

Outline Plan, Road Closure, Policy and Land Use Amendment in Fairview Industrial (Ward 11) LOC2019-0082

RECOMMENDATIONS:

That Calgary Planning Commission:

1. As the Council-designated Approving Authority, approve the proposed outline plan located at 7330 Macleod Trail SE, 6712, 6940, 7012, 7110, 7130, 7132, and 7220 Fisher Street SE, 130 – 71 Avenue SE, 7203 Flint Place SE and the closed roads (Plan 5607GG, Block 4, Lots 7 to 10; Plan 1435LK, Lot 1; Plan 6894JK, Block 2, Lot 1; Plan 9211008, Block 6, Lot 3A; Plan 6894JK, Block 2; Lot 1; Plan 6894JK, Block 3, Lots 2 to 4; Plan 6647JK, Block 3, Lot 1; Plan 4149JK, Block 17, Lot 8; Plan 2410555; Plan 2410556) to subdivide 14.02 hectares ± (34.65 acres ±) with conditions (Attachment 2).

That Calgary Planning Commission recommend that Council:

2. Give first reading to the proposed bylaw to amend the Municipal Development Plan and Calgary Transportation Plan (Attachment 5);
3. Withhold second and third readings of the proposed bylaw until amendments to the Municipal Development Plan and Calgary Transportation Plan have been approved by the Calgary Metropolitan Region Board;
4. Give first reading to the proposed bylaw to amend the Heritage Communities Local Area Plan (Attachment 6);
5. Withhold second and third readings of the proposed bylaw until amendments to the Heritage Communities Local Area Plan have been approved by the Calgary Metropolitan Region Board.
6. Give first reading to the proposed bylaw for the closure of Fisher Road SE with 0.88 hectares ± (2.17 acres ±) of road (Plan 2410555), and closure of 73 Avenue SE with 0.18 hectares ± (0.44 acres ±) of road (Plan 2410556) with conditions (Attachment 3);
7. Withhold second and third readings of the proposed closure until amendments to the Municipal Development Plan, Calgary Transportation Plan, and Heritage Communities Local Area Plan have been approved by the Calgary Metropolitan Region Board;
8. Give first reading to the proposed bylaw for redesignation of 14.02 hectares ± (34.65 acres ±) located at 7330 Macleod Trail SE, 6712, 6940, 7012, 7110, 7130, 7132, and 7220 Fisher Street SE, 130 – 71 Avenue SE, 7203 Flint Place SE and the closed roads (Plan 5607GG, Block 4, Lots 7 to 10; Plan 1435LK, Lot 1; Plan 6894JK, Block 2, Lot 1; Plan 9211008, Block 6, Lot 3A; Plan 6894JK, Block 2; Lot 1; Plan 6894JK, Block 3, Lots 2 to 4; Plan 6647JK, Block 3, Lot 1; Plan 4149JK, Block 17, Lot 8; Plan 2410555; Plan 2410556) from Commercial – Corridor 3 f1.0h12 (C-COR3 f1.0h12) District, Industrial – General (I-G) District and Undesignated Road Right-of Way to Special Purpose – School, Park and Community Reserve (S-SPR) District and Direct Control (DC) District to accommodate mixed use developments with guidelines (Attachment 4); and
9. Withhold second and third readings of the proposed bylaw until amendments to the Municipal Development Plan, Calgary Transportation Plan, and Heritage Communities Local Area Plan have been approved by the Calgary Metropolitan Region Board.

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RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, 2024 MARCH 21:

That Council:

1. Give first reading to Proposed Bylaw 34P2024 to amend the Municipal Development Plan and Calgary Transportation Plan (Attachment 5);
2. Withhold second and third readings of the proposed bylaw until amendments to the Municipal Development Plan and Calgary Transportation Plan have been approved by the Calgary Metropolitan Region Board;
3. Give first reading to Proposed Bylaw 35P2024 to amend the Heritage Communities Local Area Plan (Attachment 6);
4. Withhold second and third readings of the proposed bylaw until amendments to the Heritage Communities Local Area Plan have been approved by the Calgary Metropolitan Region Board;
5. Give first reading to Proposed Bylaws 4C2024 for the closure of Fisher Road SE with 0.88 hectares \pm (2.17 acres \pm) of road (Plan 2410555), and Proposed Bylaw 5C2024 for the closure of 73 Avenue SE with 0.18 hectares \pm (0.44 acres \pm) of road (Plan 2410556) with conditions (Attachment 3);
6. Withhold second and third readings of the proposed closure until amendments to the Municipal Development Plan, Calgary Transportation Plan, and Heritage Communities Local Area Plan have been approved by the Calgary Metropolitan Region Board;
7. Give first reading to the Proposed Bylaw 155D2024 for redesignation of 14.02 hectares \pm (34.65 acres \pm) located at 7330 Macleod Trail SE, 6712, 6940, 7012, 7110, 7130, 7132, and 7220 Fisher Street SE, 130 – 71 Avenue SE, 7203 Flint Place SE and the closed roads (Plan 5607GG, Block 4, Lots 7 to 10; Plan 1435LK, Lot 1; Plan 6894JK, Block 2, Lot 1; Plan 9211008, Block 6, Lot 3A; Plan 6894JK, Block 2; Lot 1; Plan 6894JK, Block 3, Lots 2 to 4; Plan 6647JK, Block 3, Lot 1; Plan 4149JK, Block 17, Lot 8; Plan 2410555; Plan 2410556) from Commercial – Corridor 3 f1.0h12 (C-COR3 f1.0h12) District, Industrial –General (I-G) District and Undesignated Road Right-of Way to Special Purpose – School, Park and Community Reserve (S-SPR) District and Direct Control (DC) District to accommodate mixed use developments with guidelines (Attachment 4); and
8. Withhold second and third readings of the proposed bylaw until amendments to the Municipal Development Plan, Calgary Transportation Plan, and Heritage Communities Local Area Plan have been approved by the Calgary Metropolitan Region Board.

