

LAND USE AMENDMENT
ACADIA (WARD 9)
SOUTHLAND DRIVE SE AND FAIRMOUNT DRIVE SE
BYLAW 294D2016

MAP 15S

EXECUTIVE SUMMARY

This land use amendment application seeks to redesignate a vacant parcel from a Residential - Contextual One Dwelling (R-C1) District to a Commercial – Neighbourhood 1 (C-N1) District to allow for local-oriented commercial development. A development permit application (DP2016-1815) for the parcel and the adjacent parcel to the south has been submitted and at the time of writing of this report is under review by Administration. A Corporate Planning Applications Group (CPAG) Detailed Team Review document was sent to the Applicant on 2016 July 29.

PREVIOUS COUNCIL DIRECTION

None.

ADMINISTRATION RECOMMENDATION(S)

2016 September 22

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 Bylaws 294D2016; and

1. **ADOPT** the proposed redesignation of 0.07 hectares \pm (0.16 acres \pm) located at 9815 Fairmount Drive SE (Plan 1229JK, Block 37, Lot 3) from Residential – Contextual One Dwelling (R-C1) District **to** Commercial – Neighbourhood 2 (C-N2) District; and
2. Give three readings to the proposed Bylaw 294D2016.

REASON(S) FOR RECOMMENDATION:

The C-N1 District is appropriate in this location as it may allow for development that is compatible with the character of the surrounding residential area and is consistent with applicable municipal policy.

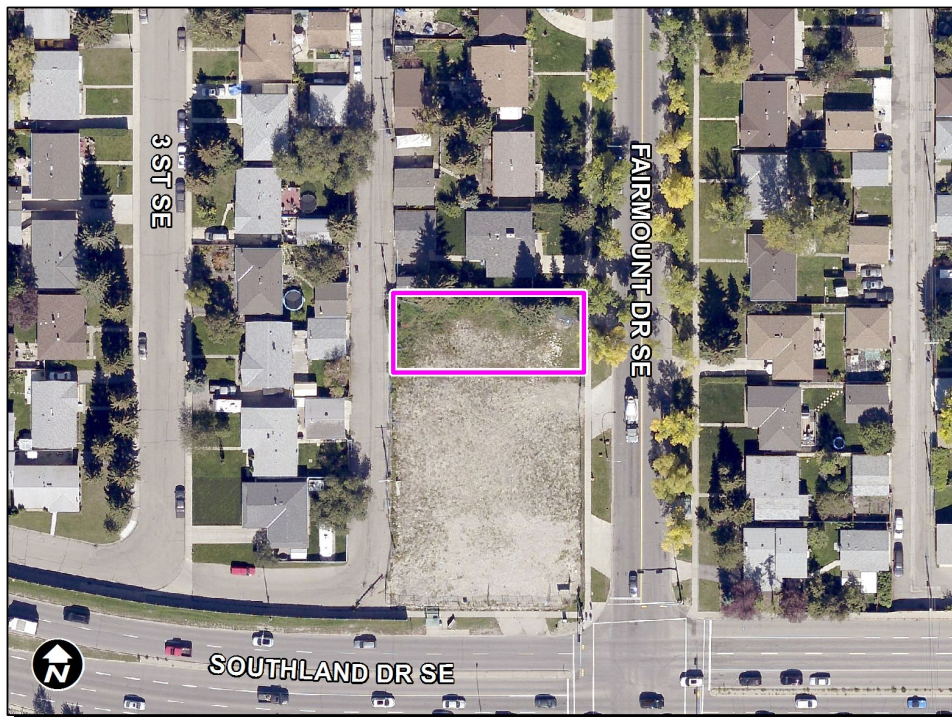
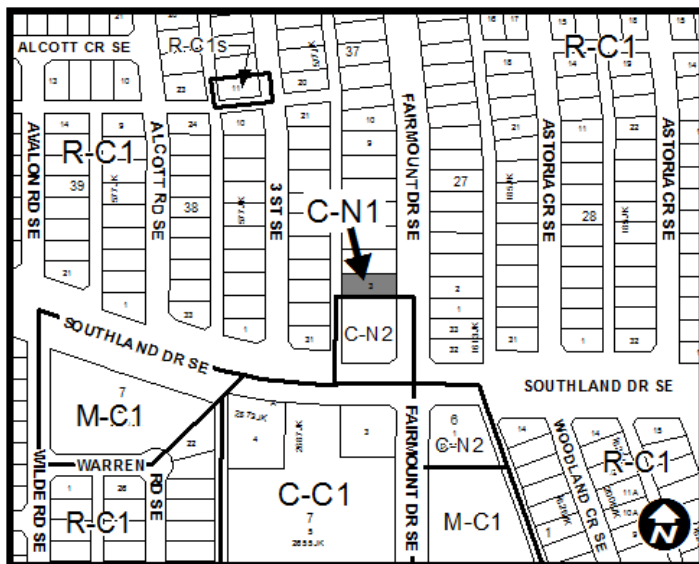
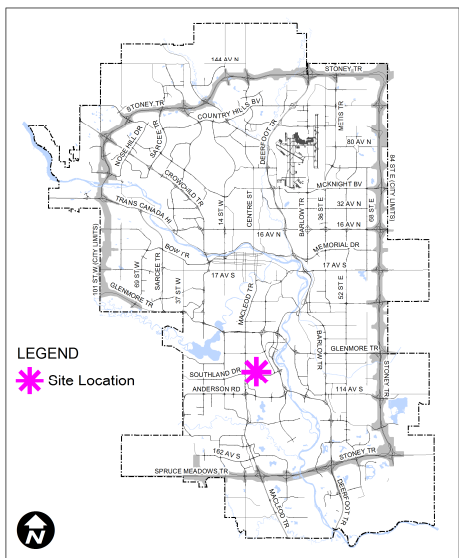
ATTACHMENT

