

Administration Report Ellerslie (Wernerville)

Edmonton

6830, 7030 - Ellerslie Road SW

To rezone land for mixed-use development.



Recommendation: That Charter Bylaw 20116 to amend the Zoning Bylaw from (DC2.1175) Site Specific Development Control Provision to (DC2) Site Specific Development Control Provision be **APPROVED**.

Administration **SUPPORTS** this application because it will:

- be compatible with the surrounding area;
- conform to the Ellerslie Neighbourhood Structure Plan; and
- align with the City Plan.

Application Summary

CHARTER BYLAW 20116 will amend the Zoning Bylaw, as it applies to the subject site, from (DC2.1175) Site Specific Development Control Provision to (DC2) Site Specific Development Control Provision. The DC2 Provision will maintain the existing uses and seeks to increase the maximum height on a portion of the property from 12 m to 16 m to accommodate multi-unit housing with ground floor commercial uses. In addition, the proposed DC2 Provision will align separation distances for Cannabis Retail Sales and Liquor Sales with Sections 70 and 85 of the Zoning Bylaw and make a minor adjustment to the site size threshold affecting Liquor Stores.

This application was accepted on February 18, 2022, from Invistec Consulting Ltd. (Stephen Yu) on behalf of Alliance MJ Developments Ltd.

This proposal conforms with the Ellerslie Neighbourhood Structure Plan and the City Plan by allowing for commercial and multi-unit housing uses along a Secondary Corridor.

Community Insights

This application was processed using a Basic Approach to public engagement because:

- the proposed change is minor; and
- the proposal conforms to the City Plan and planning policies.

The Basic Approach included the following techniques:

- Information on the application was added to the City of Edmonton's website; and
- An Advance Notice postcard was sent to the affected Community Leagues and surrounding property owners within a 120 meter radius. Further details of the Advance Notice and website are below.

Pre-application Notice: January 31, 2022

- Number of recipients: 18
- Number of responses with concerns: 1

Advance Notice, March 23, 2022

- Number of recipients: 18
- Number of responses with concerns: 0

Public Engagement Session,

- Not held

Webpage

- edmonton.ca/ellerslieplanningapplications

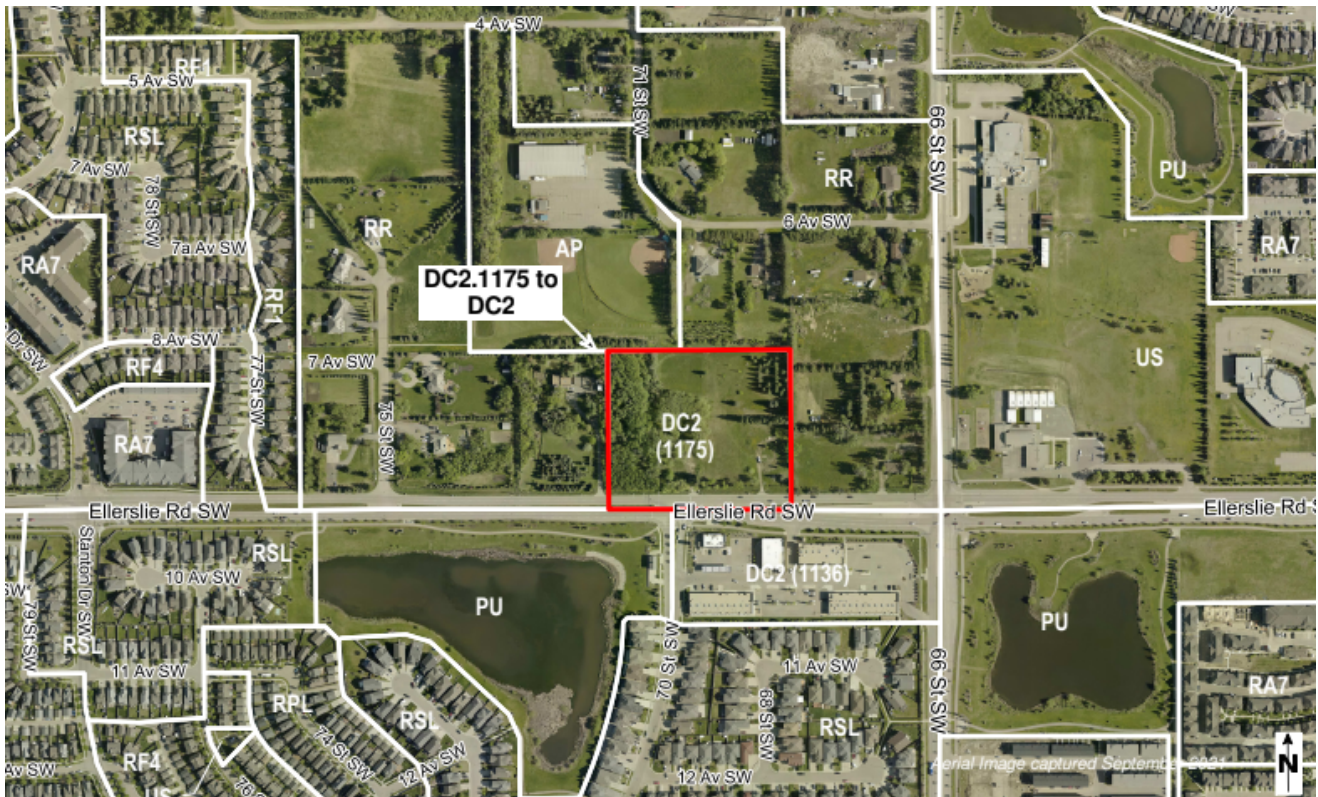
Common comments heard from the engagement include:

