

Charter Bylaw 19963

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 3390

WHEREAS Lot 53B, Block 18, Plan 9120984; located at 5403 - 38 Avenue NW, Hillview, Edmonton, Alberta, is 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, and notwithstanding Section 720.3(2) of the Edmonton Zoning Bylaw, 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 Lot 53B, Block 18, Plan 9120984; located at 5403 - 38 Avenue NW, Hillview, 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".

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.

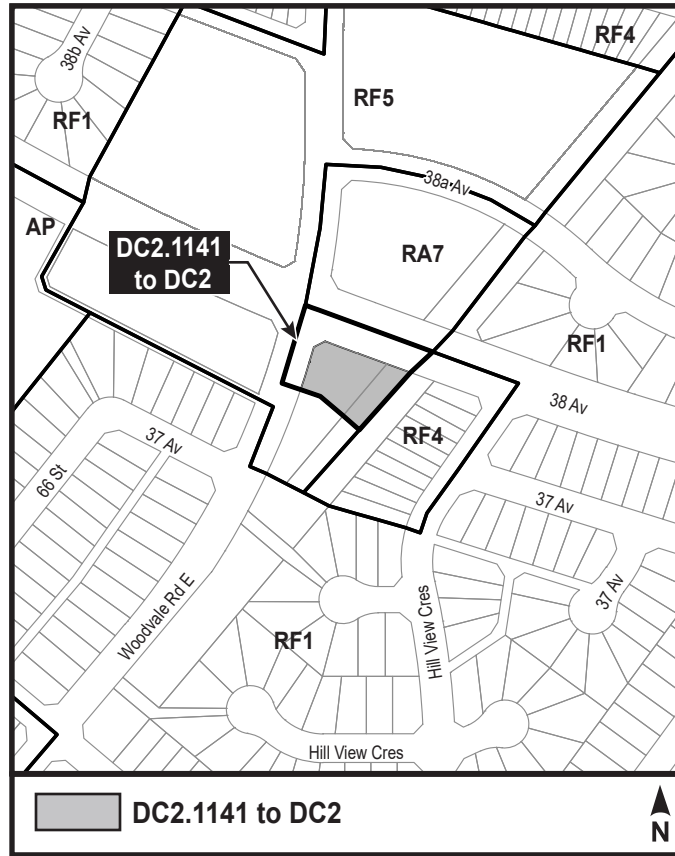
READ a first time this	23rd day of February	, A. D. 2022;
READ a second time this	23rd day of February	, A. D. 2022;
READ a third time this	23rd day of February	, A. D. 2022;
SIGNED and PASSED this	23rd day of February	, A. D. 2022.

THE CITY OF EDMONTON

  
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MAYOR

  
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CITY CLERK

CHARTER BYLAW 19963



**SCHEDULE "B"****DC2 Site Specific Development Control Provision****1. General Purpose**

To establish a Site Specific Development Control District to accommodate a limited number of commercial uses and to ensure compatibility with surrounding land uses.

**2. Area of Application**

This District shall apply to Lot 53B, Block 18, Plan 912 0984; located on the southeast corner of 38 Avenue and Woodvale Road East, as shown on Schedule "A" appended to the Bylaw adopting this DC2 District, Hillview.

**3. Uses**

- a. Cannabis Retail Sales
- b. Convenience Retail Stores
- c. Gas Bars
- d. Specialty Food Services
- e. Restaurants
- f. Bars and Neighbourhood Pubs for less than 100 Occupants
- g. Liquor Stores
- h. Fascia On-premises Signs
- i. Freestanding On-premises Signs
- j. Projecting On-premises Signs
- k. Temporary On-premises Signs

**4. Development Criteria**

- a. The maximum floor area for the Convenience Retail Store shall be 200 m<sup>2</sup>
- b. A landscaped yard a minimum of 3 m in width shall be provided adjacent to 38 Avenue and Woodvale Road East. Landscaping shall consist of four deciduous trees (a minimum of 8 cm in caliper), four coniferous trees (a minimum of 3.0 m in height), and 20 shrubs for every 30 m of frontage, with the plant material being grouped in modules not greater than 25 m in length.
- c. A landscaped yard of 3 m in width shall be provided adjacent to the south property line. Within this yard a combination of continuous screen fencing, 1.8 m in height, and a continuous row of shrubs, 1.0 m in height shall be provided. The screen fence shall be located in the east portion of the landscaped yard while the

row of shrubs shall be located on the west portion of the site so as to achieve a distinct landscaped break between any parking lots and/or access driveways on the site and the site to the south. The location of the screen fence and the shrubs shall be to the satisfaction of the Development Officer.

- d. Continuous screen fencing of a solid and durable design, 1.82 m in height, shall be provided adjacent to the east property line prior to any surface disturbances being undertaken adjacent to this property line.
- e. For developments which are approved after the date of August 24, 1999, a development setback of 7.5 m for all buildings, structures and underground storage tanks shall be provided adjacent to the east property line (pipeline right-of-way).
- f. No parking, loading, storage, trash collection, outdoor service, or display area shall be permitted within a required yard. Parking, loading, storage, and trash collection areas shall be located in such a manner as to be screened from view from all adjacent sites and public roadways.
- g. Development in the District shall comply with the following architectural guidelines:
  - i the siting of the buildings and the placement of the windows shall be oriented so as to minimize opposing views to the adjacent residential areas to the east of this site;
  - ii the perceived massing of the building when viewed from the adjacent residential areas to the west, north and east shall be minimized through the use of building setbacks, the articulation of building facades and roof lines, and the choice and colour of finishing materials, all to the satisfaction of the Development Officer;
  - iii all finishing materials must be of good quality, durable and attractive in appearance, with consistent treatment on all faces of the building;
  - iv an architectural and landscaping theme compatible with the adjacent residential neighbourhood shall be created through the exterior treatment of buildings on the site and through the use of landscaping techniques and planting materials; and
  - v all mechanical equipment on the roof of the building shall be completely screened or incorporated in the building roof.
- h. All exterior lighting for the site shall be designed so that such lighting is directed away from any adjacent residential development, and the intensity of illumination shall not extend beyond the boundaries of the site.
- i. Access to the site shall be provided from 38 Avenue and Woodvale Road to the satisfaction of Subdivision and Development Coordination (Transportation).
- j. Signs shall comply with the regulations found in Schedule 59D.
- k. Notwithstanding Sections 11.3 and 11.4 of the Land Use Bylaw, the Development Officer shall not grant any variance to the requirement of Section 4(f) of this Bylaw.

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

- a. Any Gas Bar development shall adhere to the following regulations:
  - i the design, finishing, and siting of gas pump islands and shall be to the satisfaction of the Development Officer having regard to achieving a consistent and compatible relationship with the overall design and finishing of the project, ensuring a high standard of appearance when viewed from adjacent public roadways, and minimizing traffic circulation conflicts both off and on-site; and
  - ii any canopy located over the gas pump islands shall be designed and finished in a manner consistent with the design and finishing of the principal building, with the overall height and scale of the canopy to be to the satisfaction of the Development Officer, such that the canopy is not obtrusive and is lower than, or maintains the consistency with, the eave line or parapet of the principal building.