

Charter Bylaw 19486

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 3115

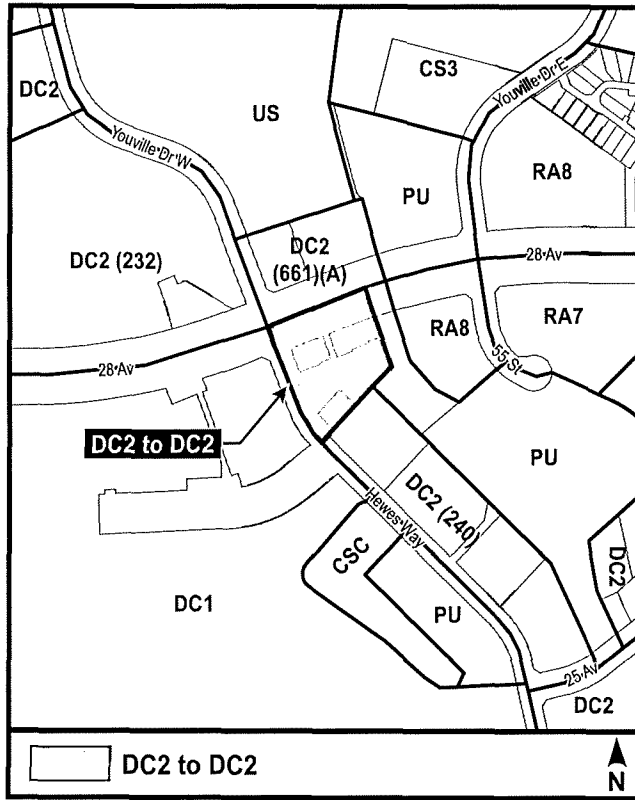
WHEREAS Units 1 and 2, Plan 1021680; located at 6107 – 28 Avenue NW and 2761 Hewes Way NW, Mill Woods Town Centre, Edmonton, Alberta, are specified on the Zoning Map as (DC2) Site Specific Development Control Provision; and

WHEREAS an application was made to rezone the above described property 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 Units 1 and 2, Plan 1021680; located at 6107 – 28 Avenue NW and 2761 Hewes Way NW, Mill Woods Town Centre, 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".

CHARTER BYLAW 19486



## **(DC2) Site Specific Development Control Provision**

### **Part IV Edmonton Zoning Bylaw**

#### **DC2.1 General Purpose**

To establish a Site Specific Direct Control Provision to accommodate retail uses and a limited range of general commercial uses, with site development regulations that will ensure compatibility with adjacent land uses and comply with the development objectives of the Mill Woods Station Area Redevelopment Plan for the "Main Street" commercial component.

#### **DC2.2 Area of Application**

This DC2 Provision shall apply to Unit 1 and 2, Plan 1021680, as shown on the sketch plan to the Bylaw adopting this DC2 Provision; Mill Woods Town Centre.

#### **DC2.3 Uses**

1. Bars and Neighbourhood Pubs
2. Business Support Services
3. Cannabis Retail Sales
4. Child Care Services
5. Commercial Schools
6. Convenience Retail Stores
7. General Retail Stores
8. Government Services
9. Health Services
10. Household Repair Services
11. Indoor Participant Recreation Services
12. Liquor Stores
13. Minor Amusement Establishments
14. Personal Service Shops
15. Professional, Financial and Office Support Services
16. Restaurants
17. Specialty Food Services
18. Veterinary Services
19. Fascia on-premises signs
20. Freestanding on-premises signs
21. Projecting on-premises signs
22. Temporary on-premises signs

#### **DC2.4 Development Criteria**

1. The general site layout and development shall be in general accordance with the site plan as illustrated in Appendix I to this Provision.

