

**Planning & Development Report to
Calgary Planning Commission
2018 November 15**

**ISC: UNRESTRICTED
CPC2018-1297
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Land Use Amendment in Varsity (Ward 1) at 3625 Shaganappi Trail NW, LOC2018-0137

EXECUTIVE SUMMARY

This land use redesignation application was submitted by B&A Planning Group on 2018 June 14 on behalf of the landowner Cadillac Fairview (Les Galeries D'Anjou Limitee). The application proposes to change the designation of this property from a Direct Control District based on Shopping Centre Commercial (C-5) District of Land Use Bylaw 2P80 to a Direct Control District based on Commercial - Regional 2 (C-R2) District of Land Use Bylaw 1P2007 to allow for:

- the provisions of C-R2;
- an increase in floor area from 0.46 to 0.53; and
- a maximum sign area of 19.0 square metres limited to locations above main mall entrances; and
- the uses listed in the DC designation.

The intent of this proposal is to align with the C-R2 District of Land Use Bylaw 1P2007 and provide gross floor area flexibility intended to support current and future users of Market Mall. This proposal is in compliance with the applicable policies of the *Municipal Development Plan* and the *South Shaganappi Communities Area Plan*.

No development permit application has been submitted at this time.

ADMINISTRATION RECOMMENDATION:

That Calgary Planning Commission recommend that Council hold a Public Hearing; and

1. **ADOPT**, by bylaw, the proposed redesignation of 22.69 hectares \pm (56.02 acres \pm) located at 3625 Shaganappi Trail NW (Plan 0211955, Block 1, Lot 1) from a Direct Control District **to** DC Direct Control District to accommodate commercial development with guidelines; and
2. Give three readings to the proposed bylaw.

RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, DATED 2018 NOVEMBER 15:

That Council hold a Public Hearing; and

1. Adopt, by Bylaw, the proposed redesignation of 22.69 hectares \pm (56.02 acres \pm) located at 3625 Shaganappi Trail NW (Plan 0211955, Block 1, Lot 1) from a Direct Control District to DC Direct Control District to accommodate commercial development with guidelines; and
2. Give three readings to the proposed Bylaw **11D2019**.

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PREVIOUS COUNCIL DIRECTION / POLICY

None.

