



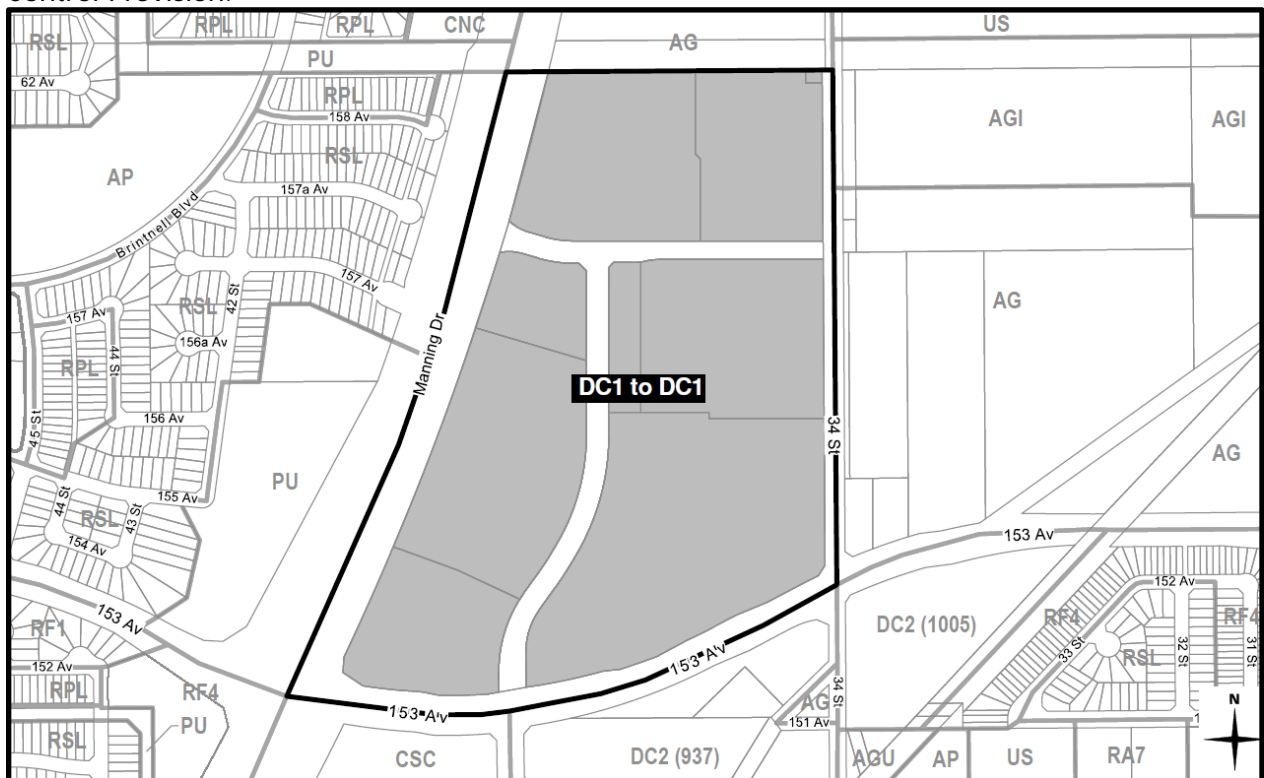
## ADMINISTRATION REPORT REZONING GORMAN

15304, 15510, 15704, and 15705 - 37 Street NW

3408 - 153 Avenue NW

3404, 3421, and 3650 - 158 Avenue NW

To add Cannabis Retail Sales to the permitted uses in the existing (DC1) Direct Development Control Provision.



## RECOMMENDATION AND JUSTIFICATION

Administration is in **SUPPORT** of this application because it proposes additional commercial opportunities consistent with the commercial nature of the development.

## THE APPLICATION

CHARTER BYLAW 19036 proposes to amend the Zoning Bylaw from (DC1) Direct Development Control Provision to (DC1) Direct Development Control Provision to add Cannabis Retail Sales. Administrative updates to the Provision are also included.

## SITE AND SURROUNDING AREA

The site is approximately 30 hectares in size and is located on the northeast corner of Manning Drive and 153 Avenue in the Gorman neighbourhood.



