

Charter Bylaw 19386

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 3061

WHEREAS Unit 18 and Unit 19, Condominium Plan 1922086 and Lot 77, Block 3, Plan 1423886; located at 3105C - 141 Street SW and 3130 - 141 Street SW, Chappelle, Edmonton, Alberta, are specified on the Zoning Map as (DC2) Site Specific Development Control Provision; and

WHEREAS an application was made to rezone the above described properties to (DC2) Site Specific 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 Unit 18 and Unit 19, Condominium Plan 1922086 and Lot 77, Block 3, Plan 1423886; located at 3105C - 141 Street SW and 3130 - 141 Street SW, Chappelle, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (DC2) Site Specific Development Control Provision to (DC2) Site Specific Development Control Provision.
2. The uses and regulations of the aforementioned DC2 Provision are annexed hereto as Schedule "B" and "C".

3. The sketch plan annexed hereto as Schedule "A" and the uses and regulations of the DC2 Provision shown on Schedule "B" and "C" annexed hereto are hereby incorporated into the Zoning Bylaw, being Part IV to Bylaw 12800, The Edmonton Zoning Bylaw.

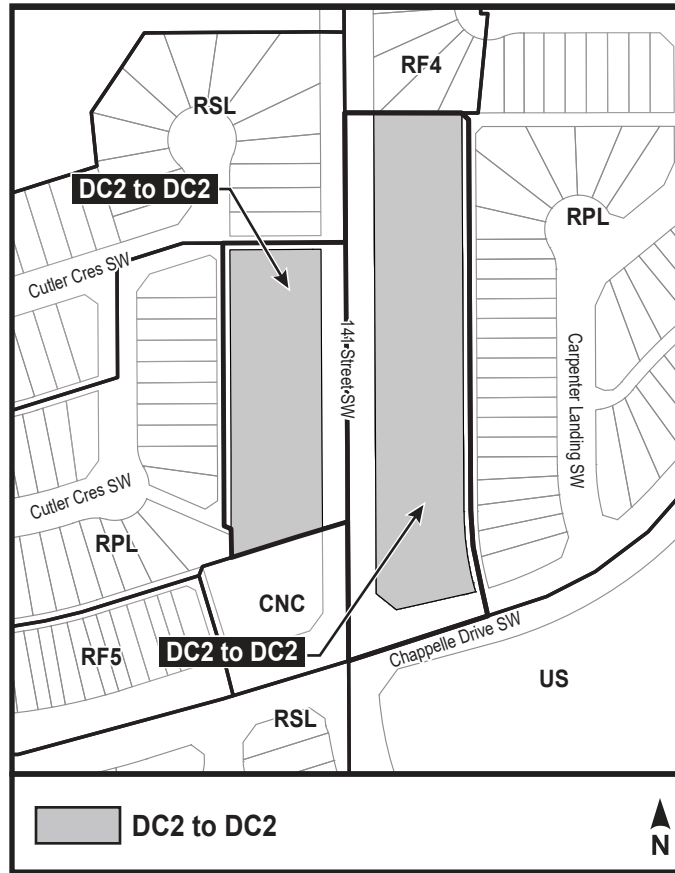
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|-------------------------|--------|---------------|
| READ a first time this | day of | , A. D. 2020; |
| READ a second time this | day of | , A. D. 2020; |
| READ a third time this | day of | , A. D. 2020; |
| SIGNED and PASSED this | day of | , A. D. 2020. |

THE CITY OF EDMONTON

MAYOR

CITY CLERK

CHARTER BYLAW 19386



SCHEDULE “B”**(DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION****1. General Purpose**

To accommodate the development of low-intensity Commercial Uses that are sensitive to the surrounding development.

2. Area of Application

Lot 77, Block 3, Plan 1423886 totaling 0.51 ha more or less; located in the Chappelle Neighborhood shown on Schedule “A” of the Bylaw adopting this Provision.

3. Uses

- a. Bars and Neighbourhood Pubs
- b. Business Support Services
- c. Child Care Services
- d. Commercial Schools
- e. Convenience Retail Stores
- f. Drive-in Food Services
- g. Gas Bars
- h. General Retail Stores
- i. Health Services
- j. Liquor Stores
- k. Personal Service Shops
- l. Professional, Financial and Office Support Services
- m. Rapid Drive-through Vehicle Services
- n. Restaurants
- o. Specialty Food Services
- p. Veterinary Services
- q. Fascia On-premises Signs
- r. Freestanding On-premises Signs
- s. Projecting On-premises Signs
- t. Temporary On-premises Signs

4. Development Regulations

- a. The maximum building Height shall not exceed 10.0 meters.