- Concerned with an increase in height from 12 m to 16 m adjacent to their property.

No formal feedback or position was received from the Ellerslie and Horizon Community Leagues at the time this report was written.

Site and Surrounding Area

The subject site is 2.4 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 site's northwest corner. The subject site fronts onto Ellerslie Road, a major arterial thoroughfare for the Ellerslie neighbourhood and surrounding areas. A commercial site and a stormwater management facility are developed to the south, across Ellerslie Road.



Aerial view of application area

	EXISTING ZONING	CURRENT USE
SUBJECT SITE	(DC2.1175) Site Specific Development Control Provision	Undeveloped
CONTEXT		
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

Zoning History

- 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 and limited residential uses.
- In August 2021, City Council approved Charter Bylaw 19824 to rezone the same subject site from (CB1) Low Intensity Business Zone to (DC2) Site Specific Development Control Provision to allow for the same uses and development regulations that are allowed under the current CB1 Zone but modified the separation distances of Cannabis Retail Sales and Liquor Stores from school and park sites.

Land Use Compatibility

The existing DC2 Provision was based on the CB1 Zone and accommodates a range of commercial uses and limited residential Uses; the proposed DC2 Provision will maintain the allowed Uses while seeking to:

- increase the maximum height on a portion of the site (located in the northwest corner) from 12 m to 16 m, specifically for mixed-use development (multi-unit housing with ground-floor commercial Uses);
- modify the site size threshold affecting Liquor Stores from 2.4 to 2.3 ha; and
- remove regulations regarding separation distances affecting Cannabis Retail Sales and Liquor Stores Uses to align with the Zoning Bylaw, Sections 70 and 85.

The proposed increase in height to 16 m for the multi-unit development is equivalent to the standard (RA7) Low-Rise Apartment Zone and is appropriate at this location along an arterial road. The current separation distances for Cannabis and Liquor Stores are being removed from the DC2 regulations and standard separations as outlined in Sections 70 (c) (Cannabis Retail Sales) and 85 (4) (Liquor Stores) of the Zoning Bylaw will apply. This will provide clarity, consistency, and align separation distances with how it is regulated across the City. The proposed reduction in site size threshold affecting Liquor Stores (2.4 ha to 2.3 ha) is a result of lands required for the dedication of road right of way along Ellerslie Road SW and will result in a minor exemption to the typical requirements under Section 85 (2) of the Zoning Bylaw which requires a site size of 2.5 ha in order to develop a Liquor store within 500m of another. Overall, the

development regulations, height, scale, and uses allowed within the proposed DC2 Provision will be sensitive in scale and compatible with the adjacent land and zonings.

