived mass of the building and to create visual interest.
8. 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.
9. Development within this zone shall ensure that the design of the pedestrian environment is comfortable, convenient, visually attractive and safe for human activity.
10. For buildings above 2 Storeys in Height and 4,000 m² in Floor Area, a minimum of 25% of the minimum required off-street parking for all Uses located above the first Storey shall be provided underground or in a parking structure. Where parking structures are located within 5.0 m of a public roadway, the façade of such structures shall contain active street frontages.
11. On Sites where surface parking is provided, a concept plan shall be provided demonstrating how a minimum Floor Area Ratio of 0.8 could be achieved through future phases of development. Such concept plans are intended to illustrate how future densification could be accommodated without prejudicing future development, and shall not imply a commitment or obligation to such future development.
12. Where the Site is part of a pedestrian oriented shopping street, the following regulations shall apply, at the discretion of the Development Officer:
 - a. the architectural treatment of the building shall include features such as:
 - i. placement of windows to allow for viewing into the building by pedestrians;
 - ii. entrance features;
 - iii. canopies;
 - iv. features that lend visual interest and create a human scale; and
 - v. on corner Sites, the façade treatment shall wrap around the side of the building to provide a consistent profile.
 - b. wherever possible, vehicular access shall be from the flanking roadway or abutting Lane. In the event there is no abutting Lane or flanking roadway, the vehicular access shall be designed in a manner that has minimal impact on the pedestrian-oriented shopping street; and
 - c. vehicular parking, loading and facilities shall be located at the rear of the building.

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13. Signs shall comply with the regulations found in Schedule 59F.

370.5 Additional Development Regulations for Discretionary Uses

1. The following regulations shall apply to Apartment Housing developments:
 - a. Apartment Housing shall be permitted only in buildings where the first Storey is used for commercial purposes;
 - b. The housing component shall have access at grade that is separate from the access for the commercial premises; and
 - c. If a development contains two or more Dwellings, a minimum of 7.5 m² of Amenity Area per Dwelling is required, in accordance with the provisions of Section 46 of this Bylaw. This may be reduced to 3.5 m² where there is public open space located within 100 m of the development.