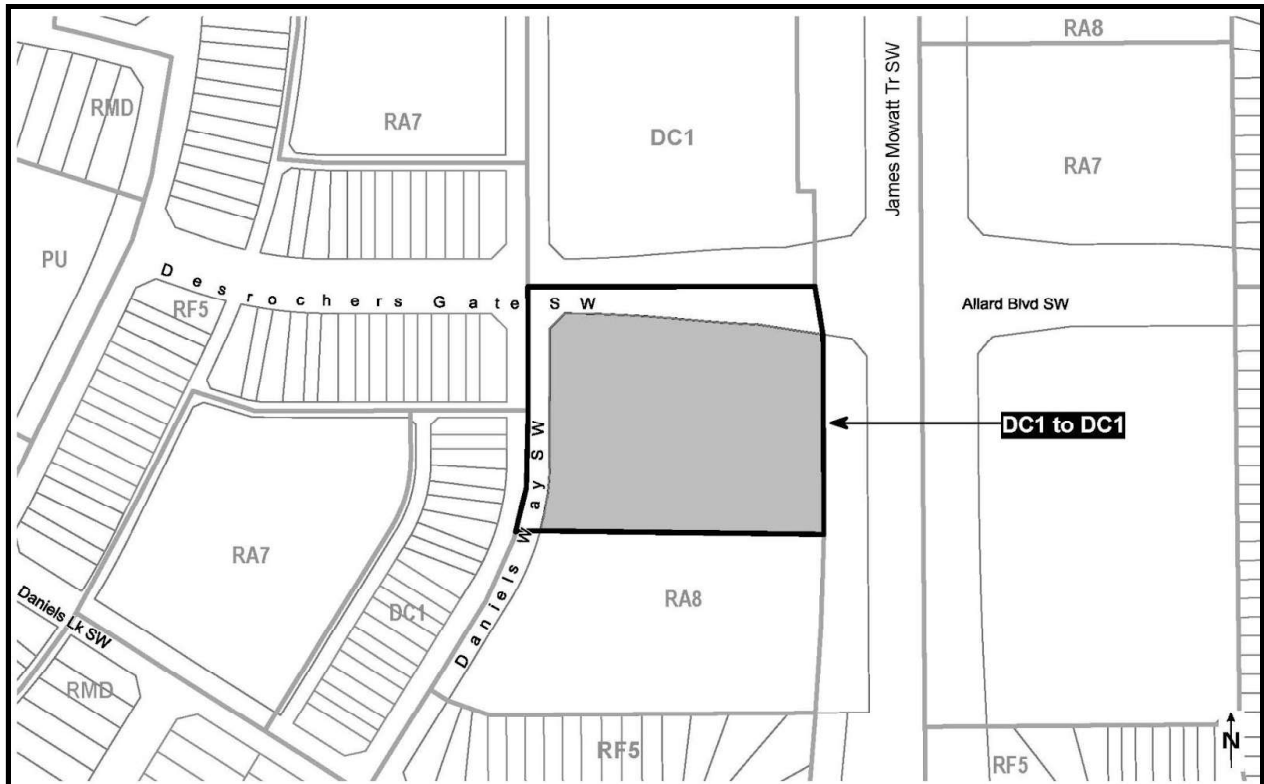




# ADMINISTRATION REPORT **REZONING** DESROCHERS

## 803 - Daniels Way SW

To add Cannabis Retail Sales to an existing DC1 Provision.



**Recommendation:** That **Charter Bylaw 19847** to amend the Zoning Bylaw from (DC1) Direct Development Control Provision to (DC1) Direct Development Control Provision be **APPROVED**.

Administration **SUPPORTS** this application because:

- the proposed zone will expand the commercial services available to nearby residents;
- the site meets the locational requirements for Cannabis Retail Sales under Section 70 of the Zoning Bylaw; and
- the proposed provision conforms with the intent of the Desrochers Neighbourhood Area Structure Plan (NASP).

## Summary of the Application

This application was accepted from Green Space Alliance on May 31, 2021 on behalf of Village at Desrochers Ltd.

**CHARTER BYLAW 19847** proposes to rezone the site from (DC1) Direct Development Control Provision to (DC1) Direct Development Control Provision, for the purpose of adding Cannabis Retail Sales to the list of uses allowed on a portion of the site. No other changes are proposed to the Provision. The current (DC1) Direct Development Control Provision allows for a range of residential and small-scale commercial uses, in the form of 5-storey apartment housing.

