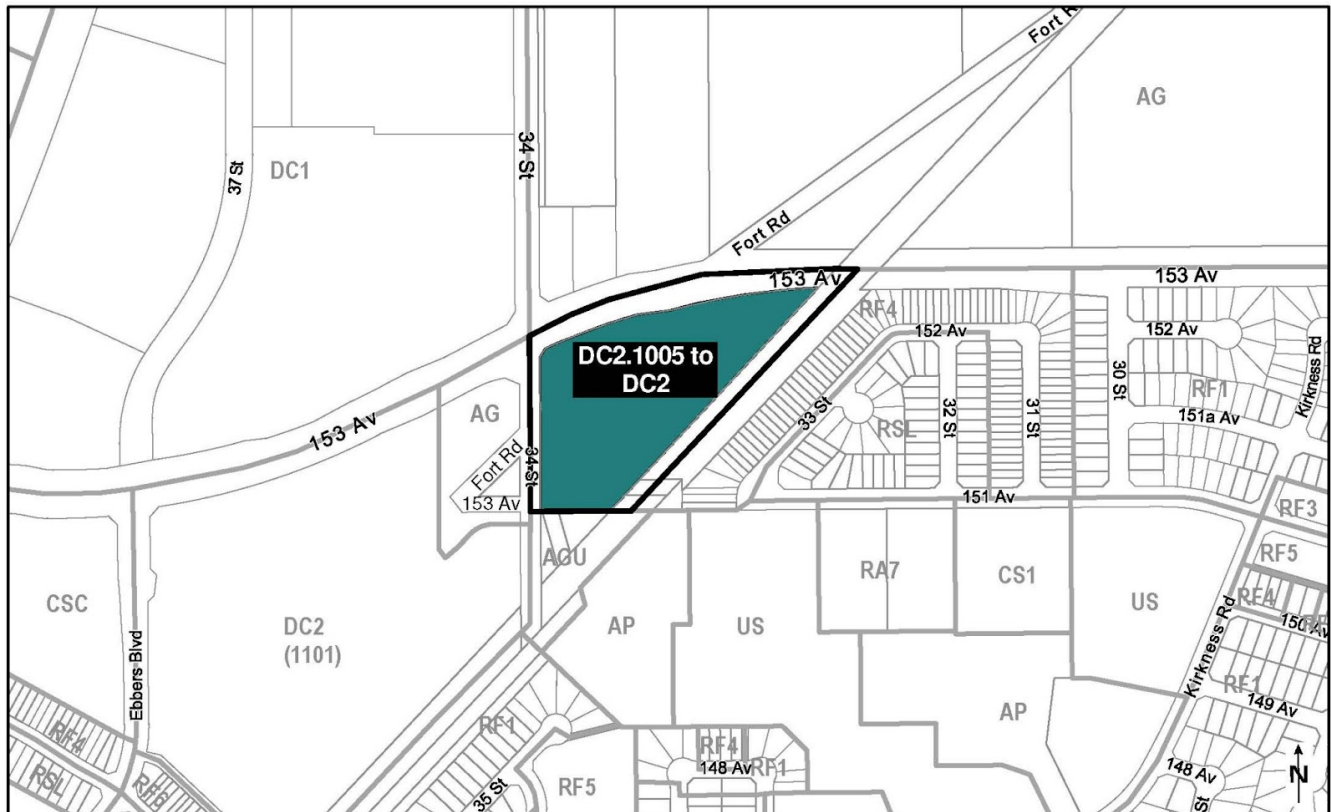


3325 - 153 Avenue NW

To allow for the development of office and commercial uses.



Recommendation: That Bylaw 20303 to amend the Ebbers Neighbourhood Area Structure Plan and that Charter Bylaw 20206 to amend the Zoning Bylaw from (DC2) Site Specific Development Control Provision to (DC2) Site Specific Development Control Provision be **APPROVED**.

Administration is in **SUPPORT** of this application because it:

- supports opportunities for local economic growth;
- is compatible with surrounding existing and planned land uses; and
- facilitates the completion of the Ebbers Neighbourhood.

