

**LAND USE AMENDMENT
EAST SHEPARD INDUSTRIAL - WARD 12
EAST OF DEERFOOT TRAIL SE & NORTH OF 130 AVENUE SE
BYLAW 35D2014**

MAP 3SE

EXECUTIVE SUMMARY

The proposed land use redesignation seeks to increase the maximum allowable building height and density (floor area ratio) of the existing Industrial – Business (I-B) designation on approximately 16 hectares of land adjacent to a future LRT station.

PREVIOUS COUNCIL DIRECTION

None.

ADMINISTRATION RECOMMENDATION(S)

2014 March 13

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

RECOMMENDATION (S) OF THE CALGARY PLANNING COMMISSION

That Council hold a Public Hearing on Bylaw 35D2014; and

1. **ADOPT** the proposed redesignation of 16.03 hectares \pm (39.61 acres \pm) located at 12787 – 40 Street SE, 4280 – 130 Avenue SE and 13421 – 52 Street SE (Plan 0513118, Block 7, Lot 2; Plan 9813035, OT; NE 1/4 Section 3-23-29-4) from Industrial – Business f0.5 (I-B f0.5) District to Industrial – Business f0.86h28 (I-B f0.86h28) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 35D2014.

REASON(S) FOR RECOMMENDATION:

This application allows for additional density and building height on lands adjacent to the Southeast Transitway and a future LRT station. The proposed intensity increase and the existing I-B designation comply with the applicable policies of the Municipal Development Plan and do not prevent the site from being developed in a manner consistent with the principles of Transit Oriented Development.

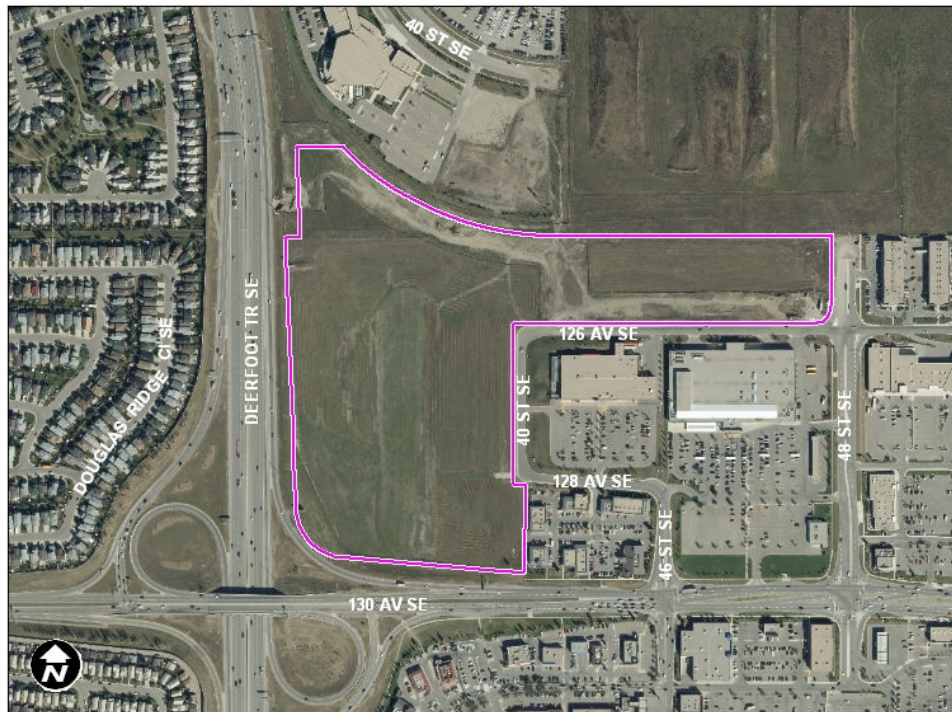
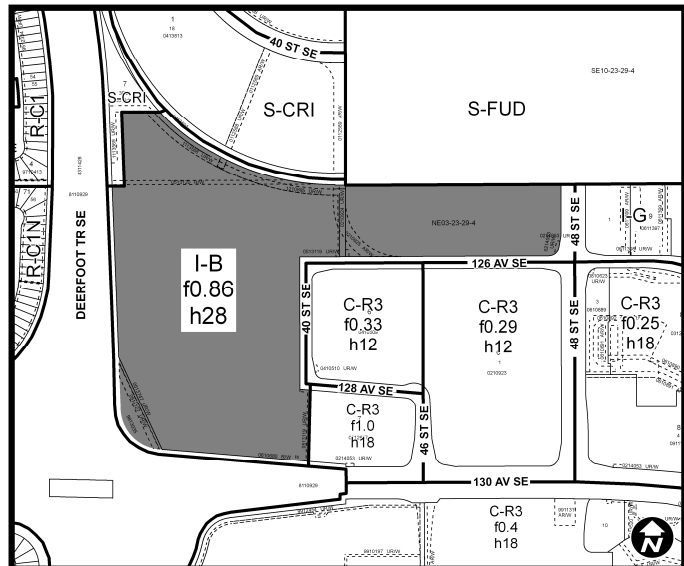
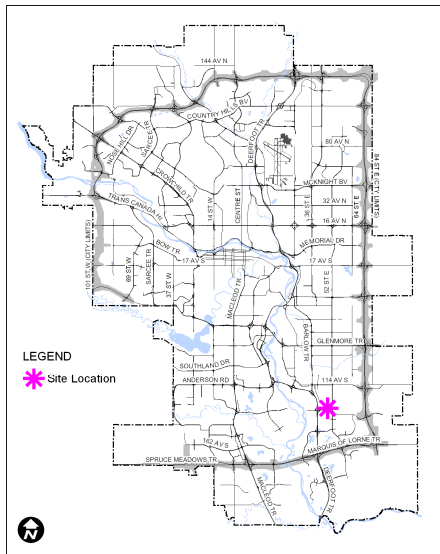
ATTACHMENT

