



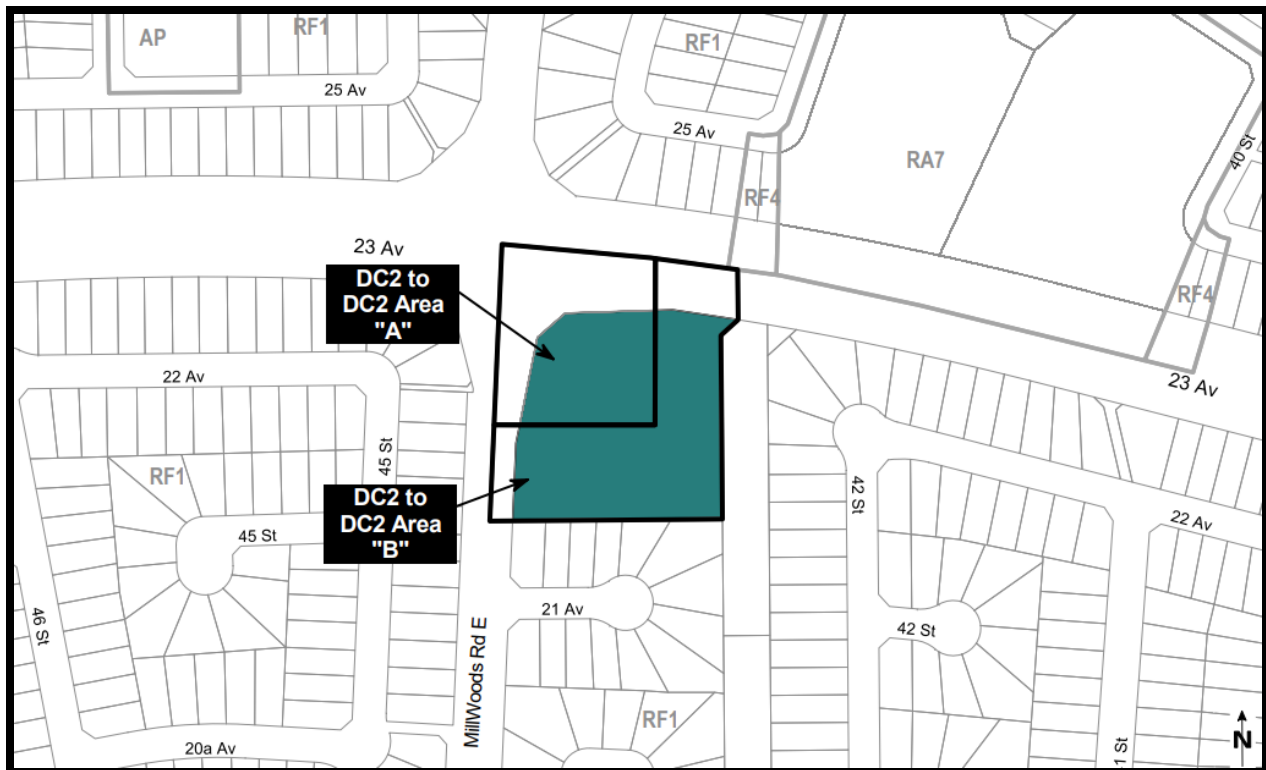
# ADMINISTRATION REPORT

## REZONING

### DALY GROVE

**4205, 4265, 4267, 4269, 4273, 4275, 4277, 4265C- 23 Avenue NW; and Units 101, 201, 202, and 203, 4271 - 23 Avenue NW**

To add commercial uses to an existing neighbourhood commercial site.



**Recommendation:** That Charter Bylaw 19736 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 it will:

- allow for additional neighbourhood-scale commercial uses;
- allow for easy access to a major arterial roadway;
- allow for the logical redevelopment of this area; and
- conform with the intent of the Mill Woods Development Concept Plan.

