

LAND USE AMENDMENT  
BRENTWOOD (WARD 7)  
NORTH OF CROWCHILD TRAIL NW AND WEST OF  
CHARLESWOOD DRIVE NW  
BYLAW 296D2017

MAP 31C

**EXECUTIVE SUMMARY**

This application proposes redesignation of these lands from DC Direct Control District to a new DC Direct Control District to add an additional commercial use. The proposed additional use would allow for the continued operation of the existing Drinking Establishment - Large on the site.

**PREVIOUS COUNCIL DIRECTION**

None

**ADMINISTRATION RECOMMENDATION(S)**

2017 July 27

That Calgary Planning Commission recommends **APPROVAL** of the proposed Land Use Amendment.

**RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION**

That Council hold a Public Hearing on Bylaw 296D2017; and

1. **ADOPT** the proposed redesignation of 8.11 hectares  $\pm$  (20.04 acres  $\pm$ ) located at 3436, 3630, and 3750 Brentwood Road NW and 3501 Charleswood Drive NW (Plan 3324JK, Block A, Lot 1; Plan 1657JK, Block 12, Lots A to D; Plan 9211141, Area A) from DC Direct Control District **to** DC Direct Control District to accommodate mixed use development, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 296D2017.

**REASON(S) FOR RECOMMENDATION:**

The proposed Land Use Amendment complies with relevant Brentwood Station Area Redevelopment Plan (ARP) guiding principles and policies, as well as Municipal Development Plan (MDP) policies for Major Activity Centres. Further, allowing for this additional use will allow for the current business to continue functioning until further redevelopment of the site is undertaken.

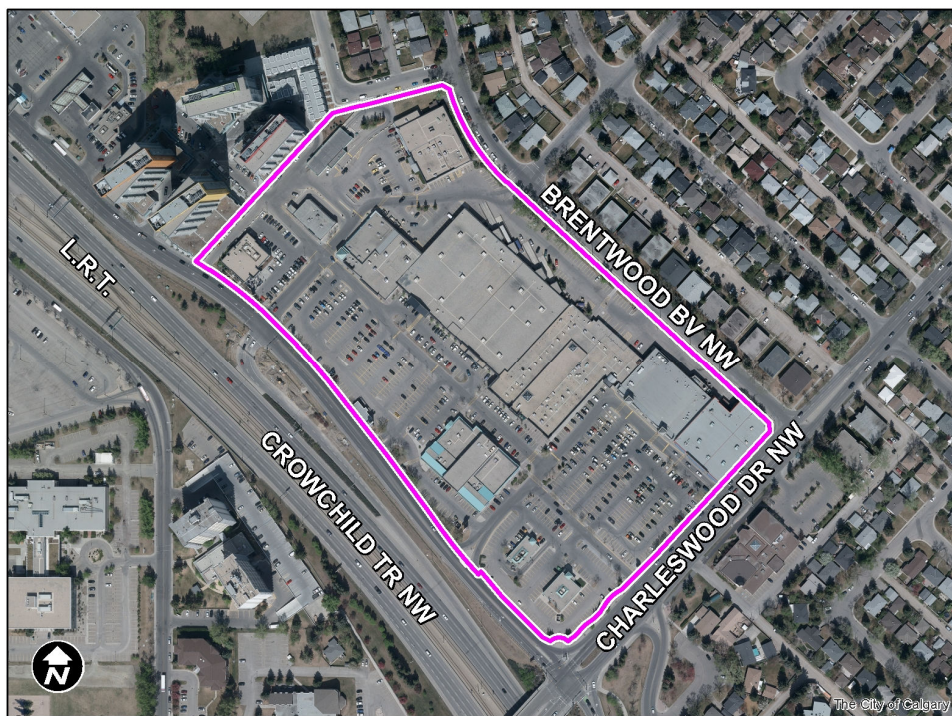
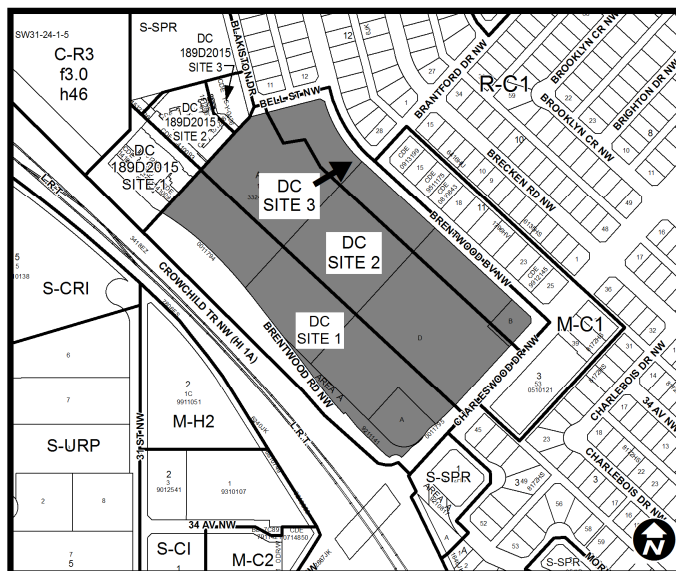
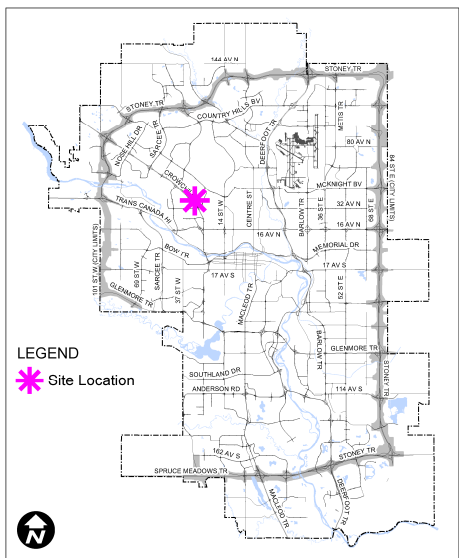
**ATTACHMENTS**

