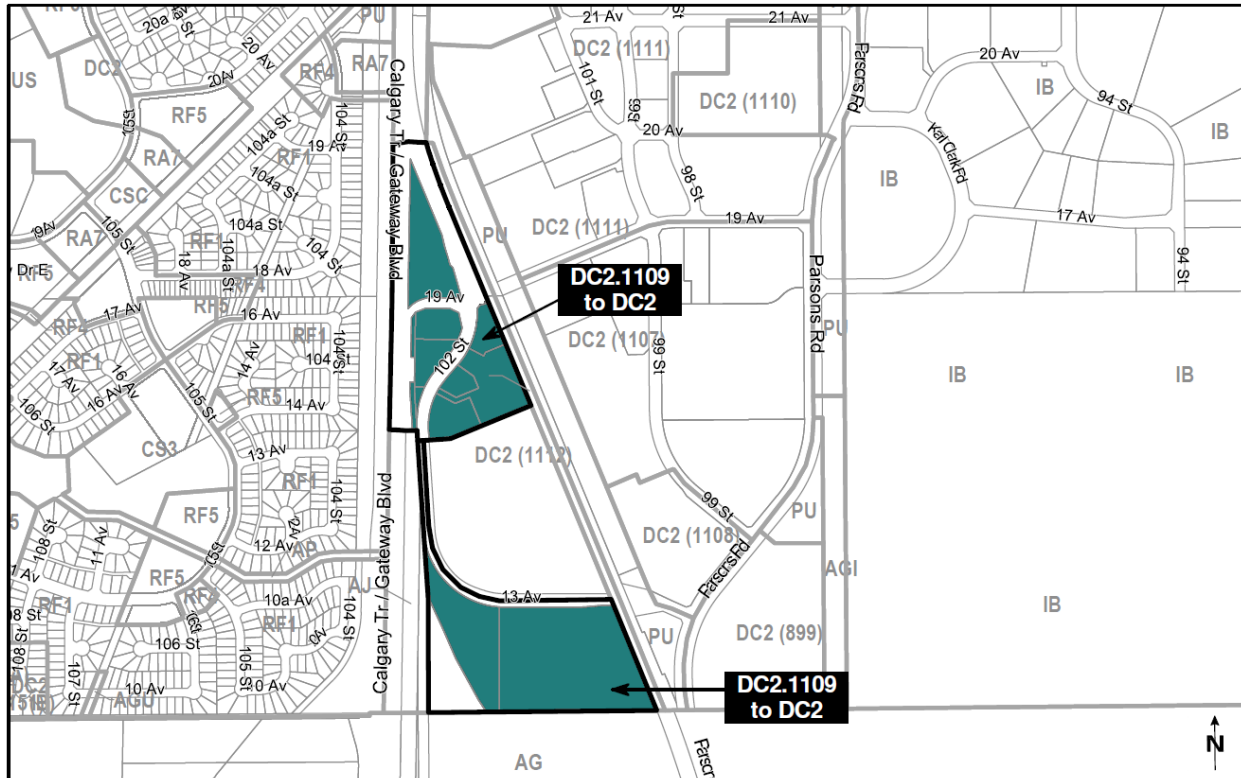




# ADMINISTRATION REPORT REZONING SOUTH EDMONTON COMMON

## Located south of 23 Avenue NW, and east of Gateway Boulevard

To reduce the building setback from the railway right-of-way for two properties.



**Recommendation:** That Charter Bylaw 19810 to amend the Zoning Bylaw from (DC2.1109) Site Specific Development Control Provision to (DC2) Site Specific Development Control Provision be **APPROVED**.

Administration **SUPPORTS** this application because:

- The reduced setback is consistent with a Risk Assessment that has been reviewed and accepted by Administration; and right-of-way; and
- The rezoning will facilitate development within the South Edmonton Common Neighbourhood.

## Report Summary

This application was accepted from Mike Vivian (Stantec) on March 31, 2021, and proposes to rezone the site from (DC2.1109) Site Specific Development Control Provision to (DC2) Site Specific Development Control Provision. The proposed DC2 Zone will split the current zoning into separate zones for the north and south portion of the site, and will reduce the building setback from the Canadian Pacific railway for the north portion of the subject site from 14 meters to 7.5 meters.

