

**LAND USE AMENDMENT
WALDEN (WARD 14)
SOUTHEAST CORNER OF 210 AVENUE AND LEGACY
VILLAGE LINK SE
BYLAW 62D2016**

MAP 14SS

EXECUTIVE SUMMARY

This land use amendment application is intended to redesignate a 1.05 hectare parcel on the southeast corner of 210 Avenue and Legacy Village Link SE from Commercial – Neighbourhood 1 (C-N1) District to Commercial – Neighbourhood 2 (C-N2) District in order to accommodate a wider range of commercial uses including a gas bar.

PREVIOUS COUNCIL DIRECTION

None

ADMINISTRATION RECOMMENDATION(S)

2015 February 11

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 62D2016; and

1. **ADOPT** the proposed redesignation of 1.05 hectares \pm (2.59 acres \pm) located at 1625 – 210 Avenue SE (Plan 1413264, Block 13, Lot 3) from Commercial – Neighbourhood 1 (C-N1) District **to** Commercial – Neighbourhood 2 (C-N2) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 62D2016.

REASON(S) FOR RECOMMENDATION:

The subject site is located at the intersection of a high-volume arterial street (210 Avenue SE) and as such, the site is appropriate for use as a gas bar. Furthermore, the small-scale commercial uses initially envisioned for the site would be better located at a site internal to the community of Legacy. The South Macleod Centre Area Structure Plan indicates that the large regional shopping centre to the west will include a pedestrian oriented main street component that will serve the needs of the local community in a more suitable and advantageous location. As a result, the proposal to locate a gas bar and small commercial centre on this site is supported by Administration.

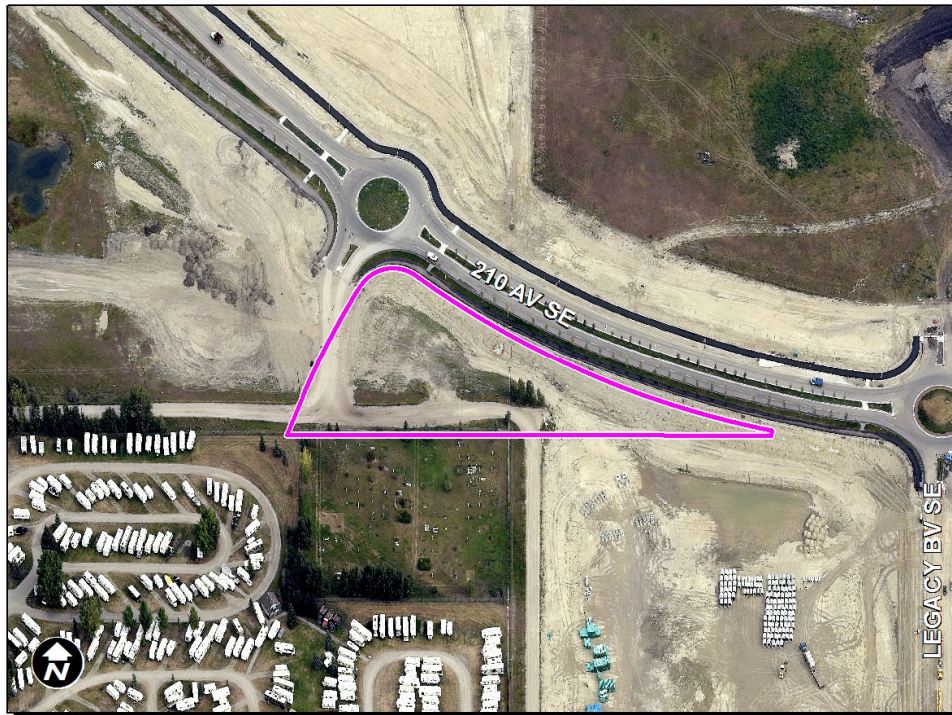
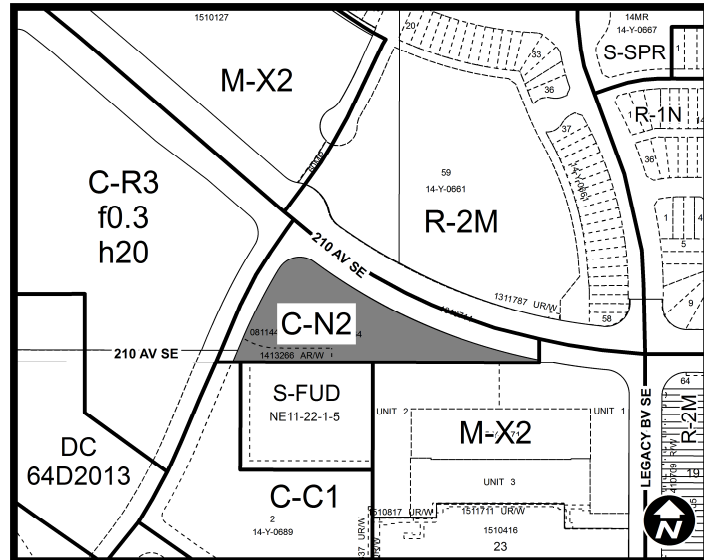
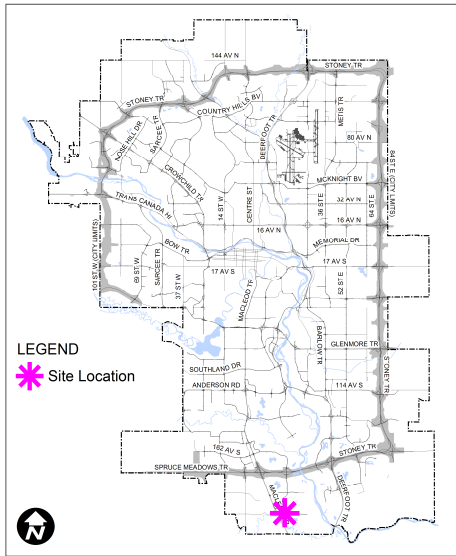
ATTACHMENT

1. Proposed Bylaw 62D2016

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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 1.05 hectares \pm (2.59 acres \pm) located at 1625 – 210 Avenue SE (Plan 1413264, Block 13, Lot 3) from Commercial – Neighbourhood 1 (C-N1) District **to** Commercial – Neighbourhood 2 (C-N2) District.