Application Summary

BYLAW 20303 will amend the Ebbers Neighbourhood Area Structure Plan (NASP) to remove requirements for a pipeline buffer adjacent to 34 Street, and amend text regarding risk, and the policy direction for commercial development adjacent to the rail line.

CHARTER BYLAW 20206 will amend the Zoning Bylaw, as it applies to the subject site, from (DC2.1005) Site Specific Development Control Provision to a new (DC2) Site Specific Development Control Provision. The Proposed DC2 Provision will carry forward regulations from DC2.1005 but will add additional commercial uses, allow for construction of an additional commercial building on site, and modify regulations regarding separation from abutting rail lines and pipelines. No increases to height or Floor Area Ratio are proposed.

This application was accepted on March 7, 2022, from Eins Consulting on behalf of Amnor Manning Inc.

This proposal is in alignment with the goals and policies of The City Plan to support opportunities for local economic growth.

Community Insights

Based on the characteristics of this application the file was brought forward to the public using the Basic Approach. This approach was selected because there was only one response to the required DC2 pre-notification consultation, there was no response to the Advance Notice, and the application represents minor modifications to an existing DC2 Provision.

The Basic Approach included the following techniques:

Advance Notice, March 9, 2022

- Number of recipients: 51
- Number of responses with concerns: 0

Webpage

- edmonton.ca/ebbersplanningapplications

No formal feedback or position was received from the Hairsine Community League, the Horse Hill Community League Association, or the Clareview and District Area Council at the time this report was written.

Site and Surrounding Area

The subject 3.1 ha rezoning site is located in the northeast portion of the Ebbers neighbourhood, south of 153 Avenue NW (an arterial road), east of 34 Street NW, and west of a rail line. The surrounding area is generally undeveloped to the north, south and west. There is a significant amount of commercial development northwest of the site (Manning Town Centre), and more is planned west of the site in the north portion of the Ebbers neighbourhood. Land east of Ebbers, across the rail line in the Kirkness neighbourhood, is developed as residential.



Aerial view of application area

	EXISTING ZONING	CURRENT USE
SUBJECT SITE	(DC2) Site Specific Development Control Provision	Developing as commercial
CONTEXT		
North	(AG) Agricultural Zone	Undeveloped

East	(RF4) Semi-detached Residential Zone, across rail line	Semi-detached Housing
South	(AGU) Urban Reserve Zone	Undeveloped
West	(AG) Agricultural Zone (DC2) Site Specific Development Control Provision	Undeveloped, planned commercial

Planning Analysis

Plans in Effect

Ebbers Neighbourhood Area Structure Plan (NSP)

The Ebbers NASP designates the site as Office / Commercial. This area is intended to provide for the development of low intensity commercial, office and service uses and businesses that require a location with good visibility along, or adjacent to, major public roadways. As the site also abuts a rail line along its east boundary, a DC2 Provision is required in accordance with the NASP policy. Amendments to the NASP are being made to delete the Pipeline Buffer, and to amend text relative to risk, and the policy for commercial development adjacent to the rail.

The City Plan

The Ebbers neighbourhood is located south of 153 Avenue NW and east of Manning Drive NW, and is considered a “Developing Area” in the Northeast District of The City Plan. The designation of 153 Avenue as a secondary corridor ends at the eastern edge of this site.

Land Use Compatibility

The proposed plan amendment supports the rezoning which modifies regulations relative to risk and commercial development adjacent to rail. The rezoning also proposes the addition of commercial uses, modifies building four and adds a fifth commercial building. These changes are compatible with adjacent and surrounding land uses.

Risk and Rail Regulations

This site was originally zoned to DC2.1005 in 2018 with the approval of Bylaw 18506 and Charter Bylaw 18507, which was largely based on the (CB1) Low Intensity Business Zone, and was intended to manage any risk associated with an adjacent high pressure gas pipeline as well as ensure safety and mitigate noise from the rail line.

