



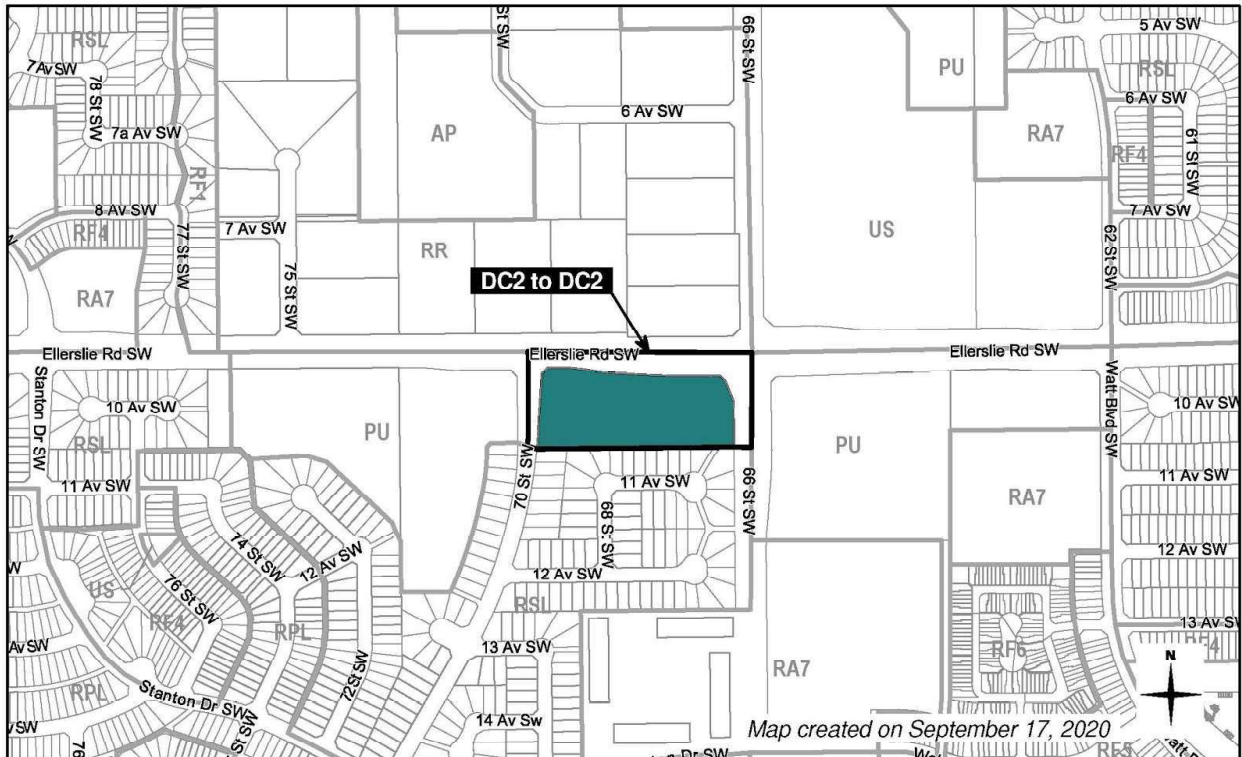
ADMINISTRATION REPORT

REZONING

SUMMERSIDE

6705 - ELLERSLIE ROAD SW

To add Cannabis Retail Sales and Liquor Stores to an existing DC2 Provision.



RECOMMENDATION AND JUSTIFICATION

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

- The proposed zone will allow for additional commercial uses in a prominent shopping centre located at the intersection of two major roads;
- The site size and context provides adequate physical and visual separation from the school site; and
- The proposed zone conforms with the Summerside Neighbourhood Structure Plan.

THE APPLICATION

CHARTER BYLAW 19467 proposes to amend the Zoning Bylaw from (DC2.878) Site Specific Development Control Provision to (DC2) Site Specific Development Control Provision.

The current DC2 Provision allows for a range of commercial uses. The proposed DC2 Provision will add Cannabis Retail Sales and Liquor Stores to the list of uses allowed on site.

SITE AND SURROUNDING AREA

The site is 1.98 hectares in size and is developed with commercial uses. It is located south of Ellerslie Road SW and west of 66 Street SW. The site is located within 100 m of the Ellerslie Campus Public School Site (K-9).