Moved by: S. Keating

Absent: Mr. Foht left the room due to a pecuniary conflict of interest and did not take part in the discussion or voting.

Carried: 4 – 2

Opposed: G. Morrow and M. Wade

Reasons for support of the Adoption recommendation from Mr Friesen:

- I supported this land use because after hearing all the discussion I concluded this was an appropriate use for the site. I did not see an obvious pedestrian corridor that was compromised by the use particularly if it was configured as the preliminary designs proposed.

Reasons for opposition of the Adoption recommendation from Ms. Wade:

- The original intent of the C-N1 meets the intent of the Area Structure Plan and outline plans for this site and community.
- Surrounding sites permit gas bars to meet demand.
- The existing gas bar at Walden is a very short drive from this site.
- The opportunity to frame the corner is eroded, resulting in a more traditional site plan.

2016 February 11

MOTION:

The Calgary Planning Commission **FILED** Administration's recommendation of **APPROVAL** and recommends that Council:

1. **REFUSE** the proposed redesignation of 1.05 hectares \pm (2.59 acres \pm) located at 1625 – 210 Avenue SE (Plan 1413264, Block 13, Lot 3) from Commercial – Neighbourhood 1 (C-N1) District **to** Commercial – Neighbourhood 2 (C-N2) District; and
2. Abandon the proposed Bylaw.

Moved by: G. Morrow

Absent: Mr. Foht left the room due to a pecuniary conflict of interest and did not take part in the discussion or voting.

LOST: 2 – 4

Opposed: C. Friesen, R. Wright,
M. Tita and S. Keating

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Applicant:

Brown & Associates Planning Group

Landowner:

Royop (Legacy) Development Ltd

PLANNING EVALUATION

SITE CONTEXT

The subject site is 1.05 hectares (2.59 acres) and is located on the southeast corner of 210 Avenue and Legacy Village Link SE. The site is flat and contains no features of significance, with the exception of an old access road on its south boundary. An easement is in place on the parcel to ensure access to a local cemetery.

That cemetery and a Multi-Residential – Medium Profile Support Commercial (M-X2) District are located directly to the south while the site of a future regional shopping centre, which may contain a significant residential component, is located across Legacy Village Link to the west. To the north, on the far side of 210 Avenue SE lies a Residential – Low Density Multiple Dwelling (R-2M) District in the community of Walden.

LAND USE DISTRICTS

In 2013, the site was designated Commercial – Neighbourhood 1 (C-N1) District. Ownership of the site has changed since, and the new owners are seeking a redesignation to Commercial – Neighbourhood 2 (C-N2) District to accommodate a wider range of commercial uses including a gas bar.

LEGISLATION & POLICY

The Municipal Development Plan (MDP) indicates the site is located in the Planned Greenfield Area while the East Macleod Trail Area Structure Plan (The Plan) shows the site to be part of, or adjacent to, a core commercial area.

The South Macleod Centre Area Structure Plan, written subsequent to The East Macleod Trail Area Structure Plan, shows that the subject site is not part of the core commercial area but rather that it is occupied by a small neighbourhood commercial development. The proposal is consistent with this policy direction.

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TRANSPORTATION NETWORKS

The South Macleod Trail Area Structure Plan shows a regional pathway adjacent to the site along Legacy Village Link. There is a regional pathway planned along 210 Avenue SE but it is shown on the north side of the street. The applicant has been made aware that they will need to consider the regional pathway system in any future Development Permit for the site.

UTILITIES & SERVICING

No utility or servicing issues were raised through this land use application review.

ENVIRONMENTAL ISSUES

A Level 1 Environmental Site Assessment (ESA) was submitted as part of this application. The only significant environmental consideration is an abandoned well on the site. CPAG has reviewed the details provided by the applicant and is satisfied that the application can proceed. Setbacks will be determined through the review of any Development Permit submitted for the subject site.

GROWTH MANAGEMENT

There are no growth management issues associated with the development of this site.

PUBLIC ENGAGEMENT

Due to the minor nature of this land use amendment application, no public open houses were held. The application details were circulated to adjacent land owners and other typical circulation referees including the Councillor's office, utility providers and various internal (City) departments.

Community Association Comments

No comments received

Citizen Comments

None

Public Meetings

None

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APPENDIX I

APPLICANT'S SUBMISSION

The subject site is Plan 1413264, Block 13, Lot 3 and is located in the southeast quadrant of the City of Calgary. The subject site is triangular in shape, is 1.06 hectares (2.61 acres) in size and is currently vacant of any uses. The current designation of the subject site is Commercial – Neighbourhood 1 (C-N1). It is proposed that the subject site be redesignated to Commercial – Neighbourhood 2 (C-N2) to allow for a gas station and related commercial uses.

Royop, the owner of the subject site, intends to develop the property for a gas station and associated commercial uses. The current land use does not accommodate the proposed development as the Gas Bar uses is not allowed within the C-N1 district. To allow for the envisioned development, is proposed that the site be redesignated to Commercial – Neighbourhood 2 (C-N2) district. The C-N2 district is intended for small scale commercial developments with motor vehicle access and pedestrian connections from the public sidewalk. The C-N2 district allows for the Gas Bar use as well as other commercial uses.