1. Proposed Bylaw 294D2016

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LOCATION MAPS



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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **APPROVE** the proposed redesignation of 0.07 hectares \pm (0.16 acres \pm) located at 9815 Fairmount Drive SE (Plan 1229JK, Block 37, Lot 3) from Residential – Contextual One Dwelling (R-C1) District **to** Commercial – Neighbourhood 1 (C-N1) District.

2016 September 22

MOTION:

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

1. **ADOPT**, by bylaw, the proposed redesignation of 0.07 hectares \pm (0.16 acres \pm) located at 9815 Fairmount Drive SE (Plan 1229JK, Block 37, Lot 3) from Residential – Contextual One Dwelling (R-C1) District **to** Commercial – Neighbourhood 2 (C-N2) District; and
2. Give three readings to the proposed Bylaw.

Moved by: J. Gondek

Carried: 4 – 3

Opposed: G.-C. Carra, R. Wright
and M. Tita

Reasons for Approval of the amended recommendation from Ms. Gondek:

- It is more logical to keep the zoning between the two adjacent parcels consistent because a single building will span both parcels. The concern of “creep” can be addressed by Administration's ability to use discretion. The worrisome, auto-related uses are discretionary and should be rejected if they are suggested, if that is the perspective of Administration.

Reasons for Approval of the amended recommendation from Mr. Foht:

- The Applicant's and Administration's approval to proceed with a land use change of the lands in question to C-N1 would create a split zoning for, what will be one site and one development would be inappropriate. The site which will be a single legal lot would have two land uses. The will be confusing and not needed. As such I supported the motion to file Administration's recommendation and zone the lands to C-N2 rather than C-N1.

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Reasons for Opposition of the amended recommendation from Mr. Wright:

- I supported the proposal of C-N1 as it indicates a less intense commercial intrusion into an established residential district. While the site to the south is C-N2, the nature of the present development permit application is not impacted, but it does send a message that commercial development stops at the C-N1 lot.

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Applicant:

Opus Corporation

Landowner:

Devon Estates Limited

PLANNING EVALUATION

SITE CONTEXT

The parcel is located near the northwest corner of the intersection of Southland Drive SE and Fairmount Drive SE in the community of Acadia. The community of Willow Park is to the south of the site.

The parcel is approximately 17 metres by 40 metres in size and is vacant. A vacant C-N2 parcel approximately 48 metres by 40 metres in size exists to the south of the parcel. A Gas Bar existed on the parcel to the south from the early 1960s until 1997, which caused contamination of both the C-N2 parcel and the subject parcel. The parcels have been remediated.

Single detached dwellings are located to the north, east, and west of the site. Residential developments in the area surrounding the site are accessible from rear lanes and some properties also have front drive access. Rear lanes in the area surrounding the site do not have access to Southland Drive SE or Fairmount Drive SE. There is a sound attenuation wall that extends west from near Fairmount Drive SE along the north side of Southland Drive SE, limiting direct lane access to Southland Drive SE.

Commercial developments are located to the south of the site on the southwest and southeast corners of the intersection of Southland Drive SE and Fairmount Drive SE. Commercial developments in the area surrounding the site are accessed from both Southland Drive SE and Fairmount Drive SE.