Since this time, Atco Gas changed the high pressure gas pipeline along 34 Street to a low pressure pipeline which has allowed for the elimination of the requirement for a Pipeline Buffer. Commercial development adjacent to rail policy is being amended to remove the requirement for a top of berm noise attenuation fence, and require a 30 metre setback and noise study at the time of development permit for sensitive uses.

DC2 Provision and Appendix 1, Site Plan

The proposed additional uses, as identified in Appendix 3, DC2 Track Changes, are compatible with the proposed site design and surrounding land uses. The size of building 4 is modified and a fifth building is added in the revised DC2 Appendix 1, Site Plan. Building 4 is no longer proposed as a Gas Bar and that use has been deleted.

The DC2 Provision is modified to require the construction of a 2 m berm in place of a 4.5 m berm with fencing on top of the berm within the 15 m Setback from the rail. Security fencing along the east property line (1.8 m chain link) remains as a requirement of the DC2 Provision.

Technical Review

Transportation

A number of off-site improvements are required by the applicant to support the development of this site, including:

- Construction of an eastbound right turn-bay on 153 Avenue NW at the proposed site access;
- Construction of 34 Street NW adjacent to the site to an urban collector roadway standard, including sidewalks on the both sides; and,
- Modifications to the existing traffic signal at 34 Street NW and 153 Avenue NW intersection to accommodate the improvements to 34 Street NW.

Transit

This portion of the Ebbers neighbourhood has access to transit service along 153 Avenue NW and Ebbers Boulevard NW, west of the subject property. 153 Avenue NW and 34 Street NW (north of 153 Avenue NW) are future transit routes. The Edmonton City Plan identifies that a "rapid" mass transit route will operate on 153 Avenue NW in the future.

Drainage

The proposed rezoning changes do not significantly impact the existing accepted servicing schemes for the area (August 16, 2017, Neighbourhood Design Report Amendment). Sanitary and stormwater sewer systems currently exist within the subject area, and can be utilized to service the proposed development.

