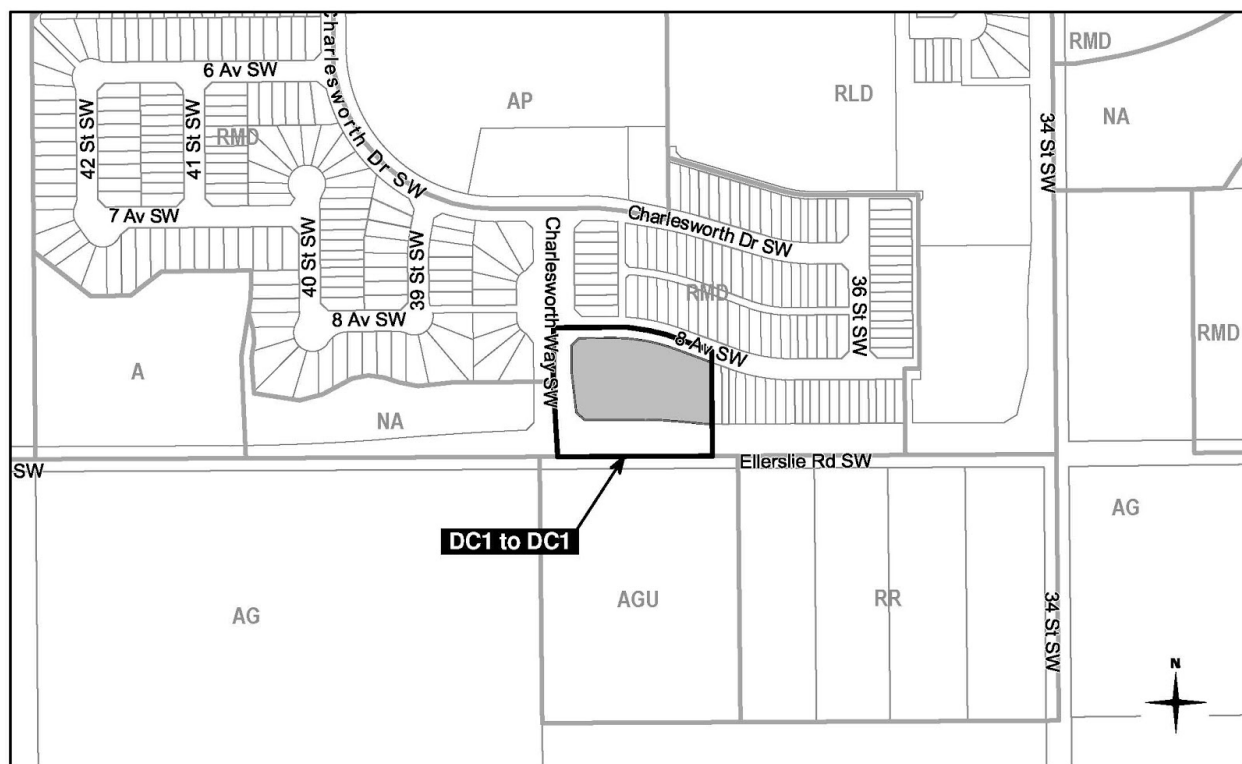




ADMINISTRATION REPORT REZONING CHARLESWORTH

3707 - 8 AVENUE SW

To add Cannabis Retail Sales to the existing DC1 Provision that allows for medium density residential and limited, low intensity commercial Uses.



RECOMMENDATION AND JUSTIFICATION

Administration is in **SUPPORT** of this application because the proposed addition of Cannabis Retail Sales:

- is compatible with the existing commercial and surrounding residential development; and
- conforms with the Charlesworth Neighbourhood Area Structure Plan which identifies the site for Mixed Use through the application of a Direct Control Provision.

THE APPLICATION

CHARTER BYLAW 19382 to amend the Zoning Bylaw from (DC1) Direct Development Control Provision to (DC1) Direct Development Control Provision.

