

Charter Bylaw 19011

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 2885

WHEREAS Lots A - B, Block 3, Plan 1521821 and a portion of NE-7-52-25-4; located at 19903 - Lessard Road NW, 4045 and 4050 - 199 Street NW; Edgemont, Edmonton, Alberta, are specified on the Zoning Map as (RA7) Low Rise Apartment Zone and (CNC) Neighbourhood Convenience Commercial Zone; 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 Lots A - B, Block 3, Plan 1521821 and a portion of NE-7-52-25-4; located at 19903 - Lessard Road NW, 4045 and 4050 - 199 Street NW; Edgemont, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (RA7) Low Rise Apartment Zone and (CNC) Neighbourhood Convenience Commercial Zone to (DC2) Site Specific Development Control Provision.
2. The uses and regulations of the aforementioned DC2 Provision are annexed hereto as Schedule "B".

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

READ a first time this	23rd	day of	September	, A. D. 2019;
READ a second time this	23rd	day of	September	, A. D. 2019;
READ a third time this	23rd	day of	September	, A. D. 2019;
SIGNED and PASSED this	23rd	day of	September	, A. D. 2019.

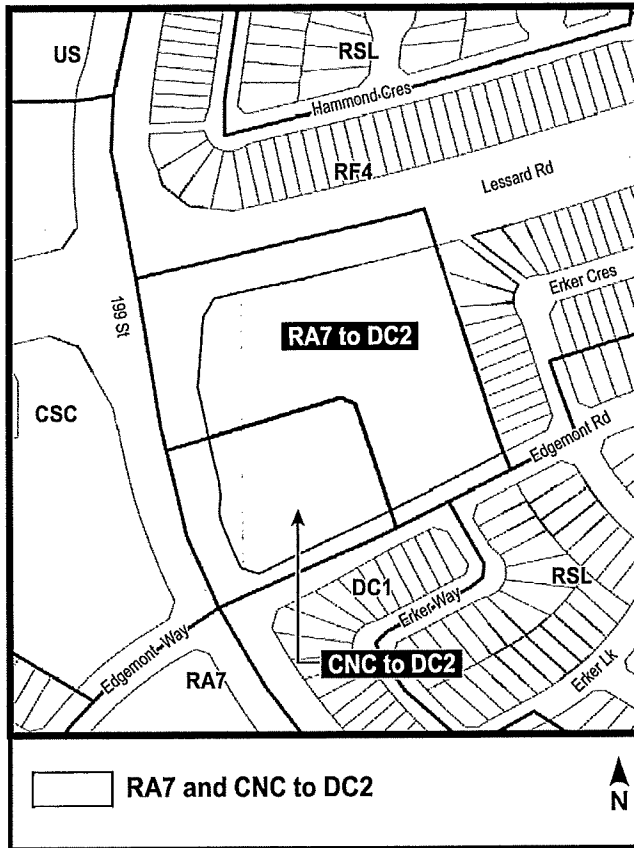
THE CITY OF EDMONTON

  
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MAYOR

  
\_\_\_\_\_  
CITY CLERK

A

**CHARTER BYLAW 19011**



**(DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION****1. General Purpose**

To create a mixed-use Site including residential row housing, stacked row housing, low or medium rise apartments with opportunity for main floor commercial, and stand-alone commercial uses in the Edgemont Neighbourhood.

**2. Area of Application**

Lots A and B, Block 3, Plan 1521821, and a portion of NE-7-52-25-4, located south of Lessard Road and east of 199 Street, as shown in Schedule "A" of the Bylaw adopting this provision, Edgemont.

**3. Uses**

- a. Apartment Hotels
- b. Bars and Neighbourhood Pubs
- c. Breweries, Wineries and Distilleries
- d. Business Support Services
- e. Cannabis Retail Sales
- f. Child Care Services
- g. Commercial Schools
- h. Convenience Retail Stores
- i. Creation and Production Establishments
- j. Drive-in Food Services
- k. Gas Bars
- l. General Retail Stores
- m. Government Services
- n. Group Home
- o. Health Services
- p. Hotels
- q. Indoor Participant Recreation Services
- r. Limited Group Home
- s. Liquor Stores
- t. Live Work Unit
- u. Lodging Houses Major Amusement Establishments
- v. Major Home Based Business
- w. Market
- x. Media Studios Minor Amusement Establishments
- y. Minor Home Based Business