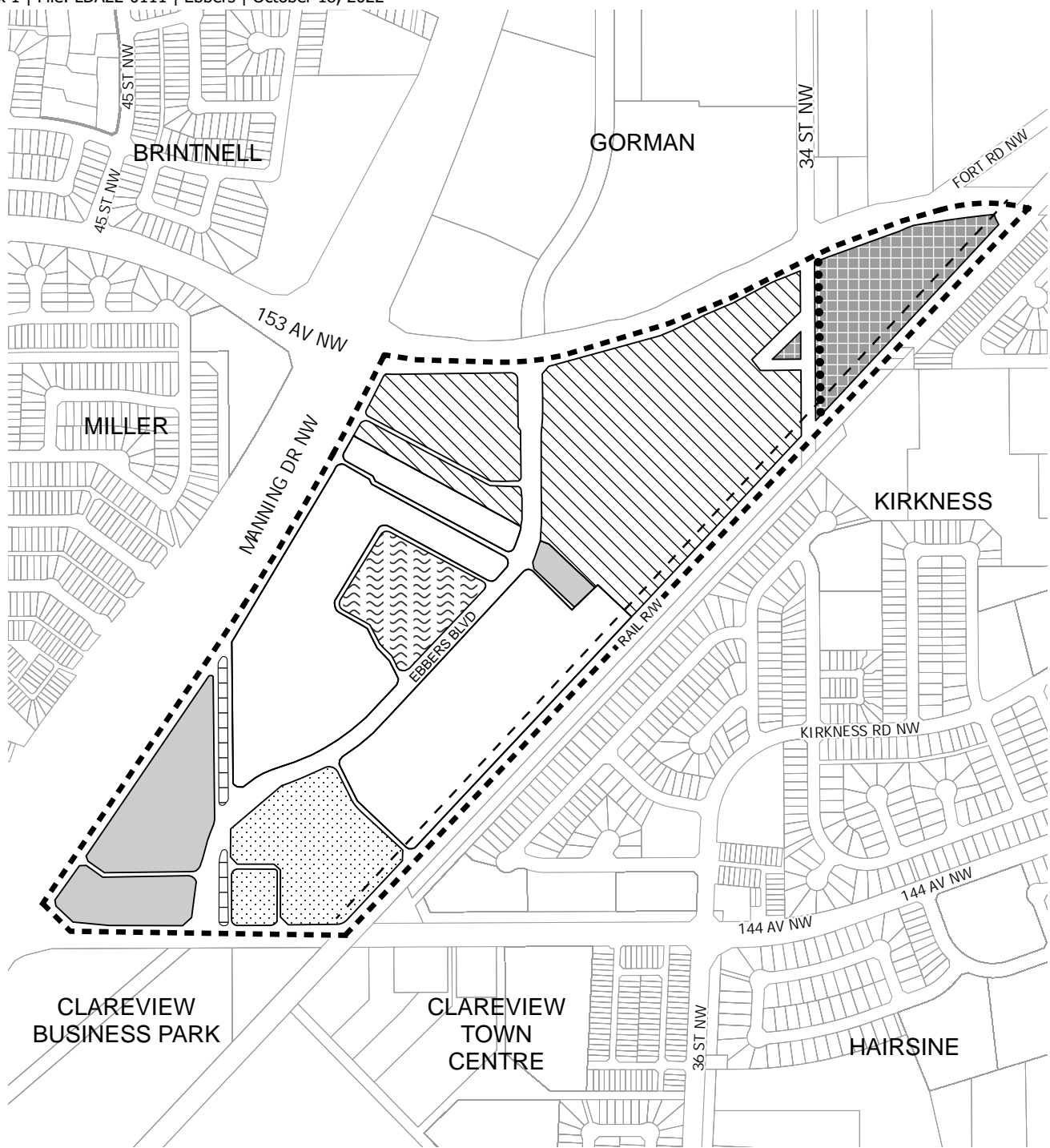
EPCOR Water

The applicant/owner will be responsible for all costs associated with providing City standards for water supply including any changes to the existing water infrastructure required by this application. Fire hydrants are required in 153 Avenue and in 34 Street.





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

Appendices

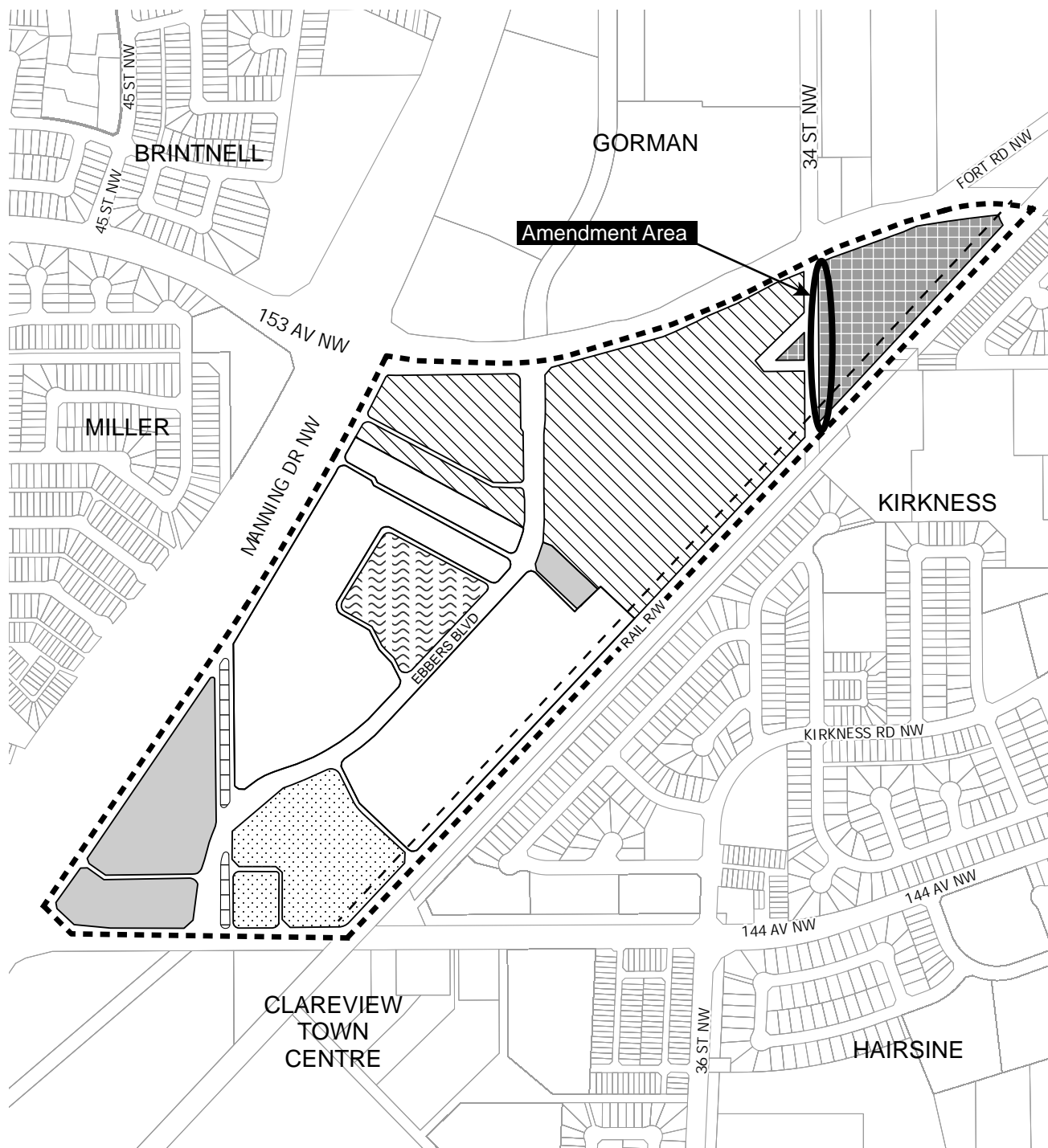
- 1 Approved NSP – Bylaw 18506
- 2 Proposed NSP – Bylaw 20303
- 3 DC2 Track changes
- 4 Application Summary