AERIAL VIEW OF APPLICATION AREA

	EXISTING ZONING	CURRENT USE
<b>SUBJECT SITE</b>	(DC1) Direct Development Control Provision	Shopping Center
<b>CONTEXT</b>		
North	(AG) Agricultural Zone	Utility corridor
East	(AG) Agricultural Zone (AGI) Industrial Reserve Zone	agricultural temporary storage
South	(DC2) Site Specific Development Control Provision (CSC) Shopping Center Zone	vacant land
West	(PU) Public Utility Zone (RSL) Residential Small Lot Zone	stormpond residential development

## PLANNING ANALYSIS

The existing (DC1) Direct Development Control Provision allows for the development of a comprehensively designed shopping centre on this 40 hectare site. When Cannabis Retail Sales was added to the Zoning Bylaw, Development Control Provisions that included commercial uses were not part of the omnibus zoning preferring that sites be reviewed individually in keeping with the unique nature of the Provisions. Cannabis Retail Sales generally have a similar land use impact as minor alcohol sales or convenience retail stores which are permitted in the existing DC1. The proposed change is minor in nature and reflects the existing commercial nature of the existing development.

As part of this review, the text of the (DC1) Direct Development Control Provision will include administrative updates.

The Pilot Sound Area Structure Plan designates this area for Community Commercial (DC1) development. While there is no approved Neighbourhood Structure Plan (NSP) for the Gorman neighbourhood an NSP is currently being developed. The Gorman Community Concept Plan was received for information by Council in July 2009, with the understanding that the City would use the development principles in this document to guide future development in the Gorman neighbourhood. Both the Concept Plan and the proposed NSP identify the subject site for commercial development.

## TECHNICAL REVIEW

No review was undertaken with affected City Departments and utility agencies.

## PUBLIC ENGAGEMENT

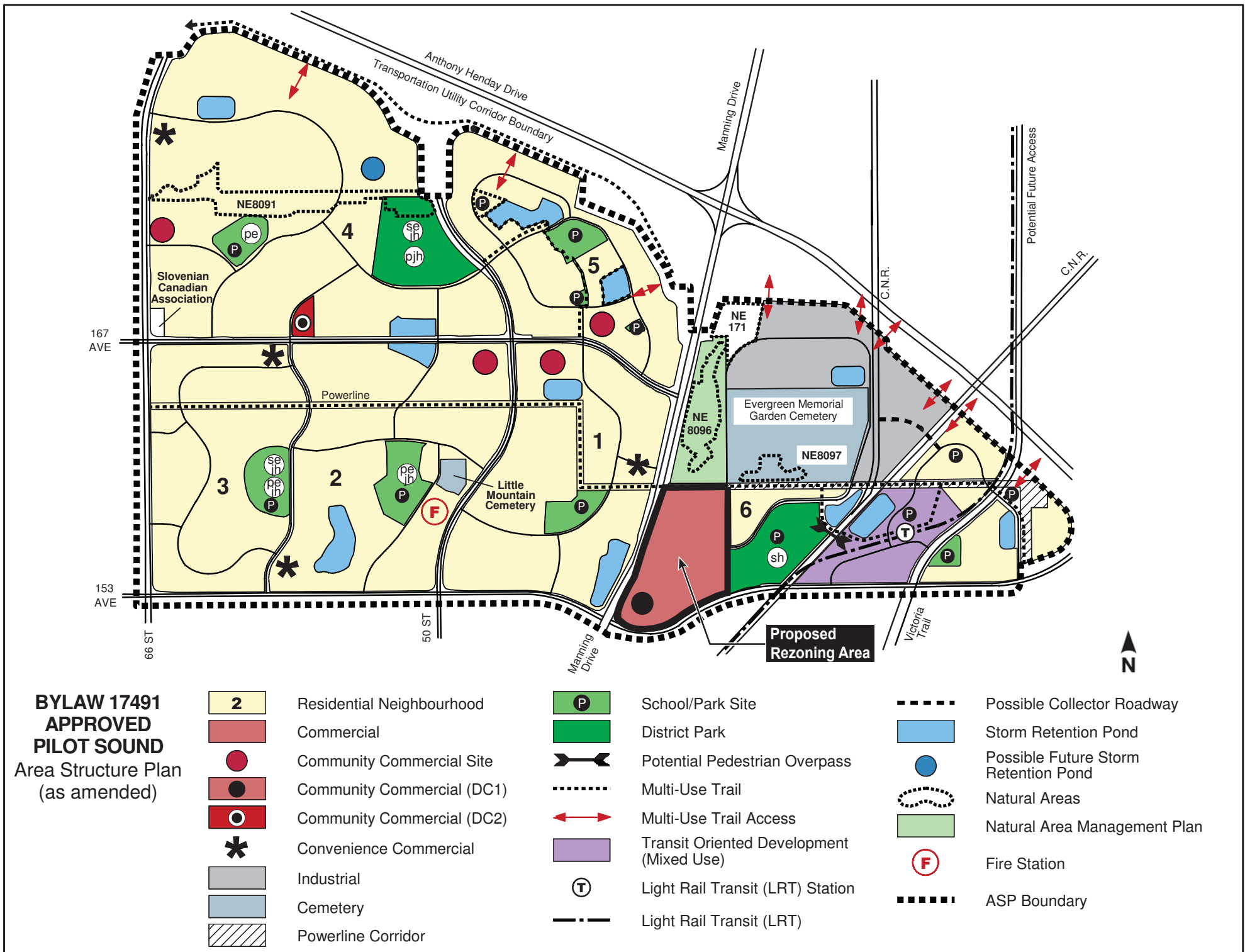
<b>ADVANCE NOTICE</b> August 13, 2019	<ul style="list-style-type: none"><li>• Number of recipients: 18</li><li>• No responses received</li></ul>
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## CONCLUSION

