

# **REZONING APPLICATION** **KILLARNEY**

## **12703 – 97 STREET NW**

To recognize the ongoing commercial uses of the site, including a Pawn Store and Secondhand Store, that will serve the surrounding community.



## **RECOMMENDATION AND JUSTIFICATION**

Sustainable Development is in SUPPORT of this application because:

- Allows for the ongoing operation of the exiting commercial site,
- It provides the opportunity for additional commercial uses (Pawn Store and Secondhand Store use) that serve the local and surrounding community, and
- It meets the technical requirements of City Departments and utility agencies.

## THE APPLICATION

BYLAW 18045 proposes to amend the Zoning Bylaw to allow for a Pawn Store and Secondhand Stores use and includes an administrative update to reflect current DC2 standards and definitions by rezoning from (DC2.86) Site Specific Development Control Provision to (DC2) Site Specific Development Control Provision. The proposed rezoning has resulted from a recognition that existing uses on the site are not permitted under the current DC2 Direct Control Provision.

## SITE AND SURROUNDING AREA

The site located east of 97 Street NW, north of 127 Avenue NW and is developed as a strip-mall.



	EXISTING ZONING	CURRENT USE
<b>SUBJECT SITE</b>	<ul style="list-style-type: none"> <li>(DC2.86) Site Specific Development Control Provision</li> </ul>	<ul style="list-style-type: none"> <li>Commercial Uses</li> </ul>
<b>CONTEXT</b>		
North	<ul style="list-style-type: none"> <li>(CSC) Shopping Centre Zone</li> <li>(RF4) Semi-Detached Residential Zone</li> </ul>	<ul style="list-style-type: none"> <li>Commercial Uses</li> <li>Single Detached Housing</li> </ul>
East	<ul style="list-style-type: none"> <li>(RF4) Semi-Detached Residential Zone</li> </ul>	<ul style="list-style-type: none"> <li>Single Detached Housing</li> <li>Semi-detached Housing</li> </ul>
South	<ul style="list-style-type: none"> <li>(CB2) General Business Zone</li> </ul>	<ul style="list-style-type: none"> <li>Car Dealership</li> </ul>
West	<ul style="list-style-type: none"> <li>(CB2) General Business Zone</li> <li>(PU) Public Utility Zone</li> </ul>	<ul style="list-style-type: none"> <li>Car Dealership</li> <li>Power Station</li> </ul>

## PLANNING ANALYSIS

The subject site has been operating as a commercial plaza since its construction in 1987 and at that time one of the retail bays on the site was approved for a General Retail use. For the last 3 years, a Pawn Store and Secondhand Stores use (Cash Canada) has been operating out of that location without an approved development permit or business license in place. In order to continue to operate the business in conformance with the Zoning Bylaw the applicant has submitted this rezoning application.

There is no plan in effect for the Killarney neighbourhood.

## TECHNICAL REVIEW

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

## PUBLIC ENGAGEMENT

<b>ADVANCE NOTICE</b> November 22, 2016	<ul style="list-style-type: none"><li>• Number of recipients: 35</li><li>• No responses received</li></ul>
<b>PUBLIC MEETING</b>	<ul style="list-style-type: none"><li>• Not held</li></ul>

## CONCLUSION

Sustainable Development recommends that City Council APPROVE this application.

## APPENDICES

- 1 Proposed (DC2) Site Specific Development Control Provision Mark Up
- 2 Application Summary

## Mark up of Proposed Changes

Black Font = existing Zoning Bylaw text

Red Font = proposed addition to Zoning Bylaw

Strikethrough = proposed deletion from Zoning Bylaw

## (DC2) Site Specific Development Control Provision

### 1. General Purpose

To establish a district for commercial development that will be compatible with the adjacent residential development. ~~be in character with the existing surrounding development.~~

### 2. Area of Application

~~This district shall apply to Lots 2 to 11, inclusive, part of Lot 1 and part of Lots 12 to 22, inclusive, Block 8, Plan 3907 A.H.; and the closed north/south lane in Block 8, Plan 3907 A.H.; located between 96 and 97 Streets, and 127 and 128 Avenues; Killarney.~~ This district shall apply to Lot 1A, Block 8, Plan 1121591; located between 96 and 97 Streets, and 127 and 128 Avenues; Killarney