This proposal is in alignment with the applicable policies of *CityPlan* and the *Desrochers Neighbourhood Area Structure Plan*.

## Site and Surrounding Area

The site is 0.91 hectare in size and is developed with existing residential and commercial uses. It is located South of Desrochers Gate and west of James Mowatt Trail SW.



AERIAL VIEW OF APPLICATION AREA

	<b>EXISTING ZONING</b>	<b>CURRENT USE</b>
<b>SUBJECT SITE</b>	<ul style="list-style-type: none"> <li>• (DC1.18773) Direct Development Control Provision</li> </ul>	<ul style="list-style-type: none"> <li>• Two 5 storey apartment buildings with ground-floor commercial uses</li> </ul>
<b>CONTEXT</b>		
North	<ul style="list-style-type: none"> <li>• (DC1 999) Direct Development Control Provision</li> </ul>	<ul style="list-style-type: none"> <li>• Vacant lot, planned for Mixed-use Residential and Commercial land uses</li> </ul>
East	<ul style="list-style-type: none"> <li>• (AG) Agricultural Zone</li> </ul>	<ul style="list-style-type: none"> <li>• Vacant Right of Way for future LRT</li> <li>• James Mowatt Trail SW</li> </ul>
South	<ul style="list-style-type: none"> <li>• (RA8) Medium Rise Apartment Zone</li> </ul>	<ul style="list-style-type: none"> <li>• Undeveloped land</li> </ul>
West	<ul style="list-style-type: none"> <li>• (DC1.18253) Direct Development Control Provision</li> <li>• (RF5) Rowhousing Zone</li> </ul>	<ul style="list-style-type: none"> <li>• Row housing</li> <li>• Semi-detached Housing</li> </ul>

## Planning Analysis

### LAND USE COMPATIBILITY

The site is located within 400 m of a future LRT station and is purpose designed as a residential / commercial mixed use site. The increased commercial opportunity will be consistent with the land use function of the site.

### PLANS IN EFFECT

The proposed rezoning conforms to the Desrochers NASP, which designates the site for Mixed Use LRT 2 (MU-LRT2), allowing for transit supportive and pedestrian friendly development in proximity to the LRT station. The site is intended to achieve a lower residential density and height than the northerly neighbouring site (designated MU-LRT 1), in order to provide for a transition in form and scale away from the planned LRT Station. Development within the MU-LRT 2 area is intended to generally comprise four to five storey apartment housing with opportunities for ground floor retail/office uses.

The subject site is located along James Mowatt Trail SW, which is designated as a Secondary Corridor under *CityPlan*. The mixed-use composition of the site is consistent with the planned intent of a Secondary Corridor, and is also consistent in supporting the Big City Move of constructing a Community of Communities and fostering 15 minute districts.

## Technical Review

### TRANSPORTATION

This proposed change in land use will have no effect upon the surrounding transportation network. A parking ban exists along the western boundary of the site (Daniels Way SW) to facilitate two way travel and to maximize operational traffic flows.

## DRAINAGE

Permanent storm and sanitary service connections are available to serve the site from the abutting roadway (Daniels Way SW). This proposed rezoning will not affect the drainage capacity needs of the site and can be accommodated.

## EPCOR WATER

This proposed change in land use will have no effect upon the surrounding water network, and can be accommodated. EPCOR Water has no concerns or objections.

