

## 3804 - 137 AVENUE NW

[illegible]

- allow for additional commercial uses on the site; and
- conform with the intent of the Clareview Town Centre NASP.

## The Application

1. CHARTER BYLAW 19902 to amend the Zoning Bylaw from (DC2) Site Specific Development Control Provision to (DC2) Site Specific Development Control Provision.

The application proposes to add cannabis retail sales as a permitted use on the site and includes administrative updates to the development regulations to align wording of the DC2 with the current terminology and standards of the Zoning Bylaw.

## Site and Surrounding Area

The 5.8 ha site, located on the northeast corner of 137 Avenue NW and 40 Street NW, is developed with a large-format commercial use.



AERIAL VIEW OF APPLICATION AREA

	EXISTING ZONING	CURRENT USE
<b>SUBJECT SITE</b>	(DC2) Site Specific Development control Provision.	commercial shopping center
<b>CONTEXT</b>		
North	(US) Urban Service Zone	recreation center and park space
East	(RF4) Semi-detached Residential Zone	single detached housing

South	(RA8) Medium Rise Apartment Zone	apartment housing
West	(DC2) Site Specific Development control Provision.	commercial shopping center

## Planning Analysis

The Clareview Town Centre neighbourhood is an established, multi-use neighbourhood. It includes a mix of residential uses, the Clareview Transit and LRT Station, the Clareview Recreation Centre, and a large commercial area. The commercial node supports walking, cycling and transit, where people can live, work, shop, and access services nearby. The proposed addition of an additional commercial use will add to the commercial mix of uses and services permitted in the area.

### LAND USE COMPATIBILITY

Charter Bylaw 19902 proposes to rezone the subject site from (DC2) Site Specific Development Control Provision to (DC2) Site Specific Development Control Provision. The current (DC2) Provision allows for a range of commercial uses. The proposed DC2 Provision will add cannabis retail sales as an additional use. Administrative updates are also being included in the development regulations to align with the current terminology and standards of the Zoning Bylaw.

The 5.8 ha site is located across 139 Avenue NW from the Clareview Park and Recreation Centre which contains a branch of the Edmonton Public Library and The Cardinal Collins High School Academic Centre. Section 70 of the Zoning Bylaw which regulates Cannabis Retail Sales, allows for this use on sites that are greater than 2 ha and zoned either CSC or DC2 by waiving setback requirements from offsite public facilities.

### PLANS IN EFFECT

The proposed rezoning conforms with the Clareview Town Centre Neighbourhood Area Structure Plan which designates much of the area on the north side of 137 Avenue NW as a Shopping Centre.

### CITYPlan Alignment

The subject site is located in the future Northeast District Plan and the Clareview Town Centre is identified as a Major Node in The City Plan. *A major node is a large-scale urban centre that serves multiple districts and is typically anchored by public institutions and significant employment centres. Major nodes capitalize on excellent transit access and support higher density development and a wide mixture of land uses.* The proposal aligns with The City Plan 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

EPCOR Water supports the proposed rezoning and advises that the site can be serviced with the existing connections. There is a deficiency in on-street hydrant spacing which may require new hydrants to be installed along 137 and 139 Avenues NW at the development permit stage.