- z. Minor Service Stations
- aa. Mobile Catering Food Services
- bb. Multi-unit Housing
- cc. Personal Service Shops
- dd. Private Clubs
- ee. Private Education Services
- ff. Professional, Financial and Office Support Services
- gg. Public Libraries and Cultural Exhibits
- hh. Rapid Drive-through Vehicle Services
- ii. Recycled Materials Drop-off Centre
- jj. Religious Assembly
- kk. Residential Sales Centre
- ll. Restaurants
- mm. Row Housing
- nn. Secondhand Stores
- oo. Special Event
- pp. Specialty Food Services
- qq. Urban Gardens
- rr. Urban Outdoor Farms
- ss. Veterinary Services
- tt. Fascia Off-premises Signs
- uu. Fascia On-premises Signs
- vv. Freestanding Off-premises Signs
- ww. Freestanding On-premises Signs
- xx. Major Digital Signs
- yy. Minor Digital Off-premises Signs
- zz. Minor Digital On-premises Off-premises Signs
- aaa. Minor Digital On-premises Signs
- bbb. Projecting On-premises Signs
- ccc. Roof On-premises Signs
- ddd. Temporary Off-premises Signs
- eee. Temporary On-premises Signs

**4. Development Regulations – General**

- a. Development shall be in general accordance with Appendix 1, Site Plan.
- b. Signs shall comply with the regulations of Schedule 59F.
- c. Religious Assembly shall not exceed 240 m<sup>2</sup> of Floor Area.

- d. Drive-In food Services, Gas Bars, Minor Service Stations, and Rapid Drive-Through Vehicle Service Uses shall not be permitted as part of a mixed-use building containing Residential Uses.
- e. Childcare Services shall comply with the regulations of the Zoning Bylaw, except that:
  - i. No portion of a Child Care Services Use, including the building bay and on-Site outdoor play space, where provided, shall be located adjacent to a building bay with an approved development permit for Rapid Drive-through Vehicle Services.
  - ii. No portion of a Child Care Services Use, including the building, building bay and on-Site outdoor play space, where provided, shall be located within 50 m of a Minor Service Station or a Gas Bar. This distance shall be measured from the closest pump island, fill pipes, vent pipes, or service station, to the Child Care Services Use.
  - iii. Where Site conditions exist which may negatively impact the Child Care Services Use, including but not limited to trash collection areas, large parking lots, loading docks, or arterial public roadways, the applicant shall design the building, entrances, playspaces, landscaping, and Fencing, or similar, to mitigate these conditions to the satisfaction of the Development Officer.

#### **5. Development Regulations – Area ‘A’**

- a. Residential or Residential-related Uses shall not be permitted in any freestanding structure separate from a structure containing Commercial Uses.
- b. The maximum Density in Area A shall be 90 Dwellings/ha.
- c. The maximum Floor Area Ratio shall be 2.5.
- d. The maximum Height for Commercial Uses shall not exceed 14.5 m, except that:
  - i. The maximum Height shall be increased to 23.0 m if the additional Height above 14.5 m accommodates Multi-Unit Housing.
- e. A minimum Setback of 6.0 m shall be required where the Site Abuts a public roadway, other than a Lane.

#### **6. Development Regulations – Area ‘B’**

- a. Commercial Uses shall not be permitted in any freestanding structure separate from a structure containing Residential Uses, and
  - i. Commercial Uses shall only be permitted on the first and second Storeys.
- b. The maximum Density in Area B shall be 224 Dwellings/ha.
- c. Bars and Neighbourhood Pubs, Restaurants, and Private Clubs uses shall not exceed 200 occupants and 240 m<sup>2</sup> of Public Space.

- d. The maximum Floor Area Ratio shall be 2.5.
- e. The maximum Height shall not exceed 23.0 m.
- f. A minimum Setback of 6.0 m shall be required where the Site Abuts a public roadway, other than a Lane.
- g. Where the building abuts the east property line, the following shall apply along said property line:
  - i. A minimum Setback of 7.5 m shall be required.
  - ii. Where a building exceeds 10.0 m in Height, the portion of the building exceeding said Height shall have a minimum 10.0m Setback from the property line, except that the Development Officer may reduce the minimum Setback to a minimum of 7.5m where:
    - 1. a sun shadow study, prepared by a qualified, registered Professional Engineer or Architect, demonstrates the shadow impact is minimal, using March 21 and September 21 as the benchmark; or
    - 2. variations in Yards and Stepbacks, recessed balconies, or other design techniques minimize building massing and/or shadow impacts, and provide architectural interest, complimentary to the surrounding development;
  - iii. no outdoor parking, garbage collection, common amenity areas, or outdoor storage areas shall be developed within 3.0 m of the Site boundary;
  - iv. a solid screen Fence, 1.83 m in Height, shall be installed;
  - v. design techniques including, but not limited to, the use of sloped roofs, variations in building setbacks and articulation of building façades, shall be employed in order to minimize the perception of massing of the building when viewed from adjacent residential areas and roadways;
  - vi. building finishes shall be compatible with the exterior finishing materials and colours typical of adjacent development; and
  - vii. the Development Officer may require information regarding the location of windows and Amenity Areas on adjacent properties to ensure the windows or Amenity Areas of the proposed development are placed to minimize overlook into adjacent properties.