BACKGROUND

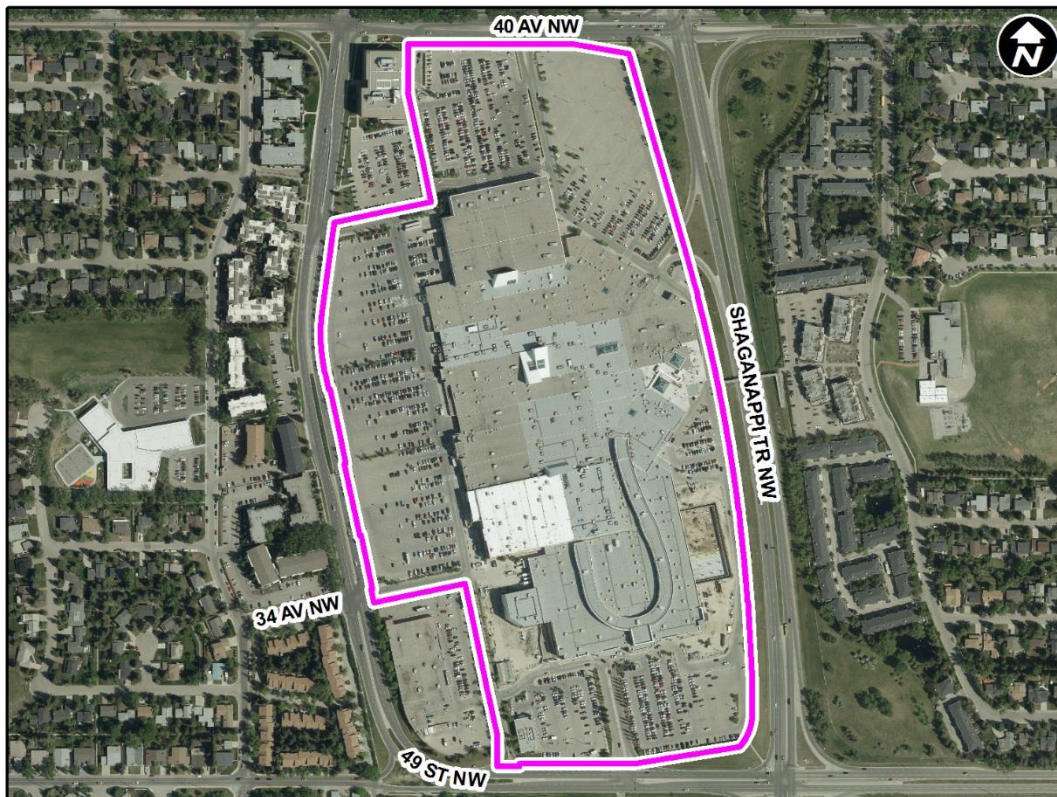
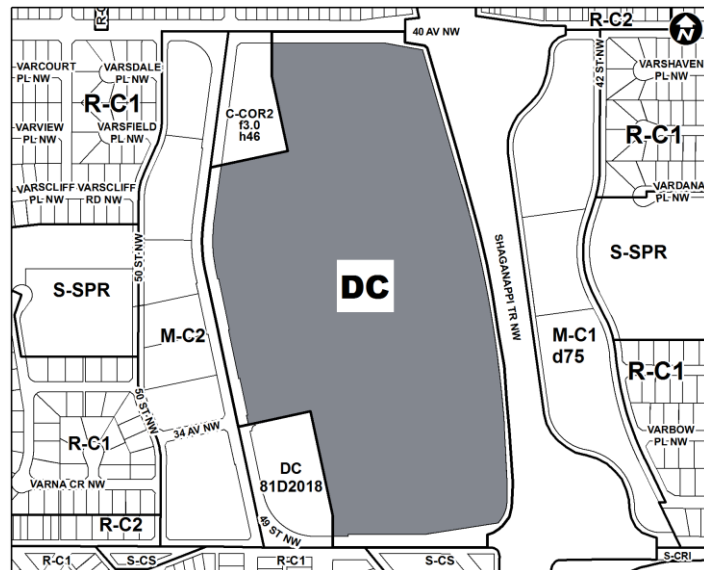
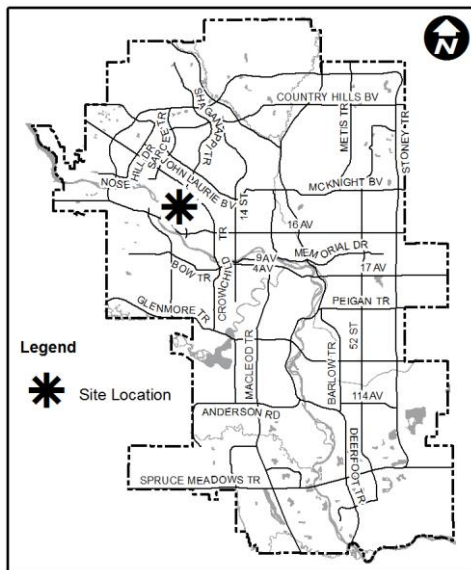
This land use redesignation application was submitted by B&A Planning Group on 2018 June 14 on behalf of the landowner Cadillac Fairview (Les Galeries D'Anjou Limitee). The current DC District ties the site design and building footprint to plans, which limits the flexibility of the users and maximum gross floor area to a net leasable area cap of 86,010 square metres (925,830 square feet). The land use redesignation is in response to a recent development permit application (DP2018-2248) for a change of use: restaurant/drinking establishment that identified the need to address the net leasable area cap. As suggested by Administration, the applicant decided to pursue the proposed redesignation to align with an appropriate commercial shopping mall land use district.

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Location Maps



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Site Context

The subject site is located in the established community of Varsity framed by 49 Street NW to the west, 40 Avenue to the north, Shaganappi Trail to the east and 32 Avenue NW to the south. The adjacent communities include Montgomery to the south and University District to the southeast. The scope of the proposed redesignation includes the main Market Mall Shopping Centre site. The topography of the site is relatively flat. The property is currently developed with a standalone commercial building supported by surface and underground parking. The mall is accessible from various locations along the adjacent roads. Aside from three ancillary commercial buildings forming part of the Market Mall Shopping Centre site, the existing surrounding context consists of predominantly low density and multi-residential development.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The proposal allows for a range of uses that have the ability to be compatible with the established building form and existing context with the surrounding area. The proposal meets the objectives of applicable policies as discussed in the Strategic Alignment section of this report.

Planning Considerations

Land Use

The current land use district for the site is Direct Control District (Bylaw 66Z2001) based on Shopping Centre Commercial (C-5) District of Land Use Bylaw 2P80. This DC, limits the expansion and gross floor area changes for tenants. The proposed land use designation is a DC based on Commercial - Regional 2 (C-R2) District of Land Use Bylaw 1P2007 District (Attachment 2). Section 20 of the Land Use Bylaw indicates that DC Direct Control Districts must only be used for developments that, due to their unique characteristics, innovative ideas or unusual site constraints, require specific regulation unavailable in other land use districts. A Direct Control District has been used for this application to allow for specific rules from the existing DC supporting a maximum sign area above main mall entrances and to limit the floor area ratio to ensure sensitive intensification to the adjacent residential development.