1. Proposed Bylaw 296D2017
2. Public Submission

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LOCATION MAPS



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**ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION**

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 8.11 hectares  $\pm$  (20.04 acres  $\pm$ ) located at 3436, 3630, and 3750 Brentwood Road NW and 3501 Charleswood Drive NW (Plan 3324JK, Block A, Lot 1; Plan 1657JK, Block 12, Lots A to D; Plan 9211141, Area A) from DC Direct Control District **to** DC Direct Control District to accommodate mixed use development with guidelines (APPENDIX II).

**Moved by: L. Juan**

**Carried: 8 – 0**

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**Applicant:**

Urban Systems

**Landowner:**

Brentwood Village Shopping Centre Ltd  
Riocan Holdings (Brentwood Village) Inc

**PLANNING EVALUATION**

**SITE CONTEXT**

The subject site is a portion of the Brentwood Village Mall adjacent to the Brentwood LRT Station and directly south of the University City development. The LRT Station area, which includes a large Calgary Transit “Park ‘n’ Ride” facility, is a major transit centre for buses serving cross-town and the northwest quadrant of Calgary. The majority of the site and the surrounding Brentwood Mall area is comprised of a series of one storey commercial buildings.

To the southwest, across Crowchild Trail NW, is the University Innovation Park, University of Calgary and the West Campus, including the Alberta Children’s Hospital. To the northeast is the Brentwood low density residential area, a stable community of single detached homes developed in the early 1960s. Blakiston Park is located to the north, a short distance from the subject parcel. To the southeast is a block of low-scale apartment buildings.

**LAND USE DISTRICTS**

The existing DC District is being replaced with an identical DC District with the inclusion of one additional use of Drinking Establishment – Large. This use already exists on the site and was missed in error when the current DC District was written. No density increase is being proposed.

The proposed land use district is a DC Direct Control District based on the Commercial-Corridor 1 (C-COR1) District of Land Use Bylaw 1P2007. A DC District has been used for this site to allow for specific density bonus provisions in the Brentwood Station ARP, allow for the phased development of the site over time, as well as to accommodate for the specific land use, height and density in the ARP that varies across the site.