Plans in Effect

The Ellerslie Area Structure Plan (ASP) and Ellerslie Neighbourhood Structure Plan (NSP) guide the neighbourhood's land use and designates the subject site for commercial land use. The Ellerslie neighbourhood is characterized as a mix of residential, park and commercial uses. The principles of the NSP promote the location of commercial and medium density residential development along arterial roadways and neighbourhood entrances to ensure high visibility and provide ease of access. The site will have good visibility and access to Ellerslie Road SW, providing good transportation linkages and convenient access.

City Plan

The subject is located along a Secondary Corridor (Ellerslie Road SW); City Plan designates Secondary Corridors as a vibrant residential and commercial street that serves as a local destination for surrounding communities. The proposed rezoning aligns with the City Plan by allowing for commercial and multi-unit housing uses along a Secondary Corridor and for people to complete their daily needs within their district by walking, biking, or transit.

Technical Review

Transportation

Administration supports the application and advises the following:

- Offsite improvements are required at the next stage of development under servicing agreement (SA51654) associated with approved subdivision LDA20-0340 for the subject site, including:
 - Construction of a westbound right turn and an eastbound left turn bay on Ellerslie at the proposed all-directional access at Ellerslie Road and 70 Street intersection;
 - Construction of a 3.0 m hard-surface shared use path in the ultimate alignment on the north side of Ellerslie Road SW; and Conversion/upgrade of the existing traffic signals at Ellerslie Road SW and 70 Street SW intersection.

Drainage

Administration supports the application and advises the following:

- Permanent sanitary and stormwater servicing must be provided according to the servicing schemes identified in the accepted Wernerville Commercial Brief dated October 21, 2020.

EPCOR Water

EPCOR Water Services has determined 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 Development Permit stage.

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

Appendices

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

Please note, that the textual changes are highlighted in red.

(DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION

DC2.XXX.1. General Purpose

The purpose of this Zone is to provide for low intensity commercial, office and service uses, and limited Residential-related Uses to serve the needs of the surrounding communities.

DC2.XXX.2. Area of Application

This Provision shall apply to Lot F and G, Block 1, Plan 3027KS, located Northwest of the 66th Street and Ellerslie Road intersection, as shown on Schedule "A" of the Bylaw adopting this Provision, Ellerslie.

DC2.XXX.3. Uses

- a. Bars and Neighbourhood Pubs
- b. Business Support Services
- c. Cannabis Retail Sales
- d. Child Care Services
- e. Commercial Schools
- f. Convenience Retail Stores
- g. Drive-in Food Services
- h. Gas Bar
- i. General Retail Stores
- j. Health Services
- k. Hotels
- l. Household Repair Services
- m. Indoor Participant Recreation Services
- n. Limited Contractor Services
- o. Liquor Stores
- p. Live Work Units
- q. Major Amusement Establishments
- r. Major Home Based Business
- s. Media Studios
- t. Minor Amusement Establishment
- u. Minor Home Based Business
- v. Minor Service Stations
- w. Multi-unit Housing
- x. Pawn Stores
- y. Private Clubs
- z. Personal Service Shops
- aa. Professional, Financial and Office Support Services
- bb. Rapid Drive-through Vehicle Services
- cc. Recycling Depots
- dd. Recycled Materials Drop-off Centres

- ee. Residential Sales Centres
- ff. Restaurants
- gg. Secondhand Stores
- hh. Special Event
- ii. Specialty Food Services
- jj. Supportive Housing
- kk. Urban Gardens
- ll. Urban Indoor Farms
- mm. Urban Outdoor Farms
- nn. Veterinary Services
- oo. Fascia On-premises Signs
- pp. Freestanding On-premises Signs
- qq. Major Digital Signs
- rr. Minor Digital On-premises Signs
- ss. Projecting On-premises Signs
- tt. Temporary On-premise Signs
- uu. Vehicle Parking