1. Proposed Bylaw 35D2014

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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 16.03 hectares \pm (39.61 acres \pm) located at 12787 – 40 Street SE, 4280 – 130 Avenue SE and 13421 – 52 Street SE (Plan 0513118, Block 7, Lot 2; Plan 9813035, OT; NE 1/4 Section 3-23-29-4) from Industrial – Business f0.5 (I-B f0.5) District **to** Industrial – Business f0.86h28 (I-B f0.86h28) District.

Moved by: S. Keating

Carried: 6 – 3

Opposed: R. Wright, M. Wade and R. Honsberger

Reason for opposition from Ms. Wade:

- The area is almost land locked and requires attention to transportation issues to support this level of intensification. Some workable options for transportation solutions is important for the success of this area for intensification.

Reasons for opposition from Mr. Honsberger:

- There was no circulation to the Douglasdale Community Association to the west of Deerfoot.
- Transportation in the area (130 Avenue SE) is very congested; increasing intensity potential (notwithstanding BRT/LRT in future) will not improve, but in fact worsen, traffic on 130 Avenue SE.

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Applicant:

Kasian Architecture Interior Design
and Planning

Landowner:

Shepard Development Corporation

Planning Evaluation Content	Issue	Page
Density <i>Is a density increase being proposed.</i>	Yes	5
Land Use Districts <i>Are the changes being proposed housekeeping or simple bylaw amendment.</i>	No	5
Legislation and Policy <i>Does the recommendation create capital budget impacts or concerns.</i>	No	6
Transportation Networks <i>Do different or specific mobility considerations impact this site</i>	Yes	7
Utilities & Servicing <i>Is the site in an area under current servicing review and/or has major infrastructure (water, sewer and storm) concern</i>	No	7
Environmental Issues <i>Other considerations eg. sour gas or contaminated sites</i>	No	8
Growth Management <i>Does this site have the appropriate growth management direction.</i>	Yes	8
Public Engagement <i>Were major comments received from the circulation</i>	No	8

*Issue - Yes, No or Resolved

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PLANNING EVALUATION

SITE CONTEXT

Located east of Deerfoot Trail SE and north of 130 Avenue SE the subject site consists of three separate titled parcels with a combined area of approximately 16 hectares. The subject site is one of the last remaining and undeveloped portions of lands included in a comprehensive outline plan/land use application for this area approved by Council in 2000.

