

Charter Bylaw 18711

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 2734

WHEREAS Lots 13 and 14, Block 36, Plan 2429HW; located at 5335 - 112 Avenue NW, Highlands, Edmonton, Alberta, are specified on the Zoning Map as (RF1) Single Detached Residential Zone; 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 Lots 13 and 14, Block 36, Plan 2429HW; located at 5335 - 112 Avenue NW, Highlands, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (RF1) Single Detached Residential 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	day of	, A. D. 2021;
READ a second time this	day of	, A. D. 2021;
READ a third time this	day of	, A. D. 2021;
SIGNED and PASSED this	day of	, A. D. 2021.

THE CITY OF EDMONTON

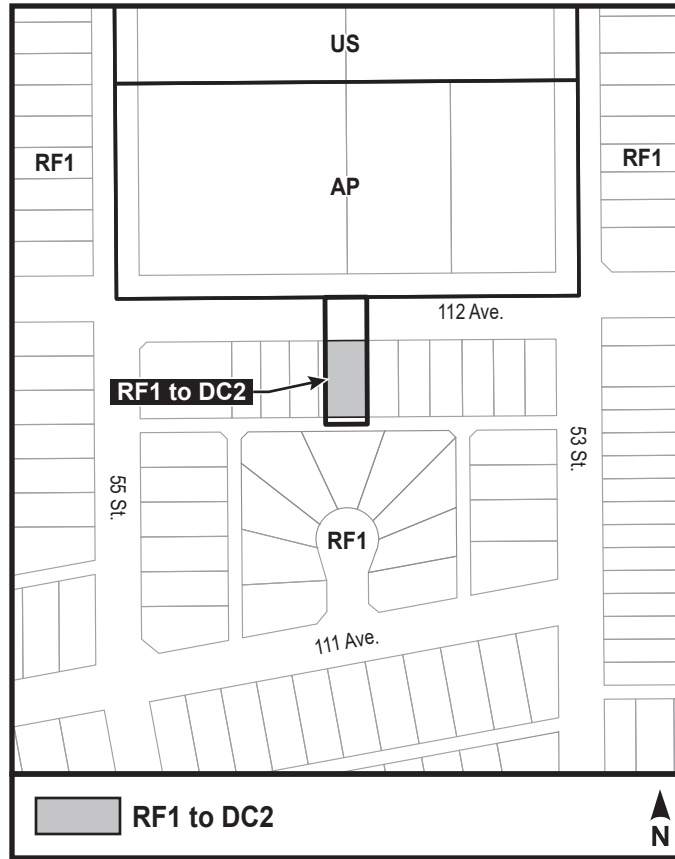
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MAYOR

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CITY CLERK

CHARTER BYLAW 18711



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

To accommodate limited neighborhood convenience commercial and personal service uses within the existing building on-site as of the date of passage of this bylaw, and to allow for the opportunity for future commercial or residential redevelopment of the property that is compatible with the low density residential character of the surrounding community.

**2. Area of Application**

This Provision shall apply to Lots 13 and 14, Block 36, Plan 2429HW, south of 112 Avenue at a mid-block location between 53 Street NW and 55 Street NW, as shown in Schedule "A" of the Charter Bylaw adopting this Provision, Highlands.

**3. Uses**

- a. Child Care Services
- b. Convenience Retail Stores
- c. Creation and Production Establishments
- d. Duplex Housing
- e. Garden Suite
- f. General Retail Stores
- g. Health Services
- h. Live Work Unit
- i. Minor Home Based Business
- j. Market
- k. Personal Service Shops
- l. Professional, Financial and Office Support Services
- m. Public Libraries and Cultural Exhibits
- n. Residential Sales Centre
- o. Restaurants
- p. Secondary Suite

- q. Secondhand Stores
- r. Semi-detached Housing
- s. Single Detached Housing
- t. Specialty Food Services
- u. Supportive Housing, restricted to Limited Supportive Housing
- v. Urban Gardens
- w. Veterinary Services
- x. Fascia On-premises Signs
- y. Projecting On-premises Signs