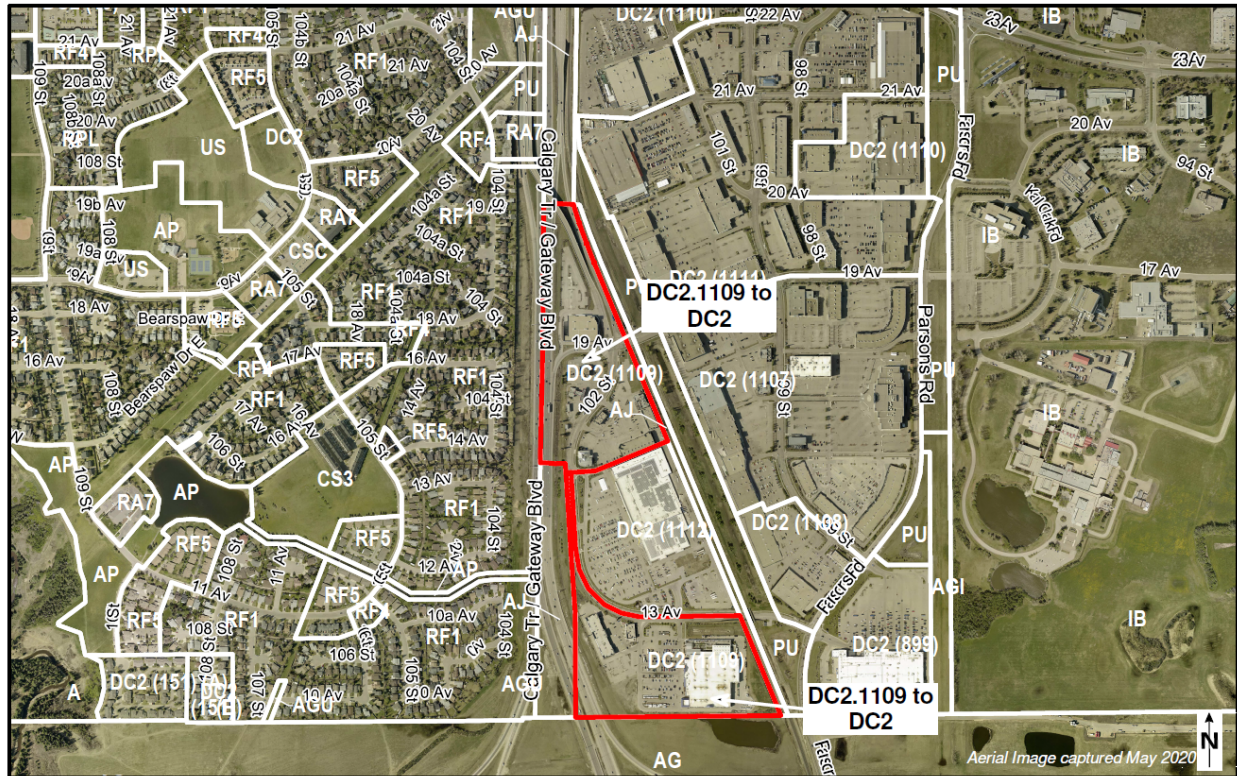
The proposal is in alignment with the *CityPlan* as it will contribute to intensification and expand economic opportunities within Edmonton's non-residential areas.

## The Application

**CHARTER BYLAW 19810** will amend the Zoning Bylaw from (DC2.1109) Site Specific Development Control Provision to (DC2) Site Specific Development Control Provision to split the current zoning into separate zones for the north and south portion of the site, and to reduce the building setback from the railway (within the North portion) from 14 meters to 7.5 meters.

## Site and Surrounding Area

The application area includes several parcels of land located south of 23 Avenue NW, west of Parsons Road NW, and east of Gateway Boulevard within the South Edmonton Common neighbourhood. The area is surrounded by a variety of commercial uses to the east zoned (DC2) Site Specific Development Control Provision and residential uses to the west (across Calgary Trail / Gateway Boulevard) that are primarily zoned (RF1) Single Detached Residential Zone.