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

## Community Engagement

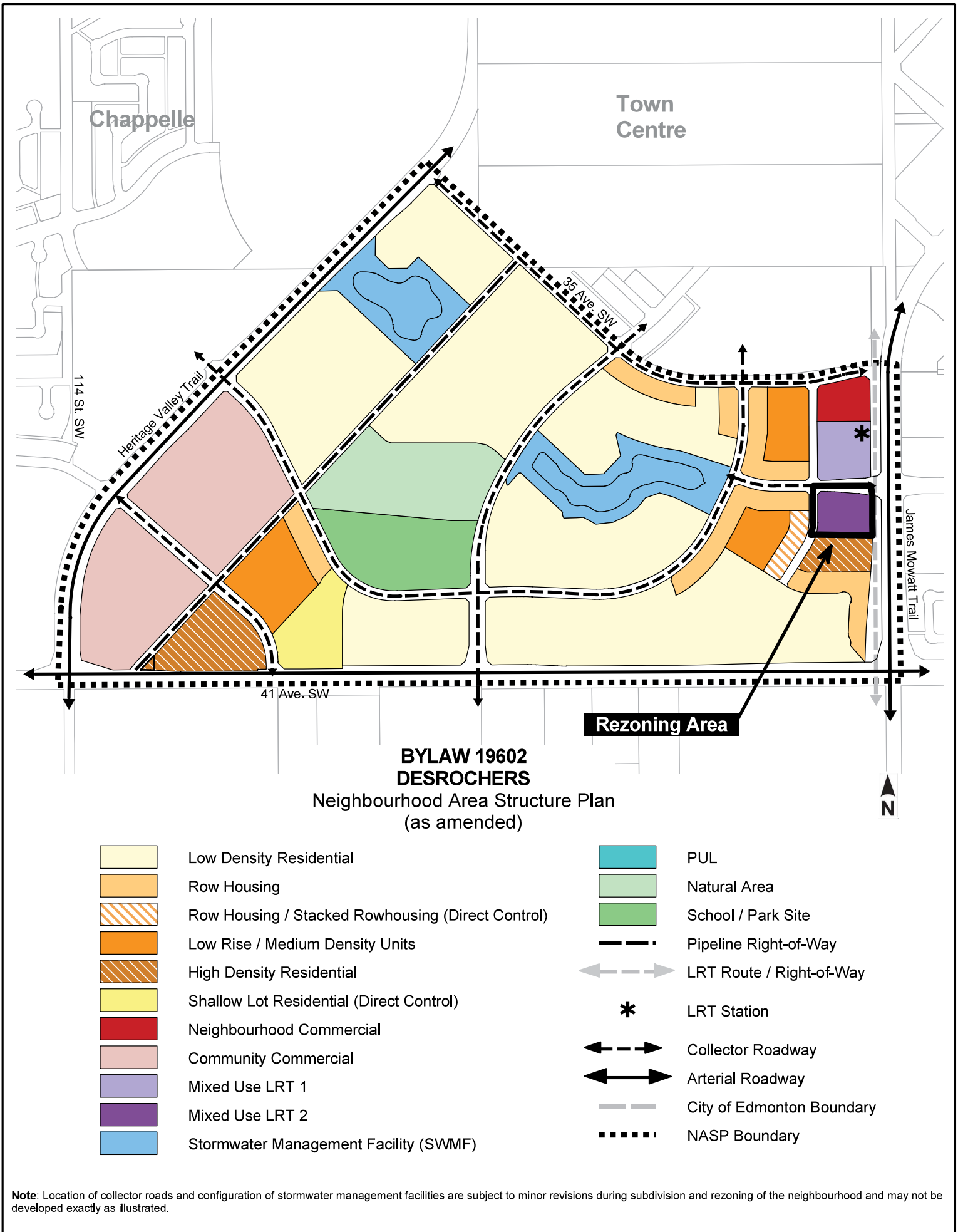
<b>ADVANCE NOTICE</b> June 3, 2021	<ul style="list-style-type: none"><li>• Number of recipients: 55</li><li>• Number of responses with concerns: 1</li><li>• Common comments included: Concern over the influence of a Cannabis Shop on the young families and teenagers in the area, given the proximity to a residential area and future school. In response, administration noted that at the development application stage for a Cannabis Retail Use it would need to comply with all regulations under Section 70 of the Zoning Bylaw, which include setbacks from schools.</li></ul>
<b>WEBPAGE</b>	<ul style="list-style-type: none"><li>• <a href="http://edmonton.ca/desrochersplanningapplications">edmonton.ca/desrochersplanningapplications</a></li></ul>

## Conclusion

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

## APPENDICES

- 1 Context Plan Map
- 2 DC2 Track changes
- 3 Application Summary



## **(DC1) DIRECT DEVELOPMENT CONTROL PROVISION**

### **~~3304—127 Street SW~~ 803 Daniels Way SW**

#### **1. General Purpose**

The purpose of this Provision is to establish opportunities for a mix of residential and commercial uses and pedestrian oriented development within 400m of the Desrochers LRT station, while providing a transition in form and scale from higher to lower intensity and density development.

