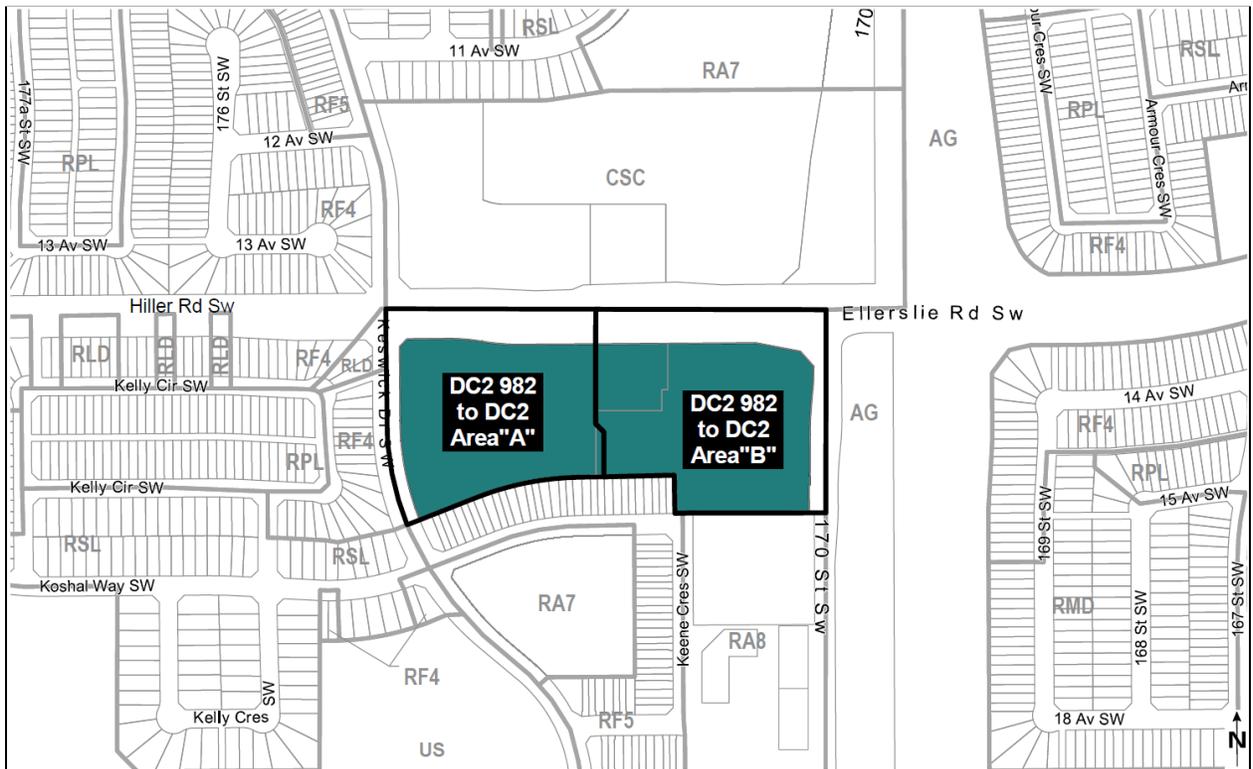




ADMINISTRATION REPORT **REZONING** KESWICK

1003 KESWICK DRIVE SW and 1770 KEENE CRESCENT SW



Recommendation: That Charter Bylaw 19744 to amend the Zoning Bylaw from (DC2) Site Specific Development Control Provision to (DC2) Site Specific Development Control Provision be **APPROVED**.

Administration is in **SUPPORT** of this application because:

- the site meets the locational requirements for Cannabis Retail Sales under Section 70 of the Zoning Bylaw; and
- the proposed DC Zoning conforms with the intent of the Keswick Neighbourhood Structure Plan.

Report Summary

This rezoning application was accepted from Eric Sehn (IBI Group) on behalf of Surecan Keswick GP Ltd. The proposal conforms with the Keswick Neighbourhood Structure Plan (NSP) which designates the site for Mixed Use - Residential/Commercial.

The Application

CHARTER BYLAW 19744 proposes to rezone the site from (DC2) Site Specific Development Control Provision to (DC2) Site Specific Development Control Provision. The current (DC2) Provision allows for a mixed use development. The proposed (DC2) Provision will add Cannabis Retail Sales to the list of uses allowed within Area A of the site, and adjust the zoning boundary line between "Area A" and "Area B" based on the built form and intended development for the site.

