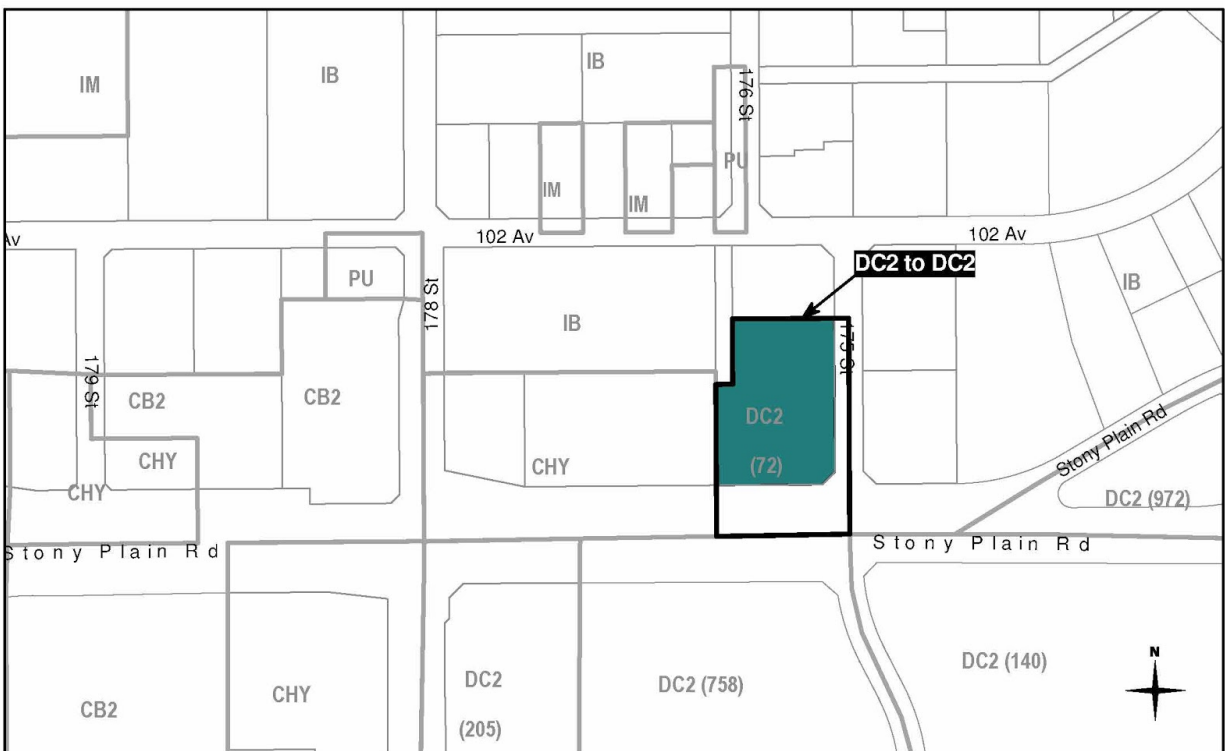




CITY PLANNING REPORT **REZONING** STONE INDUSTRIAL

10104 - 175 Street NW

To add Cannabis Retail Sales as a listed Use to an existing DC2 Provision.



RECOMMENDATION AND JUSTIFICATION

City Planning is in **SUPPORT** of this application because:

- the additional use is compatible with surrounding existing land uses; and
- it provides regulations to require redevelopment that is visually attractive along the major entrance corridor of Stony Plain Road NW.

THE APPLICATION

CHARTER BYLAW 18700 proposes to amend the Zoning Bylaw from (DC2) Site Specific Development Control Provision to (DC2) Site Specific Development Control Provision.

The application was made to add Cannabis Retail Sales as a listed use to a DC2 Provision that was approved by Council on January 28, 1986. As a result of the circulation review for the proposed rezoning, much of the DC2 wording was identified as outdated. The result is a substantial administrative update, the removal of restrictions on General Retail Uses, the addition of restrictions on General Industrial Uses, the addition of appropriate Sign Uses and regulations that require redevelopment to be visually attractive along a major city corridor entrance.

SITE AND SURROUNDING AREA

The site is located at the northwest intersection of 175 Street NW and the Stony Plain service road.