- b. A minimum building Setback of 3.0 m shall be required.
 - i. Notwithstanding regulation 4(b), the minimum Building Setback from the north Property Line for Child Care Services and Commercial Schools shall be 20 m for Lot 77, Block 3, Plan 1423886.
- c. The Floor Area Ratio shall not exceed 0.25.
- d. The maximum Floor Area for any individual business premises for a Use shall be 275 m², except that:
 - i. the maximum Floor Area for Child Care Services shall be 500 m².
 - ii. the maximum Floor Area of each Rapid Drive-through Vehicle Services and Personal Service Shops Use shall not exceed 1,000 m².
 - iii. the maximum Floor area for General Retail Stores shall be 1,000 m².
 - iv. Restaurants shall be for less than 100 occupants and 120 m² of public Space.
 - v. Specialty Food Services shall be for less than 100 occupants and 120 m² of Public Space.
 - vi. Bars and Neighbourhood Pubs shall be for less than 100 occupants and 120 m² of Public Space.
- e. The following regulations shall apply to Rapid Drive-through Vehicle Services developments:
 - i. The total number of bays shall not exceed four for any given Site; and
 - ii. All operations and mechanical equipment associated with this Use Class shall be located within an enclosed building.
- f. Liquor Stores shall comply with Section 85 of the Zoning Bylaw. Without limiting the generality of the forgoing, Liquor Stores shall comply with the separation distance regulations in sections 85(1) and 85(4) of the Zoning Bylaw.
- g. Child Care Services and Minor Alcohol Sales shall be limited to Lot 77, Block 3, Plan 1423886.
- h. Signs shall comply with Section 59D of the Zoning Bylaw.

