



## ADMINISTRATION REPORT **REZONING** ELLERSLIE

### 6830 and 7030 - ELLERSLIE ROAD SW

To modify the separation distances for Cannabis Retail Sales and Liquor Stores on a neighbourhood commercial site.



**Recommendation:** That **Charter Bylaw 19824** to amend the Zoning Bylaw from (CB1) Low Intensity Business Zone to (DC2) Site Specific Development Control Provision be **APPROVED**.

Administration **SUPPORTS** this application because:

- it will facilitate the development of the Wernerville Country Residential Special Study Area to an urban standard; and
- will be compatible with the surrounding area.

## The Application

**CHARTER BYLAW 19824** will amend the Zoning Bylaw from (CB1) Low Intensity Business Zone to (DC2) Site Specific Development Control Provision. The proposed zoning will allow for the same commercial uses and development regulations that are allowed under the current CB1 Zone, but will modify the separation distances of Cannabis Retail Sales and Liquor Stores from school and park sites.

## Site and Surrounding Area

The subject site is 2.43 ha in size and is located north of Ellerslie Road SW and west of 66 Street SW. Country residential lots abut the site to the east, west and north, and a park site also abuts the northwest corner of the site. The subject site fronts onto Ellerslie Road, which is a major arterial thoroughfare for the Ellerslie neighbourhood and surrounding areas. Farther to the south, across Ellerslie Road, is a commercial site and a stormwater management facility.



AERIAL VIEW OF APPLICATION AREA

	EXISTING ZONING	CURRENT USE
<b>SUBJECT SITE</b>	(CB1) Low Intensity Business Zone	Vacant lot
<b>CONTEXT</b>		
North	(AP) Public Parks Zone (RR) Rural Residential Zone	Recreational facilities Single Detached House
East	(RR) Rural Residential Zone	Single Detached House

South	(DC2) Site Specific Development Control Provision (PU) Public Utility Zone	Commercial Centre Stormwater Management Facility
West	(RR) Rural Residential Zone	Single Detached House

## Planning Analysis

The Ellerslie Area Structure Plan (ASP) and Neighbourhood Structure Plan (NSP) guides the land use for the neighbourhood and designates the subject site for commercial land use. The Ellerslie neighbourhood is characterized as a mix of residential, park and commercial uses. There is an existing commercial site located in the northwest portion of the NSP, which provides some commercial services for that portion of the neighbourhood. The proposed DC2 Provision will offer a similar function in the southeast portion of the Plan and will complement the development on the south side of Ellerslie Road to form a commercial node at a major intersection. The site will have good visibility and access to Ellerslie Road SW, providing good transportation linkages and suitable access.

A subdivision application (LDA20-0340) has been submitted for the subject site and is currently under review by Administration.

### LAND USE COMPATIBILITY

On October 20, 2020, City Council approved Charter Bylaw 19446 to rezone the subject site from (RR) Rural Residential Zone to (CB1) Low Intensity Business Zone to facilitate the development of commercial uses. The intent of Charter Bylaw 19824 is to rezone the same site from (CB1) Low Intensity Business Zone to (DC2) Site Specific Development Control Provision.

The proposed zoning will allow for the same commercial uses and development regulations permitted under the current CB1 Zone, but will modify the separation distances of Cannabis Retail Sales and Liquor Stores from school and park sites such that the location of these stores will be measured from the individual store to the property boundary, rather than from the boundaries between the sites. The net result of this change will mean that the location of Cannabis and Liquor Stores will be limited to a portion of the site that will respect a 95 m separation from the adjacent park site, which is reasonably close to the 100 m distance that is normally required by the Zoning Bylaw. Administration is comfortable with this compromise, given that the site design will not have direct access or exposure to the abutting park site, nor the adjacent school site.

Regulations within the DC2 Provision will guide the site's development to be sensitive and in scale with the surrounding area. The development regulations, height, scale, and uses allowed within the proposed DC2 Provision will be sensitive in scale and compatibility with the adjacent land zoned AP and RR to the north, RR zoned lands to west and east, and the land across Ellerslie Road zoned PU and DC2 to the south.

## Technical Review

### Transportation

Administration supports the application and advises the following:

- A servicing agreement is required for the subject site and will be fulfilled as a condition of subdivision (file: LDA20-0340).
- Preliminary Plans for the ultimate six lane Ellerslie Road SW configuration, with turn bays at Ellerslie Road and 70 Street intersection, will be required at the next stage of development.
- A right-in access to the site may be possible from Ellerslie Road at a future time. This will depend upon the provision of additional land (road widening) from the easterly abutting property and the ability to conform with the City's Access Management Guidelines.

### Drainage

Administration supports the application and advises the following:

- Permanent sanitary and stormwater servicing must be provided in general accordance with the servicing schemes as identified in the accepted Wernerville Commercial Brief dated October 21, 2020.

### 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 addition of hydrants will be required at the subdivision or Development Permit stage.