#### **4. Development Regulations for Uses**

- a. Restaurants and Specialty Food Services shall not exceed 120m<sup>2</sup> of Public Space, excluding exterior patio/deck space.
- b. Personal Service shops shall not include Body Rub Centres.
- c. Notwithstanding Sign Schedule 59H, the following regulations apply for signs:
  - i. Fascia On-premises Signs shall be subject to the following regulations:
    - A. Fascia On-premises Signs shall only face a public roadway other than a Lane;
    - B. The top of a Fascia On Premises Sign shall not extend more than 30 cm above the building roof or parapet wall;
    - C. any Fascia On-premises Sign that extends over a public right-of-way or passageway intended for pedestrian travel shall maintain a minimum clearance of 2.4 m;
    - D. any Fascia On-premises Sign may cover up to 50% of the face of the wall where it is displayed; and
    - E. Fascia On-premises Signs may be illuminated.
  - ii. Projecting On-premises Signs shall be subject to the following regulations:
    - A. any Projecting On-premises Sign shall not be less than 2.4 m above Grade;

- B. the top of a Projecting On-premises Sign on a building two Storeys or higher shall not extend more than 75 cm above the floor of the second Storey;
  - C. any Projecting On-premises Sign and its supporting structure may project a maximum of 2.0 m;
  - D. the horizontal separation distance between a Projecting On-premises Sign and its support structure and the curb line of a public roadway shall be not less than 0.6 m;
  - E. not more than one Projecting On-premises Sign shall be allowed for each individual business premises Frontage;
  - F. notwithstanding Section 4(c)(ii)(E), one additional Projecting On-Premises Sign may be permitted per building for the purpose of advertising businesses that do not have access at ground level.
  - G. Projecting On-premises Signs shall be erected in such manner that the structural support elements are designed or concealed so as to appear as an integral part of the overall Sign design and such that no angle iron bracing, guide wires or similar support elements are visible from a public roadway or other public right-of-way;
  - H. Projecting On-premises Signs may be illuminated; and
  - I. Projecting Signs shall be located within 1.0 m of each individual business entrance of the building facing a public roadway other than a Lane.
- d. A Comprehensive Sign Design Plan, with a focus on pedestrian-oriented signs and promoting building identity, shall be submitted with a Development Permit application for:
- i. the redevelopment of the Site with Non-Residential or non-Residential-Related uses;
  - ii. the construction of a new principal building with Non-Residential or non-Residential Related uses;
  - iii. the exterior alteration of the entire existing principal building; or
  - iv. any new Development Permit, at the discretion of the Development Officer.
- e. Duplex Housing, Garden Suites, Supportive Housing, Minor Home Based Businesses, Secondary Suites, Semi-detached Housing, and Single Detached

Housing shall only be permitted if the existing building on-site as of the date of passage of this bylaw is demolished and if such developments are in compliance with Section 9 of this Provision.

### **5. Development Regulations for Site Layout and Built Form**

- a. The following shall apply to Non-Residential and non Residential-Related uses:
  - i. Development shall be in general conformance with the Appendices of this Provision;
  - ii. The maximum Building Height shall not exceed 6.0 m;
  - iii. The maximum Floor Area Ratio shall be 1.0; and
  - iv. No setbacks shall be required, except the minimum Rear Setback shall be 7.5 m.

### **6. Development Regulations for Building Design and Features**

- a. Blank walls or non-transparent wall segments shall not exceed 5.0 m in linear Frontage.

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

- a. The following section applies to only Non-Residential and non-Residential-Related uses.
  - i. Parking shall be in accordance with the Zoning Bylaw except that:
    - A. The minimum number of on-site vehicular parking spaces shall be 4;
    - B. The maximum number of on-site vehicular parking spaces shall be 6; and
    - C. Vehicular parking spaces shall be located at the rear of the building, except that one on-street loading space and one accessible parking space shall be located on public right-of-way in general accordance with the attached appendices and shall be designed to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation) and Parking Services; and
  - ii. A waste collection area shall be located adjacent to the rear Lane and be designed to the satisfaction of the Development Officer in consultation with Waste Management Services and Subdivision and Development Coordination (Transportation).

## **8. Development Regulations for Landscaping and Lighting**

- a. The following section applies to only Non-Residential and non-Residential-Related uses.
  - i. Enhanced landscaping at the rear of the building, including a minimum of 6 trees, shall be provided to offer additional screening, as shown in Appendix I;
  - ii. On-Site landscaping shall use plant materials that provide colour throughout the year to enhance the appearance of the development during cold weather months; and
  - iii. 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 the Zoning Bylaw as amended; 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.

