



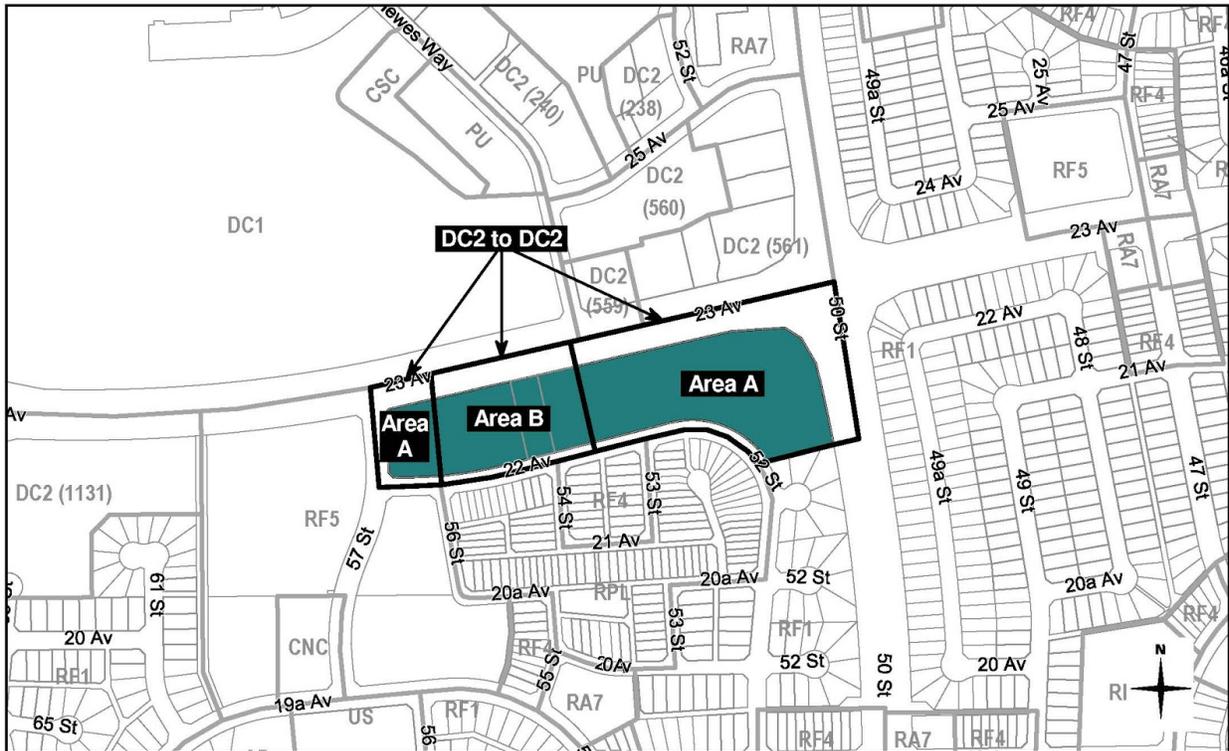
ADMINISTRATION REPORT

REZONING

Meyokumin

5011, 5331, 5403, 5503, and 5661 – 23 Avenue NW

To add Cannabis Retail Sales and update existing commercial uses to an existing DC2 Provision.



Recommendation: That Charter Bylaw 19595 to amend the Zoning Bylaw from (DC2) Site Specific Development Control Provision to (DC2) Site Specific Development Control Provision be **APPROVED**.

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

- the proposed zone will allow for additional neighbourhood-scale commercial uses;
- the site meets the locational requirements for Cannabis Retail Sales under Section 70 of the Zoning Bylaw; and
- the proposed provision conforms with the intent of the Mill Woods Development Concept Plan.

Report Summary

This land use amendment was accepted from Stantec on November 5, 2020 on behalf of Cameron Development Corporation. The application proposes to rezone the site from (DC2) Site Specific Development Control Provision to (DC2) Site Specific Development Control Provision for the purpose of adding Cannabis Retail Sales to the list of uses allowed on a portion of the site. Additional changes will update the language and terminology of the regulations to the current standards of the Zoning Bylaw.

This proposal is in alignment with the applicable policies of CityPlan. The subject site is located within a Secondary Corridor, across the street from a Major Node (Mill Woods Town Centre) that contains a transit centre and LRT Station. Furthermore, it achieves the policy of enabling the redevelopment of commercial sites to support mixed use local nodes city wide.

The Mill Woods Development Concept Plan is in effect for this area, and supports commercial development within 1/2 mile distance of areas designated for commercial development on the attached context map. The plan supports neighbourhood commercial sites along transit routes and at roadway intersections.