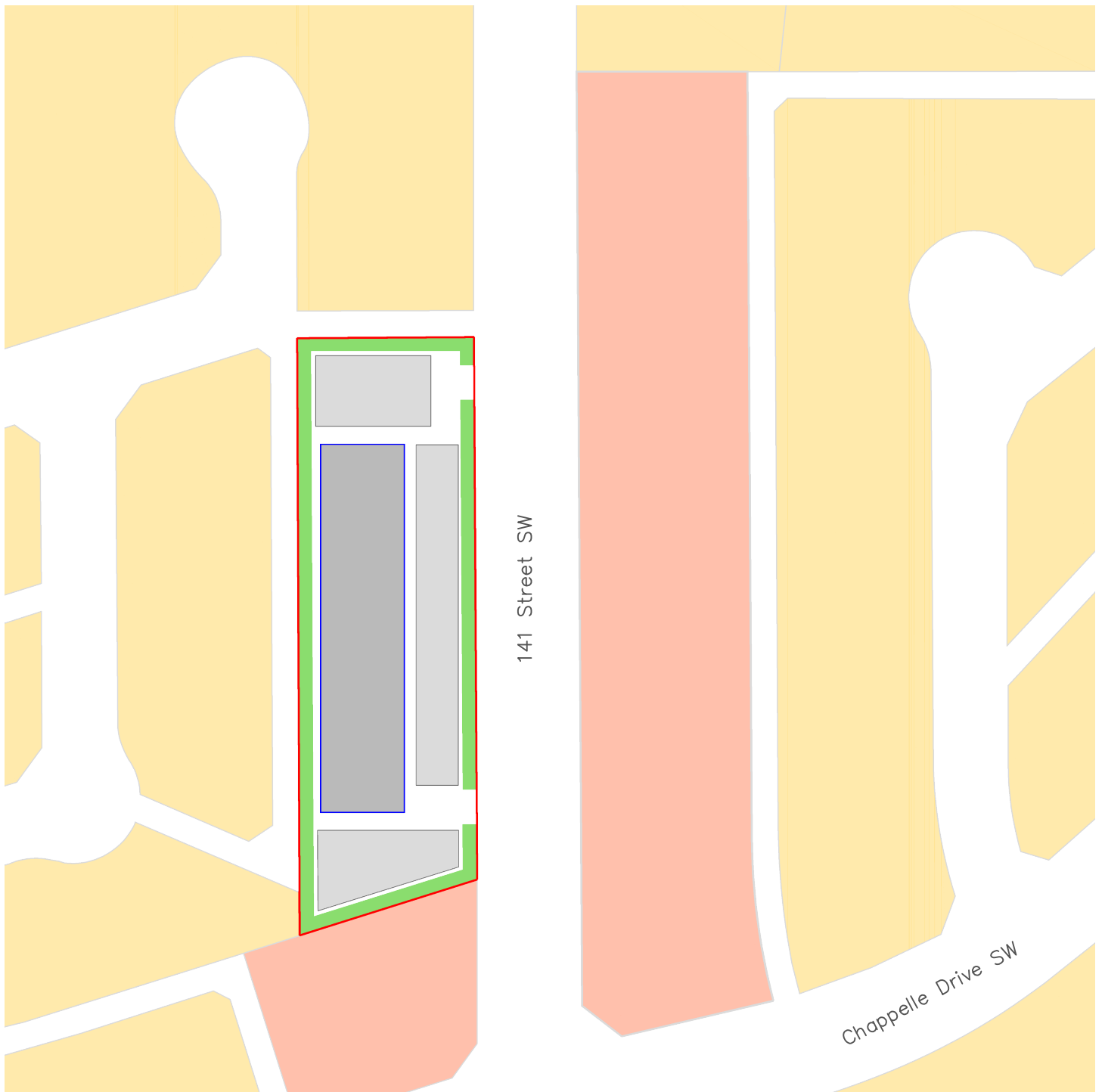
5. Site Design Regulations

- a. Buildings shall be located to the rear of each Site in general accordance with Appendix 1, Site Plan.
- b. No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a Setback.
- c. Where Uses, that may in the opinion of the Development Officer, create negative impacts such as noise, light or odours which may be noticeable on adjacent properties, and where the Site containing such Uses is directly adjacent to Sites used or zoned for residential activities, the Development Officer may, at the Development Officer's discretion, require that these potential impacts be minimized or negated. This may be achieved through a variety of measures including: Landscaping; berming or screening, which may exceed the requirements of Section 55 of this Bylaw; noise attenuation measures such as structural soundproofing; downward direction of all exterior lighting on to the proposed development; and any other measures as the Development Officer may deem appropriate.
- d. Vehicle parking, loading, storage and trash collection areas shall not be permitted to the rear of the principal building.
- e. All Setbacks abutting a residential Site shall be fenced to provide visual screening and prevent vehicle access. Space between fencing panels may be permitted to provide pedestrian access to the Site.
- f. The Site shall include entry features to contribute to the identity of the development and the overall sense of place.
- g. Any canopies, or other attached building features shall be contained within the property and may be placed within the required Setback.
- h. All exterior lighting of the site shall be designed to prevent light pollution by ensuring that illumination shall not extend beyond the boundaries of the site nor upwards into the sky to the satisfaction of the Development Officer.

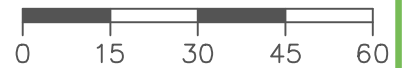
6. Building Design Regulations







- a. Façade treatment and general building design shall provide a similar architectural theme on all sides.

- b. All buildings on the Site shall comply with the following criteria:
 - i. The roof line and building Façade shall include design elements and add architectural interest; and
 - ii. Landscaping adjacent to exterior walls shall be used to minimize the perceived mass of a building and to create visual interest.
- c. 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.



Appendix 1: Site Plan



-  Site Boundary
-  Existing Residential
-  Existing Commercial
-  Landscaping
-  Building Area
-  Parking Area

SCHEDULE “C”**(DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION****1. General Purpose**

To accommodate the development of low-intensity Commercial Uses that are sensitive to the surrounding development.

2. Area of Application

Unit 18 and 19, Condominium Plan 1922086 totaling 0.83 ha more or less; located in the Chappelle Neighborhood shown on Schedule “A” of the Bylaw adopting this Provision.