BYLAW 18506
EBBERS
Neighbourhood Area
Structure Plan
(as amended)

- | | |
|--|--|
|  Commercial |  Utility Right-of-Way |
|  Low Density Residential | - - - Railway Buffer |
|  Medium Density Residential | •••• Pipeline Buffer |
|  Office / Commercial | - - - N.A.S.P. Boundary |
|  Park | |
|  Stormwater Management Facility | |

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.



**BYLAW 20303
AMENDMENT TO
EBBERS**
Neighbourhood Area
Structure Plan
(as amended)

	Commercial		Utility Right-of-Way
	Low Density Residential		Railway Buffer
	Medium Density Residential		N.A.S.P. Boundary
	Office / Commercial		Amendment Area
	Park		
	Stormwater Management Facility		

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.

Schedule "B"

(DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION

1. General Purpose

To allow for the development of low intensity commercial, office and service uses and to establish setbacks from the existing adjacent rail line ~~and pipeline~~.

2. Area of Application

This Provision shall apply to Lot 2, Block 3, Plan 1620747, located east of 34 Street NW, west of a railway line and south of 153 Avenue as shown on Schedule 'A' of the Bylaw adopting this DC2 Provision; Ebbers.

3. Uses

1. Bars and Neighbourhood Pubs
2. Breweries, Wineries and Distilleries
3. Business Support Services
4. Cannabis Retail Stores
5. Child Care Services
6. Commercial Schools
7. Convenience Retail Stores
8. Creation and Production Establishments
9. Drive-in Food Services
- ~~10. Gas Bars~~
11. General Retail Stores
12. Greenhouses, Plant Nurseries and Garden Centres
13. Health Services
14. Household Repair Services
15. Indoor Participant Recreation Services
16. Liquor Stores
17. Market
18. Media Studios
- ~~19. Minor Alcohol Sales~~
20. Minor Amusement Establishments
21. Personal Service Shops
22. Private Clubs
23. Professional, Financial and Office Support Services
24. Restaurants
25. Secondhand Stores
26. Specialty Food Services
27. Veterinary Services

- 28. Fascia On-premises Signs
- 29. Freestanding On-premises Signs
- 30. Major Digital Signs
- 31. Minor Digital On-premises Signs
- 32. Projecting On-promises Signs
- 33. Roof On-premises Signs
- 34. Temporary On-premises Signs

4. Development Regulations

- a. The Site shall be developed in general accordance with Appendix 1 –Site Plan, to the satisfaction of the Development Officer, in consultation with Subdivision and Development Coordination (Drainage and Transportation).
- b. The maximum Floor Area Ratio shall be 0.35.
- c. The maximum building Height shall not exceed 12 m.