Site and Surrounding Area

The site is 4.8 ha in size and is under development. It is located South of Ellerslie Road SW and west of 170 Street SW in the Keswick neighbourhood.



AERIAL VIEW OF APPLICATION AREA

	EXISTING ZONING	CURRENT USE
SUBJECT SITE	<ul style="list-style-type: none"> (DC2) Site Specific Development Control Provision 	<ul style="list-style-type: none"> Shopping Centre (under development)
CONTEXT		
North	<ul style="list-style-type: none"> (CSC) Shopping Centre Zone 	<ul style="list-style-type: none"> Shopping Centre (under development)
East	<ul style="list-style-type: none"> (AG) Agricultural Zone 	<ul style="list-style-type: none"> Undeveloped land (future 170 St alignment)
South	<ul style="list-style-type: none"> (RF5) Row Housing Zone (RA8) Medium Rise Apartment Zone 	<ul style="list-style-type: none"> Row Housing Mid-Rise Apartment Housing (6 storeys)
West	<ul style="list-style-type: none"> (RF4) Semi-detached Residential Zone (RLD) Residential Low Density Zone 	<ul style="list-style-type: none"> Semi-detached Housing Single Detached Housing

Planning Analysis

The DC2 Provision is compatible with surrounding existing and planned land uses and conforms with the Keswick Neighbourhood Structure Plan, which designates this site for Mixed Use - Residential/Commercial.

The site meets the locational requirements for Cannabis Retail Sales under Section 70 of the Zoning Bylaw. Section 70 will apply to the proposed (DC2) Provision in accordance with Section 69 (Special Land Use Provisions) which states:

“The Special Land Use Provisions apply to the Uses listed in any Zone or Direct Control Provision in which they are located. They shall take precedence and be applied in addition to the requirements of the Zone, except where a Zone, Direct Control Provision or Overlay specifically excludes or modifies these provisions with respect to any Use.”

Technical Review

Transportation & Transit:

Administration from the Transportation and Transit teams support the proposed rezoning application. With development of the site, the owner will be required to construct a sidewalk along 170 Street adjacent to the site.

The subject site will be allowed four vehicular accesses, including:

- an all-directional access from Keswick Drive SW;
- access to Keene Crescent SW;
- a right-in/right-out/left-in access from Hiller Road; and
- a right-in/right-out access from 170 Street.

Any modifications to the existing accesses will require review and approval from Administration.

The owner(s) will be required to construct pedestrian walkways within the site to connect 170 Street SW, Hiller Road SW, Keswick Drive SW and Keene Crescent SW.

Keene Crescent was constructed as an enhanced local road with a 10.0m carriageway within an 18.0 m road right-of-way.

There is currently no bus service within the Keswick neighbourhood. ETS intends to provide regular bus service to Keswick in the future but implementation is dependent on demand and available funding for transit.

On-demand transit is now available in portions of Keswick. On-demand transit is a Council directed, two-year pilot project operated by a third-party contractor that provides a bookable, shared ride bus service to select neighbourhoods. This allows ETS to introduce a public transit option to newer communities until implementation of regular bus service is feasible.

Drainage

The proposed rezoning can be supported by the planned drainage infrastructure. Storm and sanitary infrastructure will be provided at the subdivision stage.

EPCOR Water

EPCOR Water supports the proposed rezoning application and advises of the following for the servicing of the site:

Proposed Area A is currently serviced by a 300mm water service off the existing 300mm water main on Keswick Drive SW. If this service will not be utilized for servicing the planned development, it must be abandoned back to the water main prior to any on-site excavation.

There are no existing services into Proposed Area B. The completion of the required Hydraulic Network Analysis will provide details about the required water servicing, on-street fire protection and offsite water construction.

Edmonton Public and Catholic School Boards

Both the Edmonton Public and Edmonton Catholic School Districts were notified of the rezoning proposal. The Edmonton Catholic School District (ECSD) consulted with Administration for their interpretation that the proposed rezoning satisfies the Cannabis Retail Sales separation distances required under Section 70 of the Zoning Bylaw as there is a ECSD K-9 School and abutting park to the south of the subject parcel for the rezoning.