## Report Summary

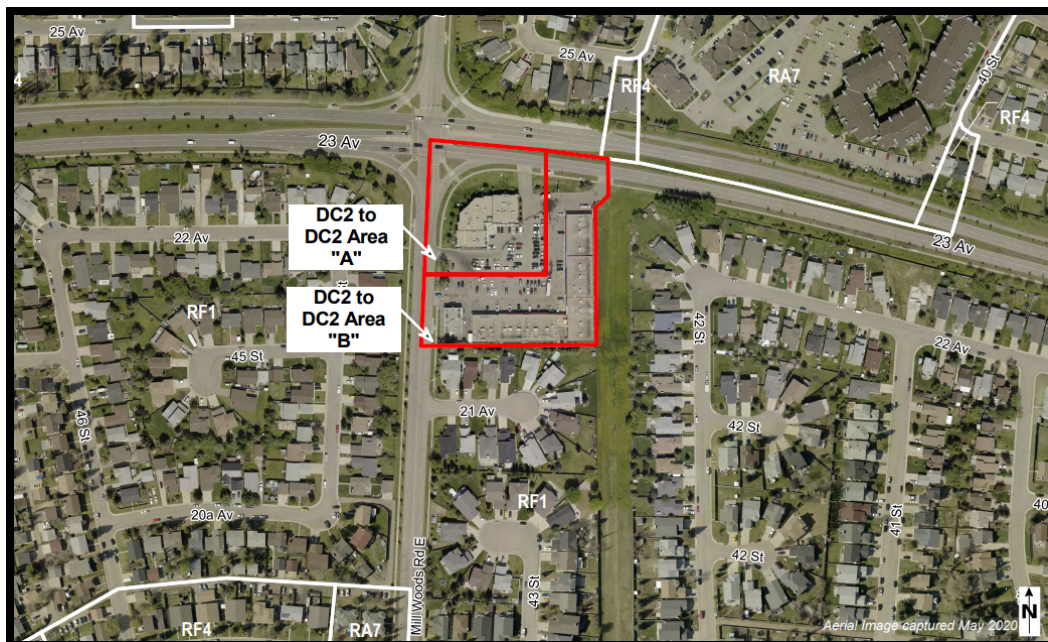
This application was accepted from Croy Johnston of Beljan developments on February 5, 2021, on behalf of Elite Real Estate Investments Inc. and 2265367 Alberta Ltd. The application proposes to change the site's designation from (DC2) Site Specific Development Control Provision to (DC2) Site Specific Development Control Provision for the purpose of dividing the existing DC2 into two Areas; Area A and Area B. In addition, it will increase the range of commercial uses by adding several new uses to Area B (most notable being Breweries, Wineries and Distilleries, and Cannabis Retail Sales). Administrative updates are also being performed to the development regulations to align with the current terminology and standards of the Zoning Bylaw.

## The Application

1. **CHARTER BYLAW 19736** to amend the Zoning Bylaw from (DC2) Site Specific Development Control Provision to (DC2) Site Specific Development Control Provision. The proposed zoning will divide the current (DC2) Site Specific Development Control Provision into two areas and expand the list of commercial opportunities on a portion of the site.

## Site and Surrounding Area

The subject site is 1.2 ha in area, contains an existing commercial development, and is located on the southeast corner of Mill Woods Road E and 23 Avenue NW. The neighbourhood is characterized as a broad mix of residential land uses. The areas west, east (across a pipeline corridor) of the site are composed primarily of single family dwellings, while the lands to the north, across 23 Avenue NW, contain single family and multi-family homes.



AERIAL VIEW OF APPLICATION AREA

	<b>EXISTING ZONING</b>	<b>CURRENT USE</b>
<b>SUBJECT SITE</b>	(DC2) Site Specific Development Control Provision	Commercial buildings
<b>CONTEXT</b>		
North	(RF1) Single Detached Residential Zone (RF4) Semi-detached Residential Zone	Single Detached Housing Duplex Housing
East	(RF1) Single Detached Residential Zone	Single Detached Housing
South	(RF1) Single Detached Residential Zone	Single Detached Housing
West	(RF1) Single Detached Residential Zone	Single Detached Housing

## Planning Analysis

The Daly Grove neighbourhood is an established, built-out residential neighbourhood with a commercial node (the subject sites) located on the southeast corner of Mill Woods Road E and 23 Avenue NW.