AERIAL VIEW OF APPLICATION AREA

	EXISTING ZONING	CURRENT USE
SUBJECT SITE	(DC2) Site Specific Development Control Provision	Multi-tenant Commercial
CONTEXT		
North	(IB) Industrial Business Zone	Parking
East	(IB) Industrial Business Zone	Auto Parts
South	(DC2) Site Specific Development Control Provision	West Point Centre North - Commercial
West	(CHY) Highway Corridor Zone	Hotel



VIEW FROM STONY PLAIN ROAD NW



VIEW FROM 175 STREET NW

PLANNING ANALYSIS

PLANS IN EFFECT

The site is located in the Stone Industrial area which is subject to the policies of the North West Industrial Area Outline Plan. The Plan recommends that visually attractive industrial be located adjacent to major roadways and that a “highway service area”, for highway commercial uses be supported for the strip of land adjacent to [Stony Plain Road] between 170 Street and 184 Street.

SITE HISTORY

The current DC2 on the site allows for highway commercial and industrial business uses as well as a limited amount of General Retail Stores, to a maximum of 600 m², within the building.

LAND USE COMPATIBILITY

In May 2018, City Council amended Zoning Bylaw 12800 to permit Cannabis Retail Stores as a Permitted Use in both the IB and CHY Zones, among other zones. The Cannabis Retail use is appropriate at this location. As noted, the DC2 Provision is older and a number of updates to the Provision are included to bring the nomenclature in line with the Zoning Bylaw of today.

The site is located on a major entrance to the City and is subject to the Major Commercial Corridors Overlay (MCCO). While the Overlay was not in place at the time of the original rezoning to DC2, the Overlay approved by Council in September 1989 was applied to all properties abutting the identified major entrances, including Stony Plain Road. When Zoning Bylaw 12800 was approved, DC2 Provisions were no longer subject to the Overlay regulations; however, it was expected that DC2 Provisions incorporate the intent of applicable Overlays. As such, regulations to meet the intent of the MCCO have been included in the revised DC2 Provision.

In consideration of the evolving nature of development in this area, the restrictions on a General Retail Store have been removed and restrictions on General Industrial have been included as follows:

- the type of General Industrial is limited to the storage of goods, materials or equipment within an enclosed building;
- must be located within the northern portion of a building on the site; and
- must have overhead doors and loading that face away from public roadways.

The DC2 Provision also adds appropriate Sign Uses to reflect the current structure of the Zoning Bylaw.

The addition of Cannabis Retail Use and the updates to the DC2 are appropriate and compatible with development on the site and the surrounding area.

TECHNICAL REVIEW

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

PUBLIC ENGAGEMENT

ADVANCE NOTICE September 18, 2018	<ul style="list-style-type: none">• Number of recipients: 10• No responses received
PUBLIC MEETING	<ul style="list-style-type: none">• Not held