**LEGISLATION & POLICY**

**South Saskatchewan Regional Plan (SSRP)**

The recommendation by Administration in this report has considered and is aligned with the policy direction of the South Saskatchewan Regional Plan (SSRP).

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Municipal Development Plan (MDP)

The subject site is considered within a Major Activity Centre within the MDP. The DC District conforms to MDP policy and allows for a greater mix of uses more in line with MDP guidance for Major Activity Centres Brentwood Station Area Redevelopment Plan while also allowing for the continued operation of the existing businesses on site.

Brentwood Station Area Redevelopment Plan (ARP)

The subject site falls within the Brentwood Station ARP. The two sites within the DC that are impacted by this redesignation are within the *Mixed Use* and the *Transit Hub* Precincts. These are areas that are intended to offer a wide range of uses including residential, office and retail. While the proposed additional use is of a larger scale than what is typically encouraged in a Transit Oriented Development area, this and other similar uses are controlled with future redevelopment by the policies within the ARP.

**TRANSPORTATION NETWORKS**

A Transportation Impact Assessment (TIA) was submitted as part of the previous application (LOC2015-0190) and was approved by Transportation Planning. Additional transportation analysis, including subsequent TIAs and/or parking studies may be required for development of the site at the discretion of Transportation Planning.

**UTILITIES & SERVICING**

Not applicable.

**ENVIRONMENTAL ISSUES**

Not applicable.

**ENVIRONMENTAL SUSTAINABILITY**

Not applicable.

**GROWTH MANAGEMENT**

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

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**PUBLIC ENGAGEMENT**

**Community Association Comments**

The Brentwood Community Association was circulated as part of this application. The Community Association has no objections to the proposed changes in the land use.

**Citizen Comments**

Two letters were received from the adjacent residents. These raised concerns with the potential increase in traffic and the lack of parking in the area.

**Public Meetings**

No public meetings were held.

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**APPENDIX I**

**APPLICANT'S SUBMISSION**

Please accept this letter and accompanying materials in support of a land use redesignation for a portion of RioCan's lands at Brentwood Village Mall, located within the Brentwood Station Area Redevelopment Plan.

The application includes all 3 DC sites but are requesting to redesignate "Site 1" lands only. The overall land use redesignation application, under Bylaw 257D2016 was approved by City of Calgary Council on October 3, 2016 to meet policy guidelines and accommodate the eventual redevelopment of the mall to meet Transit Oriented Design (TOD) criteria. The subject lands are identified as "Site 1" under Bylaw 257D2016.

The purpose for this application is to align the current operation of a "Drinking Establishment" – Large" use (Jameson's Pub) with other jurisdictional requirements. There was an oversight in the recent redesignation application whereby the removal of this use affected the establishment's ability to continue their operations under the Alberta Liquor and Gaming Commission regulations. It is proposed that all guidelines and criteria under Bylaw 257D2016 be maintained, then only the addition of the "Drinking Establishment – Large" use be added as a discretionary use.

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**APPENDIX II**

**PROPOSED DIRECT CONTROL GUIDELINES**

**Purpose**

- 1** This Direct Control District is intended to be characterized by:
- (a) high **density**, high- and mid-rise **development** within close proximity of the Brentwood LRT Station;
  - (b) mixed-use **development** with pedestrian oriented **buildings** that are close to the **street** and public sidewalk located in Sites 1 and 2;
  - (c) medium **density Multi-Residential Development** with reduced **building height** and **building** massing located in Site 3;
  - (d) the opportunity to continue the operation of approved and existing **uses** and approved and existing **buildings**;
  - (e) land use and **building** forms that respect the policies of the Brentwood Station Area Redevelopment Plan;
  - (f) provision for a minimum and maximum **floor area ratio** for each Site; and
  - (g) provision for a bonus **floor area ratio** over the base **floor area ratio** as provided for in this Direct Control District.

**Compliance with Bylaw 1P2007**

- 2** Unless otherwise specified, the rules and provisions of Parts 1, 2, 3 and 4 of Bylaw 1P2007 apply to this Direct Control District.