The commercial node supports walking, cycling and transit, where people can live, work, shop, and access services nearby. The proposed addition of commercial uses will increase the mix of commercial development, amenities and service choices within the community.

### LAND USE COMPATIBILITY

Charter Bylaw 19736 proposes to rezone the subject sites from (DC2) Site Specific Development Control Provision to (DC2) Site Specific Development Control Provision. The current (DC2) Provision allows for a range of small-scale commercial uses. The proposed DC2 Provision will divide the current DC2 into two areas; Area A and B. In addition, it will increase the range of neighbourhood-scale commercial uses by adding several new uses (most notable being Breweries, Wineries, and Distilleries, and Cannabis Retail Sales). Administrative updates are also being performed to the development regulations to align with the current terminology and standards of the Zoning Bylaw.

The proposed DC2 Provision will have good visibility and access to Mill Woods Road E and 23 Avenue NW, providing good transportation linkages and access suitable for commercial development. The development regulations, height, scale, and uses allowed within the proposed DC2 Provision will be sensitive in scale and compatible with the adjacent lands.

### PLANS IN EFFECT

The Mill Woods Development Concept Plan was adopted on March 17, 1971, and guides the neighbourhood's land use framework. The Plan's objective is to provide neighbourhood commercial sites along transit routes and at roadway intersections. **NOTE:** at the writing of this report, this Plan is proposed to be repealed at City Council's Public Hearing of June 8, 2021.

### CITYPlan Alignment

The subject site is located within the "Established Non-residential Area" in CityPlan. CityPlan States the following:

*"Edmonton's non-residential lands form an essential part of the city and are necessary to support ongoing business growth. It is within this network that new ideas, talent and investment come together to revitalize older industrial areas, intensify employment and strategically activate economic opportunities in the future growth area. The focus is to support existing industrial, commercial and institutional areas of the city while at the same time generating new opportunities to transform and sustain Edmonton over the long term."*

*Ongoing reinvestment of established non-residential areas serves to strengthen employment, economic activity and diversity. Established non-residential reinvestment areas are denser by design. They offer a greater mix of development and jobs that are supported by better mobility options, amenities and services."*

In conclusion, the proposed amendments align with the City Plan's Managing Growth Strategy and the Plan's policy direction by promoting continuous improvement and providing Commercial development along major intersections and roadways with good access and accessibility to major arterial roads.

## **Technical Review**

This application has been reviewed by all necessary City Departments and utility agencies. All comments from affected City Departments and utility agencies have been addressed.

### **Transportation**

Administration supports the application and advises the following:

- The subject site has four vehicle accesses, including a right-in/right out and a right-out access to 23 Avenue NW, and two all-directional accesses to Millwoods Road E NW. Any modifications to the existing accesses require the review and approval of Subdivision and Development Coordination.

### **Drainage**

Administration supports the proposed application and advises the following:

- The existing infrastructure can accommodate the uses within the proposed DC2 Provision; and
- Onsite stormwater management requirements will be required at the time of redevelopment.

### **EPCOR Water**

EPCOR Water Services has identified that there is currently insufficient fire flow capacity to support commercial land uses at this location. As such, a water main extension and one additional hydrant will be required at the Development Permit stage.

### Fire Rescue

An Infill Fire Protection Assessment has been initiated and will confirm if EPCOR Water’s requirements are necessary, or if sufficient fire and safety protection can be addressed by other means.

## Community Engagement

<p><b>ADVANCE NOTICE</b> Date: April 1, 2021</p>	<ul style="list-style-type: none"> <li>● Number of recipients: 378</li> <li>● summarize responses</li> <li>● Number of responses in support: 0</li> <li>● Number of responses with concerns: 2</li> <li>● Common comments / concerns included:                         <ul style="list-style-type: none"> <li>○ do not want bars and and liquor stores uses;</li> <li>○ safety of the neighbourhood;</li> <li>○ resale value of property will drop; and</li> <li>○ will cause increased noise.</li> </ul> </li> </ul>
<p><b>PUBLIC ENGAGEMENT SESSION</b></p>	<ul style="list-style-type: none"> <li>● not held</li> </ul>
<p><b>WEBPAGE</b></p>	<ul style="list-style-type: none"> <li>● <a href="http://edmonton.ca/dalygroveplanningapplications">edmonton.ca/dalygroveplanningapplications</a></li> </ul>

Advance Notice was sent to surrounding property owners and the Edmonton Southwood Community and Ridgewood Community Leagues as well as the Mill Woods Presidents Council (MWPC) Area Council on March 24, 2021. As a result, two (2) responses were received and comments are summarized above.