3. Uses

- a. Bars and Neighbourhood Pubs
- b. Business Support Services
- c. Cannabis Retail Sales
- d. Child Care Services
- e. Commercial Schools
- f. Convenience Retail Stores
- g. Drive-in Food Services
- h. Gas Bars
- i. General Retail Stores
- j. Health Services
- k. Liquor Stores
- l. Personal Service Shops
- m. Professional, Financial and Office Support Services
- n. Rapid Drive-through Vehicle Services
- o. Restaurants
- p. Specialty Food Services
- q. Veterinary Services
- r. Fascia On-premises Signs
- s. Freestanding On-premises Signs
- t. Projecting On-premises Signs
- u. Temporary On-premises Signs

4. Development Regulations for Uses

- a. The maximum Floor Area for each non-Residential-Related Use shall be 275m²,

except that:

- i. the maximum Floor Area of each Rapid Drive-through Vehicle Services and Personal Service Shops Use shall be 1,000 m².
- ii. the maximum Floor area for General Retail Stores shall be 1,000 m².
- b. Each Bar and Neighbourhood Pub, Specialty Food Service, and Restaurant Use shall be limited to 120 m² of Public Space excluding exterior patio/deck space.
- c. The following regulations shall apply to Rapid Drive-through Vehicle Services developments:
 - i. The total number of bays shall be four; and
 - ii. All operations and mechanical equipment associated with this Use Class shall be located within an enclosed building.
- d. Cannabis Retail Sales shall comply with Section 70 of the Zoning Bylaw. Without limiting the generality of the forgoing, Cannabis Retail Sales uses shall comply with the separation distance regulations in Sections 70(1), 70(2) and 70(4) of the Zoning Bylaw.
- e. Liquor Stores shall comply with Section 85 of the Zoning Bylaw. Without limiting the generality of the forgoing, Liquor Stores shall comply with the separation distance regulations in sections 85(1) and 85(4) of the Zoning Bylaw.
- f. Child Care Service and Commercial School Use shall be contained within the southernmost portion of the Site. Specifically, these Uses shall only be contained within 116m from the southernmost point of Site Boundary as shown on Appendix 1 – Site Plan.
- g. Signs shall comply with Section 59D of the Zoning Bylaw.

5. Development Regulations for Site Layout and Built Form

- a. The development shall be in general conformance with the attached Appendices to the satisfaction of the Development Officer.

- b. The maximum Height shall be 10.0 m.
- c. The maximum Floor Area Ratio shall be 0.25.
- d. The minimum Setback shall be 3.0 m from the north, south, west, and east Lot lines.

6. Development Regulations for Building Design and Features

- a. The development shall incorporate a prominent entrance through architectural treatment and signage to the satisfaction of the Development Officer.
- b. All buildings on the Site shall comply with the following criteria to the satisfaction of the Development Officer:
 - i. Building Façades shall have consistent and harmonious exterior finishing materials;
 - ii. Canopies and other attached architectural features may be allowed to project into a required Setback;
 - iii. The roof lines and building Façades shall be consistent in concept, detail, and material, and shall provide articulation and visual interest by a combination of variation of material, colour or other design methods; and
 - iv. 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.
- c. Where a Use, that may in the opinion of the Development Officer, create negative impacts such as noise, light or odours which may be noticeable on adjacent properties, and where such Use Abuts a Site zoned to allow Single Detached Housing as a Permitted Use, the Development Officer may, at the Development Officer's discretion, require that these potential impacts be minimized or negated. This may be achieved through a variety of measures including:
 - i. Landscaping; berming or screening, which may exceed the requirements of the Zoning Bylaw;
 - ii. noise attenuation measures such as structural soundproofing; downward direction of all exterior lighting on to the proposed development; and
 - iii. any other measures as the Development Officer may deem appropriate.
- d. All Setbacks Abutting a Site zoned to allow Single Detached Housing as a

Permitted Use shall be fenced to provide visual screening and prevent vehicle access. Space between fencing panels may be permitted to provide pedestrian access to the Site.