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

## Community Engagement

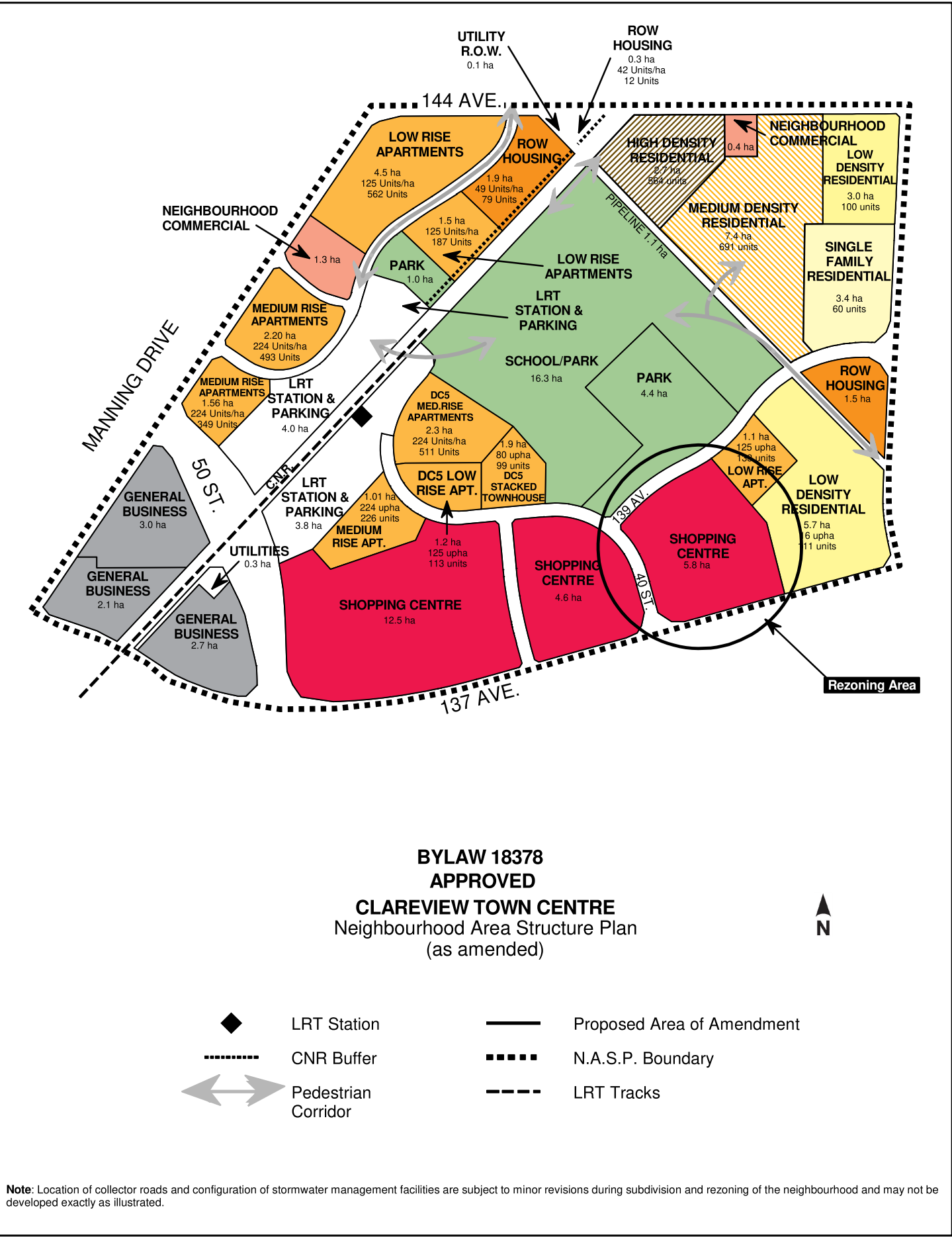
<b>ADVANCE NOTICE</b> Aug 19, 2021	<ul style="list-style-type: none"><li>• Number of recipients: 51</li><li>• No responses received.</li></ul>
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## Conclusion

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

## APPENDICES

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





## Tracked Changes

### (DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION

#### 1. General Purpose

To accommodate the development of a large general retail store with complementary commercial uses attached to the structure and on the site, while ensuring that development is compatible with the scale and use of neighbouring residential, park and school development and potential use and traffic conflicts are mitigated.

#### 2. Area of Application

This DC2 Provision shall apply to a portion of Lot 2, Block 2, Plan 022 4472, as shown on Schedule "B" Map of this bylaw, adopting this provision.