DC2.XXX.4. Development Regulations for Uses

- a. The development shall be in general accordance with Appendix I.
- b. The maximum Floor Area Ratio shall be 2.0.
- c. The maximum building Height shall not exceed 12.0 m, except where a development includes Multi-Unit Housing above a first Storey used for commercial purposes, the maximum building Height shall be 16.0 m.
- d. A **minimum** Setback of 3.0 m shall be required along Ellerslie Road SW.
- e. A **minimum** Setback of 3.0 m shall be required along the Rear and Side Lot Lines.
- f. No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a Setback. Vehicular parking, loading, storage and trash collection areas shall be located to the rear or sides of the principal building and shall be screened from view from any adjacent Sites, and public roadways in accordance with the provisions of the Zoning Bylaw. If the rear or sides of a Site are used for parking, an outdoor service or display area or both, and abut a Residential Zone, such areas shall be screened in accordance with the provisions of the Zoning Bylaw.
- g. The maximum Floor Area per business shall be 2,500 m² and must comply with the following:
 - a. Bars and Neighbourhood Pubs and Restaurants shall not exceed 240 m² of Public Space; and
 - b. Specialty Food Services shall not exceed 120 m² of Public Space.
- h. All mechanical equipment, including roof mechanical units, shall be concealed by screening in a manner compatible with the architectural character of the building or concealed by incorporating it within the building.
- i. Any business premises or multiple occupancy building having a Floor Area greater than 2,000 m² or a single wall length greater than 20.0 m that is visible from a public road, shall comply with the following criteria:
 - a. The roof line and building façade shall include design elements and add architectural interest; and
 - b. Landscaping adjacent to exterior walls shall be used to minimize the perceived mass of the building and to create visual interest.
- j. The following regulations shall apply to Multi-unit Housing developments:
 - a. Multi-unit Housing shall be permitted only in buildings where the first Storey is **primarily** used for commercial purposes;

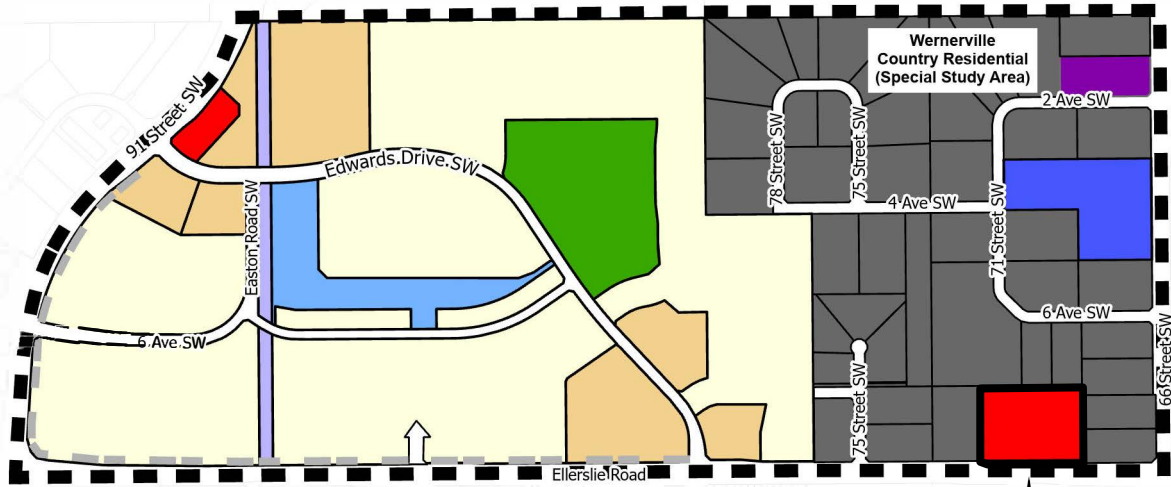
- b. The housing component shall have access at ground level, which is separate from the access for the commercial premises;
- c. Amenity Area shall be provided in accordance with this Bylaw;
- d. The maximum Floor Area Ratio of Multi-unit Housing shall be 1.5.
- ~~k. Notwithstanding Section 70(2), Cannabis Retail Sales shall maintain a 95.0m separation distance from the closest point of any Cannabis Retail Sales use to the boundary of a site containing Community Recreation Services Use, a community recreation facility or as public lands at the time of application for the Development Permit.~~
- ~~l. Notwithstanding Section 70(2) and 70(4), Cannabis Retail Sales shall maintain a 200 m separation distance from the closest point of any Cannabis Retail Sales use to the boundary of a site containing public or private education or public library at the time of application for the Development Permit.~~
- m. Notwithstanding Section 85(2) ~~and 85(4)~~ of this Bylaw, Liquor Stores shall be permitted on the Site, provided that:
 - a. The Liquor Stores are located on separate Sites, ~~and~~
 - b. At least one Liquor Store is located on a Site greater than 2.3 ha in size,
 - ~~c. Liquor Stores shall maintain a 95 m separation distance from the closest point of any Liquor Store use to the boundary of a site containing community or recreation activities, public or private education, or public lands at the time of application for the Development Permit, and~~
 - ~~d. Liquor Stores shall maintain a 100.0m separation distance from the closest point of any Liquor Store use to the boundary of a site containing private or public schools at the time of application for the Development Permit.~~
- n. The following regulations shall apply to Rapid Drive-through Vehicle Services developments:
 - a. the total number of bays shall not exceed four for any given Site; and
 - b. all operations and mechanical equipment associated with this Use shall be located within an enclosed building.
- o. Signs shall comply with the regulations found in Schedule 59F.