The proposed rezoning is to add Cannabis Retail Sales as a Use to an existing DC1 Provision which allows for the development of medium density residential and limited, low intensity commercial Uses. The amendment also includes minor administrative updates to the DC1 Provision.

SITE AND SURROUNDING AREA

The site is located at the northeast intersection of 8 Avenue SW and Charlesworth Way SW.



AERIAL VIEW OF APPLICATION AREA

	EXISTING ZONING	CURRENT USE
SUBJECT SITE	(DC1) Direct Development Control Provision	Commercial Uses
CONTEXT		
North	(RMD) Residential Mixed Dwelling Zone	Developing with mix of Single, Semi Detached and Row Housing
East	(RMD) Residential Mixed Dwelling Zone	Developing with mix of Single, Semi Detached and Row Housing

South	(AGU) Urban Reserve Zone	Undeveloped
West	(NA) Natural Areas Protection Zone (RMD) Residential Mixed Dwelling Zone	Tree stand Single Detached Housing



VIEW OF SITE LOOKING SOUTH

PLANNING ANALYSIS

The proposed addition of Cannabis Retail Sales to the list of commercial opportunities that exist within the existing DC1 Provision is compatible with the purpose of the Provision. The site is suitable for this use and meets the location requirements of Section 70, Special Land Use Provisions for Cannabis Retail Sales.

The DC1 Provision conforms with the Charlesworth Neighbourhood Structure Plan which identifies the site for medium density residential and limited, low intensity commercial uses.

TECHNICAL REVIEW

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

PUBLIC ENGAGEMENT

ADVANCE NOTICE May 13, 2020	<ul style="list-style-type: none"> Number of recipients: 54 One response
PUBLIC MEETING n/a	<ul style="list-style-type: none"> Not held
WEBPAGE	https://www.edmonton.ca/residential_neighbourhoods/neighbourhoods/charlesworth-planning-applications.aspx

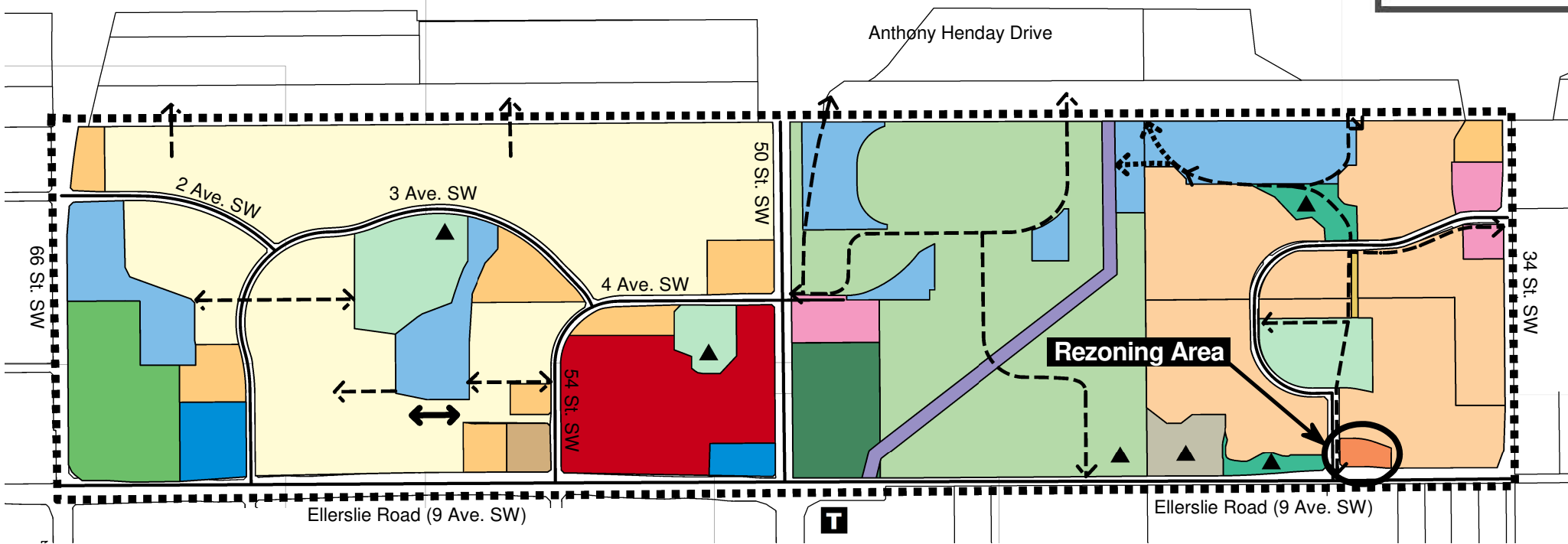
The one response received was to inquire as to when the proposal would become effective. The tentative hearing date was provided and they were advised that if zoning approval was passed by Council, a Development Permit application would be required to operate Cannabis Retail Sales in the existing building.