The Application

CHARTER BYLAW 19595 proposes to rezone the site from (DC2) Site Specific Development Control Provision to (DC2) Site Specific Development Control Provision.

The current (DC2) Provision allows for a range of small-scale commercial uses. The proposed (DC2) Provision will add Cannabis Retail Sales to the list of uses allowed on site. Additional changes will update the language and terminology of the regulations to the current standards of the Zoning Bylaw.

Site And Surrounding Area

The site is 4.5 hectare in size and is developed with existing commercial uses. It is located south of 23 Avenue NW and west of 50 Street NW.

Planning Analysis

PLANS IN EFFECT

The proposed (DC2) Provision conforms with the intent of the Mill Woods Development Concept Plan, which supports neighbourhood commercial sites along transit routes and at roadway intersections. 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
Setback from public road	10 m (including Lanes)	4.5 m (excluding Lanes)
Maximum Floor Area Ratio	1.0	1.0

LAND USE COMPATIBILITY

The proposed Provision will allow for additional compatible neighbourhood-scale commercial uses within walking distance of residential uses. The site is separated from the residential development to the south with an existing berm, fence and local roadway.

The site currently meets the locational requirements for Cannabis Retail Sales under Section 70 of the Zoning Bylaw. Nothing within this DC2 Provision will grant special privileges for Cannabis Retail Sales uses, as the Special Land Use Provisions of the Zoning Bylaw still apply to DC Provisions. Section 69 of the Zoning Bylaw 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

EPCOR WATER

EPCOR Water has identified a deficiency in on-street fire hydrant spacing adjacent to the property (two hydrants along 22 Avenue). City of Edmonton Standards require hydrant spacing of 90 m for the proposed DC2 zoning, and current hydrant spacing in the area is approximately 140 m. Prior to the issuance of a Development Permit, the applicant will be required to demonstrate that the fire flows and water servicing to the site will be adequate for the proposed development.

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

Public Engagement

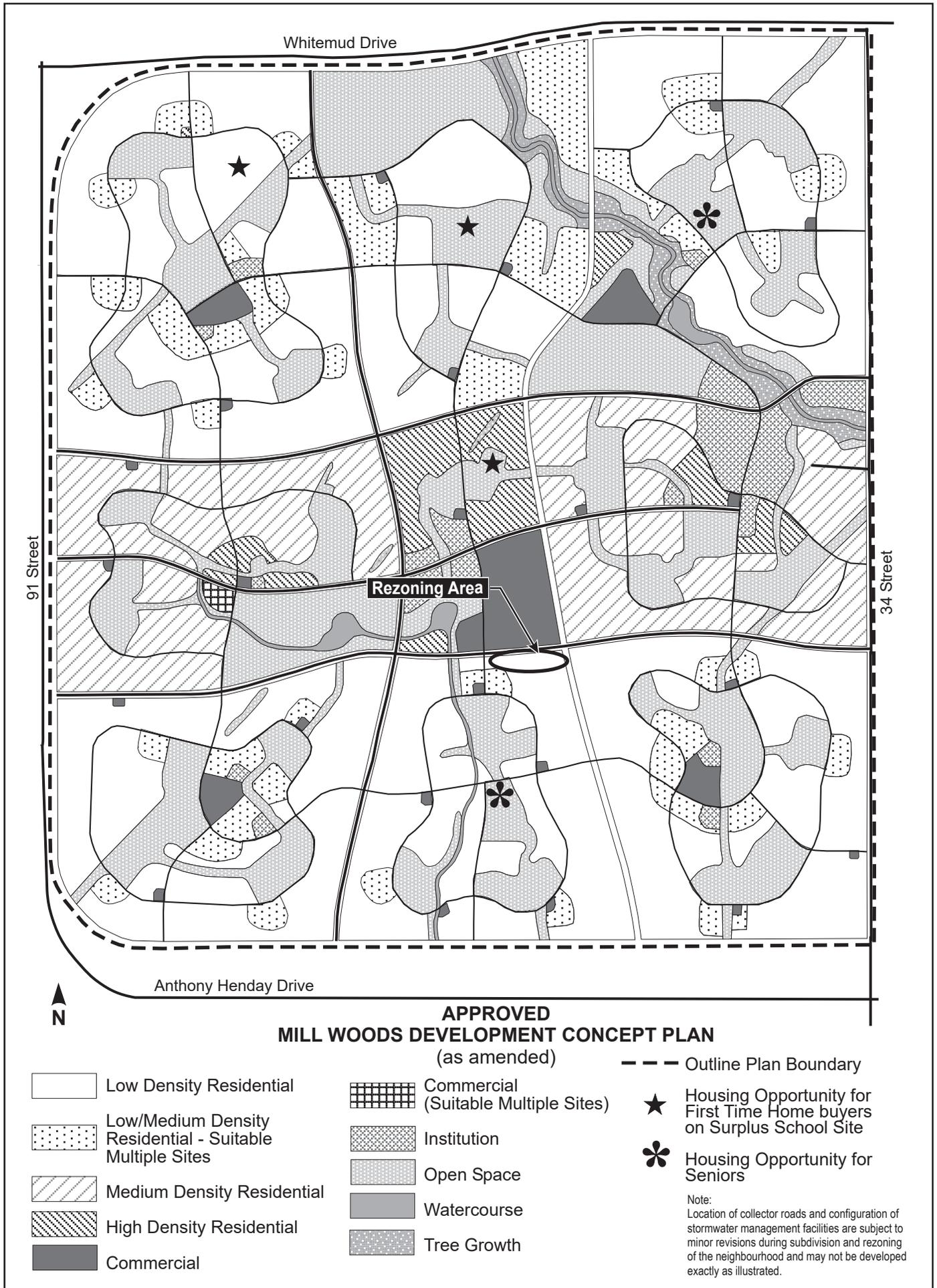
PRE-NOTIFICATION NOTICE September 22, 2020	<ul style="list-style-type: none">• Number of recipients: 34• Number of responses with concerns: 1• Concerns were expressed about having a cannabis store and gas station on the same site, as it may lead to an increase in crime.
ADVANCE NOTICE November 6, 2020	<ul style="list-style-type: none">• Number of recipients: 34• No responses received
WEBPAGE	<ul style="list-style-type: none">• edmonton.ca/meyokuminplanningapplications