AERIAL VIEW OF APPLICATION AREA.

|                     | <b>EXISTING ZONING</b>   | <b>CURRENT USE</b>      |
|---------------------|--|-------------------------|
| <b>SUBJECT SITE</b> | <ul style="list-style-type: none"> <li>(DC2.1109) Site Specific Development Control Provision</li> </ul>                   | Mixed Commercial Uses   |
| <b>CONTEXT</b>      |  |                         |
| North               | <ul style="list-style-type: none"> <li>(AGI) Industrial Reserve Zone</li> </ul>  | Industrial Facility     |
| East                | <ul style="list-style-type: none"> <li>(DC2.1107, 1108, 1110, 1111) Site Specific Development Control Provision</li> </ul> | Mixed Commercial Uses   |
| South               | <ul style="list-style-type: none"> <li>(AG) Agricultural Zone</li> </ul>   | Anthony Henday Drive    |
| West                | <ul style="list-style-type: none"> <li>(RF1) Single Detached Residential Zone</li> </ul>                                   | Single Detached Housing |

## Planning Analysis

The site is currently zoned (DC2.1109) Site Specific Development Control Provision and accommodates a range of highway commercial and general commercial uses. This rezoning will amend the existing DC2 Provision to reduce the building setback from the railway right-of-way, as it applies to two properties, from 14 meters to 7.5 meters. The DC2 Provision retains a regulation that requires sensitive uses (such as Commercial Schools, Hotels, and Indoor Participant Recreation Services) to respect a 14 meter setback.

This amendment will improve the developability of an unusually shaped parcel of vacant land (see image below) and will remedy a conformance issue on the southerly abutting parcel. The unusually shaped parcel is the last undeveloped parcel within the immediate surrounding area.



Given its triangular shape, the larger (14 m) setback from the railway limits the development pocket on this property and places a legitimate hardship on the site. The proposed 7.5 m setback represents a reasonable distance that will be consistent with the southerly adjacent buildings, and is also acceptable according to the Risk Assessment that has been reviewed regarding this change.

Because the current DC2 Provision covers a larger area that extends as far south as the Transportation Utility Corridor (TUC), and Administration is not supportive of a wholesale reduction to the railway setback, this bylaw will split the current DC2 Provision into two separate Provisions. This will serve to apply the reduced setback only against the area where it is needed, and will improve the efficiency of managing any future rezoning amendments for these lands.



### PLANS IN EFFECT

The proposal is in alignment with the **City Plan** as it will contribute to intensification and expand economic opportunities within Edmonton’s non-residential areas. There is no area specific plan governing this area, as the *South Edmonton Common / Edmonton Research and Development Park Area Structure Plan* was repealed on June 8, 2021.

### Technical Review

#### Transportation & Transit:

Administration has reviewed the proposed DC2 amendment and have no comments or concerns.

**Drainage:**

Administration has reviewed the proposed DC2 amendment and has no concerns. The proposed rezoning can be supported by the existing drainage infrastructure.

**EPCOR Water:**

EPCOR Water advised that there is a deficiency in hydrant spacing adjacent to the property. One additional hydrant may need to be constructed on 13 Avenue. Administration has initiated an Infill Fire Protection Assessment (IFPA) from Edmonton Fire Rescue Services (EFRS) to determine if alternate means of fire protection can be provided. This matter will be addressed at the Development Permit stage.

**Risk:**

Administration has reviewed and accepted a Risk Assessment report that was provided regarding the reduced Setback from the railway right-of-way. The applicant was agreeable to the maintenance of a minimum setback of 14 m for sensitive uses should they occur on the site.

**Canadian Pacific Railway (CPR):**

The operator of the abutting rail line (CPR) was consulted about the proposed amendment and they advised that they do not support a reduction of the setback requirements. City Administration responded to CPR that a satisfactory Risk Assessment had been submitted, reviewed and accepted regarding the reduced setback from the rail line. CPR was also advised that the amendment would only apply to a limited portion of the site to account for the hardship that a larger setback would place upon the small, unusually shaped, remnant parcel within the site.