~~d. A minimum Setback of 15.0 m shall be required from the railway property line.~~

~~e. Notwithstanding subsection 4(d) of this provision, a berm and fence shall be provided within the 15 m railway Setback for the purpose of safety and noise attenuation. A minimum 4.5 m differential between the top of the berm / fence and the top of the railway tracks shall be provided. The noise attenuation fence shall be gated to provide secure access to the backside of the berm for maintenance purposes. A 1.83 m chain-link security fence, located on private property abutting the railway property line and any other abutting property line or road right of way, shall be provided. These facilities shall be provided to the satisfaction of the Development Officer, in consultation with Subdivision and Development Co-ordination (Drainage and Transportation), as generally shown on Appendix I –Site Plan.~~

d. A minimum Setback of 15.0 m shall be provided Abutting the railway property line and a berm shall be provided within the Setback for the purpose of safety. The berm shall be a minimum of 2.0 m in Height from the top of the railway tracks. This facility shall be provided to the satisfaction of the Development Officer, in consultation with Subdivision and Development Coordination, as generally shown on Appendix 1, Site Plan.

e. Minimum Setbacks shall be provided as follows:

- i. ~~A minimum Setback of 6.0 m shall be required a~~Abutting 153 Avenue NW, except where a public access easement in a form satisfactory to the City for road right-of-way is accepted by Transportation, in which case the 6.0 m minimum shall be increased by the corresponding width of the easement.
- ii. ~~A minimum Setback of 22.0~~ 1.3 m ~~shall be required abutting from the east boundary of the pipeline easement adjacent to~~ 34 Street NW; ~~and-~~
- iii. ~~A minimum Setback of 3 m shall be required~~ from the south property line.

f. No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a Setback. 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 or public roadways in accordance with the Provisions of the Zoning Bylaw. .

g. A 1.83 m chain link security fence, located on private property abutting the railway property line shall be provided to the satisfaction of the Development Officer, in consultation with Subdivision and Development Coordination, as generally shown on Appendix 1, Site Plan.~~Notwithstanding subsection 4(i) of this provision, parking and/or queuing lanes may be permitted within the most easterly 7 m of the 22 m Setback abutting 34 Street NW, as generally identified on Appendix 1 — Site Plan.~~

h. 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:

i. the roof line and building façade shall include design elements and add architectural interest; and

ii. Landscaping adjacent to exterior walls shall be used to minimize the perceived mass of the building and to create visual interest.

i. 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.

j. Provision shall be made for adequate on-Site pedestrian circulation as generally identified on Appendix 1 - Site Plan. Adequate on-Site pedestrian circulation means Hardsurfaced sidewalks or Walkways connecting the main entrance of all on-Site principal buildings to public sidewalks and Walkways adjacent to roadways or within rights-of-ways Abutting the Site.

k. A landscaped Amenity Area of approximately 500 m² shall be provided as generally identified on Appendix 1 – Site Plan.

l. Notwithstanding Section 55, as amended, and subsections 4.d and 4.e. of this provision ~~that require Setbacks of 15 m and 22 m respectively~~, Landscaping requirements shall be calculated as if these Setbacks were 3 m.

m. Signs shall comply with the regulations found in Schedule 59F, including Sections pertaining to Discretionary Signs.

n. The applicant shall provide a Comprehensive Sign Design Plan, in accordance with the regulations of the Zoning Bylaw, with each application for a Sign.

o. As a condition of the first Development Permit issued after the passing of Charter Bylaw 20206, the owner shall:

i. register an easement for all road right-of-way necessary for the construction of a turnaround at the southern terminus of 34 Street NW and the construction of the northbound right turn bay and taper along the east side of

34 Street from the subject site; and

ii. Register an easement for all road right-of-way necessary for the construction of a right-in right-out access to 153 Avenue NW, including construction of right turn bay and taper and the relocation of the shared use path from 34 Street to the right-in/right-out access from the subject site to the satisfaction of Subdivision and Development Coordination (Transportation).