Conclusion

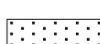
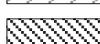
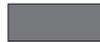
Administration recommends that City Council **APPROVE** this application.

Appendices

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



**APPROVED
MILL WOODS DEVELOPMENT CONCEPT PLAN
(as amended)**

-  Low Density Residential
-  Low/Medium Density Residential - Suitable Multiple Sites
-  Medium Density Residential
-  High Density Residential
-  Commercial

-  Commercial (Suitable Multiple Sites)
-  Institution
-  Open Space
-  Watercourse
-  Tree Growth

-  Outline Plan Boundary
-  Housing Opportunity for First Time Home buyers on Surplus School Site
-  Housing Opportunity for Seniors

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 establish a Site Specific Development Control District to accommodate community commercial development with site development regulations to ensure that development will be compatible with the adjacent low density residential development through the use of berms, fencing and landscaping and restrictions on access from 22 Avenue.

2. Area of Application

This district shall apply to ~~Lots 33 and 34, Block 3, Plan 772-1180~~ Lot 33, Block 3, Plan 7721180; Lot 40A, Block 3, Plan 0325323; Lot 39A, Block 3, Plan 0325323; Lot 36A, Block 3, Plan 1123613 and Lot 35, Block 3, Plan 9721604, being a 4.5 hectare ~~(11.2 acre)~~ site located south of 23 Avenue, between 50 and 57 Streets; Meyokumin

3. Uses

- a. Bars and Neighbourhood Pubs
- b. Business Support Services
- c. Child Care Services
- d. Drive-in Food Services
- e. Gas Bars
- f. General Retail Stores
- g. Government Services
- h. Health Services
- i. Liquor Stores
~~Minor Alcohol Sales~~
- j. Minor Amusement Establishments
- k. Minor Service Stations
- l. Nightclubs
- m. Personal Service Shops
- n. Professional, Financial and Office Support Services
~~Professional Offices~~
- o. Protective and Emergency Services
- p. Rapid Drive-through Vehicle Services
- q. Restaurants
- r. Specialty Food Services
- s. ~~Minor Veterinary Services, provided that all activity associated with the use is contained within an enclosed building~~
- t. Fascia Off-premises Signs

- u. Fascia On-premises Signs
- v. Freestanding Off-premises Signs
- w. Major Digital Signs
- x. Minor Digital Off-premises Signs
- y. Minor Digital On-premises Signs
- z. Minor Digital Off-premises Signs
- aa. Roof On-premises Signs
- bb. Temporary Off-premises Signs

Additional Use in Area B only

- cc. Cannabis Retail Sales

4. Development Regulations for Uses Criteria

- a. All activity associated with the Veterinary Services use shall be contained within an enclosed building.
- b. Protective and Emergency Services shall be limited to a facility for the provision of ambulance, police, and fire safety services. Training facilities shall be excluded.
- c. Signs shall comply with section 59F of the Zoning Bylaw.