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

## Community Engagement

|                                       |  |
|---------------------------------------|--|
| <b>ADVANCE NOTICE</b><br>May 11, 2021 | <ul style="list-style-type: none"><li>• Number of recipients: 60</li><li>• No responses received</li></ul>   |
| <b>WEBPAGE</b>                        | <ul style="list-style-type: none"><li>• <a href="http://edmonton.ca/industrialplanningapplications">edmonton.ca/industrialplanningapplications</a></li></ul> |

## Conclusion

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

## APPENDICES

- 1 DC2 Track Changes
- 2 Application Summary

## (DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION (NORTH PARCELS)

### 1. General Purpose

To establish a Site Specific Development Control Provision to accommodate a range of highway commercial and general commercial uses, with site development regulations that will ensure a high standard of appearance appropriate to the site's location on a major entrance route to the City.

### 2. Area of Application

This DC2 Provision shall apply to [Lot 1PUL, Block 19, Plan 0224371; Lot 2, Block 18, Plan 0523297; Lot 3, Block 18, Plan 0523297; Lot 4, Block 18, Plan 0523297; Lot 5, Block 18, Plan 0523297; Lot 2, Block 19, Plan 0523284; Lot 3, Block 19, Plan 0523284; Lot 4, Block 19, Plan 2020522; and Lot 2, Block 22, Plan 2020528](#) ~~Lot 2, Block 1, Plan 0521408; Lot 2, Block 20, Plan 0924358; Lot 3, Block 20, Plan 1024252; Lot 2, Block 18, Plan 0523297; Lot 5, Block 18, Plan 0523297; Lot 2, Block 19, Plan 0523284; Lot 3, Block 19, Plan 0523284; Lot 1, Block 22, Plan 1722300; Block C, Plan 0122310; Lot 3, Block 18, Plan 0523297; Lot 4, Block 18, Plan 0523297; Lot 3, Block 1, Plan 0627090; and a portion of OT 51-24-4~~, situated east of Gateway Boulevard and west of the [railway right-of-way](#) ~~Canadian Pacific Rail Main Line~~, as shown on the Appendix 1 attached to the Schedule.

### 3. Uses

- a. Automotive and Equipment Repair Shops
- b. Bars and Neighborhood Pubs
- c. Business Support Services
- d. Cannabis Retail Sales
- e. Commercial Schools
- f. Convenience Retail Stores
- g. Convenience Vehicle Rentals
- h. Creation and Production Establishments
- i. Funeral, Cremation and Interment Services
- j. Drive-in Food Services
- k. Equipment Rentals
- l. Gas Bars
- m. General Retail Stores
- n. Government Services
- o. Green Houses, Plant Nurseries and ~~Market Gardens~~ [Centres](#)
- p. Health Services
- q. Hotels

- r. Indoor Participant Recreation Services
- s. Liquor Stores
- t. Major Amusement Establishments
- u. Major Service Stations
- v. Media Studios
- w. Minor Amusement Establishments
- x. Minor Service Stations
- ~~y. Minor Veterinary Services~~
- ~~z.~~y. Motels
- ~~aa. Non-accessory Parking~~
- ~~bb.~~z. Personal Services Shops
- ~~cc.~~aa. Private Clubs
- ~~dd.~~bb. Professional, Financial and Office Support Services
- ~~ee.~~cc. Rapid Drive-through Vehicle Services
- ~~ff. Religious Assembly~~
- ~~gg.~~dd. Restaurants
- ~~hh.~~ee. Specialty Food Services
- ff. Spectator Entertainment Establishments
- gg. Vehicle Parking
- hh. Veterinary Services
- jj. Warehouse Sales
- ~~kk.~~jj. Fascia On-premises Signs
- ~~ll.~~kk. Freestanding On-premises Signs
- ~~mm.~~ll. Projecting On-premises Signs
- ~~nn.~~mm. Temporary On-premises Sign
- ~~oo.~~nn. Major Digital Signs
- ~~pp.~~oo. Minor Digital On-premises Signs
- ~~qq.~~pp. Minor Digital Off-premises Signs
- ~~rr.~~qq. Minor Digital On-premises Off-premises Signs