DC2.XXX.5. Transportation Improvements

1. As a condition of a Development Permit for construction of a principal building, the owner shall enter into an Agreement with the City of Edmonton for off-Site improvements necessary to serve or enhance the development, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation). Such improvements shall be constructed at the owner's cost. The Agreement process shall include an engineering drawing review and approval. Improvements to address in the Agreement include, but are not limited to:
 - a. Construction of a westbound right turn and an eastbound left turn bay on Ellerslie to an arterial roadway standard at the proposed all-directional access at Ellerslie Road and 70 Street intersection in accordance with Appendix I - Site Plan. The all-directional access must align with the existing 70 Street. Construction of southbound left turn bay and shared through and right turn lane will be required at the north leg of the all-directional access.
 - b. Construction of a 3.0 m hard hard-surface shared use path in the ultimate alignment of on the north side of Ellerslie Road SW.
 - c. Conversion/upgrade of the existing traffic signals at Ellerslie Road SW and 70 Street SW intersection.
 - d. Remove the existing accesses from Ellerslie Road, restore the boulevard and relocate the existing power poles.
2. The owner shall dedicate road right-of-way or register an easement necessary for the ultimate six lane cross-section of Ellerslie Road SW and for turn bays construction for the all-direction access at Ellerslie












Road and 70 Street SW intersection to conform to the approved Preliminary Plans or to the satisfaction of Subdivision and Development Coordination in accordance with Appendix I - Site Plan.

3. The owner shall register a mutual access easement on all affected parcels for the shared use of the all directional access to Ellerslie Road SW in accordance with Appendix I - Site Plan. The easement must stipulate that neither owner can discharge the easement without the express written consent of the City of Edmonton.
4. The owner shall register a cross lot access easement on all affected parcels for the purpose of shared access to Ellerslie Road SW in accordance with the Appendix I - Site Plan. The City of Edmonton will be a party to this easement, and the easement must stipulate that the owners may not discharge the easement without the express written consent of the City of Edmonton. The City's Law Branch will prepare the easement document(s).
5. A right-in access may be granted from Ellerslie Road to the site as generally shown on Appendix I - Site Plan. The access location shall meet the City's Access Management Guidelines and be to the satisfaction of the Subdivision and Development Coordination (Transportation), including the construction of an auxiliary lane. The access will require additional land from the subject site and adjacent land to the east Lot A, Block 1, Plan 2497Ks (6704 -Ellerslie Road SW).



Area of Rezoning

**BYLAW 19849
ELLERSLIE
Neighbourhood Structure Plan
(as amended)**

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

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:	20116
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)
Ward:	Karhiio
Notified Community Organizations:	Ellerslie Community League Horizon Community League
Applicant:	Stephen Yu, Invistec Consulting Ltd.

Planning Framework

Current Zone(s) and Overlay(s):	(DC2.1175) Site Specific Development Control Provision
Proposed Zone(s) and Overlay(s):	(DC2) Site Specific Development Control Provision
Plan(s) in Effect:	Ellerslie NSP Ellerslie ASP
Historic Status:	None

Written By:

Approved By:

Branch:

Section:

Vivian Gamache

Tim Ford

Development Services

Planning Coordination