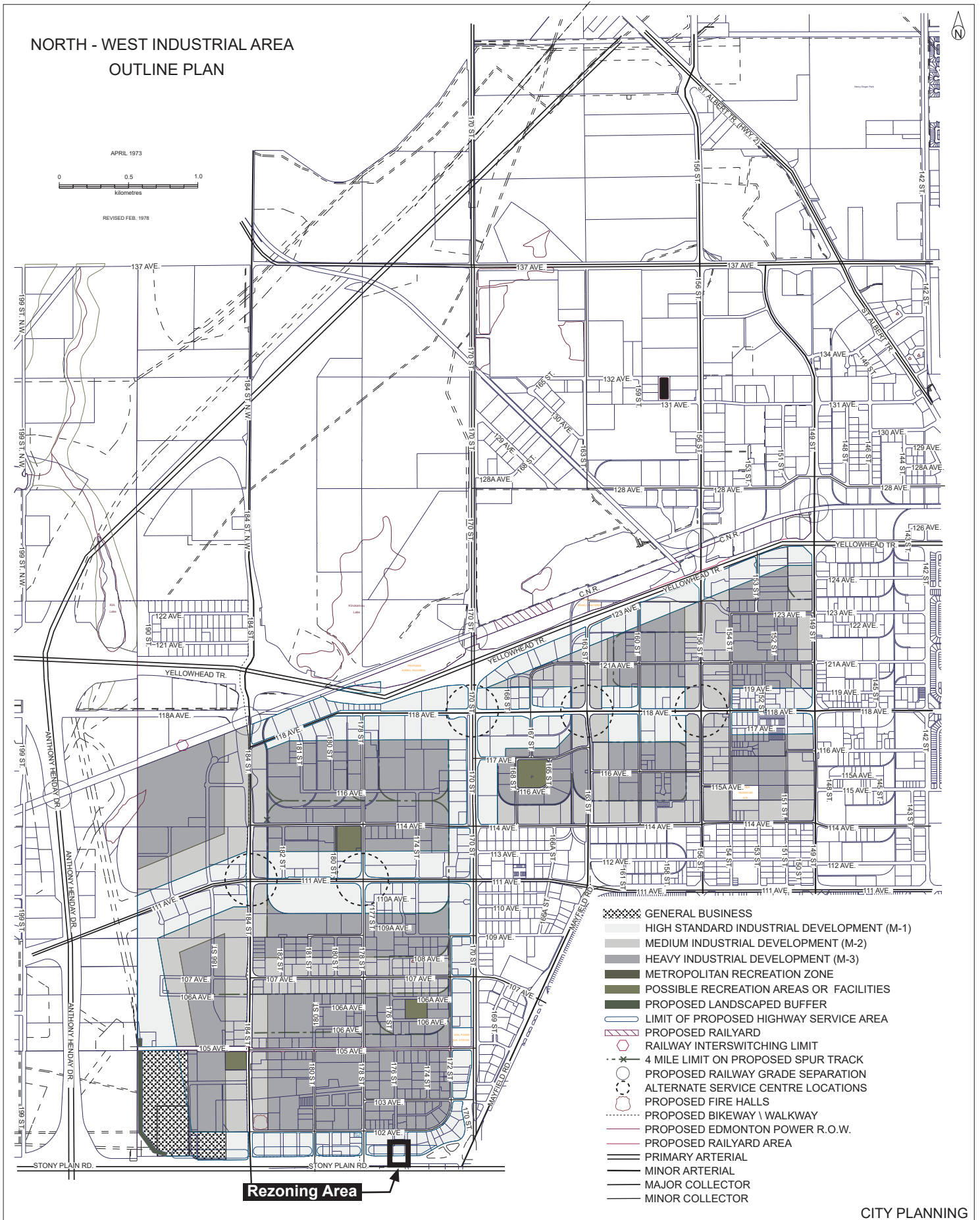
One phone call from a tenant of the commercial building was received. The concern is a leasing issue to be discussed with the owner.

CONCLUSION

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

APPENDICES

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



(DC2) Site Specific Development Control Provision

1. General Purpose

To ~~establish a site specific development control district to provide allow~~ for a range of highway commercial, general retail and industrial business ~~uses development of the site, with some limited general retail use of the existing building while requiring a high standard of appearance along a major city corridor.~~

2. Area of Application

This ~~district Provision~~ shall apply to Lot 5, Block 3, Plan 852 2093, located west of 175 Street and north of Stony Plain Road, as shown on Schedule "A" of the Bylaw adopting this Provision. Stone Industrial.

3. Uses

- a. Apartment Hotels
- b. Auctioneering Establishments, ~~provided that all goods and equipment to be auctioned are stored and displayed within an enclosed building.~~
- c. Automotive and Equipment Repair Shops.
- d. ~~Automotive and Minor Recreational Vehicle Sales/Rentals.~~
- e. ~~Bars and Neighbourhood Pubs~~
- f. ~~Broadcasting and Motion Picture Studios~~
- g. Business Support Services
- h. Cannabis Retail Sales
- i. Convenience Retail Stores
- j. Convenience Vehicle Rentals
- k. ~~Funeral, Cremation and Interment Services~~
- l. ~~Daytime~~ Child Care Services
- m. Drive-in Food Services
- n. Equipment Rentals, ~~provided that all equipment and goods for rent are contained within an enclosed building~~
- o. Fleet Services
- p. Gas Bars
- q. General Industrial Uses
- r. General Retail Stores ~~each with a maximum gross floor area of 600 m² (6,458.56 sq. ft.)~~
- s. Greenhouses, ~~and~~ Plant Nurseries and Garden Centres
- t. Health Services
- u. Hotels
- v. Indoor Participant Recreation Services
- w. Limited Contractor Services
- x. ~~Major and Minor~~ Alcohol Sales
- y. Major Service Stations

Comment [CP1]: Move to Section 5.a

Comment [CP2]: This now Media Studio.

