

Charter Bylaw 18640

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 2699

WHEREAS Lot 56, Block 1, Plan 9123322; located at 4333 - 50 Street NW, Jackson Heights, 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, 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 56, Block 1, Plan 9123322; located at 4333 - 50 Street NW, Jackson Heights, 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	10th	day of	December	, A. D. 2018;
READ a second time this	10th	day of	December	, A. D. 2018;
READ a third time this	10th	day of	December	, A. D. 2018;
SIGNED and PASSED this	10th	day of	December	, A. D. 2018.

THE CITY OF EDMONTON

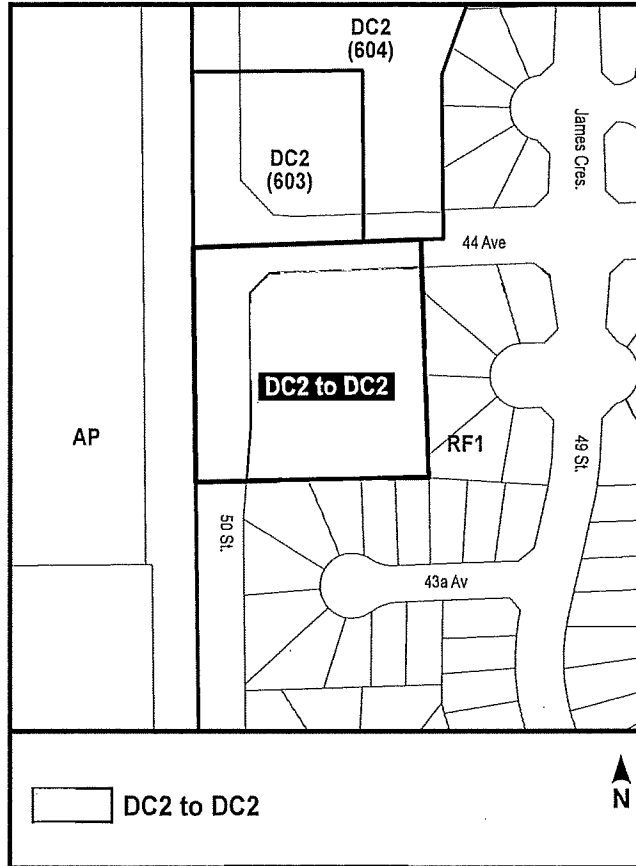


MAYOR



A/CITY CLERK

CHARTER BYLAW 18640



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

To establish a Site Specific Development Control District to accommodate a limited range of local convenience commercial and personal service uses which are intended to serve the day-to-day needs of the neighbourhood residents, with site development criteria to ensure that the commercial development will be compatible with the adjacent residential Zonings.

2. Area of Application

Lot 56, Block 1, Plan 9123322; located on the southeast corner of 50 Street and 44 Avenue, **Jackson Heights**, as shown on Schedule "A" appended to the Bylaw adopting this provision.

3. Uses

- a. Business Support Services
- b. Cannabis Retail Sales
- c. Child Care Services
- d. Commercial Schools
- e. Convenience Retail Stores
- f. Gas Bars
- g. General Retail Stores
- h. Government Services
- i. Health Services
- j. Household Repair Services
- k. Indoor Participation Recreation Services
- l. Minor Alcohol Sales
- m. Personal Service Shops
- n. Postal Kiosk as defined in Clause 5(g)
- o. Professional, Financial and Office Support Services
- p. Restaurants
- q. Second Hand Stores
- r. Specialty Food Services
- s. Veterinary Services
- t. Fascia On-premises Signs

- u. Freestanding On-premises Signs
- v. Projecting On-premises Signs
- w. Temporary On-premises Signs

4. Development Criteria

- a. Notwithstanding Section 720.3 (2), no Site Plan is required to be appended to this Provision.
- b. The maximum gross floor area of any individual business premise, excluding Minor Alcohol Sales, shall not exceed 400 m² except that the Development Officer may allow an individual business premise to have a gross floor area up to 600 m² provided that in his opinion the proposed business is primarily intended to serve residents of the neighbourhood and would not adversely affect the amenity and enjoyment of the surrounding residential land uses.
- c. The maximum floor area ratio shall be 0.35.
- d. The maximum building height shall neither exceed 6.0 m nor one storey.
- e. A building setback of 10 m from 44 Avenue and 50 Street shall be provided for the principal building(s) except that the Development Officer may relax this setback to a minimum of 6.0 m for a single building or structure not exceeding 100 m² in gross floor area. A minimum building setback of 6.0 m shall be provided from the southern and eastern property lines
- f. A landscaped yard a minimum of 5.0 m in width shall be required adjacent to the west and north property lines. The landscaping of the yards shall include a minimum of three deciduous trees (a minimum of 7.6 cm in caliper), three coniferous trees (a minimum of 3 m in height) and 15 shrubs for each 30 m of frontage, planted in groupings that enhance the overall appearance of the site, to the satisfaction of the Development Officer.
- g. The overall design and finish of buildings shall approximate a residential character and buildings shall be constructed using a harmonious architectural theme, through compliance with the following criteria, to the satisfaction of the Development Officer:
 - i. all buildings shall have sloped roofs, finished with cedar shakes, asphalt shingles, clay tiles, or other roofing materials which are consistent with the roofing materials and colours generally associated with single detached residential development;
 - ii. all mechanical equipment on the roof of any building shall be concealed by screening in a manner compatible with the architectural character of the building, or concealed by incorporating it within the building roof; and
 - iii. all exposed building faces shall be finished in a consistent and harmonious manner, with exterior finishes limited to muted tones and with strong