AERIAL VIEW OF APPLICATION AREA

	EXISTING ZONING	CURRENT USE
SUBJECT SITE	(DC2.878) Site Specific Development Control Provision	Commercial development
CONTEXT		
North	(RR) Rural Residential	Single Detached Homes
East	(PU) Public Utility Zone	Stormwater Management Facility
South	(RSL) Residential Small Lot Zone	Single Detached Homes
West	(PU) Public Utility Zone	Stormwater Management Facility

PLANNING ANALYSIS

PLANS IN EFFECT

The proposed DC2 Provision conforms with the Summerside Neighbourhood Structure Plan which designates this site for neighbourhood commercial uses. Neighbourhood commercial sites are intended to “augment the services provided by the commercial areas west of the plan area with convenience related services such as dry cleaning, convenience stores, retail, etc.” The proposed DC2 provision is comparable in scale to regulations found under the (CB1) Low Intensity Business Zone as shown in the table below:

	Proposed DC2 Provision	(CB1) Low Intensity Business Zone
Maximum Height	9.0 m	12.0 m
Maximum Floor Area	1,900 m ²	2,500 m ² (for a permitted use)
Setback from public road	4.5 m	3.0 m
Setback from residential	7.0 m	3.0 m

ZONING BYLAW

The Zoning Bylaw requires that sites containing Cannabis Retail Sales be located no less than 200 m from school sites and that sites containing Liquor Stores be located no less than 100 m from school sites, when measured from site boundary to site boundary. The subject site is located less than 100 m from the Ellerslie Campus Public School Site (K-9). Sites that are greater than 2 ha in size, and zoned (CSC) Shopping Centre Zone or (DC2) Site Specific Development Control Provision, are exempt from this separation requirement. The subject site is 1.98 ha in size (deficient by approximately half a single detached residential lot).

Notwithstanding the minor deficiency in size, the subject site can accommodate the proposed cannabis retail sales and liquor store uses and maintain sufficient visual and physical separation from the existing school site. The context of the site is appropriate for these uses given its location within a prominent shopping centre at the intersection of two major roadways and its separation from the school site by a 40-45 m wide arterial road right-of-way. Regulations within the proposed DC2 Provision require that:

- any cannabis retail sales store must be located 200 m from a school site and any liquor store must be located 100 m from a school site;
- cannabis retail sales will not be permitted on-site if the site contains a public library; and

- the required separation distances between cannabis retail sales uses and liquor store uses as regulated under Section 70 and 85 of the Zoning Bylaw apply in addition to the requirements of the proposed DC2 Provision.

TECHNICAL REVIEW

EPCOR Water has determined that there is a deficiency in on-street hydrant spacing adjacent to the property. Prior to the issuance of a Development Permit, except for demolition, excavation, shoring or signage, the applicant will be required to submit documentation that demonstrates that the fire flows and water servicing to the Site will be adequate for the proposed building and construction type, and be in accordance with the City of Edmonton Design and Construction Standards. The Development Officer will verify that any infrastructure upgrades or systems required to ensure these standards are met, shall be implemented in the design of the building and/or through off-site improvements.

Edmonton Public Schools does not support the proposed rezoning. The site is located within 100 m of the Ellerslie Campus Public School which does not meet the required separation distances established in Sections 70 and 85 of the Zoning Bylaw. Edmonton Public Schools does not agree that this site is suitable for cannabis retail sales or liquor stores based on the following:

- Proximity to an operating school;
- the designation of the site as neighbourhood commercial in the approved NSP; and
- the size of the site.

PUBLIC ENGAGEMENT

<p>DC2 PRE-NOTIFICATION June 22, 2020</p>	<ul style="list-style-type: none"> • Number of recipients: 253 • Number of responses with concerns: 2 • Number of responses in support: 1 • Number of responses looking for more info: 3 • Common comments included: <ul style="list-style-type: none"> o Concern that the proposed uses will bring crime, vagrancy and an unsafe environment; and o Clarification on the application timing.
<p>ADVANCE NOTICE August 13, 2020</p>	<ul style="list-style-type: none"> • Number of recipients: 243 • Number of responses with concerns: 4 • Common comments included: <ul style="list-style-type: none"> o Concern that traffic and crime will increase;

