

# Applicant Submission

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## Proposed Land Use Change Applicant Summary

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Project Location: 110 18A ST NW  
Existing Land Use: Direct Control (DC2016d21) District  
Proposed Land Use: Direct Control (DC) District

### APPLICATION SUMMARY

On behalf of Frontier Condos (Calgary) Inc. (Truman), CivicWorks has made a Land Use Redesignation (rezoning) application to transition the property at 110 18A ST NW from the existing Direct Control (DC2016d21) District to a new Direct Control (DC) District that specifically allows for a Liquor Store Use on the ground level of the building. This proposal adds a greater diversity of business offerings in a growing community.



Frontier is an 8 storey, 266 dwelling unit mixed-use multi-residential building that is approved and currently under construction. It contains a large, community-serving 2,100m<sup>2</sup> commercial floorplate at grade with 11 retail units. The Liquor Store use is proposed for commercial retail units 1-3 (see S1 in Site Plans) at the southeast corner of the building (nearest building corner of above render) and totals approximately 305m<sup>2</sup>. Project team architect S2 will apply for a change of use Development Permit in line with this proposed land use redesignation.

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#### DIRECT CONTROL DISTRICT RATIONALE

The Direct Control District (DC2016d21) currently applying to the site focuses on design-specific considerations for a large Inner City parcel and ensures appropriate massing transitions to lower density neighbours within a mid-rise, mixed-use, pedestrian-oriented development. While the base C-COR1 District in DC2016d21 allows for Liquor Store as a discretionary use, there are specific rules within the City of Calgary Land Use Bylaw 1P2007 pertaining to Liquor Stores that currently prevent its inclusion in the Frontier building. They are as follows:

##### Part 2, Division 6, Rule 40

40. The Development Authority must refuse a development permit application when the proposed development:

- h. is for a Liquor Store in any district, other than the C-R2, C-R3 and CR20-C20/R20 Districts, that requires more than a 10 per cent relaxation of a minimum separation distance specified in subsections 225(d) or 225(e), except where the development permit is for:
  - i. the expansion or alteration of an existing approved Liquor Store or renewal of approval of a previously approved development permit for a Liquor Store; or
  - ii. an existing approved Liquor Store that proposes to move to a new location not within a minimum separation distance specified in subsections 225(d) or 225(e), excluding the distance from the original location of the existing approved Liquor Store;

##### Part 4, Division 2, Rule 225

225. "Liquor Store"

- d. In all Districts, not including the C-R2, C-R3 and CR20-C20/R20 Districts, must not be located within 300.0 metres of any other Liquor Store, when measured from the closest point of a Liquor Store to the closest point of another Liquor Store;
- e. In all commercial, industrial and mixed use districts not including C-R2, C-R3 and CR20-C20/R20 Districts, must not be located within 150.0 metres of a parcel that contains a School – Private or a School Authority – School, when measured from the closest point of a Liquor Store to the closest point of a parcel that contains a School Authority – School or a School – Private;

The nearest Liquor Store is located approximately 225m as the crow flies from the proposed Liquor Store (see S1 of Site Plans), while all other limiting distance criteria are met. This 225m distance represents a 25% variance from the minimum 300m, which would mean an automatic refusal of a subsequent DP application by the Development Authority. The project team strongly believes that based on site context and policy that the Liquor Store use is an appropriate use in this location regardless of this variance. With respect to Direct Control District sites, these rules, however, have proven insurmountable in previous instances when a Development Authority refusal is appealed by an applicant (SDAB2021-0031, SDAB2021-0051). The lessons learned from these SDAB decisions have been applied successfully in LOC2022-0135 in Bridgeland, which was approved by Council, sits in a similar development context to this proposed redesignation and is being referenced to help build this Direct Control District. The proposed Direct Control District includes a number of minor revisions to the existing DC2016d21:

- A new purpose statement is proposed, noting that a Liquor Store can be located anywhere within the DC Site (Frontier Building location).
- A new rule is proposed that removes limiting distance rules 40h and 225d from applying to Liquor Stores in the DC.
- A new rule is proposed to allow for the Development Authority to relax rules in line with best practice for DC Districts following the approval of DC2016Z21.