The surrounding lands to the south and east are developed predominately with regional commercial and service uses of varied intensity and for the most part limited to single storey developments. The current and approved alignment of the Southeast Transitway anticipates a future Shepard LRT station just north of the subject site.

LAND USE DISTRICTS

The existing land use district is an Industrial-Business (I-B) District with a maximum building height of 12 metres and maximum floor area ratio (FAR) of 0.5.

The proposal retains the existing I-B designation, but increases the allowable building height to 28 metres and FAR to 0.86. See Table 1 for additional information.

Council's approval of this application would not necessarily constitute approval of a specific development scheme with 0.86 FAR. Comprehensive development plans will be required to the satisfaction of the Development Authority as part of a development permit application.

Table 1.

	Existing	Proposed	Change
Maximum Floor Area Ratio	0.5	0.86	+ 0.36
Maximum Gross Floor Area	80,000 sm (860,000 sf)	140,000 sm (1,500,000 sf)	+ 60,000 sm (640,000 sf)
Maximum Building Height	12 metres	28 metres	+ 16 metres

LEGISLATION & POLICY

Policy Summary

The existing I-B designation complies with the intent of the Southeast Industrial Area Structure Plan (ASP), which allows for a variety of light industrial, retail and employment oriented uses on this site.

Subsequent to the approval of the ASP, Council has adopted additional, statutory and non-statutory legislation (e.g. Municipal Development Plan - MDP, Transit Oriented Development – TOD Guidelines), which provides both general and specific policy to guide future development proposals on this site.

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The proposed intensity increase and the existing I-B designation also comply with the applicable policies of the MDP, and do not prevent the site from being developed in a manner consistent with the principles of TOD.

Municipal Development Plan (2008 – statutory)

The subject site is located within a Community Activity Centre (CAC) as identified on the Urban Structure Map of the Municipal Development Plan (MDP). The MDP includes a variety of specific land use, mobility and public realm policies intended to guide development within CACs. A list of applicable MDP policies are included in APPENDIX II.

More specifically, the *Large Site* policy of the MDP will require the applicant to submit, concurrently with the initial plan of subdivision or development permit application for any building(s) on this site, a comprehensive development concept plan to illustrate the provision, co-ordination and interpretation of the following to the satisfaction of the Development Authority:

- 1) Proposal's alignment with the TOD Guidelines and any other applicable legislation;
- 2) Development phasing plan that demonstrates how the site can intensify and adapt over time, as well as not preclude development consistent with the principles of TOD;
- 3) Appropriately scaled development sites and building placement that allow for efficient pedestrian and vehicular circulation;
- 4) Appropriate pedestrian network connecting building entrances with future transit stops (BTR, LRT), other buildings, open spaces and amenities;
- 5) Site access, egress as well as location and design of surface parking areas or parking structures;
- 6) Landscaping, open areas, transit shelters and/or signage; and
- 7) Any other matters considered necessary by the Development Authority.

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Southeast Industrial Area Structure Plan (1996 – statutory)

The subject lands also fall under the Southeast Industrial Area Structure Plan (ASP). The conceptual land use and transportation plan (Map 2) identifies the eastern portion of the subject site as *Existing Commercial District* and the larger western portion of the site as *Proposed I-2 General Light Industrial District*. Both of the typologies are complimentary to the existing I-B land use district and do not prevent any of the I-B allowable uses from being applied for and considered at the development permit stage.

Transit Oriented Development Guidelines (2005 – non-statutory)

The Transit Oriented Development (TOD) Guidelines provide an additional set of guidelines and principles that may assist the Development Authority with the review of future development proposals on this site. A list of applicable TOD guidelines is included in APPENDIX III.