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

## APPENDICES

- 1 Context map
- 2 Tracked Changes (DC1)
- 3 Application Summary



## (DC1) DIRECT DEVELOPMENT CONTROL PROVISION

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### 1. General Purpose

The purpose of this Provision is to accommodate a commercial shopping centre with development controls and urban design regulations and guidelines to establish a high quality urban environment. Commercial, retail and offices uses shall be included and will be developed as larger shopping complexes, a main street and stand-alone pads comprehensively designed to improve the pedestrian and shopping environment.

### 2. Area of Application

This Provision shall apply ~~to Lots 1 — 4, Block 3, Plan 1123619 and a portion of SE ¼ Section 36 53 24 W4M~~ Lots 7- 9 Block 3, Plan 1224580, Lot 3 and 4, Block 4, Plan 1123619, Lot 3, Block 1, Plan 1521893, Lot 5, Block 3, Plan 1223987, Lot 4, Block 1, Plan 172202; Gorman containing approximately 31.438 ha, more or less as shown on Schedule “A” of the Bylaw adopting this Provision.

### 3. Uses

- a. Apartment Hotels
- b. Automotive and Equipment Repair Shops
- ~~e. —~~ Bars and Neighbourhood Pubs, ~~not to exceed 400 occupants and limited to 3 establishments~~
- ~~d-c.~~ Business Support Services
- d. Cannabis Retail Sales
- e. Child Care Services
- f. Commercial Schools
- g. Convenience Retail Stores
- h. Drive-in Food Services
- i. Gas Bars
- j. General Retail Stores
- k. Government Services
- l. Health Services



m. Indoor Participant Recreation Services

~~m.n.~~ Liquor Sales

~~n.~~ Major Alcohol Sales

~~o.~~ Minor Alcohol Sales

~~p.o.~~ Major Amusement Establishments

~~q.p.~~ Minor Amusement Establishments

~~r.q.~~ Minor Service Stations

~~s.r.~~ Nightclubs, for less than 200 occupants and 240 m<sup>2</sup> of Public Space

~~t.s.~~ Personal Service Shops

~~u.t.~~ Professional, Financial and Office Support Services

~~v.u.~~ Public Libraries and Cultural Exhibits

~~w.v.~~ Restaurants

~~x.w.~~ Specialty Food Services, for less than 100 occupants and 120 m<sup>2</sup> of Public Space

~~y.x.~~ Spectator Entertainment Establishments

~~z.y.~~ Equipment Rentals, provided that all equipment and goods for rent are contained within an enclosed building

