

Planning & Development Report to
Combined Meeting of Council
2019 July 29

ISC: UNRESTRICTED
C2019-0898

Amendments to Bylaw 300D2017 – Land Use Amendment in Dalhousie, CPC2017-302

EXECUTIVE SUMMARY

The purpose of this report is to introduce and recommend amendments to Bylaw 300D2017, prior to Council giving second and third readings.

At the 2017 September 11 Combined Meeting of Council, a Public Hearing was held on the proposed land use amendment in Dalhousie (CPC2017-302) and Council gave first reading to Bylaw 300D2017. Second and third readings of the proposed bylaw, DC Direct Control District based on the rules of Residential – Contextual One Dwelling (R-C1) District, were withheld pending submission and review of a development permit for an intended 140-unit assisted living / residential care development.

Over the past 20 months, the landowner/future operator worked through multiple development scenarios but was unable to identify an economically feasible solution to accommodate the intended project on this site. As a result, the applicant has submitted a letter (Attachment 1) requesting that Bylaw 300D2017 apply only to a portion of the site and be amended from a DC Direct Control District to the standard R-C1 District. The proposed amendments to Bylaw 300D2017 would remove the 140-unit assisted living / residential care component from the proposed bylaw and would allow for the future subdivision of the parcel, and development of the subject lands subject to the R-C1 land use district.

The applicant's request to amend Bylaw 300D2017 prior to second and third readings has been assessed and is supported by Administration. The scope of the amendment does not require re-advertising of the bylaw, as subdivision and development of the site with single-detached dwellings was allowed (and advertised) under the original Bylaw 300D2017.

ADMINISTRATION RECOMMENDATION:

1. Amend Proposed Bylaw 300D2017, prior to second reading, by replacing the existing Schedule B (including all DC Direct Control District guidelines and Schedule C) with a new Schedule B, as contained in Attachment 5; and
2. Give second and third readings to the Bylaw 300D2017 as amended.

PREVIOUS COUNCIL DIRECTION / POLICY

At the 2017 September 11 Combined Meeting of Council, Council gave first reading to proposed Bylaw 300D2017, amended several sections of the proposed DC Direct Control District Bylaw and sent Report CPC2017-302 (Attachment 2) back to Administration to receive and review a concurrent development permit before returning to Council for second and third readings of the bylaw.

A copy of the Council meeting minutes for this item is included in Attachment 3.

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BACKGROUND

The original land use amendment application (LOC2015-0104) was submitted on 2015 July 10 with the intent to redesignate two adjacent parcels (5612 and 5620 Buckboard Road NW) in the community of Dalhousie from Residential – Contextual One Dwelling (R-C1) District and Special Purpose – Future Urban Development (S-FUD) District to DC Direct Control District to allow for a 140-unit assisted living / residential care. The proposal was presented to Calgary Planning Commission (CPC) on 2017 July 27 where CPC recommended approval of the proposal and advanced the application to Council. At the 2017 September 11 meeting, Council:

- 1) held a Public Hearing on the proposal;
- 2) gave first reading to the proposed DC Direct Control District, Bylaw 300D2017;
- 3) approved several amendments to the proposed DC Direct Control District; and
- 4) referred the item back to Administration with direction to receive and review a development permit application for the intended 140-unit assisted living / residential care development before returning to Council for second and third readings.

On 2019 May 15, the landowner advised that the intended project is no longer economically feasible, and requested that the assisted living / residential care component of Bylaw 300D2017 be removed from the bylaw, and to redesignate only 5620 Buckboard Road NW.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The original Bylaw 300D2017 (Attachment 4) sought to redesignate 5612 and 5620 Buckboard Road NW from R-C1 and S-FUD Districts to a DC Direct Control District based on the rules of the R-C1 District. The DC was designed to allow two different development outcomes:

- a) 140-unit assisted living / residential care development subject to specific intensity, building height and setback rules; and
- b) subdivision and development of the subject site with approximately 12 single-detached dwellings, based on the rules of the R-C1 District.

As per the applicant's request, the amended Bylaw 300D2017 seeks to redesignate only 5620 Buckboard Road NW from S-FUD to R-C1 District. The amended bylaw no longer allows for the originally intended 140-unit assisted living / residential care development. However, the proposed redesignation still allows for the future subdivision and development of the site with single-detached dwellings.