TRANSPORTATION NETWORKS

While the proposed land use is considered appropriate, the current condition and capacity of the existing transportation network combined with the existing availability of public transit services in the area may not lend support toward achieving “full build out” of the subject lands under either the existing or proposed land use at this time.

Administration has reviewed a Transportation Impact Assessment (TIA) submitted in support of the proposed land use re-designation application, which provided a preliminary assessment of some required on-site and off-site improvements. Although Administration supports intensification in this area, the TIA has not adequately demonstrated how the maximum allowable intensity under the proposed land use can be accommodated without compromising safety concerns near Deerfoot Trail while providing satisfactory customer service levels for Calgary Transit, pedestrians, cyclists and vehicles.

As a result, further TIA work will be required at the development permit stage to establish additional transportation improvements and determine appropriate development intensities aligned with incremental improvements to surrounding infrastructure, transit services and other modes of transportation in this area. The applicant is aware of the situation and has been working with Administration on this issue.

UTILITIES & SERVICING

Water, storm and sanitary mains are available to service the subject site at this time. A sanitary servicing study provided by the applicant was reviewed and accepted by Administration. The study identified that the existing sanitary infrastructure is of a sufficient size to service the subject site at this time.

ENVIRONMENTAL ISSUES

An Environmental Site Assessment was not required.

ENVIRONMENTAL SUSTAINABILITY

Not applicable. An analysis of site specific measures that would contribute toward an environment friendly development will be required at the development permit stage.

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GROWTH MANAGEMENT

This proposal is in alignment with MDP references associated with growth management issues.

PUBLIC ENGAGEMENT

Community Association Comments

There is no community association for the community of East Shepard Industrial.

Citizen Comments

Two letters were submitted indicating a general support for the proposal.

Public Meetings

No public meetings in relation to this proposal were held by the applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

Overview:

The Shepard Lands project is located at the northeast corner of 130th Avenue and Deerfoot Trail SE encompassing two sites with a combined area of 16.248 HA (40.02 acres) more or less. The site is generally flat in nature.

This site is unique as it is highly visible from Deerfoot Trail and is easily accessible from 130th Avenue. The lands to the south and east are predominantly retail uses with an array of independent and national outlets. As part of the City's rapid transit program a LRT station has been designated to be located on the north boundary of the site. We also note that there are established residential communities located on the west side of Deerfoot Trail.

It is also noted the original development for this sector included an application to permit a suburban style office campus. An outline plan was prepared and approved with this original approval.

Building Height and Massing:

The site is currently zoned I-B and permits a wide range of uses. The purpose of this application is to rezone the project from I-B to 'I-B with enhanced density and building height'. The proposed density has been adjusted to 0.86 FAR from the permitted 0.5 and the building height has been increased to 28 M from existing 12. We feel that this proposed zoning is consistent with the envisioned development potential for the subject site and as discussed with the planning department.

The project is envisioned to be a mixed use office/retail development anchoring the existing commercial development located immediately to the east and south. The proposed development will consist of a suburban office campus environment with support retail and amenities at grade level. The first phase of development is planned to accommodate single and potentially multiple tenants in the series of office buildings and will incorporate an environmentally controlled links between the office buildings. There will also be direct access to the future LRT station. The rezoning of the subject site also includes a hotel use to be located in the south side of the site and a mixed use office retail building located in close proximity of the future LRT station.

Parking, Circulation and access:

Access to the site is provided by the large interchange located at Deerfoot Trail and 130th Avenue S.E. The primary access will be made from 46th street, 128th Avenue and 40th Street S.E. We are proposing that this access will be enhanced with a high degree of landscaping and way finding to identify entry nodes to the site. The vehicular access points will be designed taking into consideration pedestrian and bicycle movement on the site.

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Further, we have reviewed parking and loading requirements and at this time confirm that

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1P2007 bylaw requirements will be applicable. We are envisioning a mix of surface and subgrade parking to meet the demands of the tenants and current Bylaw.