2. The maximum floor area ratio shall be 0.5. The allowable floor area for the site shall be distributed among a number of separate buildings, generally in accordance with the site plan attached as Appendix I.
3. The freestanding developments at the corners of Hewes Way and 28 Avenue shall be permitted a maximum gross floor area of 750 m<sup>2</sup>. For the balance of the site, any individual business premise shall be allowed a maximum gross floor area of 370 m<sup>2</sup> provided that, in the opinion of the Development Officer, the scale of the business would not prejudice the achievement of the "Main Street Commercial" character for the site as a whole.
4. The maximum building height shall not exceed 8 m nor one storey except that roofline architectural features such as cupolas, steeples or clock towers, may be allowed a maximum overall height of 12 m.
5. A landscaped yard, a minimum of 6.0 m in width shall be provided along Hewes Way. Landscaping treatment therein shall consist of three mature coniferous trees and three mature deciduous trees and 20 shrubs for each 30 m of lineal yard, which shall be provided to the satisfaction of the Development Officer.
6. Buildings facing 28 Avenue shall have a varied setback of between 0 m to 6.0 m in accordance with the site plan. Within this setback area, landscaped areas will be required adjacent to the freestanding buildings at the corner of Hewes Way and 28 Avenue in accordance with the site plan attached as Appendix I, to the satisfaction of the Development Officer. The boulevard adjacent to the 28 Avenue curb and parking area shall be landscaped at the expense of the owner with a minimum of 30 mature deciduous trees spaced at an interval of 8 m along the north and south boulevards of 28 Avenue. The boulevard and that portion of the site between the setback for buildings facing onto 28 Avenue and the property line adjacent to the boulevard shall be hard surfaced at the expense of the owner. This hard surfacing shall achieve a varied texture and pattern of finish through the use of a variety of hard surface materials, which may include lockstone, brick pavers, tiles, and patterned concrete. In addition, the owner shall provide benches and waste receptacles within this boulevard area.
7. A 3 m landscaped yard shall be provided adjacent to the east property line and a 2 m landscaped yard shall be provided adjacent to the south property line. The landscape treatment for these yards shall consist of three mature deciduous and three mature coniferous trees for each 40 m of lineal yard, to the satisfaction of the Development Officer. Landscaping within the interior of the site shall be provided substantially in accordance with the site plan attached as Appendix I.
8. A detailed landscaping plan for the entire project incorporating the requirements of clause 4(5), (6), and (7) above shall be submitted to and approved by the Development Officer prior to the approval of any development permit. These plans shall include details of pavement materials, fencing details, exterior lighting and street furniture elements, pedestrian seating areas, sizes and species of new plantings, exits to parking lots, and soil depth including special provisions to facilitate

natural plant growth, for the entire project. Where the landscape provisions of this Provision require mature trees, deciduous trees shall have a minimum caliper of 8 cm and coniferous trees shall have a minimum height of 3 m.

9. 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 a security being that:
  - a. if the landscaping is not completed in accordance with the provisions of this Provision 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
  - b. 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.
10. Vehicular access and egress to and from the site shall not be permitted from 28 Avenue. Access and egress from Hewes Way will be restricted to the general location and type identified in Appendix I to this Provision, with the final location and geometric details to be to the satisfaction of the General Manager of the Transportation Department.
11. No parking, loading, storage, trash collection, outdoor service or display areas shall be permitted within a required yard. Loading, storage and trash collection areas shall be located to the sides or rear of the principal buildings and shall be screened from view from any adjacent sites or public roadways.
12. Development in this Provision shall be in accordance with the following architectural guidelines, to the satisfaction of the Development Officer:
  - a. the design of the project shall establish a single architectural theme or period architecture and the principal design elements, finishing materials, colours and roof style shall be applied to each building, with minor variations, regardless of the staging sequence of the project;
  - b. all buildings along 28 Avenue shall have a pedestrian orientation to 28 Avenue with direct entrances to each retail use provided at grade;
  - c. the roofline of buildings shall consist of sloped roofs of varying pitches, and may include gable ends, dormers or steeples, and be finished with cedar shakes, clay tiles or metal roof materials having a similar texture and appearance;
  - d. both rooflines and building facades shall include design elements and variations that will reduce the perceived mass and linearity of large buildings and add architectural interest;