CONCLUSION

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

























APPENDICES

- 1 Context Plan Map
- 2 Track Changes of DC1.17351
- 3 Application Summary



BYLAW 18835
CHARLESWORTH
Neighbourhood Structure Plan
(as amended)



	Low Density Residential		Community Commercial		Natural Area (MR)
	Medium Density Residential		School / Park		Natural Area
	High Density Residential		City Level Park		Transit Station
	Mixed Residential		Open Space (MR)		Collector / Arterial Roadway
	Mixed Use		Stormwater Management Facility		Local Roadway Connection
	Proposed / Existing Religious Assembly		Pipeline Right-of-Way		Shared Use Path
	Institutional		Environmental Reserve		Potential Shared Use Path
	Neighbourhood Commercial		Public Utility Lot		NSP Boundary

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.

(DC1) DIRECT DEVELOPMENT CONTROL PROVISION

1. General Purpose

To accommodate the development of medium density Residential with limited low intensity Commercial Uses.

2. Area of Application

~~Portions of SE 25-51-24 W4M Lot 1, Block 6, Plan 1623687 containing 0.69 ha more or less;~~
located in the Charlesworth Neighborhood shown on Schedule “A” of the Bylaw adopting this Provision.

3. Permitted Uses

1. Apartment Housing
- ~~2.~~ 3. Bars and Neighbourhood Pubs
- ~~3.~~ 4. Cannabis Retail Sales
- ~~4.~~ 5. Child Care Services
- ~~5.~~ 6. Commercial Schools
- ~~6.~~ 7. Community Recreation Services
- ~~7.~~ 8. Convenience Retail Stores
- ~~8.~~ 9. General Retail Stores
- ~~9.~~ 10. Health Services
10. Limited Group Homes
- ~~11.~~ 12. Liquor Stores
- ~~12.~~ 13. Live Work Unit
- ~~13.~~ 14. Major Home Based Business
- ~~14.~~ 15. Minor Alcohol Sales
- ~~15.~~ 16. Minor Home Based Business
- ~~16.~~ 17. Personal Service Shops
- ~~17.~~ 18. Professional Financial and Office Support Services
- ~~18.~~ 19. Residential Sales Centre
- ~~19.~~ 20. Restaurants
- ~~20.~~ 21. Row Housing
- ~~21.~~ 22. Specialty Food Services
- ~~22.~~ 23. Stacked Row Housing
- ~~23.~~ 24. Veterinary Services
- ~~24.~~ 25. Fascia On-premises Signs
- ~~25.~~ 26. Freestanding On-premises Signs
- ~~26.~~ 27. Projecting On-premises Signs
- ~~27.~~ 28. Temporary On-premises Signs

Comment [CP1]: Use now Liquor Stores.