#### **2. Area of Application**

The Provision shall apply to Lot 175, Block 4, Plan 1822012, located at the south west corner of Desrochers Gate and James Mowatt Trail SW as shown on Schedule A of this Bylaw adopting this DC1 Provision.

#### **3. Uses**

1. Apartment Housing
2. Bars and Neighbourhood Pubs
3. Business Support Services
4. Cannabis Retail Sales
5. Child Care Services
6. Commercial Schools
7. Convenience Retail Stores
8. Creation and Production Establishments
9. General Retail Stores
10. Government Services
11. Health Services
12. Indoor Participant Recreation Services
13. Liquor Stores
14. Live Work Unit
15. Lodging Houses
16. Major Home Based Business
17. Media Studios
- ~~18. Minor Alcohol Sales~~
19. Minor Amusement Establishments
20. Minor Home Based Business
21. Multi-unit Housing

22. Personal Service Shops
23. Professional, Financial and Office Support Services
24. Public Libraries and Cultural Exhibits
25. Residential Sales Centre
26. Restaurants
- ~~27. Row Housing~~
- ~~28. Stacked Row Housing~~
29. Specialty Food Services
30. Veterinary Services
31. Fascia On-premises Signs
32. Freestanding Off-premises Signs
33. Freestanding On-premises Signs
34. Minor Digital On-premises Signs
35. Minor Digital Off-premises Signs
36. Projecting On-premises Signs
37. Temporary On-premises Signs

#### **4. Development Regulations**

1. The minimum Density shall be 80 Dwellings/ha.
2. The maximum Density shall be 125 Dwellings/ha.
3. The maximum Height shall be 20 m.
4. The maximum total length of a building shall not exceed 80 m.
5. The maximum Floor Area Ratio shall be 1.4.
6. The minimum Rear Setback shall be 7.5 m.
7. The maximum Front Setback shall be 3.0 m.
8. Commercial Uses shall be located on the ground floor, notwithstanding, where the same Commercial Use is on the ground floor, a second Storey is permitted provided there is internal public access to the second Storey.
9. Commercial Uses shall only be developed on a Site in conjunction with Residential Uses.
10. Restaurants and Bars and Neighbourhood Pubs shall not exceed a capacity of 200 Occupants or 240 m<sup>2</sup> of Public Space.
11. Cannabis Retail Sales uses shall comply with Section 70 of the Zoning Bylaw.

#### **5. Site Planning**

1. Buildings shall be oriented toward the abutting street, provide direct sidewalk entries and the ground floor portion of Façades shall have a high degree of transparency, a minimum of 50% window transparency for Residential Uses and a minimum of 70% window transparency for Commercial Uses.
2. Low-rise/medium density and mixed Use Sites shall be designed to have a strong street presence, with parking areas located underground or away from the street.
3. Development Officers shall have regard for Site design, parking areas and building articulation with consideration for the Transit Oriented Guidelines and Winter Design Principles in determination of appropriate Site design.

4. Amenity Areas such as arcades, plazas, gardens, or outdoor spaces shall be provided on Site. Such Amenity Areas should be easily accessible from surrounding buildings and be provided along the pedestrian network as identified in the Desrochers NASP. Such spaces may be developed as, but not limited to, courtyards, atriums or seating areas.

## **6. Buildings and Massing**

1. Entrances for Residential Uses shall be separate from Commercial entrances at ground floor and feature identifiable doorways, soft Landscaping and pedestrian-scale lighting.
2. The massing of building walls greater than 15.0 m in length shall be reduced through architectural elements such as columns, ribs, pilasters or piers, changes in plane (e.g., recesses and projections), changes in building finishes, materials and textures, or features that create an identifiable pattern and sense of human scale.
3. Buildings located along Amenity Areas and major pedestrian walkways as identified in the Desrochers NASP shall emphasize architectural elements and Façade enhancements, particularly to the first and second levels of a project to create a pedestrian-friendly environment. Design elements may include the placement of windows to allow for viewing into the building by pedestrians (Non-residential Uses only), entrance features, street furniture, canopies, and other features that lend visual interest and a human scale.
4. Ground-level Uses shall provide multiple points of interaction in the form of doorways, operable windows, and large display windows to facilitate pedestrian interaction defining a perceived pattern of smaller frontages no more than 15.0 m in width.
5. A minimum Amenity Area of 7.5 m<sup>2</sup> per Dwelling shall be provided.
6. Buildings shall incorporate functional and decorative exterior lighting to enhance building architecture, Landscaping elements, building entrances, and Amenity Areas.
7. All mechanical equipment, including roof mechanical units, shall be concealed from street level view by screening in a manner compatible with the architectural character of the building or by incorporating it within the building.

## **7. Active Modes**

1. Direct pedestrian connections to the LRT station shall be provided from surrounding intersections, focal points and nearby open spaces to create an integrated pedestrian system.
2. Pedestrian connections to the LRT station shall be developed as enhanced walkways with pedestrian- oriented Landscaping. Walkways may include elements such as street trees, plantings, special paving, and street furniture such as benches, lighting and waste receptacles.
3. Bicycle parking shall be provided in accordance with the Zoning Bylaw.

## **8. Open Space and Landscaping**



1. A Landscape Plan prepared by a registered landscape architect shall be submitted prior to the approval of any Development Permit. The Landscape Plan shall be in accordance with the Zoning Bylaw and illustrate Landscaping internal to the Site, Amenity Areas and pedestrian linkages. Outdoor Amenity Areas shall be landscaped for the purpose of achieving pedestrian connectivity, opportunities for play and social interaction and a focal point for the development. In addition to Landscaping, this shall be achieved through the use of elements such as park benches, pedestrian level lighting, waste receptacles, directional signage, special paving, public art, and other means integrated with the Landscaping and placed along public walking routes through the Site. The Landscape Plan shall include a species list for proposed plant material appropriate to local climate conditions. Naturalized landscape design is encouraged where possible. The Development Officer in consultation with relevant City Departments shall review and approve the Landscape Plan.
2. In projects involving multiple buildings, common Amenity Areas shall be provided in the form of courtyards, plazas or parks. The common Amenity Areas shall be directly accessible from surrounding buildings and provide connections to sidewalks within public roadways.
3. Public open space shall be designed to accommodate year-round use using Winter City principles to encourage space devoted to public gatherings, pedestrian movement and other social and recreational functions.
4. No outdoor parking, garbage collection, common Amenity Areas, or outdoor storage areas shall be developed within 3.0 m of public roadways. Landscaping shall be used to screen parking, mechanical, and garbage areas from public streets and LRT corridor.
5. Fencing shall be decorative and transparent using materials such as, but not limited to, glass, wrought iron, and metal.

## **9. Roadways and Parking**

1. Parking shall be in accordance with the Zoning Bylaw, except that at such time as a Shared Use Parking Impact Assessment is submitted, the applicant may apply for a reduction to the minimum number of parking spaces. The applicant shall demonstrate through a Shared Use Parking Impact Assessment that by virtue of the Use, character, or location of the proposed development, and its relationship to public transit facilities and any other available parking facilities, the parking required for the proposed development may be less than any minimum set out in the Zoning Bylaw.
2. Loading, storage and trash collection areas shall be located to the rear or sides of the building and shall be screened from view from any adjacent Sites, public or internal roadways, and Light Rail Transit lines, in accordance with the provisions of the Zoning Bylaw. Loading areas shall not encroach onto public right-of-ways.
3. Parking areas shall be designed for a safe and orderly flow of vehicular and pedestrian traffic to minimize pedestrian/vehicular conflicts.
4. Surface-Parking areas to accommodate 30 or more vehicles at Grade shall incorporate design elements such as, but not limited to, landscaped open space, islands, Amenity Areas, private roads and/or pedestrian walkways within the parking

area. The required landscaped areas shall be calculated on the basis of 2.0 m<sup>2</sup> of landscaped island area per required parking space.

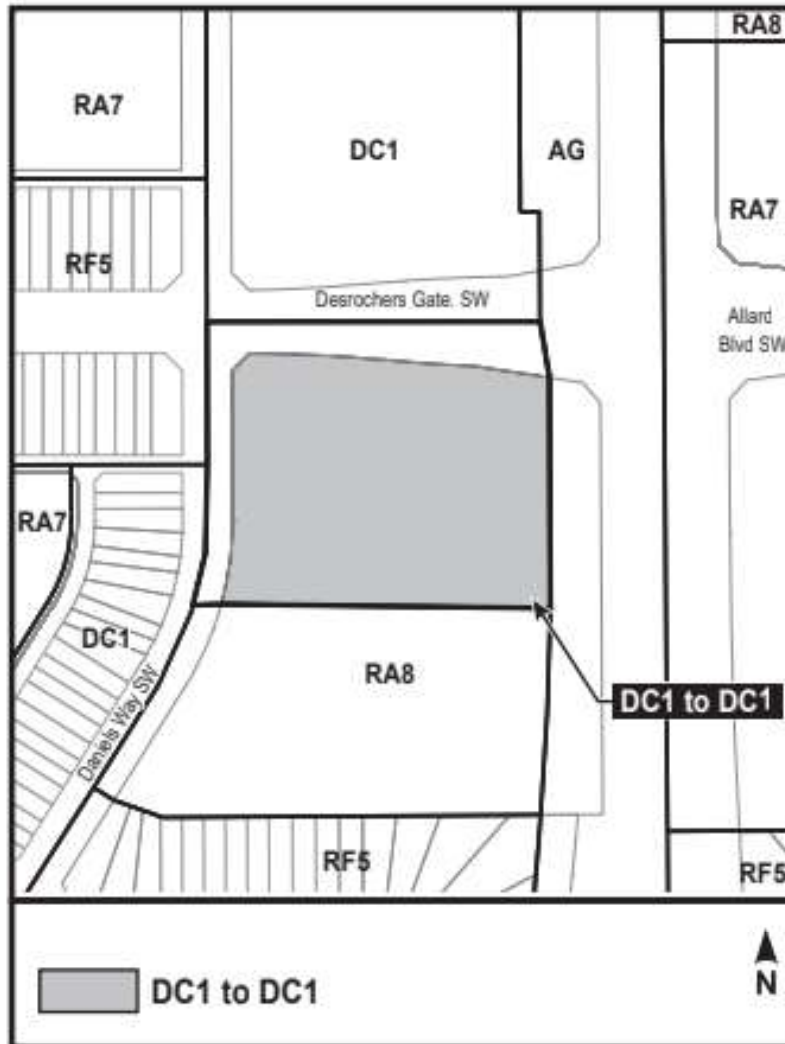
5. Required parking shall not be situated between a building and a public street, other than a Lane.
6. All resident parking shall be located ~~in an~~ **Underground Parkade** or in **an Above Ground Parkade** ~~a Parking Garage~~. Visitor parking for Residential Uses and parking for Commercial Uses may be provided at Grade but shall not be situated between a building and a public street, other than a Lane.
7. Structured parking shall be designed to minimize visual impact by using material and architectural elements similar to adjacent Façades.
8. To maintain an active street frontage, a Setback for useable space separating any **Above Ground Parkade** ~~above-ground Parking Garage~~ and the front of the building shall be incorporated into the design, with the following Setbacks:
  - a. On the ground (first) floor, no portion of the parking area shall be allowed for a minimum depth of 10.0 m from any building Façade facing a public roadway, other than a Lane.
  - b. Above the ground (first) floor up to 16 m, no portion of the parking area shall be allowed for a minimum depth of 6.0 m from any building Façade facing a public roadway, other than a Lane.

## **10. Signage**

1. Signs shall comply with the regulations found in **Section 59 and Schedule 59E of the Zoning Bylaw**.

(New map / Schedule)

**CHARTER BYLAW 19847**



## APPLICATION SUMMARY

### INFORMATION

Application Type:	Rezoning
Charter Bylaw:	19847
Location:	South of Desrochers Gate, and west of James Mowatt Trail SW
Address:	803 - Daniels Way SW
Legal Description:	Lot 175, Block 4, Plan 1822012
Site Area:	0.91 ha
Neighbourhood:	Desrochers
Notified Community Organization:	Blackmud Community League
Applicant:	Green Space Alliance

### PLANNING FRAMEWORK

Current Zone and Overlay:	(DC1) Direct Development Control Provision Main Streets Overlay
Proposed Zone and Overlay:	(DC1) Direct Development Control Provision Main Streets Overlay
Plan in Effect:	Desrochers Neighbourhood Area Structure Plan
Historic Status:	None

Written By: Kerry Girvan  
Approved By: Tim Ford  
Branch: Development Services  
Section: Planning Coordination