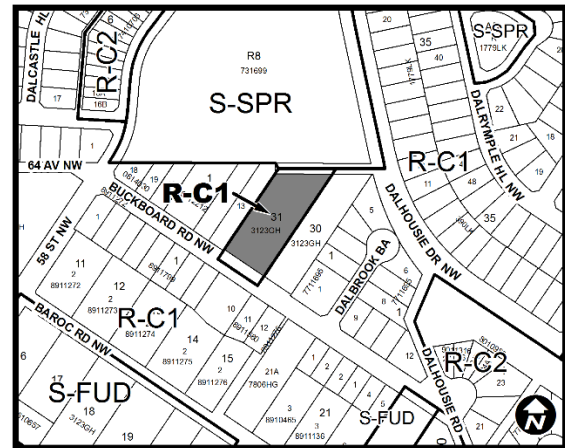
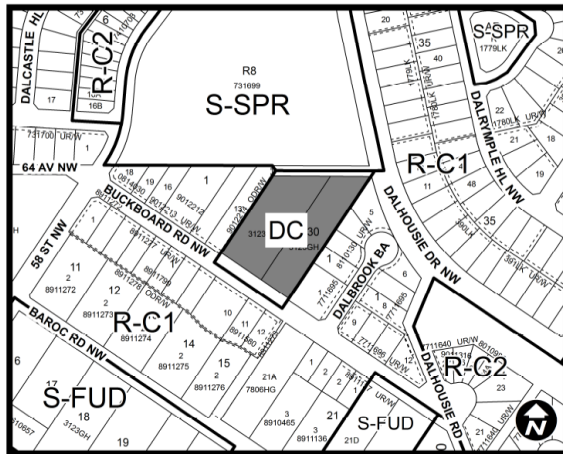
As a result, Bylaw 300D2017, as amended, is more restrictive yet in keeping with the intent of the original bylaw. It is the combination of these two aspects which has allowed Administration to bring this report and recommendations forward to Council without requiring re-advertising of the bylaw or requiring a new land use amendment application.

The scope of the proposed change is visually represented below:

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*Original Bylaw 300D2017
5612 & 5620 Buckboard Road NW
R-C1 & S-FUD to DC (based on R-C1)*

*Amended Bylaw 300D2017
5620 Buckboard Road NW
S-FUD to R-C1*



Existing Land Use

The parcel located at 5620 Buckboard Road NW is approximately 0.44 hectares (1.09 acres) in area and currently designated S-FUD District.

The S-FUD designation prevents premature subdivision and is primarily for lands that are awaiting urban development and is largely limited to uses that can easily be removed to allow for future urban development.

Proposed Land Use

The proposed amendment to Bylaw 300D2017 would result in the redesignation of 5620 Buckboard Road NW from S-FUD to R-C1 District. The proposed R-C1 District would allow for the future subdivision of the property, as well as a wider range of permitted and discretionary uses than the existing S-FUD District.

Depending on the configuration, size and number of individual lots and units, it is believed that the subject site (5612 and 5620 Buckboard Road NW) can support anywhere between two and 12 residential (R-C1) lots. According to the applicant, the landowner is prepared to apply for subdivision and development of both parcels within the next few months, subject to Council granting second and third readings to the amended bylaw. Technical and planning analysis of the future subdivision and single-detached dwellings to determine the overall subdivision design and exact number of residential lots this property can support would be conducted by the Administration at that time.

The subdivision and development permit applications are not expected to return to Council.

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Stakeholder Engagement, Research and Communication

The applicant met with the representatives of the Dalhousie Community Association and the Buckboard residents' group on 2019 May 14 to discuss their intentions to abandon the original project contemplated for this site. According to the applicant, the updated proposal, which would only redesignate 5620 Buckboard Road NW from S-FUD to R-C1, was received positively and neither of the two parties have expressed objections to the proposed change. No letters have been received from the Community Association at the time of preparing this report.

Administration discussed the proposed changes with one of the representatives of the Dalhousie Community Association on several occasions leading up to writing this report, which confirmed the generally positive reaction to the applicant's request.

Strategic Alignment

The request to amend Bylaw 300D2017 and the resultant redesignation of 5620 Buckboard Road NW from S-FUD District to R-C1 District aligns with the applicable policies of the Municipal Development Plan, as discussed in the original report, CPC2017-302 Land Use Amendment in Dalhousie. The proposal allows for subdivision and development compatible with adjacent development and land uses.

Social, Environmental, Economic (External)

The recommended change to Bylaw 300D2017 would continue to allow for a wider range of compatible uses and development types than the existing S-FUD District.

Financial Capacity

Current and Future Operating Budget

There are no known impacts to current and future operating budget at this time.

Current and Future Capital Budget

There are no known impacts to current and future capital budget at this time.

Risk Assessment

There are no known planning risks associated with Council granting second and third readings to Bylaw 300D2017 as amended.

If Council does not provide second and third readings before 2019 September 12, Bylaw 300D2017 will expire and the applicant would be required to begin the process of land use amendment again.

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REASON(S) FOR RECOMMENDATION(S):

The proposal is in keeping with applicable policies identified in the Municipal Development Plan as it allows for complementary uses and infill development compatible with the character of the existing neighbourhood.

ATTACHMENT(S)

1. Applicant's Request to Amend Bylaw 300D2017
2. Land Use Amendment in Dalhousie CPC2017-302
3. Council Minutes 2017 September 11
4. Original Bylaw 300D2017
5. Amended Schedule B