Section 70 of the Zoning Bylaw states that Cannabis Retail Sales are to be located:

- a) a minimum of 200 m from a site being used for public or private education; and
- b) a minimum of 100 m from:
 - i) a site being used for community recreation services use or a community recreation facility;
 - ii) a site being used as public lands (sites zoned AP or A); and
 - iii) a site designated as school reserve or municipal and school reserve.

Administration applied the 200 m buffer to the school site property and concluded that the proposed rezoning area satisfies the separation distances required by the Zoning Bylaw.

All other comments from affected City Departments and utility agencies have been addressed.

Community Engagement

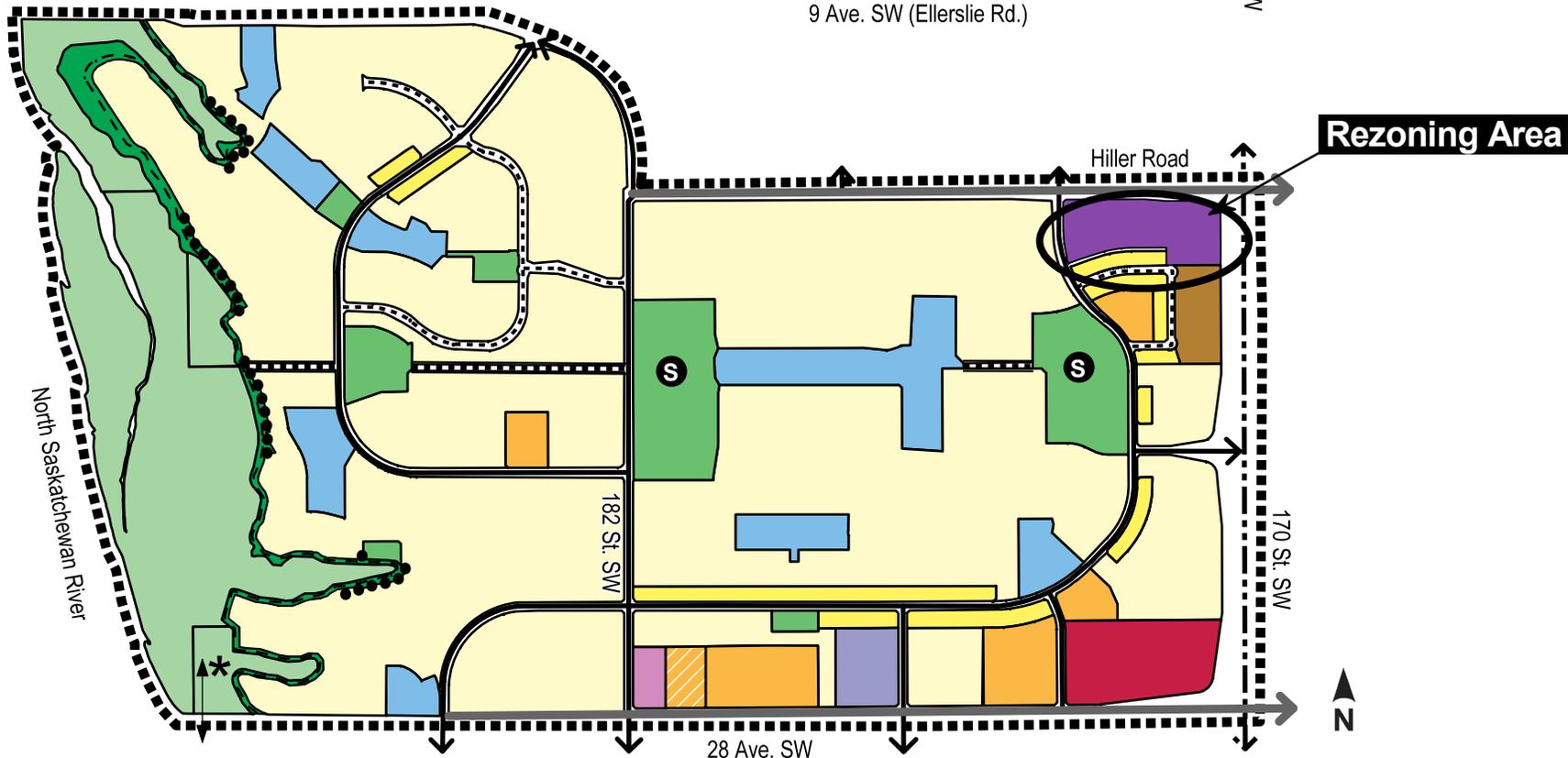
DC2 PRE-NOTIFICATION March 2, 2021	<ul style="list-style-type: none">● Number of Recipients: 98● Number of responses with concerns: 1<ul style="list-style-type: none">○ Does not support cannabis retail in this neighbourhood
ADVANCE NOTICE April 15, 2021	<ul style="list-style-type: none">● Number of recipients: 94● Number of responses with concerns: 1<ul style="list-style-type: none">○ Does not support cannabis retail in this neighbourhood
WEBPAGE	<ul style="list-style-type: none">● edmonton.ca/keswickplanningapplications