- e. the predominant exterior finishing materials shall consist of light, earth-toned brick, stucco, stone or other masonry materials having a similar character, with cedar or metal trim restricted to accents, having regard to the objective of ensuring that the development is of a high quality that is compatible with the Mill Woods Town Centre Architectural Design Guidelines;
  - f. all exposed sides of the buildings shall be finished in a consistent harmonious manner; and
  - g. all mechanical equipment on the roof of any building shall be completely screened or incorporated in the roof envelope.
13. Appropriate lighting of the project shall be undertaken to provide security and to add visual interest. Lighting shall be directed away from the adjacent roadways.
14. A Comprehensive Sign Design Plan and Schedule consistent with the overall intent of Section 59.3 of the Zoning Bylaw shall be prepared for each phase of the Development to be approved by the Development Officer, having regard to the following additional requirements:
- a. freestanding signs shall be used for identification of the centre and not for tenant identification with the exception of the freestanding buildings at the corners of Hewes Way and 28 Avenue; and shall be limited to two pedestal type signs for the centre and one each for the freestanding buildings not exceeding a height of 3.5 m and a sign area of 4.5 m<sup>2</sup>; no part of a freestanding sign shall extend beyond the property line and each sign shall have a separation distance of at least 20 m;
  - b. no permanent or temporary sign shall be allowed above the roofline;
  - c. only one permanent window business identification sign shall be allowed per window per business and the area of the sign shall not exceed twenty five percent (25%) of the window in which it is located. A business may display permanent window signs at the first level only;
  - d. individual business identification signs located on the facade shall be similar as to proportion, construction materials and placement. The design, placement and scale of the signs shall be to the satisfaction of the Development Officer, so as to ensure that signage does not detract from the overall appearance of the development and that signage is not obtrusive.
5. Temporary signs, including portable signs of a freestanding nature, shall be allowed in accordance with Section 59 of the Zoning Bylaw, subject to the following criteria:
- a. One temporary freestanding sign, designed to the satisfaction of the Development Officer, may also be used for Real Estate Advertising purposes, such sign shall not exceed a maximum height of 3.0 m nor a sign area of 2.97 m<sup>2</sup> and shall be used for a period of 90 consecutive days, after the completion of each phase of the project.

- b. Real Estate leasing signs shall be restricted to one window sign per business premise, located at the ground level of buildings. Such signs shall not cover more than 25 percent of the area of the window where the sign is displayed.

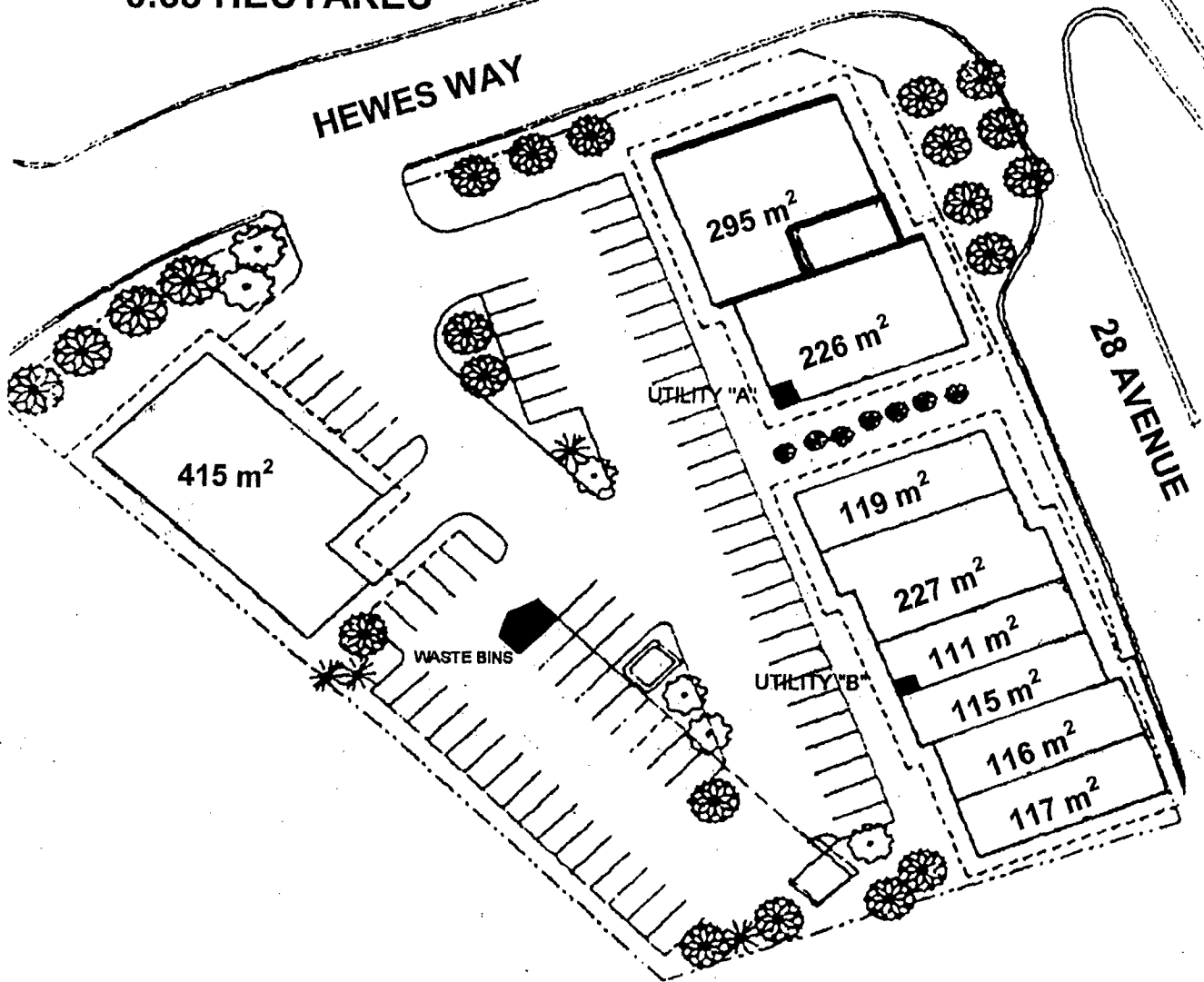
**DC2.5 Additional Development Criteria for Specific Uses**

