

LAND USE AMENDMENT
SUNRIDGE (WARD 5)
SUNRIDGE BOULEVARD NE AND 32 STREET NE
BYLAW 122D2017

MAP 28E

EXECUTIVE SUMMARY

This application proposes to redesignate a large commercial parcel in the Sunridge Business area to a new Direct Control District to accommodate the additional use of a liquor store. The current DC designation already allows for a wide range of commercial uses and, in the opinion of Administration, providing for the additional use of a liquor store is appropriate and reasonable.

PREVIOUS COUNCIL DIRECTION

ADMINISTRATION RECOMMENDATION(S)

2017 February 23

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 122D2017; and

1. **ADOPT** the proposed redesignation of 6.44 hectares \pm (15.91 acres \pm) located at 2555 – 32 Street NE (Plan 9811729, Block 7) from DC Direct Control District **to** DC Direct Control District to accommodate liquor store, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 122D2017.

REASON(S) FOR RECOMMENDATION:

The subject parcel is surrounded by a wide range of commercial uses, some of which are regional in character. There is no nearby residential. The parcel has over 1250 parking spaces and there is no parking overflow onto adjacent streets. The liquor store is compatible with and complementary to uses in the area. This parcel is an appropriate location for a liquor store.

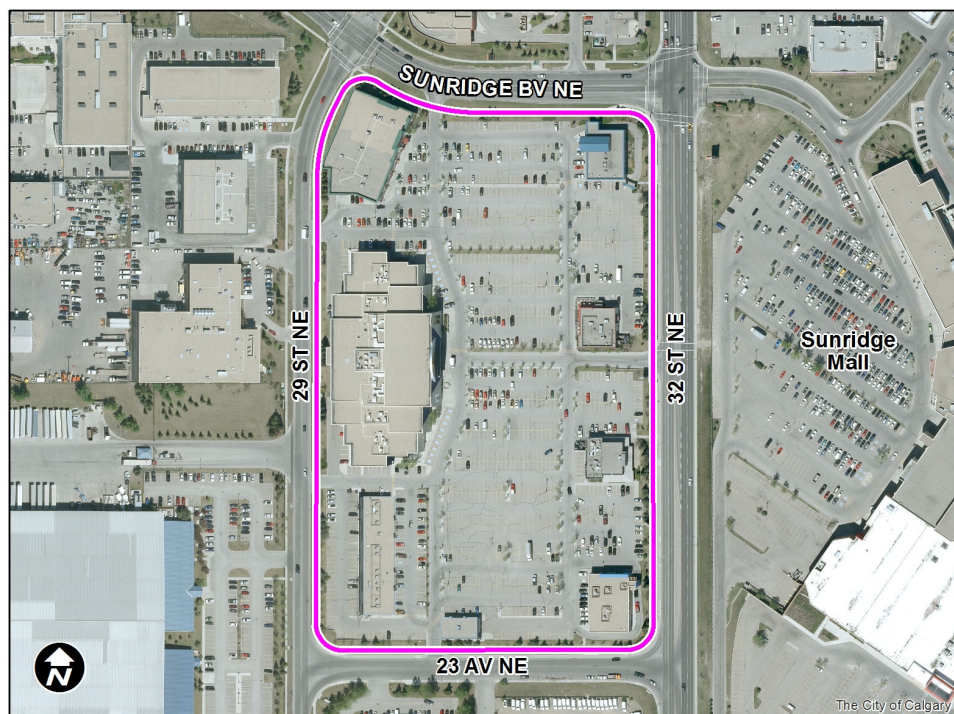
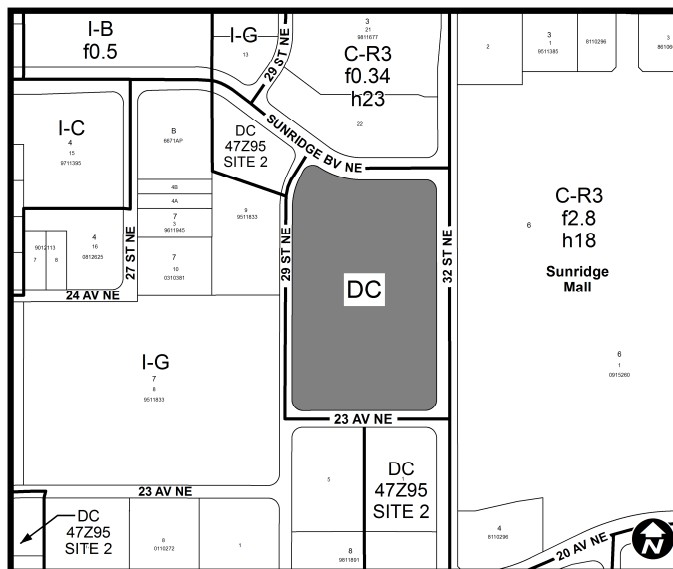
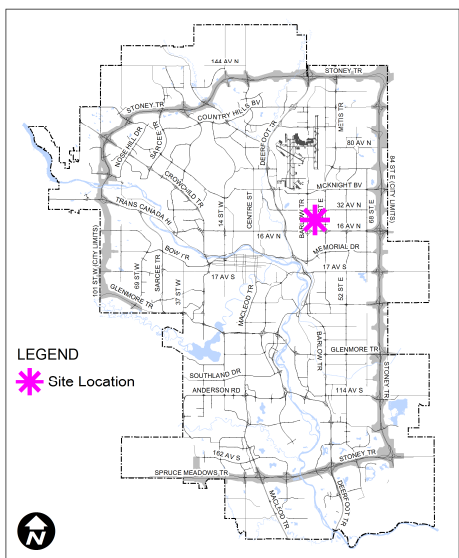
ATTACHMENT