Conclusion

Administration recommends that City Council **APPROVE** this application.

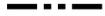
APPENDICES

- 1 Context Plan Map (Keswick NSP)
- 2 DC2 Track Changes
- 3 Application Summary



**BYLAW 18972
KESWICK
Neighbourhood Structure Plan
(as amended)**

Note: In case of contradiction between the land use concept and other figures in the plan, the concept takes precedence.

	Single/Semi-Detached Residential		Community Commercial		Top of Bank & Public Upland Area Interpreted by Aerial Photography
	Low Rise/ Multi-/ Medium Units		Stormwater Management Facility		Top of Bank Roadway
	Rowhouse		Park		11.5m Enhanced Local Roadway Connection
	Medium Rise Units		School and Community Park		Collector Roadway
	High Rise Units		Public Upland Area		Arterial Roadway
	Mixed Use - Institutional/ Residential		North Saskatchewan River Valley and Ravine		Urban Freeway
	Mixed Use - Residential/Commercial		Major Pedestrian Linkage		NSP Boundary
	Neighbourhood Commercial		Top of Bank Walkway		

Note: Location of collector roads and configuration of stormwater management facilities are subject to minor revisions during subdivision and rezoning of the neighbourhood and may not be developed exactly as illustrated..

DC2 Site Specific Development Control Provision Keswick Commercial Mixed-Use

1. General Purpose

To create a horizontal mixed-use Site including standalone shopping centre commercial Uses that service the community and medium Density residential housing as a stand-alone buildings within the Site with opportunities for main floor commercial within residential buildings.

2. Area of Application

This Provision shall apply to Lot A, Block 16, Plan1721049 and a portion of Lot 14, Block 16, Plan1622716, south of Hiller Road and west of 170th Street SW, Keswick, as shown on Schedule “A” attached to the Bylaw adopting this Provision and as identified on [the](#) Appendix “1” [Site Plan](#) attached.

3. Uses – Mixed Use (Area A)

- ~~a.~~ ~~Apartment Housing~~
- ~~b.~~a. Apartment Hotels
- ~~e.~~b. Bars and Neighbourhood Pubs
- c. Business Support Services
- d. [Cannabis Retail Sales](#)
- e. Child Care Services
- f. Commercial Schools
- g. Convenience Retail Stores
- h. Drive-in Food Services
- i. General Retail Stores
- j. Government Services
- k. ~~Group Homes~~
- l. Health Services
- m. Indoor Participant Recreation Services
- ~~n.~~ ~~Limited Group Homes~~
- n. [Liquor Stores](#)
- o. Live Work Units
- p. Lodging Houses
- ~~q.~~ ~~Major Alcohol Sales~~
- ~~r.~~q. Major Home Based Business