~~i. Signs may be allowed in this District in accordance with Schedule 79D of the Land Use Bylaw.~~

5. Development Regulations for Site Layout and Built Form

- a. The maximum floor area ratio shall be 1.0.
- b. The maximum building height shall not exceed 10 m. ~~(32.8 ft) nor 2½ storeys.~~
- c. In addition to the minimum yard requirement by clause (7a), A minimum building setback of 15 m shall be provided for all buildings adjacent to the property line abutting single detached residential development, and a building setback of 10 m ~~(32.8 ft.)~~ shall be provided adjacent to 22 Avenue.
- d. ~~Notwithstanding Section 720.3.2 of the Zoning Bylaw, no site plan is appended to this provision.~~

6. Development Regulations for Parking, Loading, Storage, and Access

- a. There shall be no vehicular or pedestrian access to the site from 22 Avenue.
- b. No parking, loading, storage, or trash collection shall be permitted within the required yard. Loading, storage and trash collection areas shall be located in such a

manner as to be screened from view from adjacent residential sites and public roadways.

7. Development Regulations for Landscaping, Lighting, and Amenity Area

- a. A landscaped yard a minimum of 4.5 m ~~(14.8 ft.)~~ in width shall be provided adjacent to 23 Avenue, and 50 and 57 Streets.
- b. Landscaped yards shall be provided adjacent to the property lines abutting 22 Avenue and single detached residential development. These yards shall be a minimum of 9.0 m ~~(29.5 ft.)~~ in width adjacent to 22 Avenue and 12.0 m ~~(39.4 ft.)~~ in width abutting single detached residential development. These yards shall adhere to the following requirements:
 - i. A 1.8 m ~~(5.9 ft.)~~ high solid uniform screen fence placed at the apex of a 2.0m ~~(6.6 ft.)~~ high berm shall be provided in the landscaped yard abutting 22 Avenue. This fence and berm combination shall also be provided in the landscaped yard abutting the existing single detached residential homes where the owners of these properties agree to lease a portion of the landscaped yard up to and including the fence at the apex of the berm. Should the lease of this portion of the yard to the abutting owners not occur, then a 3.0 m ~~(9.8 ft.)~~ berm shall be provided in the yard abutting the single detached residential homes and a matching fence provided along the common property line between the site and the single detached residential homes. In any case a matching fence shall be provided from the fence placed on the apex of the 2.0 m ~~(6.6 ft.)~~ berm to the fence on the common property line between the site and the single detached residential homes. The intent of the fence's placement in this location is to prevent access from 22 Avenue to the site. Refer to Appendix I for additional direction in the development of the fencing and berms along the south property line of the site.
 - ii. Landscaping within these yards shall consist of two (2) mature deciduous trees, a minimum calliper of 7.5 cm ~~(2.9 in)~~, and two (2) coniferous trees, a minimum of 4.5 m ~~(14.8 ft)~~ in height, along with five (5) shrubs for each 35 m ~~(114.8 ft)~~ of lineal yard. No less than half of the required plant materials will be placed within the portion of yard located between the property line abutting 22 Avenue and the 1.8 m ~~(5.9 ft.)~~ high solid uniform screen fence.
 - iii. The 1.8 m (5.9 ft.) high solid uniform screen fence is to be constructed and finished substantially in accordance with Appendix I attached to this District.
 - iv. ~~The berm, landscaping and solid screen fencing shall be completed in their entirety, prior to, or concurrently with, the first phase of development.~~

APPLICATION SUMMARY

INFORMATION

Application Type:	Rezoning
Charter Bylaw:	19595
Location:	South of 23 Avenue NW and west of 50 Street NW
Addresses:	5503 – 23 Avenue NW 5011 – 23 Avenue NW 5331 – 23 Avenue NW 5403 – 23 Avenue NW and 5661 – 23 Avenue NW
Legal Descriptions:	Lot 33, Block 3, Plan 7721180; Lot 40A, Block 3, Plan 0325323; Lot 39A, Block 3, Plan 0325323; Lot 36A, Block 3, Plan 1123613 and Lot 35, Block 3, Plan 9721604
Site Area:	4.6 hectares
Neighbourhood:	Meyokumin
Notified Community Organizations:	Millhurst Community League The Woodvale Community League Mill Woods President Council (MWPC) Area Council
Applicant:	Stantec

PLANNING FRAMEWORK

Current Zone:	(DC2) Site Specific Development Control Provision
Proposed Zone:	(DC2) Site Specific Development Control Provision
Plans in Effect:	Millwoods Development Concept Plan
Historic Status:	None

Written By:	Kerry Girvan
Approved By:	Tim Ford
Branch:	Development Services
Section:	Planning Coordination