**Reference to Bylaw 1P2007**

- 3** Within this Direct Control District, a reference to a section of Bylaw 1P2007 is deemed to be a reference to the section as amended from time to time.

**General Definitions**

- 4** In this Direct Control District:
- (a) “**affordable housing units**” means non-market **Dwelling Units** provided within the **development** owned and operated by the **City** or a bona fide non-market housing provider recognized by **Council**;

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- (b) “**average land value**” means the average land value per square metre of buildable floor area for the area, or areas, as approved by **Council** and as amended from time to time. Expert analysis prepared by a Professional Quantity Surveyor may be used to determine average land value if **Council** has not approved a value;
- (c) “**community amenity space**” means floor area made available within the proposed **development**, in perpetuity to the **City**, in a form acceptable to the **City** for not for profit community purposes;
- (d) “**Brentwood Community Enhancement Fund**” means a fund, established by **Council**, used for projects related to public realm improvements, including but not limited to **Park** design, redevelopment or enhancement, streetscape design and improvements within **City** rights-of-way, implementation of urban design strategies and public art on public land; and
- (e) “**publicly accessible private open space**” means a portion of a private **development parcel** that is made available to the public through a legal agreement approved by the **Development Authority**, and is in a location, form, configuration and constructed in a manner approved by the **Development Authority**.

**Permitted Uses**

**5** The **permitted uses** of the Commercial - Corridor 1 (C-COR1) District of Bylaw 1P2007 are the **permitted uses** of this Direct Control District with the exclusion of:

- (a) **Financial Institution.**

**Discretionary Uses**

**6** The **discretionary uses** of the Commercial - Corridor 1 (C-COR 1) District of Bylaw 1P2007 are the **discretionary uses** of this Direct Control District with the addition of:

- (a) **Beverage Container Drop-Off Depot;**
- (b) **Car Wash – Single Vehicle;**
- (c) **Drinking Establishment – Large;**
- (d) **Drive Through;**
- (e) **Financial Institution;**
- (f) **Multi-Residential Development;**
- (g) **Restaurant: Food Service Only – Large; and**
- (h) **Restaurant: Licensed – Large.**

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**Bylaw 1P2007 District Rules**

- 7 (1) Unless otherwise specified in this Direct Control District, the rules of the Commercial - Corridor 1 (C-COR1) District of Bylaw 1P2007 apply in this Direct Control District.
- (2) For **Multi-Residential Development** in Site 3, the rules of the Multi-Residential – Contextual Medium Profile (M-C2) District of Bylaw 1P2007 apply in this Direct Control District.

**Use Area**

- 8 (1) Unless otherwise referenced in subsection (3), (4) and (5), the maximum **use area** for **uses** on the ground floor of **buildings** is 1200.0 square metres.
- (2) Unless otherwise referenced in subsection (3), there is no maximum **use area** requirement for **uses** located on upper floors.
- (3) The maximum **use area** of a:
- (a) **Catering Service – Minor**, or a **Catering Service – Minor** combined with any other **use**, is 300.0 square metres;
  - (b) **Cinema**, or a **Cinema** combined with any other **use**, is 550.0 square metres; and
  - (c) **Supermarket**, or a **Supermarket** combined with any other **use**, is 4000.0 square metres.
- (4) There is no maximum **use area** requirement for a **use** on the ground floor of a **building** if the **use** has width along the **building frontage** of no more than 15.0 metres.
- (5) The following **uses** do not have a **use area** restriction:
- (a) **Addiction Treatment**;
  - (b) **Assisted Living**;
  - (c) **Custodial Care**; and
  - (d) **Hotel**.

**Location of Uses Within Buildings**

- 9 (1) The following **uses** must not be located on the ground floor of **buildings**:
- (a) **Catering Service - Minor**;
  - (b) **Counselling Service**;
  - (c) **Health Services Laboratory- with Clients**;

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- (d) **Instructional Facility;**
  - (e) **Place of Worship – Small;**
  - (f) **Post-secondary Learning Institution;**
  - (g) **Residential Care;** and
  - (h) **Social Organization.**
- (2) "Commercial Uses" and **Live Work Units:**
- (a) may be located on the same floor as **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units** and **Residential Care**; and
  - (b) must not share an internal hallway with **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units** or **Residential Care**.
- (3) Where this section refers to "Commercial Uses," it refers to the listed **uses** in sections 5 and 6, other than **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Unit, Live Work Unit, Multi-Residential Development** and **Residential Care**.
- (4) **Car Wash – Single Vehicle** must be located in the parkade upon redevelopment of the southern portion of the development area.