- ~~s-r.~~ Media Studios
- ~~t.~~ Minor Alcohol Sales
- ~~u-s.~~ Minor Amusement Establishments
- ~~v-t.~~ Minor Home Based Business
- ~~w-u.~~ Minor Service Stations
- v. Mobile Catering Food Services
- ~~x-w.~~ Mult-unit Housing
- ~~y-x.~~ Personal Service Shops, excluding Body Rub centres
- ~~z-y.~~ Private Clubs
- ~~aa-z.~~ Professional, Financial and Office Support Services
- ~~bb-aa.~~ Public Libraries and Cultural Exhibits
- ~~ee-bb.~~ Rapid Drive-through Vehicle Services
- ~~dd-cc.~~ Religious Assembly
- ~~ee-dd.~~ Restaurants
- ~~ff-ee.~~ Residential Sales Centre
- ~~gg.~~ Row Housing
- ~~hh-ff.~~ Secondhand Stores
- ~~ii-gg.~~ Specialty Food Services
- ~~jj-hh.~~ Stacked Row Housing
- ~~kk-ii.~~ Urban Gardens
- ~~ll-jj.~~ Urban Indoor Farms
- ~~mm-kk.~~ Veterinary Services
- ~~nn-ll.~~ Fascia On-premises Signs
- ~~oo-mm.~~ Freestanding On-premises Signs
- ~~pp-nn.~~ Minor Digital Signs Off-premises Signs
- ~~qq-oo.~~ Minor Digital On-premises Signs
- ~~rr-pp.~~ Minor Digital On-premises Off-premises Signs
- ~~ss-qq.~~ Projecting On-premises Signs
- ~~tt-rr.~~ Temporary On-premises Signs

4. **Uses –Commercial (Area B)**

- a. **Automotive and Equipment Repair Shops**
- b. **Bars and Neighbourhood Pubs**

- c. Business Support Services
- d. Commercial Schools
- e. Convenience Retail Stores
- f. Creation and Production Establishments
- g. Drive-in Food Services
- ~~h.~~ ~~Flea Markets~~
- ~~i.~~ h. Gas Bars
- ~~j.~~ i. General Retail Stores
- ~~k.~~ j. Government Services
- ~~l.~~ k. Health Services
- l. Indoor Participant Recreation Services
- m. Liquor Stores
- ~~n.~~ ~~Major Alcohol Sales~~
- n. Markets
- o. Media Studios
- ~~p.~~ ~~Minor Alcohol Sales~~
- ~~q.~~ p. Minor Amusement Establishments
- ~~r.~~ q. Minor Service Stations
- ~~s.~~ r. Mobile Catering Food Services
- ~~t.~~ s. Personal Service Shops, excluding Body Rub Centres
- ~~u.~~ t. Private Clubs
- ~~v.~~ u. Professional, Financial and Office Support Services
- ~~w.~~ v. Public Libraries and Cultural Exhibits
- ~~x.~~ w. Rapid Drive-through Vehicle Services
- ~~y.~~ x. Religious Assembly
- ~~z.~~ y. Restaurants
- ~~aa.~~ z. Secondhand Stores
- ~~bb.~~ aa. Specialty Food Services
- ~~cc.~~ bb. Urban Gardens
- ~~dd.~~ cc. Urban Indoor Farms
- ~~ee.~~ dd. Veterinary Services
- ~~ff.~~ ee. Warehouse Sales
- ~~gg.~~ ff. Fascia On-premises Signs

- ~~hh~~.~~gg~~. Freestanding On-premises Signs
- ~~ii~~.~~hh~~. Minor Digital ~~Signs~~ Off-premises Signs
- ~~jj~~.~~ii~~. Minor Digital ~~Signs~~ On-premises Signs
- ~~kk~~.~~jj~~. Minor Digital ~~Signs~~ On-premises Off-premises Signs
- ~~ll~~.~~kk~~. Projecting On-premises Signs
- ~~mm~~.~~ll~~. Temporary On-premises Signs