Comment [CP3]: Move to Section 5.a

Comment [CP4]: Restrictions on General Retail removed; however, restrictions on General Industrial have been added.

x. Media Studios

y. Minor Alcohol Sales

w-z. Minor Amusement Establishments

x. Minor and Major Eating and Drinking Establishments

y-aa. Minor and Major Service Stations

z-bb. Mobile Catering Food Services

aa-cc. Motels

bb-dd. Outdoor Participant Recreation Services

ee-ee. Personal Service Shops

dd-ff. Professional, Financial and Office Support Services

ee. Recycling Depots

gg. Rapid Drive-through Vehicles Services

ff-hh. Recycling Depots

ii. Residential Sales Centres

gg-ii. Restaurants

hh-kk. Veterinary Clinics Services

ll. Warehouse Sales

mm. Fascia On-premises Signs

nn. Freestanding On-premises Signs

ii-oo. Projecting On-premises Signs

Comment [CP5]: Changed to Bars & Neighbourhood Pubs, Restaurants

Comment [CP6]: Uses to be alphabetized.

4. Development ~~Criteria~~ Regulations

a. There is no Site Plan appended to this Provision.

a-b. The maximum Floor Area Ratio shall be 1.2.

c. A minimum landscaped yard Setback of 7.5 m (24.60 ft.) shall be required along the south boundary of the site property line Abutting the Stony Plain service road.

b-d. and aA minimum landscaped yard Setback of 6.0 m (19.68 ft.) shall be required along the east boundary of the site property line Abutting 175 Street NW.

e. The maximum building Height shall not exceed 14 m. (45.93 ft.)

e-f. Notwithstanding subsection 4.e of this provision, except that the maximum building Height for a Hotel or Apartment Hotel shall be 30 m. (98.42 ft.).

g. No parking, loading, storage, trash collection, outdoor service or display area or signs shall be permitted within a required yard Setback, except that the Development Officer may permit the erection of directional signs.

d-h. 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 LRT lines in accordance with the provisions of Section 69.3 of the Land Use Bylaw.

e-i. All exposed building faces Facades shall have consistent and harmonious exterior finishing materials.

f. Development in this District shall be evaluated with respect to compliance with the General Development Regulations of Sections 50 to 79, inclusive, of the Land Use Bylaw. In this evaluation, the Development officer may grant relaxations to the

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~~regulations contained in Sections 50 through 79, and the provisions of this District if, in his opinion, such a variance would be in keeping with the General Purpose of this District and would not affect the amenities, use, and enjoyment of neighbouring properties.~~

- ~~j. Signs shall be allowed in this district as provided for in comply with the Sign Regulations of the Zoning Bylaw and Schedule 59E, as amended, including regulations for Discretionary Signs, 79E and in accordance with the provisions of Sections 79.1 to 79.9 inclusive, of the Land Use Bylaw.~~

Comment [CP7]: Add "as amended" to refer to Schedule 59E as it evolves.

- ~~k. Signs located on the Facades of buildings shall be similar in proportion, construction materials and placement and shall be designed and located to ensure that the Signs do not detract from the overall appearance of the development, are not obtrusive, and have regard for the scale of the buildings on the Site and the distance of the building Setback.~~

Comment [CP8]: 813.4.13

- ~~l. The building existing on the Site as of the date of this Bylaw shall not be expanded or enlarged. Interior alterations to accommodate appropriate changes of Use within the existing building are allowed. Notwithstanding any future demolition and redevelopment of the Site shall comply with the provisions of this Direct Control.~~

- ~~g-m. Development of the Site shall comply with the General Performance Standards for Industrial Developments for the Industrial Business Zone.~~

5. Major Commercial Corridor Regulations

- a. In order to achieve a visually attractive major city corridor entrance, the following additional regulations shall apply to any redevelopment of the Site:

Comment [CP9]: Applicable regulations from the MCCO.