~~aa.z.~~ Hotels

~~bb.aa.~~ Rapid Drive-through Vehicle Services

~~ee.bb.~~ Residential Sales Centre

~~dd.cc.~~ Warehouse Sales

~~ee.dd.~~ Veterinary Services

~~ff.ee.~~ Fascia On-premises Signs

~~gg.ff.~~ Freestanding On-premises Signs

~~hh.gg.~~ Major Digital Signs

~~ii.hh.~~ Minor Digital Off-premises Signs

~~jj~~.ii. Minor Digital On-premises Off-premises Signs

~~kk~~.jj. Minor Digital On-premises Signs

~~kk~~.kk. Projecting On-premises Signs

~~mm~~.ll. Temporary On-premises Signs

~~mm~~.mm. Roof On-premises Signs

#### **4. Development Regulations**

- a. All uses shall be part of a purpose-designed shopping precinct developed in accordance with Development and Design Regulations established herein.
- b. Site development shall generally comply with Appendix I, which is provided for illustrative purposes.
- c. A generalized, non-binding, concept plan shall be submitted for all new building development or substantial redevelopment to illustrate how the proposed development will integrate with existing and future surrounding and on-site development. The concept plan shall show the location of existing and future buildings, parking areas, vehicular and pedestrian routes, and amenity areas.
- d. The maximum Floor Area Ratio shall be 0.25.
- e. A minimum Yard of 7.5 m shall be required along Manning Drive; 6.0 m along 153 Avenue and along the power line right-of-way to the north; and 3.0 m along 34 Street.
- f. 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 building and shall be screened from view from any adjacent Sites, public roadways or Light Rail Transit lines, in accordance with the provisions of subsection 55.4 of this 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 or a Lane serving a Residential Zone, such areas shall be screened in accordance with the provisions of subsection 55.4 of this Bylaw.
- g. The maximum Building Height shall be 20.0 m for commercial / retail uses. This height may be extended to 40.0 m on the perimeter of the site for stand-alone office, entertainment and cultural uses or where the portion of the building above 20.0 m is non-commercial/retail uses. Buildings that exceed 20.0 m shall be located on the west and north boundaries of the site.

- h. The owner shall enter into an Agreement (or Agreements) with the City of Edmonton for off-site improvements necessary to serve the development, to the satisfaction of the ~~Transportation Department~~ [Urban Form and Corporate Strategic Development](#). The Agreement process includes an engineering drawing review and approval process. Improvements to be addressed in the Agreement(s) include, but are not limited to, the following:
- i. Construction of 153 Avenue to an urban arterial standard, from the Ebbers North/South Collector Spine Road to 34 Street, including all channelization, accesses, intersections, multi-use trails, sidewalks, lighting, landscaping and any transitional improvements.
  - ii. Construction of the first two lanes of 153 Avenue to an urban arterial standard, from 34 Street to the CN tracks when the road right-of-way becomes available.
  - iii. Upgrade of 34 Street to an urban collector standard, from 153 Avenue to north edge of the site, including all channelization, accesses, intersections, sidewalks, lighting, landscaping and any transitional improvements.
  - iv. Construction of the new signalized right-in, right-out, left-in access to Manning Drive north of 153 Avenue including all required channelization and median modifications. 100% of the costs for these signals will be paid for by the owner/developer. The timing of the traffic signal installation will be at the direction of the Transportation Department.
  - v. Construction of the all-directional curb return access at 153 Avenue and the Ebbers North/South Collector Spine Road.
  - vi. Installation of traffic signals at the intersection of 153 Avenue and 34 Street and at the intersection of 153 Avenue and the Ebbers North/South Collector Spine Road. The costs of the signals at these intersections are 100% ARA costs. The timing of the traffic signal installation will be at the direction of the ~~Transportation Department~~ [Urban Form and Corporate Strategic Development](#).
  - vii. Upgrade of the Manning Drive and 153 Avenue intersection to accommodate a double westbound to southbound left-turn.
  - viii. Repair of any damage to the abutting roadways, sidewalks and/or boulevards resulting from construction of the development, to the satisfaction of the ~~Transportation Department~~ [Urban Form and Corporate Strategic Development](#). The site must be inspected by the ~~Transportation~~



~~Department~~ Urban Form and Corporate Strategic Development prior to the start of construction and once again when construction is complete.