	<ul style="list-style-type: none"> o It will attract consumers with a bad reputation; o The City should not facilitate access to liquor and cannabis; o These uses should not be located in a family neighbourhood with young children; o The site is too close to a school and daycare; o If separation is required from a school site, then separation should be required from daycares as well; and o There are enough liquor stores and cannabis stores in the Summerside area already.
PUBLIC MEETING	<ul style="list-style-type: none"> ● Not held
WEBPAGE	<ul style="list-style-type: none"> ● edmonton.ca/summerside

In response to the concerns, Administration advises that the concentration of cannabis retail and liquor stores in Edmonton is regulated by the locational requirements of Section 70 and 85 of the Zoning Bylaw. These sections require a minimum separation distance of 200 m between cannabis retail stores and 500 m between liquor stores. This distance requirement applies 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.”

Transportation has reviewed the proposed rezoning and has deemed that the proposed change can be accommodated by the existing roadways.

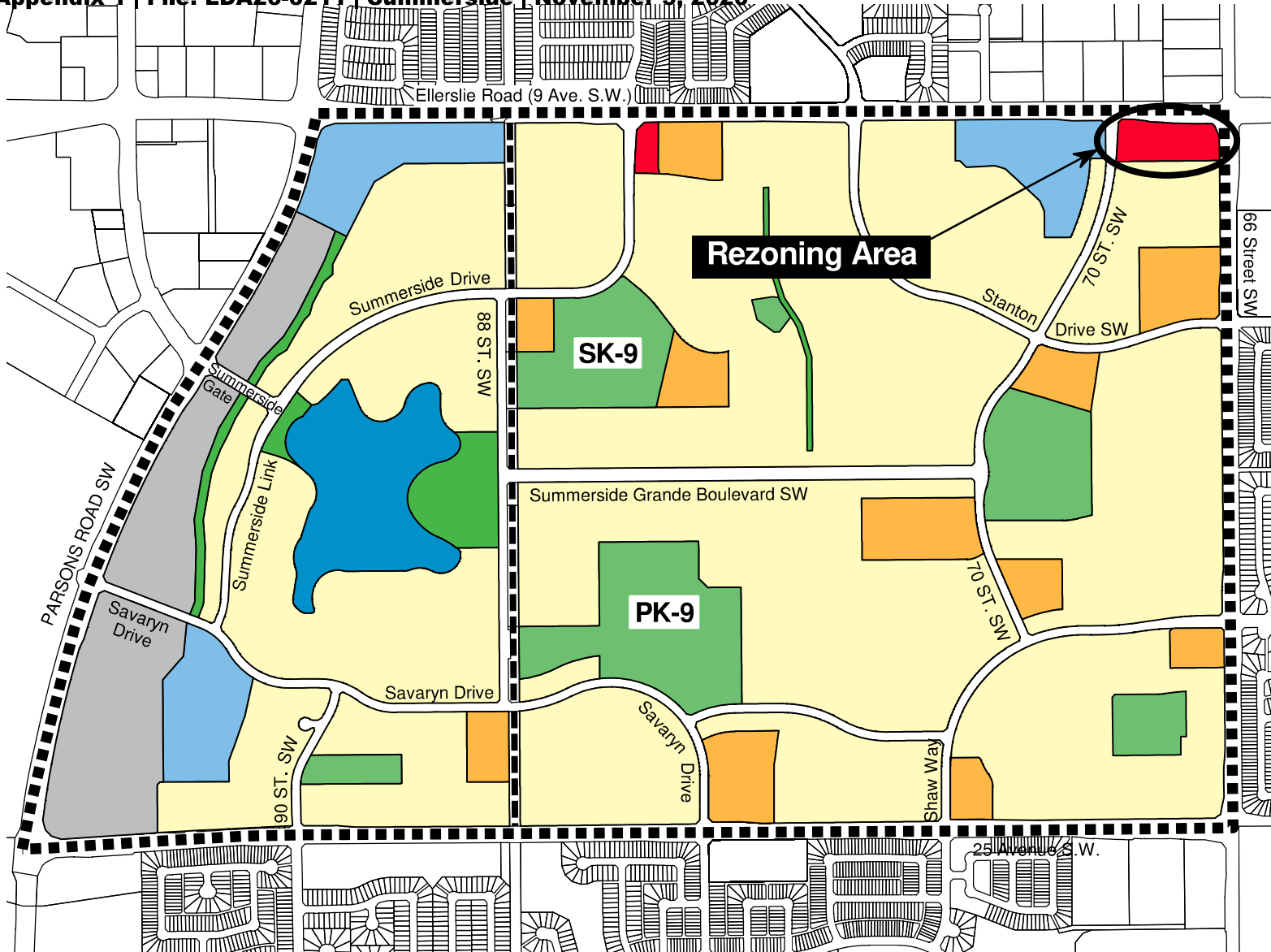
The proposed DC2 Provision requires that liquor stores be located a minimum of 100 m from any site being used for public or private education and that cannabis retail stores be located a minimum of 200 m from any site being used for public or private education. Separation between liquor stores, cannabis retail sales and child care services is not required under the Zoning Bylaw.