## Conclusion

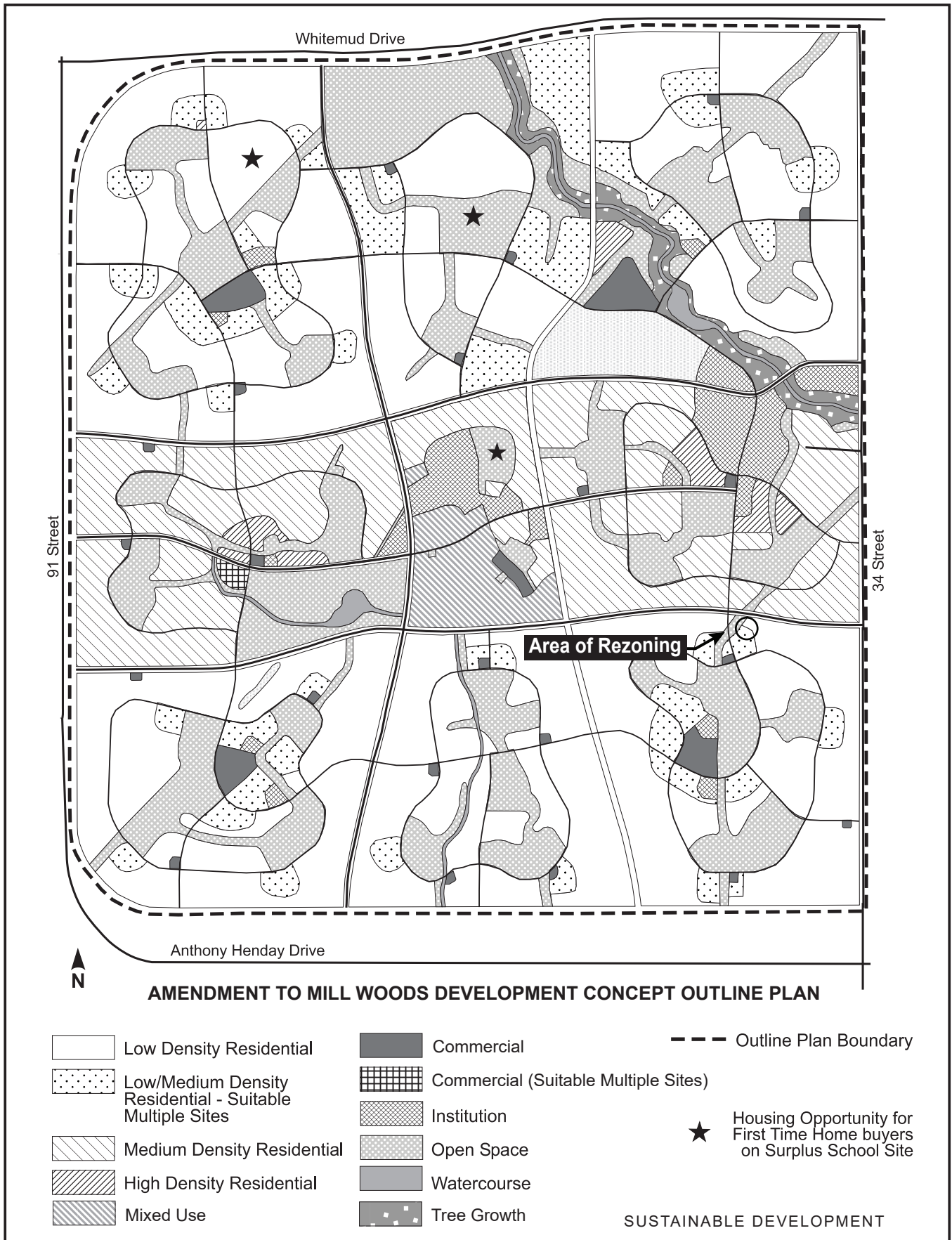
Administration recommends that City Council **APPROVE** this application.