- ix. Payment of the proportionate share of the Arterial Roadway Assessment for the construction of arterial roadways in the catchment areas.
- x. The owner shall dedicate the required 153 Avenue right-of-way within the site boundary. The roadway dedication is to conform to approved concept plan or be to the satisfaction of the ~~Transportation Department~~ Urban Form and Corporate Strategic Development.
- i. The owner shall enter into an agreement with the City of Edmonton to accommodate Transit Service internal to the commercial site, which may include entering into an on-site easement with the City of Edmonton. The owner shall ensure that the roads to be used for transit service will be built to a proper standard to accommodate full-size buses and that adequate pedestrian facilities for transit users will be provided.
- j. The owner shall provide an updated Transportation Impact Assessment on or before the approved development permit applications reach an area of 700,000 sq. ft. of commercial space to the satisfaction of the ~~Transportation Department~~ Urban Form and Corporate Strategic Development. The issuance of any Development Permit for the site is subject to there being adequate capacity on the adjacent roadway network and shall be to the satisfaction of the ~~Transportation Department~~ Urban Form and Corporate Strategic Development.
- k. Signs shall comply with the regulations found in Schedule 59E and shall be designed and located to compliment the architectural theme and context of the building.
- l. Cannabis Retail Sales shall comply with the regulations in Section 70.
- m. Equipment Rentals, provided that all equipment and goods for rent are contained within an enclosed building
- n. Specialty Food Services shall not exceed 100 occupants and 120 m<sup>2</sup> of Public Space
- o. Nightclubs, shall not exceed 200 occupants and 240 m<sup>2</sup> of Public Space
- p. Bars and Neighbourhood Pubs, shall not exceed 400 occupants and limited to 3 establishments

Notwithstanding Schedule 59E, the following regulations shall apply to Freestanding On- and Off-premises Signs located adjacent to Manning Drive, found within the site shown on Schedule “A” of the Provision:

- i. The maximum permitted height shall be 12 m, measured from the geodetic elevation of 664.182 to the top of the sign;
- ii. The maximum allowable area shall be 39 m<sup>2</sup>.

~~k-q.~~ Notwithstanding Schedule 59E, the following regulations shall apply to Freestanding On-premises Signs, Freestanding Off-premises Signs, Major Digital Signs, Minor Digital On-premises Signs, and Minor Digital On-premises Off-premises Signs located on site found within the site shown on Schedule “A” of the Provision:

- i. The maximum number shall be 11, of which the maximum number of Major or Minor Digital Freestanding On- and Off-premises Signs shall be 4.

## **5. Additional Development Regulations**

The following additional development regulations shall be met to the satisfaction of the Development Officer, in consultation with applicable Departments and agencies.

### **5.1 General:**

- a. Establish the site and on-site development as an attractive, walkable, focal point for area residents and visitors alike.
- b. The development shall integrate with the surrounding facilities, functions, and activities through the establishment of an appropriate transition/interface with abutting uses by means of landscaping, pedestrian linkages and the control of compatible and incompatible activities.
- c. The owner shall dedicate the required 153 Avenue right-of-way within the site boundary. The roadway dedication is to conform to the approved concept plan or be to the satisfaction of the ~~Transportation Department~~ [Urban Form and Corporate Strategic Development](#).
- d. The issuance of any Development Permit for the site is subject to there being adequate capacity on the adjacent roadway network and shall be to the satisfaction

of the ~~Transportation Department~~ [Urban Form and Corporate Strategic Development](#).

- e. The Developer shall provide proof satisfactory to the Development Officer, in consultation with Alberta Environment, and the Transportation Department that the lands have been remediated to allow the intended use prior to the issuance of a development permit.
- f. CPTED principles shall be used to design all public and private spaces and facilities, focusing on natural surveillance and access control to lessen the likelihood of crime within the precinct.

## **5.2 Site Planning:**

- a. Building siting shall take into consideration the context of the surrounding area, the location of major traffic generators, and the site's particular characteristics.
- b. The primary interior access roads shall be occupied by building facades, architectural walls, hedges, earth berms, landscaping treatments, landscaped entryways and features, and site amenities.
- c. A maximum of 40 % of the frontages abutting Manning Drive may be developed with surface parking.
- d. Surface parking abutting 153 Avenue shall be screened from view using berms, landscaping or similar screening features.
- e. Buildings shall generally, to the satisfaction of the Development Officer, be oriented to:
  - i. frame the corner of an intersection of two primary interior access roads;
  - ii. frame onto the intersection of the primary interior access roads;
  - iii. frame major vehicular/pedestrian entry/exit point to/from the site; and
  - iv. permit views into the site along the axis of roadways and walkways intersection the abutting primary interior access roads.
- f. The buildings fronting onto the major pedestrian corridor are to be designed and developed to create a main street.
- g. The site shall contain focal points which shall be appropriately designed to facilitate a range of social interaction opportunities (e.g. plazas, landscaped gardens, public art features, etc.).