**Additional Landscaping in Setback Area**

- 10 Where the **setback area** of a ground floor **Dwelling Unit** shares a **property line** with a **street**, the **setback area** must be landscaped with a **soft surfaced landscape area**.

**Reductions of Minimum Motor Vehicle Parking Requirement**

- 11 The minimum number of **motor vehicle parking stalls** is reduced by 10.0 per cent where a **building** that generates the parking requirement is located within 600.0 metres of an existing **LRT platform**.

**Bonus Floor Area Ratio Earning Items**

- 12 Any of the following items or combination thereof may be used to earn a **density** bonus:
- (a) provision of **publicly accessible private open space** within the **development**, where the allowable bonus floor area in square metres is equal to the total construction cost (excluding land costs) of the **publicly accessible private open space**, divided by the **average land value** per square metre buildable floor area multiplied by 0.75, such that:

Allowable bonus floor area = total construction cost / (**average land value** x 0.75);

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- (b) provision of **affordable housing units** within the **development**, where the allowable bonus floor area in square metres is equal to the total construction cost (excluding land costs) of the **affordable housing units**, divided by the **average land value** per square metre buildable floor area multiplied by 0.75, such that:

Allowable bonus floor area = total construction cost / (**average land value** x 0.75);

- (c) provision of **community amenity space** within the **development**, where the allowable bonus floor area in square metres is equal to the total construction cost (excluding land costs) of the **community amenity space**, divided by the **average land value** per square metre buildable floor area multiplied by 0.75, such that:

Allowable bonus floor area = total construction cost / (**average land value** x 0.75);

- (d) contribution to the **Brentwood Community Enhancement Fund**, as established by **Council**, where the allowable bonus floor area in square metres is equal to the contribution to the **Brentwood Community Enhancement Fund**, divided by the **average land value** per square metre of buildable floor area, such that:

Allowable bonus floor area = contribution / (**average land value**)

**Site 1 (2.9 ha ±)**

- 13** The provisions in sections 14 through 15 apply only to Site 1.

**Floor Area Ratio**

- 14** (1) The minimum **floor area ratio** is 2.0.
- (2) The maximum **floor area ratio** is 4.0 for a **building** that does not contain **Dwelling Units, Hotel or Live Work Units**.
- (3) The maximum **floor area ratio** is 3.0 for a **building** that contains **Dwelling Units, Hotel or Live Work Units**.
- (4) The maximum **floor area ratio** specified in subsection (2) and (3) may be increased to a maximum of 4.5 **floor area ratio** in accordance with the bonus provisions contained in section 12 of this Direct Control District.

**Building Height**

- 15** The maximum **building height** is 55.0 metres.

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**Site 2 (3.7 ha ±)**

**16** The provisions in sections 17 through 18 apply only to Site 2.

**Floor Area Ratio**

**17** (1) The minimum *floor area ratio* is 2.0.

(2) The maximum *floor area ratio* is 3.0.

(3) The maximum *floor area ratio* specified in subsection (2) may be increased to a maximum of 3.5 *floor area ratio* in accordance with the bonus provisions contained in section 13 of this Direct Control District.

**Building Height**

**18** The maximum *building height* is 38.0 metres.

**Site 3 (1.4 ha ±)**

**19** The provisions in sections 20 through 21 apply only to Site 3.

**Floor Area Ratio**

**20** (1) The minimum *floor area ratio* is 1.0.

(2) The maximum *floor area ratio* is 2.5.

**Building Height**

**21** The maximum *building height* is 14.0 metres.

**Development Permits**

**22** Any *development permit* approved for **Drive Through uses** must not be issued past 2037, January 01.