1. Indoor Participant Recreation Services shall be limited to athletic clubs and health fitness centres, and may be permitted in a single commercial building.
2. Child Care Services shall be located such that direct access at grade can be provided to an outdoor play area. A site design indicating facilities and landscaping shall be provided for any outdoor play area. This design shall be reviewed and approved by the Development Officer in consultation with the appropriate members of the Citizen Services Department. The play area shall be located away from vehicular-oriented uses and from parking and loading areas on the site and shall be enclosed by building walls or a screen fence, a minimum of 1.8 m high.
3. Financial institutions may be permitted a drive-through access provided that such access is located at the rear of the building and does not adversely affect the pedestrian orientation of the development to 28 Avenue, to the satisfaction of the Development Officer.
4. Notwithstanding Section 70(2)(a) and 70(3)(a) of the Zoning Bylaw, Cannabis Retail Sales shall be permitted on Site provided that:
  - a. Any Cannabis Retail Sales shall not be located less than 200 m from a public library. The 200 m separation distance shall be measured from the entrance of the Cannabis Retail Sales Use to the entrance of the public library; and,
  - b. Any Cannabis Retail Sales use shall not install signage or advertise in any way that is visible from the public library.



MILLWOODS MAINSTREET

6107 28 AVENUE  
EDMONTON AB  
PLAN 9121024  
BLOCK 7  
LOT 5  
T6L 6N5  
0.68 HECTARES



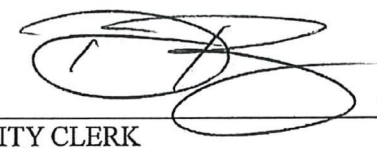


3. The sketch plan annexed hereto as Schedule "A" and the uses and regulations of the DC2 Provision shown on Schedule "B" annexed hereto are hereby incorporated into the Zoning Bylaw, being Part IV to Bylaw 12800, The Edmonton Zoning Bylaw.

READ a first time this 8<sup>th</sup> day of December, A. D. 2020;  
READ a second time this 8<sup>th</sup> day of December, A. D. 2020;  
READ a third time this 8<sup>th</sup> day of December, A. D. 2020;  
SIGNED and PASSED this 8<sup>th</sup> day of December, A. D. 2020.

THE CITY OF EDMONTON

  
MAYOR

  
A/ CITY CLERK