5. Use Specific Regulations

1. Bars and Neighbourhood Pubs shall be limited to less than 240 m² of Public Space.
2. General Retail Stores shall be restricted to a maximum Floor Area of 1,000 m².
3. Restaurants shall be restricted to 240 m² of Public Space.
4. Specialty Food Services shall be restricted to 120 m² of Public Space.
5. Unless otherwise stipulated in this Provision, the maximum Floor Area of any one Use shall be 2,500m².
6. ~~Notwithstanding the Setbacks identified in Section 4, the following uses shall not be located within the Setbacks specified below~~The following regulations shall apply to Child Care Services and Commercial Schools:
 - a. ~~Child Care Services shall not be located within a 51 m Setback from 34 Street NW.~~Notwithstanding Setback regulations of this Provision, these Uses shall be Setback a minimum of 30 m from the property line which Abuts the railway.
 - b. ~~Commercial Schools, Health Services and Indoor Participant Recreation Services shall not be located within a 37 m Setback from 34 Street NW.~~A Development Permit application for these Uses shall require a Noise Study prepared by an approved Noise Consultant and will require implementation of the recommendations from the report, to the satisfaction of the Development Officer, in consultation with Subdivision and Development Coordination (Transportation).

6. Off-Site Improvements

1. A Traffic Impact Assessment (TIA) may be required at the Development Permit stage to identify any off site improvements necessary to service the development. The owner shall enter into an agreement with the City of Edmonton for the completion of any such improvements. The requirement of a TIA shall be determined by the Development Officer in consultation with Subdivision and Development Coordination (Transportation) upon the submission of Development Application(s).
2. As a condition of any Development Permit, the owner shall enter into a Servicing Agreement with the City of Edmonton for off-site improvements

necessary to serve the development, to the satisfaction of Subdivision and Development Coordination (Transportation). The agreement process includes an engineering drawing review and approval process. The offsite improvements shall include, but not be limited to:

- a. the construction of 34 Street NW to a full urban collector standard, including sidewalks, curbs and gutters, street lighting, landscaping and any required underground utilities. This will require construction of a turnaround at the southern terminus of 34 Street.NW;
- b. the construction of a right-in right-out access to 153 Avenue NW including all ancillary work such as right turn bay and taper, relocation of the existing shared use path, boulevard restoration, any required utility relocations, etc.;
- c. the construction of the 34 Street NW access;
- d. modifications of the traffic signals at 153 Avenue NW and 34 Street NW intersection;
- e. payment of Arterial Roadway Assessments owing; and
- f. the extension of offsite storm sewer mains as per the Ebbers Neighbourhood Design Report Amendment dated July 29, 2016.

Application Summary

Information

Application Type:	Plan Amendment, Rezoning
Bylaw & Charter Bylaw:	20303, 20206
Location:	South of 153 Avenue NW and east of 34 Street NW
Address:	3325 153 Avenue NW
Legal Description:	Lot 2, Block 3, Plan 1620747
Site Area:	3.1 ha
Neighbourhood:	Ebbers
Ward:	Dene Ward
Notified Community Organizations:	Hairsine Community League Horse Hill Community League Association Clareview and District Area Council
Applicant:	Eins Consulting

Planning Framework

Current Zone:	DC2.1005 Site Specific Development Control Provision
Proposed Zone:	(DC2) Site Specific Development Control Provision
Plan in Effect:	Ebbers Neighbourhood Area Structure Plan
Historic Status:	None

Written By:
Approved By:
Branch:
Section:

Cyndie Prpich
Tim Ford
Development Services
Planning Coordination