## APPENDICES

- 1 Mill Woods Development Concept Plan
- 2 DC2 Track Changes
- 3 Application Summary



FIGURE 5.1 OUTLINE PLAN



Additions and/or changes to regulations are noted in **Red**  
Deletions are noted in ~~strikeout~~

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

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

#### **DC2.419.1 General Purpose**

To accommodate a range of commercial uses that are intended to serve the day-to-day needs of local residents and commuters, and establish regulations that will be compatible with surrounding land uses.

~~To establish a Site Specific Development Control District to accommodate a range of commercial uses which are intended to serve the day-to-day needs of local residents and drive-by, travelling public, and to establish site specific development regulations that will ensure compatibility with surrounding land uses.~~

#### **DC2.419.2. Area of Application**

This provision shall apply to Lot 36, Block 17, Plan 8620696 and Units 1-10, Condominium Plan 1321238; located at the southeast corner of 23 Avenue NW and Mill Woods Road East NW, Daly Grove, as shown on Schedule “A” of the Bylaw adopting this Provision, Daly Grove

~~This DC5 District shall apply to Lot 36 (0.81 hectares) and Lot 37 (0.41 hectares), Block 17, Plan 862-0696; located at the southeast corner of 23 Avenue and Mill Woods Road East, Daly Grove, Southwood.~~

#### **DC2.419.3. Uses**

1. Convenience Retail Stores
2. Bars and Neighbourhood Pubs
3. Business Support Services
4. Child Care Services
5. Commercial Schools
6. Drive-in Food Services
7. Gas Bars
8. General Retail Stores
9. Government Services
10. Health Services
11. Household Repair Services
12. Indoor Participant Recreation Services

~~13. Major and Minor Eating & Drinking Establishments~~ 13. Restaurants

~~14. Minor Alcohol Sales~~ 14. Liquor Stores

15. ~~Minor~~ Second-hand Stores

16. Minor Service Stations

17. ~~Minor~~ Veterinary Services

18. Personal Service Shops

19. Professional, Financial and Office Support Services

20. Rapid Drive-through Vehicle Services

21. Religious Assembly

22. Residential Sales Centre

23. Fascia On-premises Signs

24. Freestanding Off-premises Signs

25. Freestanding On-premises Signs

26. Temporary Off-premises Signs

27. Temporary On-premises Signs

#### **Area B (additional uses)**

1. Breweries, Wineries, and Distillers

2. Cannabis Retail Sales

3. Creation and Production Establishments

4. Market

5. Special Event

6. Speciality Foods Services

7. Minor Digital Off-premises Signs

8. Minor Digital On-premises Signs

#### **DC2419.4 Development Regulations for Uses**

1. Notwithstanding Section 720.3.2 the Zoning Bylaw, a Site Plan is not appended to this Provision.

2. Maximum Floor Area of any individual business premises shall not exceed 2,500 m<sup>2</sup> except:

a. Bars and Neighbourhood Pubs and Restaurants Uses shall not exceed 360 m<sup>2</sup> of Public Space;

b. The maximum gross Floor Area for Convenience Retail Stores Use shall not exceed 325 m<sup>2</sup>; and

c. The maximum gross Floor Area for Secondhand Stores Use shall not exceed 275 m<sup>2</sup>.

d. The maximum gross Floor Area for Liquor Stores shall not exceed 275 m<sup>2</sup>.