#### 4. Development Criteria

- a. Notwithstanding Section 720.3 (2) of the Zoning Bylaw, no Site Plan is appended to this Provision however the overall site development shall be generally in accordance with Appendix 2, the Overall site Plan.
- b. The maximum Floor Area Ratio (FAR) shall be 1.0 except that the maximum FAR for Professional, Financial and Office Support Services shall be 1.5.
- c. The maximum building Height shall be 15 m except that the maximum Height for a Hotel shall be 30 m.

- d. A minimum building Setback of 14 m shall be provided from property lines adjacent to Gateway Boulevard, the Transportation Utility Corridor, and the ~~Canadian Pacific Rail Main Line~~.
- e. A minimum building Setback of 7.5 m shall be provided from property lines adjacent to the railway right-of-way.
- f. Notwithstanding regulation 3.e of this Provision, a minimum setback of 14 m shall be provided from property lines adjacent to the railway right-of-way for the following Uses:

  - i. Commercial Schools
  - ii. Hotels
  - iii. Indoor Participant Recreation Services
  - iv. Major Amusement Establishments
  - ~~d.v.~~ v. Spectator Entertainment Establishments
- ~~e.g.~~ g. A landscaped Yard a minimum of 7.5 m in width shall be provided adjacent to Calgary Trail Northbound and the Transportation Utility Corridor. Landscaping shall consist of a discontinuous undulating berm a maximum of 1.0 m in Height and planting of four deciduous trees (a minimum of 8 cm caliper), four coniferous trees (a minimum of 3.0 m in height) and twenty shrubs for every 35 m of lineal Yard frontage, with the plant material being grouped within modules not greater than 25 m in length or 4.5 m in width.
- ~~f.h.~~ h. A landscaped Yard a minimum of 4.5m in width shall be provided adjacent to internal public roadways. Landscaping within this Yard shall be in accordance with Section 55.
- ~~g.i.~~ i. A landscaped Yard a minimum of 3.0 m in width shall be provided adjacent to the railway right-of-way~~Canadian Pacific Main Line~~. Landscaping within this Yard shall be in accordance with Section 55.
- ~~h.j.~~ j. Development shall comply with the regulations of Section 813 of the Zoning Bylaw, the Major Commercial Corridors Overlay.
- ~~i.k.~~ k. No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required Yard. Loading, storage and trash collection areas shall be located to the rear or sides of the principal buildings and shall be screened from view from any adjacent Sites or public roadways. Waste collection siting shall provide opportunities for recycling initiatives.
- ~~j.~~ ~~Developments shall be in accordance with Sections 40 through 98.~~
- ~~k.l.~~ l. Signs shall be in accordance with Section 59.2 and Schedule 59F of the Zoning Bylaw, with the following exceptions:

  - i. The maximum Height of a Freestanding Sign shall be 8.0 m. The Development Officer may allow a Freestanding Sign up to 10.0 m in Height if a Residential Zone is not within 60.0 m, measured from the Sign location to the nearest Site zoned Residential.



- ii. Freestanding On-premises Signs along Gateway Boulevard may be increased to a maximum Height of 12m and a maximum copy area of 40 m<sup>2</sup>.
- iii. There shall be a maximum of eleven (11) Free-standing On-Premises Signs permitted along Calgary Trail/Gateway Boulevard with a maximum number of four (4) Free-standing On-premises Digital Signs.
- iv. Digital Signs, and Digital Sign panels that are part of the same Freestanding Sign structure shall not exceed a maximum Height of 8.0 m.
- v. The maximum copy area for Minor Digital Signs shall be 20 m<sup>2</sup>.
- vi. The maximum copy area for Major Digital Signs shall be 12 m<sup>2</sup>.
- vii. At the discretion of the Development Officer, a Comprehensive Sign Design Plan shall be required, in accordance with Section 59.3.