**7. Development Regulations – Vehicular-oriented Uses**

- a. Drive-in Food Services, Gas Bars, Minor Service Stations and Rapid Drive-through Vehicle Services 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 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.
- ii. Rapid Drive-through Vehicle Services, 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 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 Rapid Drive-through Vehicle Services and 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:
    1. solid, screen Fencing constructed of wood or suitable wood-like synthetic substitute, 1.83 m in Height separating the Vehicle-oriented Use and the Residential or Residential-related Use; and
    2. 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.

## **8. Site Planning and Design**

- a. Loading and storage areas shall be located at the rear or sides of the principal building and shall be screened from view from any adjacent Sites or public roadways. If the rear or sides of a Site are used for parking, an outdoor service or display area, or both, and the Site Abuts a Residential Zone or a Lane serving a Residential Zone, such areas shall be screened.



- b. All mechanical equipment, including roof mechanical units, shall be concealed from street level view by screening in a manner compatible with the architectural character of the building or by incorporating it within the building.
- c. A Landscape Plan prepared by a registered Landscape Architect with the Alberta Association of Landscape Architects, shall be submitted for review and approval by the Development Officer prior to the approval of any Development Permit.
- d. Entrances for Residential and Residential-related Uses shall be separate from those of Commercial Uses.
- e. Digital Signs shall be designed, located or screened so as to reduce visual and light impacts on Residential Uses.

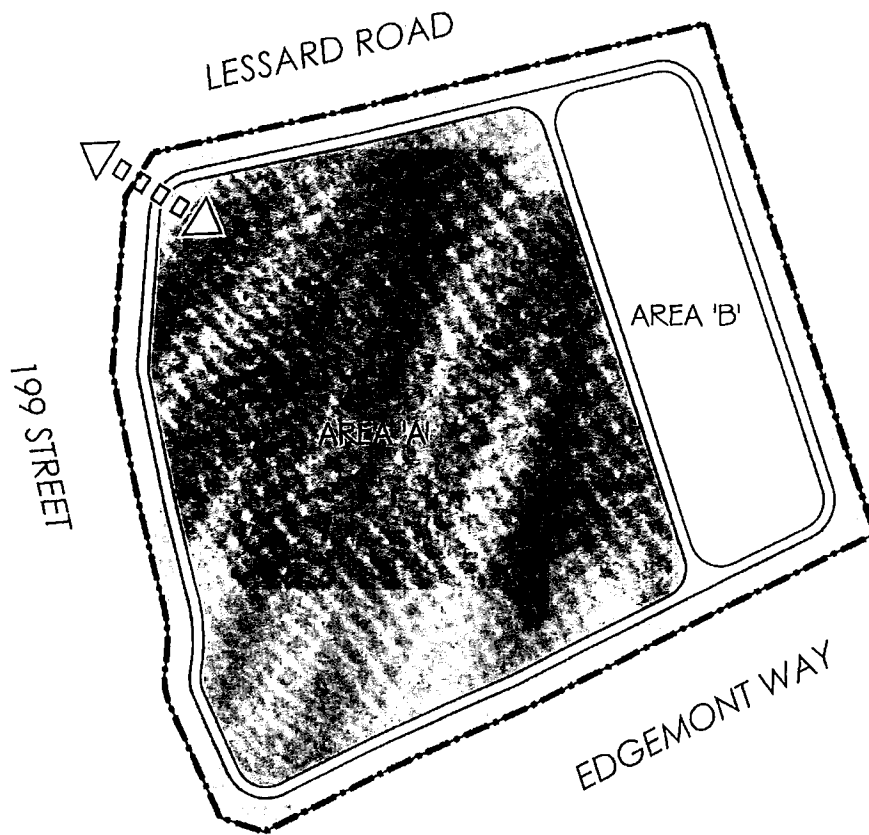
**9. Access, Circulation, and Parking**

- a. Parking regulations may be relaxed at Development Permit stage if supported by a Parking Impact Assessment at the discretion of the Development Officer in consultation with Subdivision and Development Coordination.
- b. Parking, outdoor service or display areas, or both, that Abut the existing Residential Zone to the east, shall be screened through use of landscape treatment and fencing to the satisfaction of the Development Officer.
- c. On-Site pedestrian circulation shall be provided by ensuring that sidewalks, Walkways, Amenity Areas and parking areas are connected, and are connected to public sidewalks and walkways.
- d. Accesses to arterials roadways shall conform to current approved engineering plans.
- e. Accesses onto Edgemont Way shall meet Access Management Guidelines and be to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination.





**10. Off-site Improvements**

- a. The owner shall enter into an agreement with the City of Edmonton for off-site improvements necessary to serve the development. The agreement process includes an engineering drawing review and approval process. Improvements shall be implemented at the Development Permit stage and include, but are not limited to:
  - i. Construction of access(es) to Edgemont Way.

Appendix I – Site Plan



**LEGEND**

-  AREA 'A' - Commercial / Mixed Use
-  AREA 'B' - Residential / Mixed Use
-  Landscape Setback
-  Pedestrian Connection

Note: Site accesses from arterial roads must conform to current approved engineering plans.

Access to collector road must meet Access Management Guidelines