

PLANNING ANALYSIS

PLANS IN EFFECT

The proposed (DC2) Provision conforms with the MacEwan Neighbourhood Area Structure Plan which designates this site for Neighbourhood Convenience Commercial uses. The proposed (DC2) Provision is comparable in scale to regulations found under the (CNC) Neighbourhood Convenience Commercial Zone as shown in the table below:

	Proposed DC2 Provision	(CNC) Neighbourhood Convenience Commercial Zone
Maximum Height	10.0 m	10.0 m
Maximum Floor Area	275 m ²	275 m ² (for a permitted use)
Setback from residential	3.0 m	3.0 m
Maximum Floor Area Ratio	1.0	1.0

LAND USE COMPATIBILITY

The proposed Provision will allow for additional neighbourhood-scale commercial uses within walking distance of residential uses.

At the time of this review, the site meets the locational requirements for Cannabis Retail Sales under Section 70 of the Zoning Bylaw. Section 70 will apply to the proposed (DC2) Provision in accordance with Section 69 (Special Land Use Provisions) which states:

“The Special Land Use Provisions apply to the Uses listed in any Zone or Direct Control Provision in which they are located. They shall take precedence and be applied in addition to the requirements of the Zone, except where a Zone, Direct Control Provision or Overlay specifically excludes or modifies these provisions with respect to any Use.”

TECHNICAL REVIEW

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

DRAINAGE

The proposed zoning change with the intent of allowing additional commercial uses within the existing structure will not significantly impact the sewer system. In the case of addition of more uses or redevelopment of the site, sewer requirements may need to be reassessed.

TRANSPORTATION

Ellerslie Road widening from 2-lanes to 4-lanes between 111 Street and Heritage Valley Trail (135 Street SW) is under construction and is expected to be fully operational by the end of 2020. Landscape works will be carried over to the spring season next year.

EPCOR WATER

There is a deficiency in on-street fire hydrant spacing adjacent to the property. City of Edmonton Standards require hydrant spacing of 90 m for the proposed DC2 zoning. Hydrant spacing in the area is approximately 133 m. The owner is required to construct one hydrant on the west side of 119 Street SW at their expense.

Prior to the issuance of a Development Permit, the applicant shall submit documentation that demonstrates, to the satisfaction of the Development Officer in consultation with Fire Rescue Services and EPCOR Water Services, that the fire flows and water servicing to the site will be adequate for the proposed development, and be in accordance with the City of Edmonton Design and Construction Standards. The Development Officer shall verify that any infrastructure upgrades or systems required to ensure these standards are met, shall be implemented.

PUBLIC ENGAGEMENT

<p>ADVANCE NOTICE September 24, 2020</p>	<ul style="list-style-type: none"> ● Number of recipients: 92 ● Number of responses with concerns: 4 ● Common comments included: <ul style="list-style-type: none"> ○ The site has already been rezoned a number of times contrary to initial promises to landowners; ○ The current structure and property is filthy and full of garbage. Increasing access to drugs will increase these hazards; ○ The site already has a liquor store near a daycare. Adding cannabis is laughable; ○ Access to cannabis is not a necessity in a residential area; ○ Concerns about impacts on property values; ○ What does a market include?; ○ Crime is already a problem in this area. Concerned adding cannabis would increase crime; and ○ Odd that the Zoning Bylaw does not consider preschools and daycares to be schools.
<p>WEBPAGE</p>	<ul style="list-style-type: none"> ● edmonton.ca/macewan

In response to the concerns, Administration advised that complaints regarding untidy or unsightly nuisance properties can be made online at edmonton.ca.

Common examples of markets include indoor and outdoor public markets and farmers markets. This use does not include Secondhand Stores or Pawn Stores.