~~l.m.~~ Placement of Digital Signs shall be subject to the satisfaction of the Development Officer in consultation with Transportation Services.

~~m.n.~~ All Digital Signs shall be processed as a Class B development

#### 5. Additional Development Criteria for Specific Uses

- a. The following regulations shall apply to Convenience Vehicle Rentals:
  - i. Servicing and repair operation shall be permitted only as an Accessory Use;
  - ii. All storage, display or parking areas shall be hard surfaced in accordance with Section 57; and
  - iii. Lighting for the display areas shall be mounted on lamp standards and no exposed bulbs or strings of lights shall be used.
- b. Indoor Participant Recreation Services shall be limited to athletic and health fitness centers.
- c. All activities associated with Automotive and Equipment Repair Shops, Equipment Rentals, and Minor Veterinary Services shall be contained within an enclosed building.

## (DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION (SOUTH PARCELS)

### 1. General Purpose

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### 2. Area of Application

This DC2 Provision shall apply to ~~Lot 2, Block 1, Plan 0521408;~~ Lot 2, Block 20, Plan 0924358 ~~and;~~ Lot 3, Block 20, Plan 1024252; ~~Lot 2, Block 18, Plan 0523297; Lot 5, Block 18, Plan 0523297; Lot 2, Block 19, Plan 0523284; Lot 3, Block 19, Plan 0523284; Lot 1, Block 22, Plan 1722300; Block C, Plan 0122310; Lot 3, Block 18, Plan 0523297; Lot 4, Block 18, Plan 0523297; Lot 3, Block 1, Plan 0627090; and a portion of OT 51-24-4,~~ situated east of Gateway Boulevard and west of the ~~railway right-of-way~~ Canadian Pacific Rail Main Line, as shown on the Appendix 1 attached to the Schedule.

### 3. Uses

~~ss.~~rr. Automotive and Equipment Repair Shops

~~tt.~~ss. Bars and Neighborhood Pubs

~~uu.~~tt. Business Support Services

~~vv.~~uu. Cannabis Retail Sales

~~ww.~~vv. Commercial Schools

~~xx.~~ww. Convenience Retail Stores

~~yy.~~xx. Convenience Vehicle Rentals

~~zz.~~yy. Creation and Production Establishments

~~aaa.~~zz. Funeral, Cremation and Interment Services

~~bbb.~~aaa. Drive-in Food Services

~~eee.~~bbb. Equipment Rentals

~~ddd.~~ccc. Gas Bars

~~eee.~~ddd. General Retail Stores

~~fff.~~eee. Government Services

~~ggg.~~fff. Green Houses, Plant Nurseries and ~~Market Gardens~~ Centres

~~hhh.~~ggg. Health Services

~~iii.~~hhh. Hotels

~~jjj.~~iii. Indoor Participant Recreation Services

~~kkk.~~jjj. Liquor Stores

~~lll.~~kkk. Major Amusement Establishments

~~mmm.~~lll. Major Service Stations

~~mmm.~~mmm. Media Studios  
~~ooo.~~nnn. Minor Amusement Establishments  
~~ppp.~~ooo. Minor Service Stations  
~~qqq.~~ **Minor Veterinary Services**  
~~rrr.~~ppp. Motels  
~~sss.~~ **Non-accessory Parking**  
~~ttt.~~qqq. Personal Services Shops  
~~uuu.~~rrr. Private Clubs  
~~vvv.~~sss. Professional, Financial and Office Support Services  
~~www.~~ttt. Rapid Drive-through Vehicle Services  
~~xxx.~~ **Religious Assembly**  
~~yyy.~~uuu. Restaurants  
~~zzz.~~vvv. Specialty Food Services  
www. Spectator Entertainment Establishments  
xxx. Vehicle Parking  
~~aaa.~~yyy. Veterinary Services  
~~bbb.~~zzz. Warehouse Sales  
~~eee.~~aaa. Fascia On-premises Signs  
~~ddd.~~bbb. Freestanding On-premises Signs  
~~eee.~~cccc. Projecting On-premises Signs  
~~fff.~~dddd. Temporary On-premises Sign  
~~ggg.~~eeee. Major Digital Signs  
~~hhh.~~ffff. Minor Digital On-premises Signs  
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- ~~q.r.~~r. A minimum building Setback of 14 m shall be provided from property lines adjacent to Gateway Boulevard, the Transportation Utility Corridor, and the railway right-of-way ~~Canadian Pacific Rail Main Line~~.
- ~~r.s.~~s. A landscaped Yard a minimum of 7.5 m in width shall be provided adjacent to Calgary Trail Northbound and the Transportation Utility Corridor. Landscaping