- h. Building orientation within the focal points shall be arranged to create a ‘sense of place’ using building design, plazas and pedestrian areas, decorative architectural walls, landscaping, other focal points and site amenities.
- i. Large format buildings shall be located at the perimeter of the site and oriented or grouped to frame views, constructed amenities, public streets, or entrance corridors. Variable building setbacks, and the placement and design of the rear façade of structures shall minimize long expanses of walls, a monotonous appearance or exposed service areas.
- j. Small format or single use sites shall be oriented toward the primary interior access roads and designed to complement adjacent developments to establish and maintain a clear building edge. Parking will typically be in the interior of the block or behind the buildings. Some parallel or angled parking may be allowed in front of the commercial building.
- k. Along the primary interior access roads, the spaces between freestanding structures shall be improved to include landscaped pedestrian connections and:
  - i. small pockets of landscaped parking areas;
  - ii. public seating areas; and/or
  - iii. landscaped open spaces.
- l. Site amenities shall be constructed as focal points, with complementary materials to the architecture of the development and within walking distance to transit stops and major tenants in the complex.
- m. No part of the site shall be developed as an enclosed shopping mall. The primary means of pedestrian circulation shall be outdoor walkways.

### **5.3 Building Design and Architecture:**

- a. High quality, innovative and imaginative architecture is encouraged. The selected architectural style / design shall consider compatibility with surrounding character, including harmonious building style, form, color, materials and roofline.
- b. Buildings, including those whose tenants typically employ “chain architecture”, shall be designed and finished to generally conform to a consistent architectural theme using similar architectural design elements, materials and colors. “Chain architecture” shall generally be limited to corporate logos and signage.

- c. All buildings shall be developed with 360° architecture such that all facades are visually attractive and interesting.
- d. Building facades shall include design elements, finishing materials, and variations that will reduce any perceived mass and linearity of large building and add architectural interest.
- e. Building entries shall be readily identifiable and use recesses, projections, columns and distinctive material and colors to articulate entrances.
- f. Building finishes and materials shall be of a high quality, aesthetically pleasing and including, but not limited to, natural and synthetic stone, brick, acrylic, stucco, metal and glazing.
- g. Building façade treatments and wall articulation shall be incorporated to create interesting and enlivened streetscapes external and internal to the site.
- h. Highly visible wall surfaces shall be architecturally enhanced and / or landscaped to avoid exposed “dead” frontages along major circulations corridors (e.g 153 Avenue, Manning Drive, and 34 Street).
- i. Main building entry points shall be clearly identifiable through the use of recesses, outdoor patios, display windows, planters, walls, or other similar design elements.
- j. Trash and storage enclosures shall be architecturally compatible with project design and be unobtrusive and conveniently accessible for trash collection. Loading and service areas shall be screened from abutting public roadways and abutting uses.
- k. Buildings and site amenities shall emphasize architectural elements and façade enhancements, particularly to the first and second levels of a project to create a pedestrian friendly environment. Lower floors shall be strongly articulated to add variety, interest and a human scale dimension. Design elements may include placement of windows to allow for viewing into the building by pedestrians; entrance features; street furniture; canopies; features that lend visual interest and create a human scale.
- l. The massing of all building walls greater than 15.0 m in length shall be reduced through architectural elements such as columns, ribs, pilasters or piers, changes in plane (e.g., recesses and projections), changes in building finishes, materials and textures, or features that create an identifiable pattern and sense of human scale.

- m. Development adjacent to Manning Drive and 153 Avenue shall ensure appropriate and high quality architectural and landscape design elements to ensure an attractive interface providing visual interest and relief.
- n. The roof line of buildings shall consist of: sloped roofs of varying pitches which may be finished in any combination of metal, wood shakes, asphalt shingles, clay tiles, or roof materials having a similar texture and appearance; or flat roofs where they are concealed by parapet walls that include articulation and use of design elements that are in harmony with the principal architectural theme that reduce any perceived mass and linearity of large buildings and add architectural interest.
- o. Buildings shall incorporate exterior and decorative lighting to enhance building architecture, landscaping elements and focal points.