### 3. Uses

- a. Bars and Neighbourhood Pubs (changed from Minor Eating and Drinking Establishment)
- b. Convenience Retail Stores
- c. Drive in Food Services
- d. Gas Bars
- e. General Retail Stores
- f. Health Services
- g. Major Alcohol Sales
- h. Minor Alcohol Sales
- i. Nightclubs, to a maximum of 200 seats and 240m2 of public space (changed from Major Eating and Drinking Establishment)
- j. Pawn Stores
- k. Personal Service Shops
- l. Professional, Financial and Office Support Services
- m. Rapid Drive-through Vehicle Services
- n. Restaurants (changed from Minor Eating and Drinking Establishment)
- o. Secondhand Stores
- p. Specialty Food Services (changed from Minor Eating and Drinking Establishment)
- q. Fascia On-premises Signs
- r. Freestanding On-premises Signs
- s. Projecting On-Premises Signs
- t. Temporary On-premises Signs

#### 4. Development Criteria

- a. The maximum Floor Area Ratio shall be 1.0.
- b. A minimum ~~yard-Setback~~ of 4.5 m (14.76 ft.) shall be required where the site ~~Abuts~~ a public roadway.
- c. No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required ~~yard-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 and public roadways. ~~in accordance with the provisions of Section 69.3 of the Land Use Bylaw.~~
- d. The maximum building height shall not exceed 10.0 m. ~~(32.8 ft.) nor 2 1/2 storeys.~~
- e. ~~The Major Eating and Drinking Establishment-Nightclubs~~ shall be located on the eastern half of the Site, with the main public entrances oriented towards 97 Street.
- f. A screen fence, ~~a maximum of 1.5 m (5 ft.) in height~~, shall be required adjacent to 96 Street and 128 Avenue, east of the access point on 128 Avenue. The fence shall be located in the required ~~yards-Setback~~, allowing sufficient space for screen planting. ~~which shall visually interrupt and enhance the appearance of the fence and site from 96 Street and a portion of 128 Avenue.~~ The location, design and choice of materials and colours for the fence, and the associated screen planting, shall be to the satisfaction of the Development Officer. ~~however, the screen planting adjacent to 96 Street shall be primarily comprised of mature evergreens.~~
- g. ~~Landscaping plans shall be provided in accordance with Section 69 of the Land Use Bylaw.~~
- h. No vehicular access shall be permitted from the Site to 96 Street.
- i. ~~On-site parking shall be provided in accordance with Schedule 66A of the Land Use Bylaw.~~
- j. Signs shall be allowed in this district in accordance with Schedule ~~59F 79E~~ and the general provisions of Sections ~~79.1 to 79.9-59. inclusive, of the Land Use Bylaw.~~
- k. ~~The Major Eating and Drinking Establishments shall not exceed 200 seats.~~
- l. ~~Development in the district shall be evaluated with respect to compliance with the General Development Regulations of Sections 50 to 79, inclusive, of the Land Use Bylaw. In this evaluation, the Development Officer may grant relaxations to these regulations and the provisions of this district if, in his opinion, such a variance would be in keeping with the General Purpose of the district and would not affect the amenities, use, enjoyment and value of neighbouring properties.~~
- m. ~~Major and Minor Alcohol Sales shall be developed in accordance with Section 98 of the Land Use Bylaw.~~

\*Add: Notwithstanding the requirements of 86.4(j) referring to signs, there shall be only one Temporary On-Premises Sign per business frontage on the south and west boundary only and a maximum two Temporary On-Premises Signs per Site.

## APPLICATION SUMMARY

### INFORMATION

Application Type:	Rezoning
Bylaw:	18045
Location:	North of 127 Avenue NW and east of 97 Street NW
Address:	12703 – 97 Street NW
Legal Description:	Lot 1A, Block 8, Plan 1121591
Site Area:	0.78 ha
Neighbourhood:	Killarney
Ward - Councillor:	7 – Tony Caterina
Notified Community Organization(s):	Calder Community League Killarney Community League Lauderdale Community League
Applicant:	Meena Jhamb (Cash Canada)

### PLANNING FRAMEWORK

Current Zone	(DC2.86) Site Specific Development Control Provision
Proposed Zone	(DC2) Site Specific Development Control Provision
Plan in Effect:	None
Historic Status:	None

Written By:  
Approved By:  
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