shall consist of a discontinuous undulating berm a maximum of 1.0 m in Height and planting of four deciduous trees (a minimum of 8 cm caliper), four coniferous trees (a minimum of 3.0 m in height) and twenty shrubs for every 35 m of lineal Yard frontage, with the plant material being grouped within modules not greater than 25 m in length or 4.5 m in width.

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- t.u. A landscaped Yard a minimum of 3.0 m in width shall be provided adjacent to the Canadian Pacific Main Line. Landscaping within this Yard shall be in accordance with Section 55.
- u.v. Development shall comply with the regulations of Section 813 of the Zoning Bylaw, the Major Commercial Corridors Overlay.
- v.w. No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required Yard. Loading, storage and trash collection areas shall be located to the rear or sides of the principal buildings and shall be screened from view from any adjacent Sites or public roadways. Waste collection siting shall provide opportunities for recycling initiatives.
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  - xiv. At the discretion of the Development Officer, a Comprehensive Sign Design Plan shall be required, in accordance with Section 59.3.
- y. Placement of Digital Signs shall be subject to the satisfaction of the Development Officer in consultation with Transportation Services.
- z. All Digital Signs shall be processed as a Class B development



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- e. Indoor Participant Recreation Services shall be limited to athletic and health fitness centers.
- f. All activities associated with Automotive and Equipment Repair Shops, Equipment Rentals, and ~~Minor~~ Veterinary Services shall be contained within an enclosed building.

## APPLICATION SUMMARY

### INFORMATION

|                                  |   |
|----------------------------------|---|
| Application Type:                | Rezoning  |
| Charter Bylaw:                   | 19810   |
| Location:                        | South of 23 Avenue SW and east of Gateway Boulevard NW  |
| Address:                         | 10161, 10141 - 13 Avenue NW,<br>1910, 1631, 1851, 1830, 1850, 1751, 1641 - 102 Street NW,<br>1655, 1822, & 1855 - Gateway Boulevard NW  |
| Legal Description:               | Lot 1PUL, Block 19, Plan 0224371;<br>Lot 2, Block 18, Plan 0523297;<br>Lot 3, Block 18, Plan 0523297;<br>Lot 4, Block 18, Plan 0523297;<br>Lot 5, Block 18, Plan 0523297;<br>Lot 2, Block 19, Plan 0523284;<br>Lot 3, Block 19, Plan 0523284;<br>Lot 4, Block 19, Plan 2020522;<br>Lot 2, Block 22, Plan 2020528;<br>Lot 3, Block 1, Plan 0627090;<br>Lot 2, Block 20, Plan 0924358; and<br>Lot 3, Block 20, Plan 1024252 |
| Site Area:                       | N/A   |
| Neighbourhood:                   | South Edmonton Common   |
| Ward:                            | Karhiio   |
| Notified Community Organization: | Yellowbird (East) and Blackmud Creek Community Leagues,<br>Ellerslie Community League Association   |
| Applicant:                       | Mike Vivian; Stantec  |

### PLANNING FRAMEWORK

|                  |  |
|------------------|--|
| Current Zone:    | (DC2.1109) Site Specific Development Control Provision |
| Proposed Zone:   | (DC2) Site Specific Development Control Provision      |
| Plan in Effect:  | None   |
| Historic Status: | None   |

Written By: Sean Conway  
 Approved By: Tim Ford  
 Branch: Development Services  
 Section: Planning Coordination