#### **5.4 Landscaping and Site Amenities:**

- a. The landscape plan shall be required in accordance with Section 55.3 of the Zoning Bylaw. Outdoor amenity spaces shall be landscaped for the purpose of achieving pedestrian connectivity, opportunities for play and social interaction. Furthermore, outdoor amenity spaces shall create a sense of place, character and identity. In addition to landscaping, this shall be achieved through the use of park benches, pedestrian level lighting, waste receptacles and other means integrated with the landscaping and placed along public walking routes through the site to the satisfaction of the Development Officer.
- b. Appropriate landscaping to enhance the overall appearance of, and experience within, the site shall be provided in accordance with Section 55 of the Zoning Bylaw. Notwithstanding this regulation at least 10% more of the number of trees and shrubs required under Section 55 of the Zoning Bylaw shall be provided.
- c. Where fences are developed they shall be consistent in design, materials, finishes, and colors with the fence styles established for the neighbourhood.
- d. Focal points designed and intended to facilitate social interaction amongst site users and create a “sense of place” shall be developed. The focal point shall include, but not be limited to, the combination of one or more of the following elements to the satisfaction of the Development Officer:
  - i. A distinctively designed building with a strong vertical element;
  - ii. An architectural feature such as a spire or interesting roof feature; and/or
  - iii. Public art/water feature, a public plaza, open space, street furniture, or landscaped feature.



- e. Coordinated and complementary streetscape enhancements shall be applied through the site, including street trees, fencing, pedestrian scaled lighting, street furniture and other amenities.
- f. Landscaping shall be used to highlight major circulation patterns, sidewalks and the overall development.

## **5.5 Access, Circulation and Parking:**

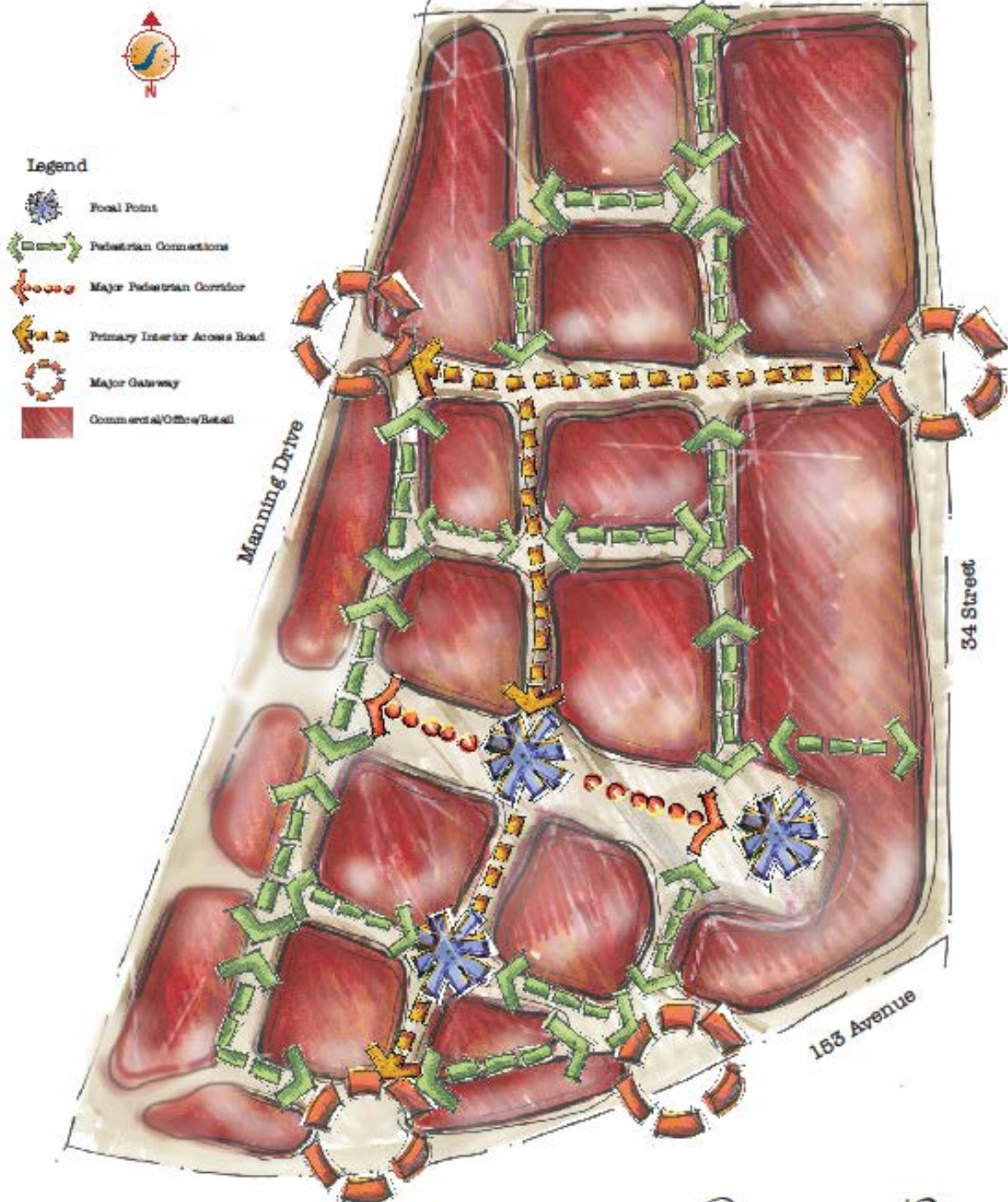
- a. Access to developments within this zone from public roadways or primary interior access roads shall provide safe, convenient vehicular and pedestrian access and circulation patterns between parking, shopping and amenity areas.
- b. Pedestrian linkages within the site as well as between the site and the surrounding community shall be provided to accommodate and encourage pedestrian movement between building clusters, parking areas, site amenities, public perimeter sidewalks and bus stops.
- c. The site shall provide a structured internal vehicular circulation system by means of private internal roadways complete with appropriate streetscaping (e.g. boulevard planting, street furniture, etc).
- d. The primary interior access roads shall serve as collector streets and shall be developed, in addition to walkways, to the satisfaction of the Development Officer in consultation with the Transportation Department, to encourage pedestrian movement, accommodate public transit and / or provide access to:
  - i. abutting buildings
  - ii. parking areas and / or parking structures
  - iii. site amenities and focal points
  - iv. sidewalks along public roadways
  - v. transit stops
- e. A minimum 1.5 m separated sidewalk with boulevard landscaping shall be developed along the primary interior access roads to create an enhanced interface between the roadway and pedestrians.
- f. Sidewalks along the front or 'main' entrances of large format buildings shall be developed to a minimum width of 4.0 m to reduce pedestrian conflict and create a more pedestrian friendly image.
- g. Vehicular parking shall be provided in accordance with the Zoning Bylaw.