Development and Site Design

This application is not tied to plans. A development permit on this site would be subject to a comprehensive review evaluating the building, proposed uses, required parking and any other site planning consideration subject to Council's decision on this land use redesignation application.

Transportation Networks

The site is bordered by:

- Shaganappi Trail (Arterial Roadway);
- 40 Avenue NW (Collector Roadway);

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- 32 Avenue NW (Urban Boulevard); and
- 49 Street NW (Urban Boulevard).

Primary access to this site is from 40 Avenue, 32 Avenue and 49 Street NW. A single right-in/right-out access is permitted on Shaganappi Trail NW.

Transit service is available within 165 metres along 40 Avenue NW (Route 53). On 49 Street NW, two northbound bus stops are available, and four southbound bus stops, within approximately 150-200 metres of the primary building entrance (Routes 31, 53, 65, 422).

A Transportation Impact Assessment (TIA) was not required at the time of this application. A TIA will be required when a Development Permit is submitted that proposes an additional 186 square metres (2,000 square feet) of new area, above the current area.

Utilities and Servicing

Water, sanitary and storm sewer mains are available and can accommodate the potential redevelopment of the subject site without the need for off-site improvements at this time. Individual servicing connections as well as appropriate stormwater management will be considered and reviewed at development permit stage.

Stakeholder Engagement, Research and Communication

In keeping with Administration's standard practices, this application was circulated to relevant stakeholders and notice posted on-site. Notification letters were sent to adjacent landowners and the application was advertised online.

Although, there were no official comments from the Varsity Community Association (CA), Administration actively attends and updates the South Shaganappi Area Strategic Planning Group (SSASPG) every month, which includes the Varsity CA as a stakeholder. The Varsity CA is aware of the application and did not present any concerns at SSASPG.

Administration received one letter opposing the proposed redesignation in response to the increase in floor area ratio and subsequent negative impacts. Three letters were received outlining general comments, which referred to issues outside the scope of this proposal, such as restricting an intensive height increase and building regulations practices associated with dust and garbage. Administration also received a letter of support outlining the importance of Market Mall to the surrounding communities.

Administration considered the relevant planning issues specific to the proposed redesignation and has determined the proposal to be appropriate. Compliance with relevant policies and bylaws for permitted uses, as well as design compatibility of discretionary uses with respect to the surrounding neighbourhood context, traffic and access will be reviewed at the development permit stage.

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Following Calgary Planning Commission, notifications for Public Hearing of Council will be posted on-site and mailed out to adjacent land owners. In addition, Commission's recommendation and the date of the Public Hearing will be advertised.

Strategic Alignment

South Saskatchewan Regional Plan (Statutory, 2014)

The site is located within the 'City, Town' area as identified on Schedule C: South Saskatchewan Regional Plan Map in the *South Saskatchewan Regional Plan* (SSRP). While the SSRP makes no specific reference to this site, the proposal is consistent with policies on community development.

Municipal Development Plan (MDP) (Statutory, 2009)

The Market Mall shopping centre area is identified as a Community Activity Centre (CAC) on the Urban Structure Map of the MDP (Map 1). CACs are located central to a number of residential communities or business areas, often on current shopping centre sites or around a specific employment area. CACs provide for a concentration of jobs and population in strategic locations throughout the city, and represent a local destination for multiple communities.

South Shaganappi Communities Area Plan (Non-Statutory, 2011)

The South Shaganappi Communities Area Plan (SSCAP) provides local area plan policy for the subject lands. This non-statutory plan provides a vision and policy framework for development within the SSCAP study area and further promotes the MDP. The SSCAP recognizes and supports the development of the Market Mall shopping centre site and its alignment with the MDP. The Plan cites specific reference to the site as a CAC providing concentration of jobs and population in a strategic location, adjacent to the University and local communities.

Social, Environmental, Economic (External)

The recommended land use will continue to allow for a variety of shops and services that meet daily needs of the community. The land use also supports the sensitive intensification of the commercial space, while ensuring transparency and consultation with the surrounding communities.

An environmental site assessment was not required for this application.

Financial Capacity

Current and Future Operating Budget:

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

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Current and Future Capital Budget:

The proposed amendment does not trigger capital infrastructure investment, and therefore there are no growth management concerns at this time.

Risk Assessment

There are no risks associated with this proposal.

REASON(S) FOR RECOMMENDATION(S):

The proposed Direct Control District provides for flexibility to allow the Market Mall shopping centre site to continue operating in its current form. The amendment is in keeping with applicable policies including the *Municipal Development Plan* and the *South Shaganappi Communities Area Plan*, both of which advocate for the development of the Market Mall shopping centre site within a Community Activity Centre.

ATTACHMENT(S)

1. Applicant's Submission
2. **Proposed Bylaw 11D2019** - Proposed Direct Control District
3. Public Submission