## **9. Other Regulations**

- a. Notwithstanding the other regulations of this Provision, if the building existing at the time of passage of this Provision is damaged, destroyed, or demolished to more than 75% of the value of the building above its foundations, the following shall apply:
  - i. The building may not be repaired or rebuilt to accommodate non-Residential or non-Residential Related uses unless it complies with the regulations of this Provision, except that:
    - A. The minimum Front Setback shall be 4.5 m;
    - B. The minimum Side Setbacks shall be 3.0 m; and
    - C. The maximum building Height shall be 10.0 m.
  - ii. Any new building or buildings designed to accommodate Residential Uses shall comply with the regulations of this Provision except that:



- A. Appendix I shall not apply.
- B. The Front Setback shall be a minimum of 5.0 m and a maximum of 8.0 min.
- C. Side Setbacks shall be a minimum of 1.2 m, and:
  - a. the applicant shall provide information regarding the location of side windows of the Dwellings on the Abutting properties and Amenity Areas on Abutting properties;
  - b. the side windows of the proposed Dwelling shall be located to reduce overlook into Amenity Areas of the Abutting properties; and
  - c. the proposed Dwelling shall incorporate design techniques, such as, but not limited to, translucent window treatment, window location, raised windows, or Privacy Screening, to reduce direct line of sight into the windows of the Dwelling on the Abutting property.
- D. The minimum Rear Setback shall be 12.0 m.
- E. The maximum Height shall not exceed 8.9 m.
- F. The maximum site coverage shall be 42%.
- G. The Basement elevation shall be no more than 1.5 m above Grade. The Basement elevation shall be measured as the distance between Grade and the finished floor of the first Storey.
- H. When a structure is greater than 7.5 m in Height, the width of any one Dormer shall not exceed 3.6 m except that:
  - a. The aggregate total width of one or all Dormers shall not exceed one third of the length of the building's wall in which the Dormers are located.
- I. Platform Structures located within a Rear Yard or interior Side Yard, and greater than 1.0 m above the finished ground level, excluding any artificial embankment, shall provide Privacy Screening to prevent visual intrusion into Abutting properties.
- J. Platform Structures or single Storey Unenclosed Front Porches may project from the first Storey of a Dwelling a maximum of 2.0 m into a required flanking Side Setback, provided that a minimum

of 1.5 m is maintained between the flanking Side Lot Line and the Platform Structure or Unenclosed Front Porch.

- K. A minimum distance of 1.2 m shall be maintained from one Side Lot Line to the outside wall of all projections from the first Storey.
- L. Semi-detached Housing shall have:
  - a. a portion of the principal front Façade of each principal Dwelling staggered a minimum of 0.6 m behind or forward from the principal front Façade of the other attached principal Dwelling; and
  - b. a portion of the principal rear Façade of each principal Dwelling staggered a minimum of 0.6 m behind or forward from the principal rear Façade of the other attached principal Dwelling.
- M. To improve architectural interest of the principal structure(s), design techniques such as variations in roof lines, use of different exterior finishing materials, articulation of building Façades, or varied architectural designs shall be used on all Façades facing a public roadway, other than a Lane.
- N. Vehicular access shall be from the Lane.
- O. Parking shall comply with regulations for Low-density Residential contained within Section 54 of the Zoning Bylaw as amended.
- P. Front and rear attached Garages shall not be allowed.
- Q. A principal Dwelling shall be separated from a rear detached Garage by a minimum of 3.0 m.
- R. Garage or Garden Suites shall be fully contained within the rear 12.8 m of the Site.
- S. Except for Garden Suites, each Dwelling that has direct access to ground level shall have an entrance door or entrance feature facing a public roadway, other than a Lane.
- T. Signs shall comply with Section 59A of this Bylaw as amended and Projecting On-premises Signs shall not be permitted.
- U. Prior to the issuance of a Development Permit for new building construction involving Residential Uses, additional Environmental Site Assessment work shall be submitted and reviewed to the

satisfaction of the Development Officer in Consultation with City Planning (Environmental Planner). The Development Officer shall impose any Development Permit conditions necessary, prior to the release of drawings for Building Permit review, to ensure that the Site is suitable for the full range of Uses contemplated in the Development Permit Application.