CONCLUSION

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

APPENDICES











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



**BYLAW 16149
APPROVED
SUMMERSIDE**

Neighbourhood Structure Plan
(as amended)



- | | | | |
|---|----------------------------|---|-------------------------------------|
|  | Low Density Residential |  | Private Open Space (Parks/Linkages) |
|  | Medium Density Residential |  | School/Park Site |
|  | Neighbourhood Commercial |  | Industrial (Special Area) |
|  | Stormwater Facility/PUL |  | Power Corridor |
|  | Private Open Space (Lake) |  | Boundary of NSP |
| PK-9 | Public K-9 School | | |
| SK-9 | Separate K-9 School | | |

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

Part IV Edmonton Zoning Bylaw

~~Section DC2.878~~

~~Bylaw 17147~~

~~April 13, 2015~~

~~DC2.878.1~~ General Purpose

To establish a Site Specific Development Control ~~Zone~~ **Provision** to provide for neighborhood convenience and personal service uses capable of meeting the needs of the surrounding communities, while ~~specifically prohibiting Alcohol Sales and~~ being compatible with adjacent surrounding low density residential and institutional uses.

~~DC2.878.2~~ Area of Application

Lot 1A, Block 4, Plan 1321104, located south of Ellerslie Road and west of 66 Street SW, as shown on Schedule A of this Bylaw adopting this Provision, Summerside.

~~DC2.878.3~~ Uses

1. **Cannabis Retail Sales**
2. Child Care Services
3. Convenience Retail Stores
4. Drive-in Food Services
5. Gas Bars
6. General Retail Stores
7. Government Services
8. Health Services
9. Indoor Participant Recreation Services
10. **Liquor Stores**
11. Minor Service Stations
12. Pawn Stores
13. Personal Service Shops
14. Professional, Financial and Office Support Services
15. Public Libraries and Cultural Exhibits
16. Rapid Drive-through Vehicle Services
17. Residential Sales Centre
18. ~~Restaurants, for less than 200 occupants and 240 m² of Public Space~~
19. Secondhand Stores
20. ~~Specialty Food Services, for less than 100 occupants and 120 m² of Public Space~~
21. Veterinary Services
22. Fascia On-premises Signs
23. Freestanding On-premises Signs
24. Projecting On-premises Signs

25. Temporary On-premises Signs

~~DC2.878.4~~ Development Regulations

1. The ~~development~~ Site layout and building locations shall be in general accordance with the Site plan as illustrated in Appendix I.
2. The maximum ~~b~~Building Height shall not exceed 9.0 m ~~nor 2 Storeys~~.
3. The maximum Floor Area Ratio shall be 1.0.
4. The maximum Floor Area of any individual business premises shall not exceed 1,900 m².
5. A minimum ~~L~~andscaped ~~Setback Yard~~ of 4.5 m shall be provided along Ellerslie Road SW, 66 Street SW, and 70 Street SW.
6. A minimum ~~L~~andscaped ~~Setback Yard~~ of 7.0 m shall be provided along the Rear Lot Line.
7. An all directional curb return access to 70 Street SW including curb ramps on both sides shall be located a minimum of 45.0 m from the Rear Lot Line of the Site.
8. A right-in/right out curb return access to Ellerslie Road including curb ramps on both sides shall be located a minimum of 110 m from the Side Lot Line to the west. The owner shall construct an eastbound right turn bay to this access.
9. A right-out only curb return access to 66 Street including curb ramps on both sides shall be located a minimum of 6.0 m from the south ~~Lot~~property Line.
10. Sidewalks shall be located in general accordance with the Site plan as illustrated in Appendix I.