- h. Large parking areas shall be “broken up” by means of on-site private roads, drive aisles, and/or landscaped islands.
- i. Parking areas shall be designed for a safe and orderly flow of traffic as well as pedestrians to avoid pedestrian/vehicular conflict and to include appropriate landscaping to reduce the visual impact from public roadways, amenity areas and pedestrians.
- j. Vehicle queuing lanes shall not be developed in areas abutting the major pedestrian corridor.

## **5.6 Pedestrian Environment**

- a. Development within this high-quality shopping centre shall ensure that the design of the pedestrian environment is comfortable, convenient, visually attractive and safe for human activity.
- b. A diversity of site amenities and pedestrian oriented facilities such as public art, seating areas, street furniture, squares, plazas and greens shall create an inviting image for the development.
- c. Building facades shall have pedestrian friendly features including transparency, decorative windows, wall niches, seating areas and entrances to complement an interesting pedestrian streetscape.
- d. Pedestrian pathways to building entrances, amenities and transit shall be convenient, safe and well lit, with special paving or landscaping to define the connections where practical.

# APPENDIX I



Concept Plan  
 Stantec

116109506

## APPLICATION SUMMARY

### INFORMATION

Application Type:	Rezoning
Charter Bylaws:	19036
Location:	Northeast corner of Manning Drive and 153 Avenue
Addresses:	15304, 15510, 15704, and 15705 - 37 Street NW 3408 - 153 Avenue NW 3404, 3421, and 3650 - 158 Avenue NW
Legal Descriptions:	Lot 7- 9, Block 3, Plan 1224580, Lot 3 & 4, Block 3, Plan 1123619, Lot 3, Block 1, Plan 1521893, Lot 5, Block 3, Plan 1223987, Lot 4, Block 1, Plan 1722023
Site Area:	approximately 30 ha.
Neighbourhood:	Gorman
Notified Community Organizations:	Killarney Community League, and The Edmonton North District Area Council Area Council
Applicant:	Stantec

### PLANNING FRAMEWORK

Current Zone:	(DC1) Direct Development Control Provision
Proposed Zone:	(DC1) Direct Development Control Provision
Plan in Effect:	Pilot Sound Area Structure Plan
Historic Status:	None

Written By:	Don Read
Approved By:	Tim Ford
Branch:	Development Services
Section:	Planning Coordination