#### **10. Public Improvements and Contributions**

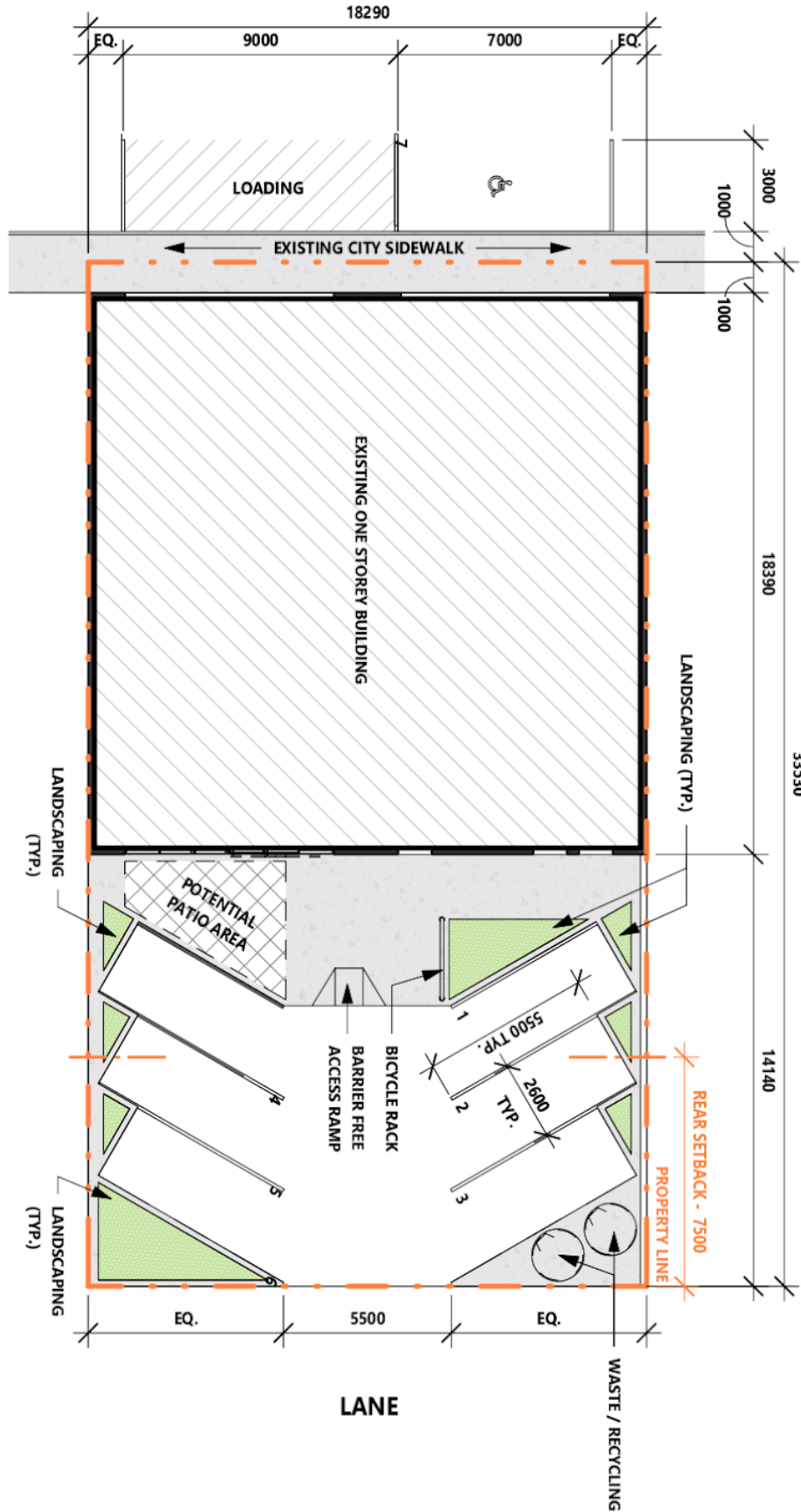
- a. As a condition of any Development Permit, the owner shall enter into an Agreement with the City of Edmonton for off-site improvements necessary to serve the development, such improvements to be constructed at the owner's cost, and to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation) and Parking Services. The agreement process includes an engineering drawing review and approval process. Improvements to address in the Agreement include, but are not limited to:
  - i. Construction of a curb ramp within road right-of-way adjacent to the on-street accessible parking stall.

12/12

112 AVENUE NW



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A101  
Site Plan  
1 : 200



2020-03-19

Appendix I –Site Plan for Non-Residential and non-Residential-Related Uses