1. Proposed Bylaw 122D2017

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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 6.44 hectares \pm (15.91 acres \pm) located at 2555 – 32 Street NE (Plan 9811729, Block 7) from DC Direct Control District **to** DC Direct Control District to accommodate liquor store with guidelines (APPENDIX II).

Moved by: **A. Palmiere**

Carried: **8 – 0**

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Applicant:

Westfield Sunridge Spectrum Ltd

Landowner:

Westfield Sunridge Spectrum Ltd

PLANNING EVALUATION

SITE CONTEXT

This site is located in the Sunridge commercial/industrial area in northeast Calgary, just west of the Sunridge regional shopping centre. The parcel is bounded by:

- Sunridge Boulevard NE to the north;
- 32 Street NE to the east;
- 29 Street NE to the west; and
- 23 Avenue NE to the south.

There are 8 buildings located on the property, the largest being the Spectrum Movie Theatre. Smaller buildings contain restaurants, a retail book store, a financial institution, and small retail and personal uses.

Neighbouring uses on nearby sites include:

- a regional shopping centre to the east (Sunridge Mall);
- a large format retail store (RONA) and a number of restaurants to the north; and
- a warehouse/distribution centre and several office buildings to the northwest.

LAND USE DISTRICTS

The proposed Direct Control District adds liquor store to the list of allowable uses. Whereas the current DC District references the rules of the C-5 district from former Land Use Bylaw 2P80, the proposed DC references the rules of the C-R3 District of the current Bylaw 1P2007. The C-R3 rules are better suited for the development on the site. The proposed DC District carries forward the site-specific requirement for a minimum of 1250 parking stalls on the property.

Note that the rules for minimum separation between liquor stores do not apply in the C-R3 District.

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As noted in the applicant's submission, Administration misinterpreted the current DC District and did not properly advise that the proposed liquor store use was not a listed use in the land use district. The applicant prepared drawings and submitted an application, at which time the error was discovered. As a result, this land use application was submitted.

The proposed DC Bylaw is in APPENDIX II.

LEGISLATION & POLICY

Not Applicable.

TRANSPORTATION NETWORKS

Not Applicable.

UTILITIES & SERVICING

Not Applicable.

ENVIRONMENTAL ISSUES

Not Applicable.

ENVIRONMENTAL SUSTAINABILITY

Not Applicable.

GROWTH MANAGEMENT

Not Applicable.

PUBLIC ENGAGEMENT

Community Association Comments

Not required as this is a commercial/business area with no community association.