- e. The maximum gross floor area for a General Retail Store shall not exceed 465 m<sup>2</sup>. However, the Development Officer may allow the gross floor area of an individual premise up to a maximum of 929 m<sup>2</sup> where, in his opinion, and on the advice of Transportation, such a development would not affect traffic circulation on the site nor adjacent roadways.
3. Rapid Drive-through Vehicle Services shall be limited to a single bay automatic car wash in accordance with the following provisions:
  - a. the Use shall not be located less than 60.0 m from the Site's southernmost Lot line;
  - b. the Use shall not be located less than 40.0 m from the Site's easternmost Lot line; and
  - c. all operations and mechanical equipment associated with this Use shall be located within an enclosed building.
4. In Area B, Drive-in Food Services shall be limited to the southwestern corner of the site.

#### **DC2419.5 Development Regulations for For Site Layout and Built Form**

1. The maximum Floor Area Ratio shall be 1.0.
2. The maximum Height shall be 10.0 m.
3. The minimum Setbacks shall be as follows:
  - a. 2.0 m east boundary of the site.
  - b. A minimum landscaped Setback of 3.0 m shall be required along 23 Avenue NW and Mill Woods Road East.
  - c. In Area B, a minimum landscaped Setback of 3.0 m shall be required along the south Lot Line.
4. In Area B, a 1.8 m high screen Fence shall be required on the east and south Lot Lines.
5. Signs shall comply with Schedule 59D of the Zoning Bylaw.

#### **DC2419 6. Development Regulations for Parking, Loading, Storage and Access**

1. Vehicular access shall be from the adjacent public roadways, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination.
2. No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a Setback.

#### **DC2419 7. Other Regulations**

##### **Area A**

Prior to the issuance of a Development Permit for the construction/or addition of a new building that requires excavation in this area, excluding a development permit for signage and change of use, Environmental Site Assessments may be required as a result of past

land uses in this area. The Development Officer shall impose any Development Permit conditions necessary prior to the release of the drawings for Building Permit review to ensure that the Site is suitable for the full range of uses contemplated in the Development Permit application.

**~~DC2.419.4. — Development Criteria~~**

- ~~1. Signs shall be allowed in this District as provided for in Schedule 79D of the Land Use Bylaw.~~

**~~DC2.419.5. — Additional Development Criteria for Specific Uses~~**

- ~~2. Indoor Participant Recreation Services shall be limited to athletic and fitness.~~
- ~~3. Major Eating and Drinking Establishments shall be limited to a maximum of 130 seats and the maximum permitted gross floor area shall not exceed 360 sq. m, (3,875 sq. ft). Entertainment associated with the development of a Major Eating and Drinking Establishment shall be limited to a dance floor of 21 sq. m (225 sq. ft) for patrons only, and shall not include any live entertainment.~~
- ~~4. The maximum permitted gross floor area of any individual business premise for a General Retail Store shall not exceed 465 sq. m (5,005 sq. ft). However, the Development Officer may allow the gross floor area of an individual premise up to a maximum of 929 sq. m (10,000 sq. ft) where, in his opinion, and on the advice of the City Engineer, such a development would not affect traffic circulation on the site nor adjacent roadways.~~
- ~~5. Minor Alcohol Sales shall be limited to the eastern portion of the site.~~

## APPLICATION SUMMARY

### INFORMATION

Application Type:	Rezoning
Charter Bylaw:	19736
Location:	East of Mill Woods Road East and south of 23 Avenue NW
Addresses:	4205, 4265, 4265C, 4267, 4269, 4273, 4275, and 4277 - 23 Avenue NW Units 101, 201, 202, and 203, - 4271 - 23 Avenue NW
Legal Descriptions:	Unit 1-10, Condominium Plan 1321238 Lot 36, Block 17, Plan 8620696
Site Area:	1.2 ha
Neighbourhood:	Daly Grove
Notified Community Organizations:	Edmonton Southwood Community Ridgewood Community Mill Woods Presidents Council (MWPC) Area Council
Applicant:	Croy Johnston, Beljan Developments

### PLANNING FRAMEWORK

Current Zone:	(DC2) Site Specific Development Control Provision
Proposed Zone:	(DC2) Site Specific Development Control Provision
Plan in Effect:	Mill Woods Development Concept Plan
Historic Status:	None

Written By:	Vivian Gamache
Approved By:	Tim Ford
Branch:	Development Services
Section:	Planning Coordination