A TIA report has been prepared and is attached as a supplement to the application.

Public Transit:

As there is no time line for the planned LRT station to be located on the north boundary of this site our team will work closely with Calgary Transit to ensure that the proposed redevelopment encompasses current BRT requirements.

Offsite Servicing:

Offsite servicing requirements will be upgraded as necessary to meet the demands of proposed density. All services will be developed in accordance with the City of Calgary Engineering requirements.

In summary, the proposed campus will focus on:

The Office/Retail Campus:

- **Moderate density** office space use
- A **mix of uses** of office and retail services that will compliment adjacent uses
- A **pedestrian friendly pathway** system to encourage access to the existing retail uses located to the east and south of the site and the future LRT station located to be located to north.
- A **central public space** is encouraged to provide a public gathering space
- A **well-defined transit program** that is integrated into the overall development

We believe that the proposed increase in density and height is reasonable and in context with the Area Structure Plan and TOD guidelines. As the program is developed, our team will present additional material to support the proposed campus design. The planned campus will also compliment the adjacent retail developments to the east and south of this parcel.

If you have any questions regarding our proposal for the site, please do not hesitate to contact any one of our team members to discuss further

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APPENDIX II

Municipal Development Plan (MDP)

MDP applicable policies include, but are not limited to:

2.2 Shaping a more compact urban form

- 2.2.1 Vibrant, transit-supportive, mixed-use Activity Centres and Corridors
- 2.2.2 A transit-supportive land use framework
- 2.2.4 Complete communities

2.4 Urban design

- 2.4.1 Creating a beautiful city
- 2.4.2 Built form
- 2.4.3 Enhancing the public realm

2.5 Connecting the city

- 2.5.1 Transportation choice
- 2.5.2 Transit
- 2.5.3 Complete Streets
- 2.5.4 Local transportation connectivity

2.6 Greening the city

- 2.6.1 Green infrastructure
- 2.6.2 Land
- 2.6.3 Water

3.3 Activity Centres

- 3.3.1 General Activity Centre policies
- 3.3.3 Community Activity Centres

5.2 A strategic framework for growth and change

- 5.2.4 Support intensification of Developed Areas
- 5.2.5 Linking land use to municipal financial and infrastructure capacity

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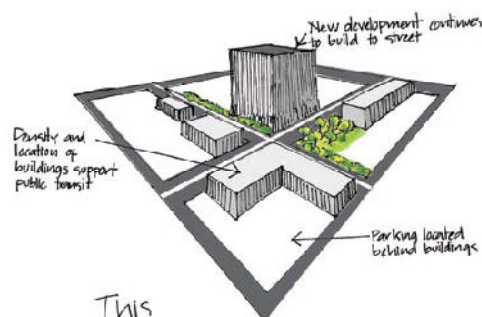
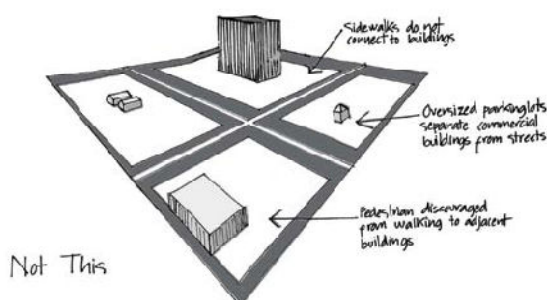
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APPENDIX III

Transit Oriented Development Guidelines (TOD)

MDP applicable policies include, but are not limited to:

- 4.1 TODGuideline – Transit-supportive land uses
- 4.2 TODGuideline – Mix land uses
- 4.3 TODGuideline – Limit non transit-supportive land uses
- 5.1 TODGuideline – Optimize density around each station
- 6.1 TODGuideline – Provide quality pedestrian connections
- 6.2 TODGuideline – Provide a compact development form



- 7.2 TODGuideline – Street and block layout
- 8.2 TODGuideline – Place parking in appropriate locations
- 8.6 TODGuideline – Long term redevelopment