#### CONTEXTUAL FIT AND ALIGNMENT WITH MUNICIPAL POLICY

It is the professional opinion of the project team that the evolving community of West Hillhurst can accommodate another Liquor Store within the Frontier building on the basis of both context and local policy. The subject site is located within the Developed – Residential – Inner City area as identified on Map 1: Urban Structure in the Municipal Development Plan (MDP). The applicable MDP policies encourage redevelopment and modest intensification of established communities to make



more efficient use of existing infrastructure, public amenities, and transit. The retail-specific policies of the MDP aim to create and retain viable local retail and mixed-use areas that encourage business creation, residential development and community services; while maintaining compatibility with the neighbourhood oriented character of the retail.

The subject site has an Inner City location that is well served by existing amenities and infrastructure. It is located within a 10 minute walk of transit service, parks and open spaces, the Bow River pathway network, community amenities (schools, West Hillhurst Community Association, Recreation Centre, pool, sports courts, places of worship) and a variety of commercial-retail and employment opportunities for area residents. The only commercial gap to making the community complete is a full service grocer, which is proposed as a future tenant in the Frontier building. The grocers in discussions with Truman would like to incorporate a Liquor Store component to their service offering. The site is also strategically located on the Kensington RD NW Main Street, a municipally-identified corridor for the concentration of people and jobs over time. The Kensington RD NW Main Street and associated 19 ST NW corridor have recently seen development approvals and construction of a number of new mixed-use and multi-residential buildings ranging in scale from 4-8 storeys (see S3 in site plans), adding a significant number of new residents to the community in close proximity to the Frontier building.

With these excellent adjacencies in place to support continued growth, it can be inferred that this development pattern will continue along key corridors in West Hillhurst, particularly if the Riley Communities Local Area Plan is approved (current Public Hearing estimate Fall 2024). This plan will provide a solidified development framework to West Hillhurst, which does not currently have a Local Area Plan in place. At this time, a Potential Growth Areas figure for the Riley Communities has been published to the City's website (see S3 in the Site Plans), highlighting potential additional growth locations along Kensington RD NW, 19 AV NW, 5 AV NW and Crowchild TR NW in close proximity to the subject site. Urban Form Categories and Scale Maps will be prepared in a future draft of this plan to provide more specific information on what can be built and how high. Taking the intensification of these corridors into consideration and their future population and jobs growth, the project team feels a Liquor Store is appropriate here.

Comparing the neighbouring Riley communities of West Hillhurst and Hillhurst (see S2 in site plans), West Hillhurst contains 6,300 people and four Liquor Stores, while Hillhurst contains 5,395 people and five Liquor Stores (sources include 2019 City of Calgary Community Profiles and City of Calgary Business Licensing web portal). Referencing the same figure, the five stores in Hillhurst serve a much smaller area and less people, leading the project team to believe that a fifth Liquor Store in West Hillhurst represents neither proliferation nor market saturation, but rather an additional business serving the needs of a growing community. The proposed Liquor Store will be larger than the two nearest Liquor Stores at 305m<sup>2</sup> and as a result could provide more options to consumers (Highstreet Wine + Spirits at 226 19 ST NW is approximately 225m<sup>2</sup> while The Grape Wine and Spirits measures approximately 100m<sup>2</sup>). The proposed Liquor Store is also located directly beneath 266 new dwelling units in the Frontier building, which could host in excess of 500 residents.

#### **APPLICANT-LED OUTREACH**

Based on the very specific, minor nature of this proposed change within the already approved 8 storey mixed-use multi-residential Frontier building, the project team will notify the West Hillhurst Community Association and Ward 7 Office of the proposed change, sharing information packages and offering a meeting if needed. This effort will pair with standard City of Calgary Notice and Outreach requirements.