Currently, the City of Edmonton Zoning Bylaw does not require separation distances between Child Care Services and Cannabis Retail Sales. The Zoning Bylaw does require minimum separation distances between Cannabis Retail Stores and existing:

- Parks;
- Natural Areas;
- Public or Private Education Services;
- Libraries;
- Community Recreation Services;
- School reserves or municipal and school reserves;
- Provincial Health Care facilities; and
- Other cannabis retail stores.

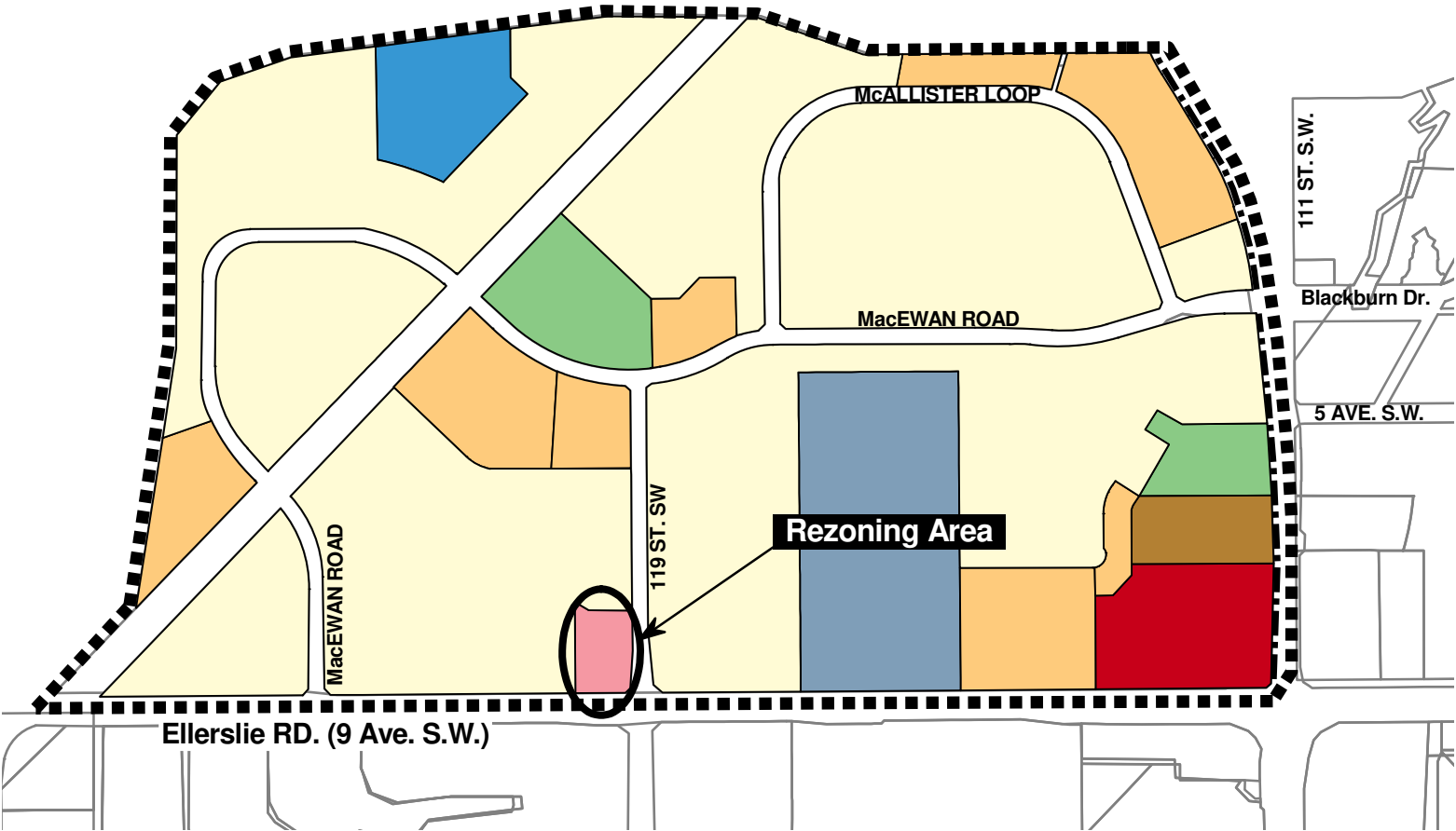
CONCLUSION

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

APPENDICES












- 1 Context Plan Map
- 2 DC2 Tracked Changes
- 3 Application Summary

ANTHONY HENDAY DRIVE



BYLAW 13425 APPROVED MacEwan Neighbourhood Area Structure Plan



- | | | | |
|---|---------------------------------------|--|----------------------------------|
|  | Low Density Residential |  | Park |
|  | Medium Density Residential |  | Existing Church / Private School |
|  | High Rise Apartment Residential (DC2) |  | Transit Corridor |
|  | Shopping Centre Commercial |  | Neighbourhood Convenience |
|  | Stormwater Management Facility |  | Commercial |
| | |  | NASP 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.

(DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION

1. General Purpose

To provide for low-intensity, non-residential uses, which are intended to serve the day-to-day needs of residents within the MacEwan neighbourhood.

2. Area of Application

The Provision shall apply to Lot 55, Block 3, Plan 022 4671, located at 850 – 119 Street SW, as shown on Schedule A attached to this bylaw, MacEwan.

3. Uses

1. Cannabis Retail Sales
2. Child Care Services
3. Convenience Retail Stores
4. Health Services
5. ~~Minor Alcohol Sales~~ Liquor Stores
6. Market
7. Personal Services Shops
8. Professional, Financial, and Office Support Services
9. Specialty Food Services
10. Fascia On-premises Signs
11. Freestanding On-premises Signs
12. Projecting On-premises Signs
13. Temporary On-premises Signs

4. Development Regulations