- i. ~~Notwithstanding subsection 4.c. of this provision, the Development Officer may increase the Setback from the south property line (Stony Plain service road) for buildings greater than 3,000 m² in Floor Area and with a Height greater than 8 m. The maximum building Setback required by the Development Officer shall not exceed one-half of the length of the building wall located next to the property line from which the Setback is measured.~~
- ii. ~~Notwithstanding subsection 4.c. of this provision, the Development Officer may use variance power to reduce the Setback requirement from the south property line (Stony Plain service road) to a minimum width of 4.5m, provided that:~~
- ~~A. the average width of the Setback is not less than 6.0 m; and~~
- ~~B. this Setback width relaxation is required to allow for a more efficient utilization of the Site and the relaxation shall result in an articulation of the Setback width that shall enhance the overall appearance of the Site.~~
- iii. ~~All development on a Site shall be constructed using similar architectural themes. An exception may be made to this general requirement where the function of an individual business dictates a specific style or image associated with a company. In such cases, the development shall maintain harmony in terms of overall project design and appearance.~~
- iv. ~~All mechanical equipment, including roof mechanical units shall be concealed by screening or incorporation within the building roof in a manner that is consistent with the finishing of the building and the overall architectural themes of the development.~~

Comment [CP10]: 813.4.5

Comment [CP11]: 813.4.7

Comment [CP12]: 813.4.2

Comment [CP13]: 813.4.2

v. Any business premise or multiple occupancy building having a Floor Area greater than 3,000 m² or or a single wall length greater than 40 m that is visible from Stony Plain Road NW shall comply with the following:

Comment [CP14]: 813.4.3.a-b

A. the roof line and building façade shall include design elements that reduce the perceived mass of the building and add architectural interest;

B. the exterior wall finishing materials shall be predominantly composed of muted colours, with strong colours limited to use as an accent, so as to minimize the perceived mass of the building; and

C. Landscaping to exterior walls visible from Stony Plain Road NW shall be used to minimize the perceived mass of the building and to create visual interest.

vi. A detailed Landscape Plan prepared by a Landscape Architect registered with the Alberta Association of Landscape Architects shall be submitted for review and approval by the Development Officer. The Landscape Plan shall ensure a high standard of appearance within the Setbacks and adjacent to buildings visible from Stony Plain Road NW, and shall be to the satisfaction of the Development Officer.

Comment [CP15]: 813.4.9

vii. Entrances, exits and on-site routes of vehicles, bicycles and pedestrians shall be located and designed in a manner that demonstrates and plans for safe, universally accessible, and efficient movement into and throughout the Site to the satisfaction of the Development Officer, in consultation with the appropriate City department.

Comment [CP16]: 813.4.10

viii. Adjoining sites shall be integrated by direct on-site access connections to facilitate convenient, efficient and free flowing vehicular traffic and pedestrian movements within and between Sites, where possible, to the satisfaction of the Development Officer, in consultation with the appropriate City department.

Comment [CP17]: 813.4.11

ix. All line utility services (such as electricity, telephone and C.A.T.V.) shall be underground. For greater certainty, underground electrical services shall be provided for Signs requiring such services.

Comment [CP18]: 813.4.12

5-6. Additional Development ~~Criteria~~ Regulations for Specific Uses

a. All goods and equipment to be auctioned or rented in Auctioneering Establishments or Equipment Rentals Uses shall be stored and displayed within an enclosed building.

b. Notwithstanding Section 7.5(3) of the Zoning Bylaw, General Industrial Uses shall:

i. be limited to the storage of materials, goods and / or equipment within an enclosed building;

ii. be located within the northern 40 m of the building; and

iii. not have overhead doors or vehicular loading and unloading facing a public roadway.

a. ~~Vehicular oriented uses shall be developed in accordance with Section 82 of the Land Use Bylaw.~~

Comment [CP19]: Delete, Implicit that Section 72 Vehicular – Oriented Uses applies

b. ~~Daytime Child Care Uses shall be developed in accordance with Section 93 of the Land Use Bylaw.~~

Comment [CP20]: Delete, Implicit that Section 80 Child Care Services applies

e. ~~General Retail Uses shall be located entirely within the building existing on the site on the date of the passing of this Bylaw.~~

Comment [CP21]: Restrictions removed.

c. The following Uses shall not be developed as a standalone building or within a building where it is a principal Use:

- i. Convenience Retail Stores,
- ii. Convenience Vehicle Rentals
- iii. Health Services
- iv. Indoor Participant Recreation Services
- v. Outdoor Participant Recreation Services and
- ~~vi. Personal Service Shops may be developed only as uses ancillary to an office, Motel, Hotel, Gas Bar or Minor or Major Service Station as part of a multi-tenant development.~~

Health Services and Indoor and Outdoor Participant Recreation Services may be developed only as ancillary to a Hotel, Motel or office development.