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

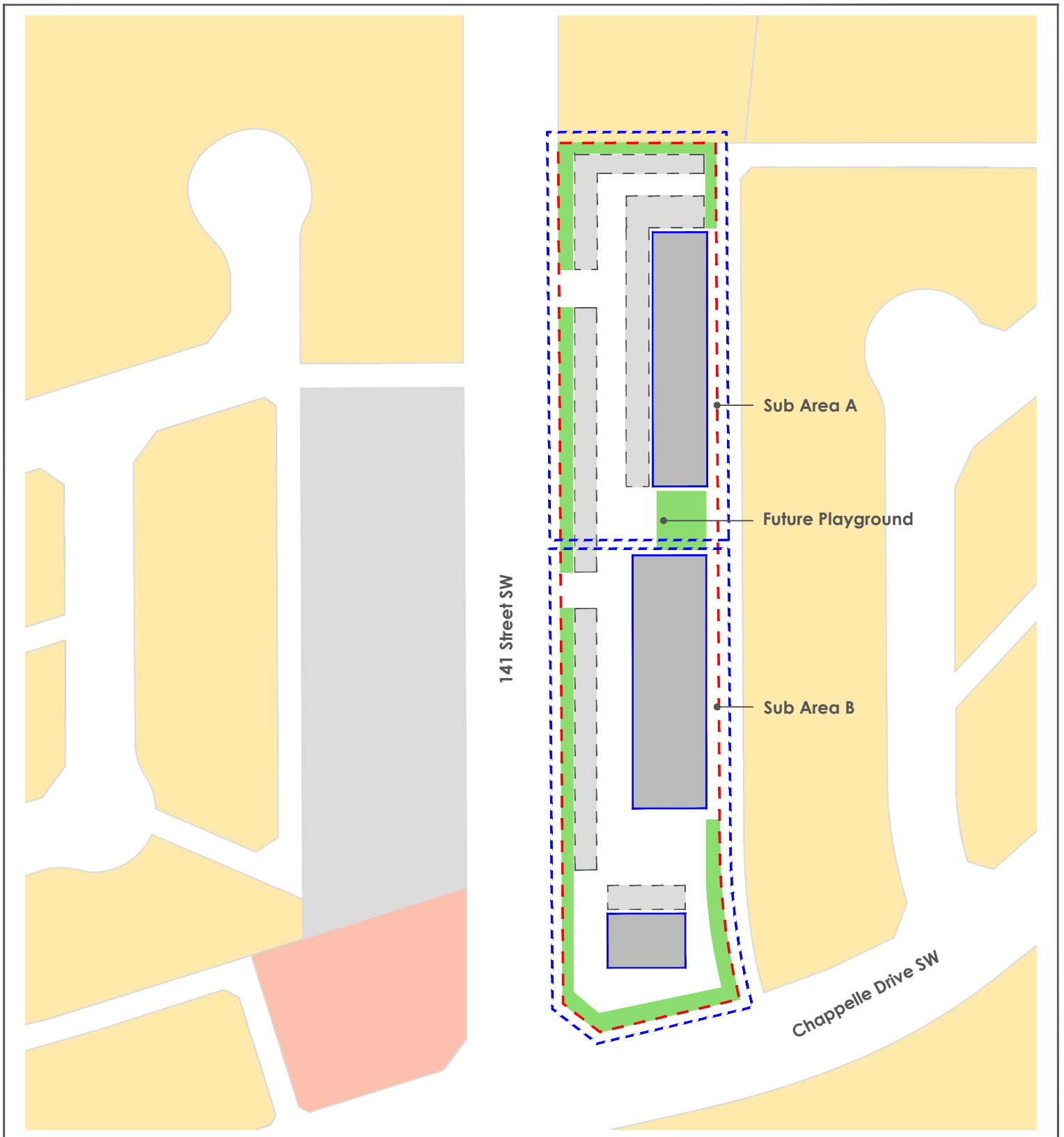
- a. Vehicular parking, loading, storage, waste collection, outdoor services, and display areas shall not be located within a required Setback.
- b. Vehicular parking, loading, storage and waste collection areas shall not be permitted to the rear of the building.

8. Development Regulations for Landscaping and Lighting

- a. Landscaping adjacent to exterior walls shall be used to minimize the perceived mass of a building and to create visual interest.
- b. Exterior lighting associated with the development shall be designed such that it has no negative impact on an adjacent property.
- c. Night-time light pollution shall be reduced by avoiding over-illumination of the development and by using exterior lighting fixtures that are full cut-off in design which direct light downward, to ensure illumination does not extend beyond the boundaries of the development Site.

9. Other Regulations

- a. Prior to the issuance of a Development Permit, except for Development Permits for demolition, excavation, shoring or signage, the applicant shall submit documentation that demonstrates, to the satisfaction of the Development Officer in consultation with Fire Rescue Services and EPCOR Water Services, that the fire flows and water servicing to the Site will be adequate for the proposed building and construction type, and be in accordance with the City of Edmonton Design and Construction Standards. The Development Officer shall verify that any infrastructure upgrades or systems required to ensure these standards are met shall be implemented in the design of the building and/or through off-site improvements.



Appendix 1: Site Plan

- Site Boundary
- Existing Residential
- Existing Commercial
- Existing DC2
- Landscaping
- Building Area
- Parking Area



Scale:

