



REZONING APPLICATION

SUMMERSIDE

9076 – 25 Avenue SW

To add Cannabis Retail Sales as a permitted use.



RECOMMENDATION AND JUSTIFICATION

City Planning is in SUPPORT of this application because it:

- is compatible with the surrounding planned and existing industrial and commercial land uses;
- the proposed zone expands the commercial opportunities on the site at a major intersection; and
- is in conformance with the Summerside Neighbourhood Structure Plan.

THE APPLICATION

CHARTER BYLAW 18494 proposes to amend the Zoning Bylaw from (DC2) Site Specific Development Control Provision to (DC2) Site Specific Development Control Provision to add Cannabis Retail Sales as a permitted use. The subject site is identified on the Ellerslie Industrial Special Area map of the Zoning Bylaw (Section 930 Appendix I), which will be updated with a new DC2 number following approval of this charter bylaw.

SITE AND SURROUNDING AREA

The site is approximately 1.38 ha in area and is located on the northeast corner of 91 Street SW and 25 Avenue SW in the southwestern corner of Summerside.



AERIAL VIEW OF APPLICATION AREA

	EXISTING ZONING	CURRENT USE
SUBJECT SITE	(DC2) Site Specific Development Control Provision	Retail & Office building
CONTEXT		
North	(EIB) Ellerslie Industrial Business Zone	Warehouse buildings and light industrial uses
East	(DC2) Site Specific Development Control Provision	Retail & office building
South	(EIB) Ellerslie Industrial Business Zone	Undeveloped land
West	(DC1) Direct Development Control Provision Ellerslie	Undeveloped land

PLANNING ANALYSIS

The proposed (DC2) to (DC2) Provision will add Cannabis Retail Sales to the list of permitted uses already allowed under the DC2 Provision. Cannabis Retail Sales will have similar land use impacts as other commercial uses including Minor Alcohol or Convenience Retail Stores, which are already permitted in the existing DC2 Provision. The proposal conforms to the Summerside Neighbourhood Structure Plan (NSP) and Ellerslie Area Structure Plan (ASP) that designates the western edge of Summerside, including this site, to allow a range of light industrial and business employment uses.

TECHNICAL REVIEW

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

PUBLIC ENGAGEMENT

ADVANCE NOTICE May 25, 2018	<ul style="list-style-type: none">• Number of recipients: 122• 2 responses received (see below)
PUBLIC MEETING	<ul style="list-style-type: none">• Not held
WEBPAGE	<ul style="list-style-type: none">• edmonton.ca/summerside

Administration received two comments as a result of the advance notice. Concerns raised were about the close proximity of cannabis sales to a daycare in the same commercial building and to a nearby storm water retention facility.

Cannabis Retail Sales was added to the Special Land Use Provisions of the Zoning Bylaw on July 12, 2018 (Section 70). This section specifies those uses where minimum Site separation distances between them and Cannabis Retail Sales are required. Similar to Minor Alcohol Sales, separation distance between Cannabis Retail Sales and public lands zoned for park uses (AP) Public Parks Zone and (A) Metropolitan Recreation Zone are specified and separation requirements are not required for Child Care Services or lands zoned for storm ponds under the (PU) Public Utility Zone.

Regulations of Section 70 of the Zoning Bylaw will be applied at the development permit stage. Design elements required for Cannabis Retail Sales that allow for natural surveillance to promote a safe environment as well as provincial and federal regulation requirements regarding advertising, how product can be displayed, and security, will limit impacts on adjacent development.

CONCLUSION

City Planning recommends that City Council APPROVE this application.

APPENDICES

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

DC2 TRACK CHANGES

(DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION

1. General Purpose

To establish a Site Specific Development Control provision to provide for light industrial, professional office, and limited retail uses, all of which carry out their operations such that no nuisance factor is created or apparent outside an enclosed building and such that the site is compatible with any adjacent Non-industrial Zone.

2. Area of Application

This provision shall apply to a 1.38 ha site, Lot 7, Block 56, Plan 112 5456, located north of 25th Avenue SW and west of 90B Street SW, as shown on Schedule “A” of this Bylaw adopting this provision, Summerside.

3. Uses

- a. Automotive and Equipment Repair Shops
- b. Automotive and Minor Recreation Vehicle Sales/Rentals
- c. Bars and Neighbourhood Pubs

d. Business Support Services

~~d.~~e. Cannabis Retail Sales

~~e.~~f. Child Care Services

~~f.~~g. Commercial Schools

~~g.~~h. Convenience Retail Stores

~~h.~~i. Convenience Vehicle Rentals

~~i.~~j. Equipment Rentals

~~j.~~k. Fascia On-premises Signs

~~k.~~l. Fleet Services

~~l.~~m. Freestanding On-premises Signs

~~m.~~n. Funeral, Cremation and Interment Services

~~n.~~o. Gas Bars

~~o.~~p. General Industrial Uses

~~p.~~q. Greenhouses, Plant Nurseries and Market Gardens

~~q.~~r. Health Services

~~r~~.s. Indoor Participant Recreation Services
~~s~~.t. Limited Contractor Services
~~t~~.u. Major Service Stations
~~u~~.v. _____ Media Studios
~~v~~.w. _____ Minor Alcohol Sales
~~w~~.x. _____ Minor Digital Off-premises Signs
~~x~~.y. _____ Minor Digital On-premises Signs
~~y~~.z. Minor Digital On-premises Off-premises Signs
~~z~~.aa. _____ Minor Service Stations
~~aa~~.bb. _____ Mobile Catering Food Services
~~bb~~.cc. _____ Outdoor Participant Recreation Services
~~cc~~.dd. _____ Personal Service Shops
~~dd~~.ee. _____ Private Clubs
~~ee~~.ff. _____ Professional, Financial and Office Support Services
~~ff~~.gg. _____ Projecting On-premises Signs
~~gg~~.hh. _____ Rapid Drive-through Vehicle Services
~~hh~~.ii. _____ Residential Sales Centres
~~ii~~.jj. _____ Restaurants
~~jj~~.kk. _____ Special Industrial Uses
~~kk~~.ll. _____ Specialty Food Services
~~ll~~.mm. _____ Temporary On-premises Signs
~~mm~~.nn. _____ Veterinary Services

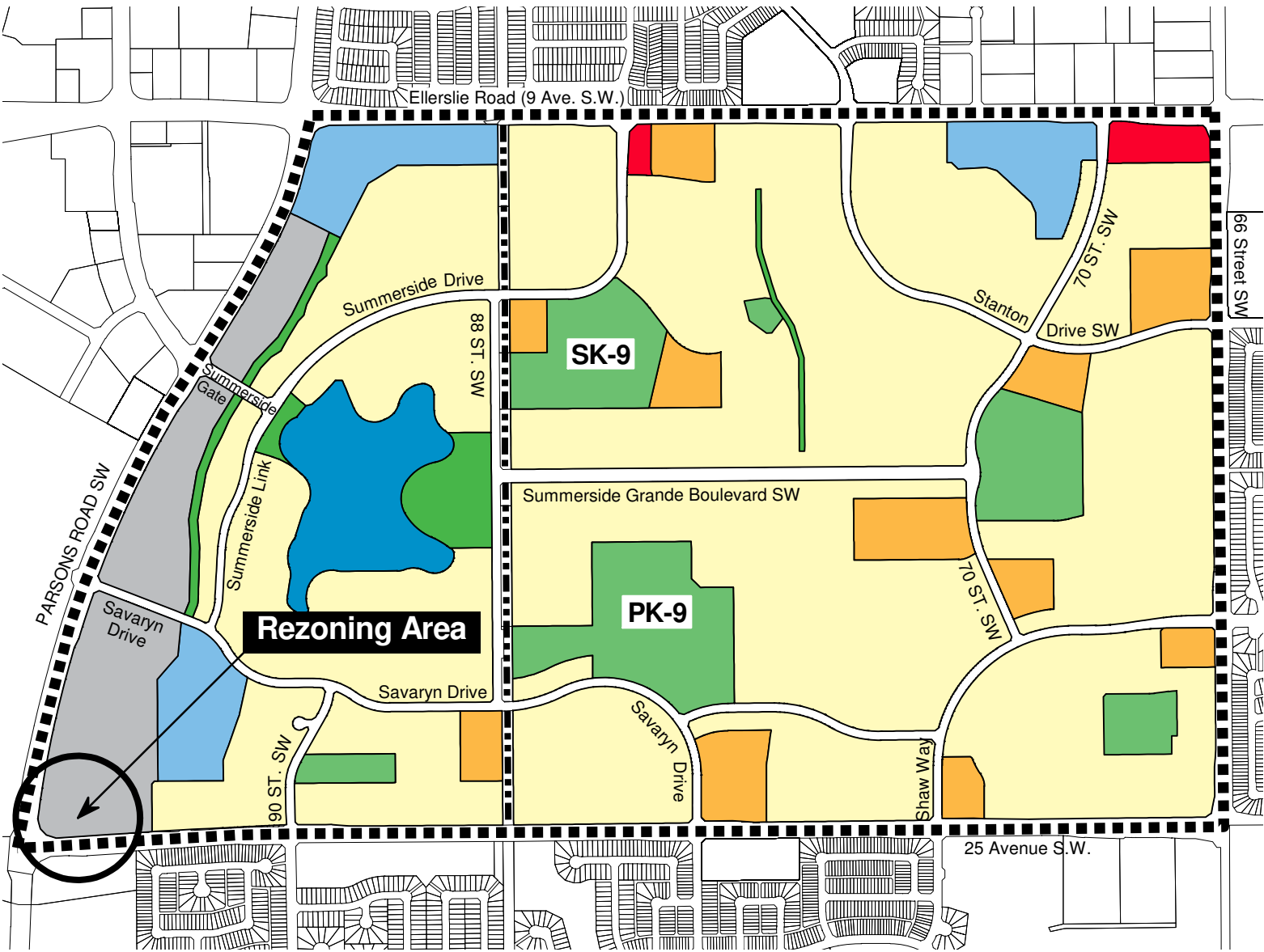
4. Development Regulations

- a. Notwithstanding Section 720.3(2) of this Bylaw, a site plan is not appended to this Provision.
- b. The maximum floor area ratio shall be 1.2.
- c. All Bars and Neighbourhood Pubs shall be limited to a maximum of 240 m² of Public Space and 200 seats for occupants.
- d. A minimum landscaped Yard of 6.0 m shall be required where the Site Abuts a public roadway, other than a Lane, except where identified in Appendix I.
- e. A minimum building setback of 6.0 m shall be required.











- f. No parking, loading, storage, trash collection outdoor service or display area shall be permitted within a Setback.
- g. Any display and storage areas that Abut any Zone, other than an Industrial Zone shall be screened in accordance with the provisions of subsection 55.5(6) of the Zoning Bylaw.
- h. The maximum Height shall not exceed 12.0 m, except that the Height shall not exceed 14.0 m for a building housing a General Industrial Use, where required to facilitate the development of the General Industrial Use.
- i. Any trash collection area, open storage area, or outdoor service area including any loading, unloading or vehicle service area that is visible from any adjoining Site, shall be screened from view from the adjoining Site. Landscaping, planting, berming, masonry walls, wood fencing or other man made features shall be provided from the ground to a Height of 1.8 m to block the view from an adjoining Site.
- j. All storage, display or parking areas shall be hardsurfaced in accordance with subsection 54.6 of the Zoning Bylaw.
- k. Lighting for the display, storage and parking areas shall be mounted on lamp standards or building walls and no exposed bulbs or strings of lights shall be used. Lighting shall be in accordance with Section 51 of the Zoning Bylaw.
- l. The number of required Off-street Vehicular Accessory Parking spaces shall be calculated in accordance with Section 54 of the Zoning Bylaw. A variance may be considered if supported by a study submitted by the applicant, satisfactory to the Development Officer in consultation with Transportation Services.
- m. All developments shall comply with the Performance Standards of Section 57 of the Zoning Bylaw for the IB Zone.
- n. Signs shall comply with the regulations found in Schedule 59J of the Zoning Bylaw.

5. Additional Development Regulations for Specific Uses

- a. Convenience Retail Stores, Child Care Services, Specialty Food Services, Restaurants, Bars and Neighbourhood Pubs and Personal Service Shops shall be located:
 - i. As part of an office or industrial project where such Uses are intended to service and support the principal industrial or office use.
- b. Prior to issuance of a development permit for Automotive and Vehicle Sales/Rentals, the Development Officer shall ensure the size, location, screening and landscaping of the outdoor visual areas are compatible with the Site design of surrounding developments.



**BYLAW 16149
APPROVED
SUMMERSIDE**
Neighbourhood Structure Plan
(as amended)

	Low Density Residential		Private Open Space (Parks/Linkages)
	Medium Density Residential		School/Park Site
	Neighbourhood Commercial		Industrial (Special Area)
	Stormwater Facility/PUL		Power Corridor
	Private Open Space (Lake)		Boundary of NSP
PK-9	Public K-9 School		
SK-9	Separate K-9 School		

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:	Charter Bylaw 18494
Location:	East of 91 Street SW and north of 25 Avenue SW
Address:	9076 – 25 Avenue SW
Legal Description:	Lot 7, Block 56, Plan 1125456
Site Area:	1.37 ha
Neighbourhood:	Summerside
Ward - Councillor:	12 – Mohinder Banga
Notified Community Organization:	Summerside Community League of Edmonton
Applicant:	Jim Killoh

PLANNING FRAMEWORK

Current Zone and Overlay:	(DC2) Site Specific Development Control Provision Special Area Ellerslie Industrial
Proposed Zone and Overlay:	(DC2) Site Specific Development Control Provision Special Area Ellerslie Industrial
Plan(s) in Effect:	Summerside Neighbourhood Structure Plan Ellerslie Area Structure Plan
Historic Status:	None

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