5. Development Regulations (Area A and Area B)

- a. The Site shall be developed in general accordance with the Site Plan, as shown on Appendix 1.
- b. The maximum Height shall not exceed 14.5 m for flat, mansard and gambrel roofs, or 16.0 m for a roof type with a pitch of 4/12 (18.4 degrees) or greater.
- c. The maximum Floor Area Ratio shall be 1.4.
- d. A minimum Setback of 6.0 m shall be required.
- e. Notwithstanding the other regulations of this Provision, where any building Abuts a Site zoned Residential, the following regulations shall apply along the property line:
 - i. A 1.8 m high fence shall be required to protect the amenities of the nearby residential areas.
 - ii. A 1.0 m high berm in general accordance with the Site Plan shall be required.
- f. Separation Space shall be provided in accordance with this Bylaw, except that it shall not be required where side walls of Abutting buildings face each other and habitable windows are not located directly opposite each other, such that privacy is not impacted to the satisfaction of the Development Officer and:
 - i. in the case of buildings on separate Sites, each development complies with the Setback requirements for the building;
 - ii. in the case of buildings on the same Site, the separation distance between buildings is at least ~~equal to~~ 12.0 m.
- g. Notwithstanding the other regulations of this Provision, where any building exceeds 10.0 m in Height or is a Multi-unit Project Development, the following regulations shall apply:
 - i. For buildings that exceed 10.0 m in Height, the portion of the building exceeding the said Height shall have a minimum 10.0 m Stepback from the property line except that:
 - A. The Development Officer may reduce the minimum Stepback where:
 - I. 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
- II. variations in Setbacks and Stepbacks, recessed balconies, or other design techniques minimize building massing and shadow impacts, and provide architectural interest, complimentary to the surrounding development to the satisfaction of the Development Officer;
- ii 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; and
- iii The Development Officer may require information as part of the development permit application 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.
- h. No outdoor parking, garbage collection, common amenity areas, or outdoor storage areas shall be developed within 3.0 m of the property line.
- i. Parking, outdoor service or display areas, or both, that Abut a Residential Zone or a Lane serving a Residential Zone, shall be screened to the satisfaction of the Development Officer.
- j. Parking for residential and commercial Uses shall be separate and marked by signage.
- k. The Site, consisting of Area A and Area B, shall contain a maximum Floor Area of 7827 square metres of standalone Commercial Uses.
- l. A detailed Landscape Plan shall be submitted by a registered Landscape Architect, in accordance with the Zoning Bylaw, for review and approval by the Development Officer prior to the approval of any Development Permit.
- m. The Landscape Plan shall include landscape features (e.g. hedges, decorative fences, low walls, shrubs, or other plant material) as indicated on the [Appendix “1” Site Plan](#).
- m.n. [Minor Pedestrian Linkages shall be in general conformance with the attached Appendix “1” Site Plan and shall provide pedestrian connectivity throughout the site. Exact locations of the Minor Pedestrian Linkages shall be determined at the Development Permit Stage.](#)

- n.o. All mechanical equipment, including roof mechanical units shall be concealed by screening or incorporation within the building roof in a manner that is consistent with the finishing of the building of the building and the overall architectural style of the development.
- o.p. Façade treatment of building(s) located along public frontages and/or adjacent to residential zones shall provide a consistent architectural profile and create a sensitive design interface with adjacent buildings and Uses.
- p.q. Bars and Neighbourhood Pubs will have a maximum capacity of 200 occupants and 240 m² of Public Space.

6. Additional Development Regulations for Area A

- a. The maximum Density shall be 125 Dwellings/ha.
- b. Multi-unit Housing~~Apartment Housing~~ shall be permitted above the office or retail component of a shopping centre or as a standalone building within the Mixed Use Area.
- c. The residential component of the development shall be designed and located so as to minimize any impacts from the commercial component of the development related to noise, traffic circulation or loss of privacy.
- d. In mixed-use buildings, Residential Uses shall have access at Grade that is separate from the commercial premises.
- e. A minimum of 1.15 ha shall be residential uses as the primary use.
- f. Child Care Services shall not be located within 15.0 m of a building containing any of the following uses: Automotive and Equipment Repair Shop, Gas Bars, and Rapid Drive-through Vehicle Services.
- g. In mixed-use buildings, Drive-In Food Services and Rapid Drive-Through Vehicle Service Uses are not allowed~~not permitted~~.

APPLICATION SUMMARY

INFORMATION

Application Type:	Rezoning
Charter Bylaw:	19744
Location:	South of Ellerslie Road SW and west of 170 Street SW
Addresses:	1003 - Keswick Drive SW and 1770 - Keene Crescent SW
Legal Descriptions:	Lot 47 & 48, Block 16, Plan 1920717
Site Area:	4.8 ha
Neighbourhood:	Keswick
Notified Community Organization:	Greater Windermere Community League
Applicant:	Eric Sehn; Select Engineering

PLANNING FRAMEWORK

Current Zones:	(DC2.982) Site Specific Development Control Provision
Proposed Zones:	(DC2) Site Specific Development Control Provision
Plan(s) in Effect:	Keswick Neighbourhood Structure Plan (NSP) Windermere Area Structure Plan (ASP)
Historic Status:	None

Written By: Sean Conway
Approved By: Tim Ford
Branch: Development Services
Section: Planning Coordination