~~Loading, storage and trash collection areas shall be screened from view in accordance with the regulations of Section 55 of the Zoning Bylaw.~~

11. All development shall be required to comply with the following architectural guidelines:
 - a. All development on the Site shall be constructed using architectural themes that are consistent. Exterior wall finish materials for all development shall be of high quality and consistent on all sides with the overall architectural style ~~of the Site for the Area of Application;~~
 - b. Entrances shall be emphasized using colour, texture and architectural elements. Gateways and site entries shall be developed with special ~~L~~andscape treatments including, but not limited to, trees and shrubs, accents, paving treatments, lighting or compatible architectural elements;
 - c. All exterior lighting shall be designed such that all light is contained within the ~~Site Area of Application~~, to be indirect from all angles of off-Site viewing, and not intrude into neighbouring residential areas, and shall incorporate design elements consistent with the architectural themes for the development;
 - d. Architectural treatment of buildings shall continue to the side elevations ~~where it is specified as a primary building façade as identified in Appendix 1.~~ Architectural devices for achieving this include the continuation of architectural details such as cornices, accent banding, masonry pillars and raised details;

- e. The rear walls of ~~b~~Buildings 'CRU 1' and 'CRU 2', as identified in Appendix I, are to have additional treatment such as accent banding or graphics or other architectural devices to create visual interest and shall not contain windows on the second ~~S~~storey, if any; and
 - f. Architectural design shall be to the satisfaction of the Development Officer.
13. The sidewalks or ~~W~~walkways in front of ~~b~~Buildings 'CRU 1' and 'CRU 2' shall be a minimum of 2.0 m in width and all other sidewalks or ~~W~~walkways shall be a minimum of 1.5 m in width.
14. A public access easement shall be registered for the sidewalk developed within the ~~S~~site along 66 Street SW.

~~Landscaping shall be in accordance with Section 55 of the Zoning Bylaw, and in general accordance with the site plan as illustrated in Appendix I.~~

15. Notwithstanding Section 55, ~~L~~andscaping shall be provided at the rear of ~~b~~Buildings 'CRU 1' and 'CRU 2', as shown in Appendix I, consisting of 17 coniferous trees that are a minimum 2.0 m in ~~H~~height and 30 deciduous trees that are a minimum 75 mm Caliper.
16. Restaurants shall not exceed a capacity of 200 Occupants or 240 m² of Public Space.
17. Specialty Food Services shall not exceed a capacity of 100 Occupants or 120 m² of Public Space.

~~Vehicular and bicycle parking shall comply with the regulations of Section 54 of the Zoning Bylaw.~~

18. Signs shall comply with the regulations contained in Schedule 59D of the Zoning Bylaw, as amended.
19. Notwithstanding Section 70(2) and 70(4)(a), and Section 85(4) of the Zoning Bylaw, Cannabis Retail Sales and Liquor Stores shall be permitted on Site, provided that:
- a. Cannabis Retail Sales shall not be permitted if the Site contains a public library at the time of application for the Development Permit for the Cannabis Retail Sales;
 - b. Any Cannabis Retail Sales shall not be located less than 200 m from a Site being used for public or private education. The 200 m separation distance shall be measured from the closest point of the Cannabis Retail Sales Use to the closest point of the Site boundary being used for public or private education; and
 - c. Any Liquor Store shall not be located less than 100 m from a Site being used for public or private education. The 100 m separation distance shall be measured from the closest point of the Liquor Store Use to the closest point of the Site boundary being used for public or private education.

DESIGN FOR DISCUSSION PURPOSES ONLY
NOTE: ALL INFORMATION AND SITE DATA ARE APPROXIMATE,
AND ARE FOR REFERENCE PURPOSES ONLY.