1. Notwithstanding section 720.3(2) of the Zoning Bylaw, a Site Plan is not appended to this Provision. ~~However, the site layout and building location shall be in general accordance with Appendix I.~~
2. The maximum Floor Area of any individual business premises shall not exceed 275 m².
3. The maximum Floor Area Ratio shall be 1.0.
4. A minimum Setback of 4.5 m shall be required where a Site Abuts a public roadway, other than a Lane.
5. A minimum Setback of 3.0 m shall be required where the Rear or Side Lot Line of the Site Abuts the ~~HLot H~~Line of a Site in a Residential Zone.

6. A minimum Setback of 3.0 m shall be required from the south Lot Line.
7. 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. If the rear or sides of a Site are used for parking, an outdoor service display area or both, and Abuts a Residential Zone or a Laned serving a Residential Zone, such areas shall be screened.
8. The maximum building Height shall not exceed 10.0 m.
9. Signs shall comply with ~~the regulations for permitted signs found in Schedule 59D and Schedule 59~~ of the Zoning Bylaw, as amended.
10. Notwithstanding Section 4(6) of this Provision, ~~the~~ the minimum Setback from the south ~~Property Lot Line of Lot 55, Block 3, Plan 0224671~~ for Child Care Services shall be 32.0 meters.

APPLICATION SUMMARY

INFORMATION

Application Type:	Rezoning
Charter Bylaw:	19499
Location:	North of Ellerslie Road SW and west of 119 Street SW
Address:	850 - 119 Street SW
Legal Description:	Lot 55, Block 3, Plan 0224671
Site Area:	0.4 hectares
Neighbourhood:	MacEwan
Notified Community Organization(s):	Heritage Point Community League
Applicant:	Marcelo Figueira, Green Space Alliance

PLANNING FRAMEWORK

Current Zone:	(DC2.1004) Site Specific Development Control Provision
Proposed Zone:	(DC2) Site Specific Development Control Provision
Plans in Effect:	MacEwan Neighbourhood Area Structure Plan Heritage Valley Servicing Concept Design Brief
Historic Status:	None

Written By: Michelle Neilson
Approved By: Tim Ford
Branch: Development Services
Section: Planning Coordination