LAND USE DISTRICTS

The C-N1 district is intended to be characterized by small scale commercial developments with buildings that are close to each other, the street and the public sidewalk. Storefront commercial buildings oriented towards the street, lanes for motor vehicle access to parking areas and buildings, and buildings that are in keeping with the scale of nearby residential areas are intended within the district. Development with limited use sizes and types and residential uses on the upper floors of commercial buildings are also allowed in the district.

The C-N1 district has a maximum floor area ratio (FAR) of 1.0 and a maximum building height of 10.0 metres.

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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).

Municipal Development Plan (Approved by Council 2009)

The site is within the “Residential; Developed; Established Area” on Map 1 (Urban Structure) of the Municipal Development Plan (MDP). Developed Residential Areas defined on Map 1 include those communities that have been built out and are at various stages of their life cycle, either as stable residential communities or those experiencing moderate redevelopment activity.

Although the MDP makes no specific reference to the site, the proposed land use redesignation is considered consistent with the policies of subsections 2.2.2 (Shaping a More Compact Urban Form), 2.3.2 (Creating Great Communities), 2.4.2 (Built Form), 2.5.2 (Transit), 3.5.1 (General – Developed Residential Area Policies), and 3.5.3 (Established Areas) of the MDP.

Municipal development policies encourage developments to have a strong relationship to the human scale, to contribute positively to the public realm and the street by locating buildings adjacent to public sidewalks along roads, and by providing comfortable, safe, and universally-accessible pedestrian environments, particularly when in proximity to transit. The built form should respect the character of existing areas and provide an appropriate transition between low-density residential areas and more intensive commercial areas.

Local Area Policy

There is no local area plan for the site. In the absence of local area policy to provide specific direction for development, any proposed development is evaluated based on the rules of the land use bylaw and any other applicable guidelines or policies, including the municipal development plan.

TRANSPORTATION NETWORKS

Neither a Transportation Impact Assessment (TIA) nor a Parking Study was required for this land use amendment application, but they may be required as part of any development permit application. A TIA is being prepared for DP2016-1815, which contemplates development of this parcel and the adjacent C-N2 parcel.

Southland Drive SE is classified as an arterial roadway and Fairmount Drive SE is classified as a collector in the Calgary Transportation Plan (CTP). Calgary Transit bus route 39 runs along

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Southland Drive SE, with bus stops at Fairmount Drive SE. Calgary Transit bus route 10 runs along Fairmount Drive SE with bus stops at Southland Drive SE. Fairmount Drive SE is also a signed bicycle route.

UTILITIES & SERVICING

Water, storm, and sanitary sewer mains are available to service the site.

ENVIRONMENTAL ISSUES

An Environmental report was prepared by O'Connor Associates Environmental Inc. for Imperial Oil Limited in 2009. The report was prepared for the adjacent parcel (9825 Fairmount Drive SE) which was the location of a former gas station. As stated in the report, O'Connor Associates performed annual monitoring and sampling activities during 2007 and 2008. The hydrocarbon concentrations in soil vapour samples on the adjacent parcel were less than the criteria derived from the 2008 Alberta Tier 2 Soil and Groundwater Remediation Guidelines. No further concerns resulted.

GROWTH MANAGEMENT

This land use amendment proposal does not require additional capital infrastructure investment, and therefore no growth management concerns have been identified at this time. The proposal is in alignment with MDP references associated with growth management.

PUBLIC ENGAGEMENT

Community Association Comments

Administration received a letter of no objection for the C-N1 District from the Acadia Community Association. (See APPENDIX II)

Citizen Comments

Administration did not receive any responses from citizens.

Public Meetings

No public meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

Further to our above noted land use application submitted May 4, 2016, please accept this amendment to change the land use designation from RC1 to CN1 for this vacant site. Although it will create a split zoning once the two titles are consolidated, we agree to Lot 3; Block 37; Plan 1229JK (9815 Fairmount Drive) proceed with a CN1 land use designation in order to alleviate any concern with the creep of potential types of development allowed under the CN2 designation into the R-C1 district to the north of our site.

This proposed land use change will allow us to proceed with our proposal to build a neighbourhood mixed use development to bring needed amenities to the area (DP2016-1815). This site, along with 9825 Fairmount Drive was purchased as one comprehensive development parcel from the previous owner. The lot requiring the new land use (98L5 Fairmount Drive) was previously a single family home that was purchased in about 2003 and demolished as part of required site remediation work that the previous owner undertook to meet today's standards. Approving this land use change for 9815 Fairmount Drive will facilitate the redevelopment of this underutilized brown field site.

I trust the above is in order and look forward to proceeding with this redevelopment.

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APPENDIX II

LETTERS SUBMITTED