AVENUE

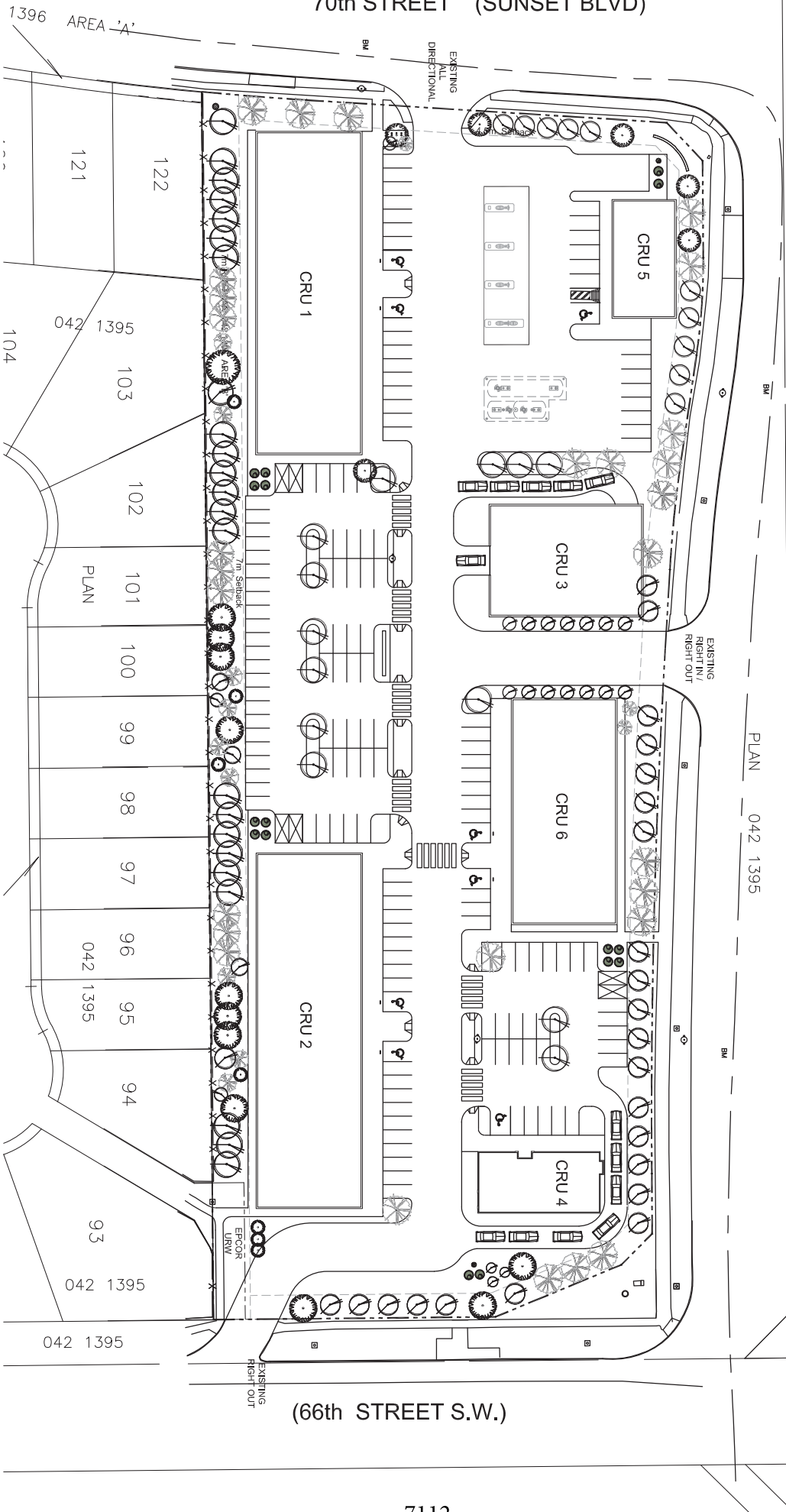
9th AVE (ELLERSLIE ROAD)

RC

ROAD PLAN

70th STREET (SUNSET BLVD)

(66th STREET S.W.)



APPLICATION SUMMARY

INFORMATION

Application Type:	Rezoning
Charter Bylaw:	19467
Location:	South of Ellerslie Road SW and west of 66 Street SW
Address:	6705 - Ellerslie Road SW
Legal Description:	Lot 1A, Block 4, Plan 1321104
Site Area:	1.98 hectares
Neighbourhood:	Summerside
Notified Community Organization:	Ellerslie Community League Association and Summerside Community League of Edmonton
Applicant:	Eins Consulting

PLANNING FRAMEWORK

Current Zone:	(DC2.878) Site Specific Development Control Provision
Proposed Zone:	(DC2) Site Specific Development Control Provision
Plans in Effect:	Summerside Neighbourhood Structure Plan Ellerslie Area Structure Plan
Historic Status:	None

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