colours limited to use as accents. Exterior finishing materials shall be consistent with those generally associated with single detached residential development and may include brick or other high quality masonry materials.

- h. To ensure that a high standard of appearance and a sensitive transition to the surrounding Zonings are achieved, detailed landscaping plans shall be submitted with the initial development permit application for approval by the Development Officer which, in the opinion of the Development Officer, comply with the planting requirements specified by Clauses 4(f) and (g) of this District.
- i. Yard lighting along the rear portions of the site be shielded and directed downwards, away from the residential properties to the south and east.
- j. Landscaping shall be in accordance with Section 55.
- k. Signs shall be allowed in accordance with Schedule 59D and the general provisions of Section 59, inclusive, of the Zoning Bylaw and the following additional criteria:
 - i. freestanding signs shall be limited to placement along the northern and western frontages of the site, with the signs on the northern frontage being a minimum of 30 m from the east property line of the site; and
 - ii. the design, placement, and illumination of signage shall be consistent with the intended character of the development and such that there is no adverse visual impact on surrounding residential properties, to the satisfaction of the Development Officer.
- l. No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required yard. Loading, storage and trash collection areas shall be located in a manner that minimizes their impact on the adjacent residential areas to the satisfaction of the Development Officer, and shall be screened from view from any adjacent sites or public roadways in accordance with the provisions of Section 69.3 of the Zoning Bylaw
- m. Development shall be evaluated with respect to compliance with the General Development Regulations of Sections 40 to 98 inclusive of the Zoning Bylaw, with the exception that parking shall be provided on the basis of 3.5 spaces per 100 m² of gross floor space in buildings, with the exception of one parking space per four seats in Restaurants and Specialty Food Services
- n. The Development Officer may grant relaxations to Sections 50 to 79 of the Zoning Bylaw and the provisions of this District, if in his opinion such a variance would be in keeping with the general purpose of this District and would not affect the amenities, use and enjoyment of neighbouring properties.
- o. The Development Officer may grant relaxations to the regulations contained in Sections 40 to 98 of the Zoning Bylaw and the provision of this zone if, in his opinion, such a variance would be in keeping with the General Purpose and would not adversely affect the amenities, use and enjoyment of the neighbouring properties.

5 Additional Development Criteria for Specific Uses

- a. Gas Bars and associated access aisles and queuing spaces shall be developed in accordance with Section 72 of the Zoning Bylaw and:
 - i. shall be located a minimum of 20 m from the east and south property lines, to the satisfaction of the Development Officer; 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 maintains consistency with the eave line of the principal buildings.
- b. Child Care Services shall be developed in accordance with Section 80 of the Zoning Bylaw and shall be located such that direct access at grade can be provided to an outdoor play area. The outdoor play area, which shall be approved by the Development Officer in consultation with the General Manager of Community Services, 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 in height.
- c. Indoor Participation Recreation Services shall be limited to health and fitness facilities.
- d. Cannabis Retail Sales shall be developed in accordance with Section 70 of the Zoning Bylaw.
- e. Restaurants shall not exceed 350 occupants and 420 m² of Public Space
- f. Specialty Food Services shall not exceed 200 occupants and 240 m² of Public Space.
- g. For the purposes of this DC2 District, a Postal Kiosk is defined as a modular unit containing a maximum of 420 locking mail receptacles, parcel compartments, stamp vending equipment and other ancillary postal components for the use and convenience of neighbourhood residents. The Postal Kiosk may be situated as a freestanding unit mounted on a concrete pad or integrated as part of a proposed commercial building.
- h. The design, finishing and siting of a Postal Kiosk shall be to the satisfaction of the Development Officer having regard to achieving a consistent and compatible relationship within the context of the overall architectural theme of the project. The Postal Kiosk shall be designed and finished to ensure a high standard of appearance when viewed from adjacent public roadways and shall be sited to minimize on site and off site traffic circulation conflicts.