#### 3. Uses

1. Business Support Services, up to a maximum Floor Area of 465 m<sup>2</sup>
2. Cannabis Retail Sales
3. Drive-in Food Services, up to a maximum Floor Area of 465 m<sup>2</sup>
4. General Retail Stores
5. Health Services, up to a maximum Floor Area of 465 m<sup>2</sup>
6. Liquor Stores
7. Major Alcohol Sales
8. Minor Alcohol Sales
9. Personal Service Shops, up to a maximum Floor Area of 465 m<sup>2</sup>
10. Professional, Financial, and Office Support Services, up to a maximum Floor Area of 465 m<sup>2</sup>
11. Rapid Drive through Vehicle Services, up to a maximum Floor Area of 465 m<sup>2</sup>
12. Restaurants, limited to one establishment of less than 100 occupants and 120 m<sup>2</sup> of Public Space
13. Specialty Food Services, limited to one establishment of less than 100 occupants and 120 m<sup>2</sup> of Public Space
14. Fascia On-Premises Signs
15. Freestanding On-Premises Signs
16. Projecting On-Premises Signs
17. Temporary On-Premises Signs

#### 4. Development Regulations

1. Development shall reflect the design concept and type of development illustrated by the Site Plan, as shown on Appendix I of this Bylaw.
2. The maximum Floor Area Ratio shall be 0.4.
3. A 9.5 m landscaped Yard, including a 3.0 m high berm with a 2.0 m high uniform screened fence centered on the east property line, is required to provide a buffer between the adjacent land and this development.
4. A minimum landscaped Yard of 6.0 m shall be required where the Site abuts a public roadway.
5. The maximum building Height shall be 1 storey and 14.0 m, inclusive of mechanical facilities and screening of same.
6. A minimum building Setback of 15.0 m shall be required for all buildings and structures adjacent to the east property line.
7. All development shall be constructed using a similar or compatible architectural theme.
8. No parking, loading, storage, trash collection, outdoor service, or display area shall be permitted within a required Yard. Parking, loading, and trash collection areas shall be located and screened from view from adjacent sites and public roadways in accordance with the provisions of subsection 55.4 of the Zoning Bylaw.
9. Signs shall comply with the regulations found in Schedule 59E of the Zoning Bylaw, and a comprehensive Sign Design Plan, consistent with the overall intent of subsection 59.3 of the Zoning Bylaw, shall be prepared for the development and submitted with the development application, to be approved by the Development Officer.
10. Landscaping shall be provided as follows:
  - i. boulevard trees along 137 Avenue, 40 Street and 139 Avenue;
  - ii. Yards shall be landscaped to a standard of 1.5 trees per 25 m<sup>2</sup> and 3 shrubs per 15 m<sup>2</sup>; and
  - iii. Landscaped islands in the parking lot as indicated the Site Plan as shown on Appendix I of this Bylaw.
11. **Liquor Stores** ~~Major and Minor Alcohol Sales~~ shall not be located closer than 100.0m from 139 Avenue. The 100.0 m separation distance shall be measured from the Zone boundary along 139 Avenue to the closest edge of a structure with this use.
12. **Section 70.1, 70.2 and 70.5 of the Zoning Bylaw shall not be applied for the development of Cannabis retail sales.**



Appendix 1



## APPLICATION SUMMARY

### INFORMATION

Application Type:	Rezoning
Charter Bylaw:	19902
Location:	North of 137 Avenue NW and east of 40 Street NW
Address:	3804 - 137 AVENUE NW
Legal Description:	Lot 2, Block 2, Plan 0224472
Site Area:	5.8 ha.
Neighbourhood:	Clareview Town Centre
Ward:	Dene
Notified Community Organizations:	Hairsine Community League; South Clareview Community League; & Clareview and District Area Council Area Council
Applicant:	Sharron Longowal

### PLANNING FRAMEWORK

Current Zone:	(DC2) Site Specific Development Control Provision
Proposed Zone:	(DC2) Site Specific Development Control Provision
Plan in Effect:	Clareview Town Centre Neighbourhood Area Structure Plan
Historic Status:	None

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Section:

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