4. Development Regulations for Uses

1. Total amount of Commercial Uses for the site shall be limited to 1,730 sq m.
2. The maximum residential Density shall be 125 dwellings/ha.
3. The Floor Area Ratio shall not exceed 2.5.
4. The maximum Building Height shall not exceed 23.0 meters.
5. Notwithstanding clause 4(d.) architectural elements that create focal point(s) within the development (for example clock towers or façade details) shall not exceed 27.0 meters.
6. The minimum building Setback from the north and west property lines shall be 0.0 meters, and the maximum Setback shall be 4.5 meters.
7. The minimum building Setback from the south property line shall be 5.5 meters.
8. The ~~minimum~~ building Setback from the east property line shall be a minimum of 1.2 meters and shall be an additional 1.0 meter for each storey or partial storey.
9. The following uses shall only be allowed where they are located primarily at Grade: Bars and Neighbourhood Pubs; ~~Cannabis Retail Sales~~; Community Recreational Services; Convenience Retail Stores; General Retail Stores; ~~Liquor Stores~~; ~~Minor Alcohol Sales~~; Residential Sales centre; Restaurants; Specialty Food Services; Veterinary Services.
10. The following commercial uses shall be allowed at or above grade: Child Care Services; Commercial Schools; Health Services; Live Work Unit; Major and Minor Home Based Businesses; Personal Services Shops; Professional Financial and Office Support Services.
- ~~11. Parking shall comply with Section 54 of the Zoning Bylaw.~~
- ~~12. Minor Alcohol Sales shall comply with Section 85 of the Zoning Bylaw.~~
- ~~13. Landscaping shall comply with Section 55 of the Zoning Bylaw.~~
- ~~14.~~ 11. Signs shall comply with the regulations found in Schedule 59D of the Zoning Bylaw.

Comment [CP2]: Now Liquor Stores

Comment [CP3]: Section 720.3.3 states that all Sections of the ZB apply to a DC2 Provision unless specifically excluded or modified in the Provision

5. Site Design Regulation

1. ~~A minimum of 7.5 m² of Amenity Area per residential Dwelling is required, in accordance with Section 46 of the Zoning Bylaw.~~
2. The development shall create a pedestrian-friendly environment, which may include entrance features, outdoor sitting areas, canopies, arcades, landscaping, and other features that lend visual interest and a human scale to development.
3. Any canopies, arcades, or other attached building features shall be contained within the property and may be placed within the required ~~s~~Setback.
4. Loading, storage, and waste removal 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 ~~Section 55 of~~ the Zoning Bylaw.

Comment [CP4]: This is what Section 46 requires. As per Section 720.3.3 this regulation is not required.

Comment [CP5]: Reference to Section is not required.

6. Building Design Regulations

1. Façade treatment and general building design shall provide a similar architectural theme on all sides.

2. Ground floor commercial Facades fronting onto a public right-of-way other than Ellerslie Road shall have display windows and entryways that front on to the public sidewalk associated with the public roadway, with clear glazing constituting a minimum of 50% of the Façade.
3. Buildings developed with mixed commercial and residential Uses shall have separate commercial and residential accesses

APPLICATION SUMMARY

INFORMATION

Application Type:	Rezoning
Charter Bylaw:	19382
Location:	North of Ellerslie Road SW East of Charlesworth Way SW
Address:	3707 - 8 Avenue SW
Legal Description:	Lot 1, Block 6, Plan 1623687
Site Area:	0.68 ha
Neighbourhood:	Charlesworth
Notified Community Organization:	The Meadows Community League Association
Applicant:	Brian Allsop Architect

PLANNING FRAMEWORK

Current Zone:	(DC1) Direct Development Control Provision
Proposed Zone:	(DC1) Direct Development Control Provision
Plan in Effect:	Charlesworth Neighbourhood Structure Plan
Historic Status:	N/A

Written By:
Approved By:
Branch:
Section:

Cyndie Prpich
Tim Ford
Development Services
Planning Coordination