Citizen Comments

No comments received by CPC Report submission date.

Public Meetings

No public meetings were held or required.

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APPENDIX I

APPLICANT'S SUBMISSION

Westfield Sunridge Spectrum Ltd. is submitting a land use amendment application for 2555 32 Street NE, Plan 9811729, Block 7 to add the use of liquor store to the current list of uses allowed on the subject parcel.

The subject parcel is located in the Sunridge Business and Commercial area in North East Calgary. The parcel is bound by Sunridge Bv NE to the north and 32 Street NE to the east, 29 Street to the west and 23 Avenue to the south. The subject parcel is immediately west of Sunridge Shopping Centre and south of RONA Home Improvement Store and several smaller restaurant building. To the west are larger office, manufacturing and warehouse buildings.

The current DC Direct Control Bylaw 82Z2000, approved under Land Use Bylaw 2P80, only allows specific discretionary uses that recognize the unique characteristics of an 'entertainment center' for the Spectrum Movie Theatre. Compatible uses to the movie theatre included restaurants with outdoor cafes, and small retail and personal services businesses. The definition of a shopping centre emphasized retail and personal service uses as dominant uses occupying the majority of the floor space in all buildings on a parcel. The use of a Direct Control Bylaw was the only means to allow for the entertainment use of a stand along movie theatre.

An error in interpretation of DC Direct Control Bylaw 82Z2000 was made to future tenants in a bay of the southwest building located on the parcel. The tenants were advised that a liquor store would be permitted use and exempt from a development permit, as would be the case if the bay was located in a sector or regional shopping centre. They proceeded to prepare drawings to renovate the interior of the bay for the liquor store. In submitting for a Building Permit, the error interpretation of the DC Bylaw was discovered; therefore, the need for a land use amendment to correct the error.

The current Land Use Bylaw has many rules for liquor stores and restrictions on their location. A proposed liquor store located on the subject parcel would comply with all of the current rules. There is an existing liquor store located at 3176 Sunridge BV NE is 340 metres from the proposed liquor store, however, the rule regarding spatial separation between liquor stores does not apply to parcels such as these which are designated C-R3 and C-R2.

The impact of a liquor store on the subject parcel ~~and has determined~~ is minimal and there is no impact on the current number of parking stalls. The proposed liquor store would be compatible with the existing uses on the parcel and within the immediate area.

Westfield Sunridge Spectrum Ltd. respectfully requests approval of the Direct Control Bylaw to accommodate a liquor store to the list of uses currently allowed on the parcel.

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APPENDIX II

PROPOSED DIRECT CONTROL GUIDELINES

Purpose

- 1 This Direct Control District is intended to:
- (a) add the *use* of **Liquor Store** to the existing *discretionary uses*; and
 - (b) transition the *parcel* to the Regional Shopping Centre (C-R3) District under Land Use Bylaw 1P2007.

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.

Permitted Uses

- 4 There are no *permitted uses* in this Direct Control District.

Discretionary Uses

- 5 The following *uses* are *discretionary uses* in this Direct Control District:
- (a) **Cinema;**
 - (b) **Drinking Establishment: Large;**
 - (c) **Drinking Establishment: Medium;**
 - (d) **Drinking Establishment: Small;**
 - (e) **Financial Institution;**
 - (f) **Liquor Store;**
 - (g) **Outdoor Café;**
 - (h) **Restaurant: Food Service Only – Large;**
 - (i) **Restaurant: Food Service Only – Medium;**
 - (j) **Restaurant: Food Service Only – Small;**
 - (k) **Restaurant: Licensed – Large;**
 - (l) **Restaurant: Licensed – Medium;**
 - (m) **Restaurant: Licensed – Small; and**
 - (n) **Retail and Consumer Service.**

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Bylaw 1P2007 District Rules

- 6 Unless otherwise specified, the rules of the Commercial – Regional 3 (C-R3) District of Bylaw 1P2007 apply in this Direct Control District.

Parking

- 7 A minimum of 1250 ***Motor Vehicle Parking Stalls*** must be maintained in the Direct Control District at all times.