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

## Community Engagement

<b>ADVANCE NOTICE</b> Date: April 14, 2021	<ul style="list-style-type: none"><li>• Number of recipients: 17</li><li>• No responses</li></ul>
<b>WEBPAGE</b>	<ul style="list-style-type: none"><li>• <a href="#">Ellerslie/planning applications</a></li></ul>

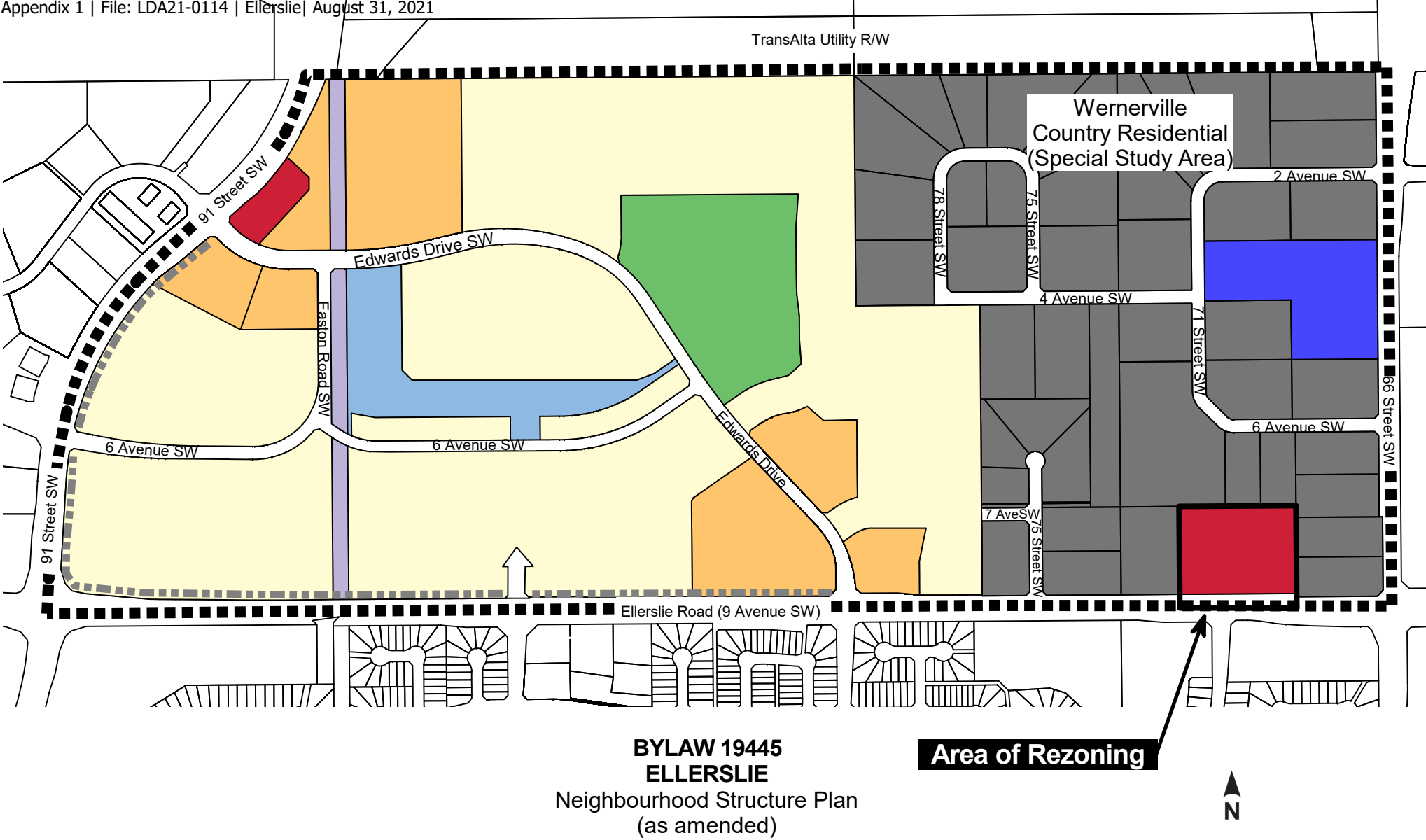
Advance Notice was sent to surrounding property owners and the Ellerslie and Summerside Community Leagues on April 14, 2021. No responses were received.







## Conclusion

Administration recommends that this application be **APPROVED**.

## APPENDICES

- 1 Context Plan Map
- 2 Application Summary



- |   |                                |  |  |
|---|--------------------------------|--|--|
|  | Low Density Residential        |  | Wernerville Country Residential (Special Study Area) |
|  | Medium Density Residential     |  | Power Corridor                                       |
|  | Commercial                     |  | NSP Boundary   |
|  | Institutional                  |  | Noise Attenuation Barrier                            |
|  | Stormwater Management Facility |  | Mixed Use  |
|  | School/Park Site               |  |  |

**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.

## APPLICATION SUMMARY

### INFORMATION

Application Type:	Rezoning
Charter Bylaw:	19824
Location:	North of Ellerslie Road SW and west of 66 Street SW
Addresses:	6830 Ellerslie Road SW; and 7030 Ellerslie Road SW
Legal Descriptions:	Lot F, Block 1, Plan 3027KS Lot G, Block 1, Plan 3027KS
Site Area:	2.4 ha
Neighbourhood:	Ellerslie (Wernerville)
Notified Community Organizations:	Ellerslie Community League Summerside Community League
Applicant:	Stephen Yu, Invistec Consulting Ltd.

### PLANNING FRAMEWORK

Current Zone:	(CB1) Low Intensity Business Zone
Proposed Zone:	(DC2) Site Specific Development Control Provision
Plan(s) in Effect:	Ellerslie NSP
Historic Status:	None

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Branch:	Development Services
Section:	Planning Coordination