Comment [CP22]: Regulation combined with above. Applicant wants these uses to be allowed in the existing building.

d. ~~The following developments shall comply with the Performance Standards of the IB District provided under Section 73 of the Land Use Bylaw:~~

- i. ~~Auctioneering Establishments~~
- ii. ~~Automotive and Equipment Repair Shops~~
- iii. ~~General Industrial Uses~~
- iv. ~~Greenhouses and Plant Nurseries~~
- v. ~~Recycling Depots~~

e. ~~The siting and access for the following developments shall be to the satisfaction of the City Engineer, who shall ensure that such developments do not prejudice the safety and transportation function of highway entrance and limited access public roadways:~~

- i. ~~Drive in Food Services~~
- ii. ~~Major Eating and Drinking Establishments~~
- iii. ~~Professional, Financial and Office Support Services~~
- iv. ~~Rapid Drive through Vehicle Services~~

f.d. The following regulations shall apply to Automotive, Minor Recreational Vehicles Sales / Rentals and Convenience Vehicle Rentals developments:

- i. All storage, display or parking areas shall be Hhardsurfaced in accordance with Section 67.3 of the Land Use Bylaw.
- ii. Lighting for the display areas shall be mounted on lamp standards and no exposed bulbs or strings of lights shall be used; and
- ~~iii.~~ The size, location, screening and landscaping of the outdoor vehicular display area shall be subject to the approval of the Development Officer, who shall ensure that development of the site is compatible with the appearance of site design of surrounding developments.

g. ~~Automotive and Minor Recreational Vehicles Sales/Rentals shall comply with provisions of this District for Convenience Vehicle Rentals developments and the size, locations, screening and landscaping of the outdoor vehicular display area shall be~~

Comment [CP23]: Included in f. and renumber i. as f.iii.

~~subject to the approval of the Development Officer, who shall ensure that development of the site is compatible with the appearance of site design of surrounding developments.~~

~~h. Restaurants shall be limited to a maximum of 240 m² of Public Space.~~

~~e. The minimum gross floor area for a Warehouse Sales establishment shall not be less than 1,000 m² (10,764.2 sq.ft) unless at least fifty percent of the gross floor area of the establishment is used for warehousing or storage of the goods sold or distributed from the establishment.~~

~~i.f. Gas Bars, Minor and Major Service Stations and Rapid Drive-through Vehicle Services shall be developed such that any canopy located over the gas pump islands shall be designed and finished in a manner consistent with the design and finishing of the principal building, such that the canopy is not obtrusive and maintains consistency with the eave line of the principal building.~~

~~j. Residential Sales Centres shall be developed in accordance with Section 95 of the Land Use Bylaw.~~

~~k.g. Major and Minor Alcohol Sales shall be developed in accordance with Section 98 of the Land Use Bylaw.~~

Comment [CP24]: 813.4.14

APPLICATION SUMMARY

INFORMATION

Application Type:	Rezoning
Charter Bylaw:	18700
Date of Application Acceptance	September 17, 2018
Location:	North of Stony Plain Road NW and west of 175 Street NW
Address:	10104 - 175 Street NW
Legal Description(s):	Lot 5, Block 3, Plan 8522093
Site Area:	0.95 ha
Neighbourhood:	Stone Industrial
Ward - Councillor:	1 - Andrew Knack
Notified Community Organizations:	Britannia Youngstown Community League La Perle Community League
Applicant:	Regency Developments

PLANNING FRAMEWORK

Current Zone and Overlay:	(DC2) Site Specific Development Control Provision Major Commercial Corridors Overlay
Proposed Zone and Overlay:	(DC2) Site Specific Development Control Provision Major Commercial Corridors Overlay
Plan in Effect:	North West Industrial Area Outline Plan
Historic Status:	N/A

Written By:	Cyndie Prpich
Approved By:	Tim Ford
Branch:	City Planning
Section:	Planning Coordination