Excerpt from the Minutes of the Calgary Planning Commission, 2024 March 21:

“The following documents were distributed with respect to Report CPC2024-0288:

- Revised Attachment 15; and
- A presentation entitled "Outline Plan, Road Closure, Policy and Land Use Amendment - LOC2019-0082".”

“**Moved by** Commissioner Gordon

That with respect to Report CPC2024-0288, the following be approved:

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That Calgary Planning Commission:

1. As the Council-designated Approving Authority, approve the proposed outline plan located at 7330 Macleod Trail SE, 6712, 6940, 7012, 7110, 7130, 7132, and 7220 Fisher Street SE, 130 – 71 Avenue SE, 7203 Flint Place SE and the closed roads (Plan 5607GG, Block 4, Lots 7 to 10; Plan 1435LK, Lot 1; Plan 6894JK, Block 2, Lot 1; Plan 9211008, Block 6, Lot 3A; Plan 6894JK, Block 2; Lot 1; Plan 6894JK, Block 3, Lots 2 to 4; Plan 6647JK, Block 3, Lot 1; Plan 4149JK, Block 17, Lot 8; Plan 2410555; Plan 2410556) to subdivide 14.02 hectares \pm (34.65 acres \pm) with conditions (Attachment 2).

...

For: (6) Councillor Carra, Commissioner Hawryluk, Commissioner Weber, Commissioner Small, Commissioner Gordon, and Commissioner Campbell-Walters

MOTION CARRIED”

HIGHLIGHTS

- This proposal seeks to establish a subdivision and land use framework to enable a high intensity comprehensive mixed-use development in Fairview Industrial. The proposal, known as “Midtown Station” (Midtown), would redevelop an existing commercial and light industrial area into a vibrant urban village. The ultimate vision for Midtown would be centred around an infill Light Rail Transit (LRT) station, which the developer proposes to fund and construct, as well as significant public space improvements.
- The application proposes significant intensification outside of strategic growth framework, amendments to the *Municipal Development Plan* (MDP), *Calgary Transportation Plan* (CTP) and *Heritage Communities Local Area Plan* (LAP) are required to support this proposal from a Standard Industrial development to a Community Activity Centre. To achieve the proposal’s ultimate densities and heights, an infill LRT station located along the existing Red Line, as well as the provision of 10 percent affordable housing units, must be provided within the plan area to ensure such intensities can be appropriately serviced and the vision for this new neighbourhood can be achieved.
- What does this mean to Calgarians? Approval of this application would enable a new urban neighbourhood with housing, commercial and recreation opportunities supported by a potential LRT station and street network upgrades. This would provide Calgarians with more affordable and sustainable options for where to live and work, as well as for how to get around.
- Why does this matter? Through creative planning efforts, including effective land use regulations and policies, Midtown would facilitate the redevelopment of this industrial area into a Transit Oriented Development (TOD) site. If an LRT Station and other supporting infrastructure are provided, Midtown would help support significant intensification within the established areas of the city.

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- In 2016, Council directed Administration to investigate the potential for constructing infill LRT stations along the existing Red Line. In 2017, Administration provided a report entitled “Potential for infill C-Train stations” ([TT2017-1138](#)) that identified the area between Chinook and Heritage Stations as a possible station. Costing and future TOD potential were not fully evaluated at this time and were left to future applications.
- On 2022 December 6, Council received Administration’s report entitled ‘Midtown Station and Strategic Growth Update’ ([IP2022-1198](#)), which noted Administration will present recommendations to Council on the application through the Calgary Planning Commission and Public Hearing processes. The report also addressed direction from the Standing Policy Committee on Planning and Urban Development ([PUD2021-1218](#)), which was to consider amending Calgary’s strategic growth priorities to enable the application.
- Previous Council Direction Summary is included in Attachment 7.
- No development permit has been submitted at this time.

DISCUSSION

This application, in the southeast community of Fairview Industrial, was initially submitted in part on 2019 May 29 by IBI Group (now Arcadis Professional Services (Canada) Inc.) on behalf of the landowner, Cantana Investments Ltd, and The City of Calgary (The City) as the owner of the site’s roads. The subject site has a combined parcel size of approximately 14.02 hectares ± (34.65 acres ±) and is situated south of Glenmore Trail S and east of Macleod Trail S.

Midtown proposes an ambitious vision to redevelop an existing commercial and light industrial area into a transit-oriented urban neighbourhood anticipated to accommodate approximately 10,875 people. Central to the application vision, as detailed in the Applicant Submission (Attachment 8), the developer has committed to funding and constructing a new LRT station to support TOD, as outlined in the Developer Commitment Letter (Attachment 9).

Due to the significant intensity proposed, potential growth impacts and proposed infrastructure upgrades, including an infill LRT station, Administration’s review of the application required thorough cross-corporate review and multiple check-ins with Council. Initially a Special Development Agreement (SDA) was considered as a pre-requisite for granting land use to ensure the developer will meet their construction and/or funding obligations for the proposed infill LRT station. This was determined to be premature given there is no station design provided by the applicant at this time. Significant analysis, supported by ongoing collaboration with the applicant, sought to refine the application and provide alternative measures in the land use and outline plan to mitigate the risks of intensification proceeding without the required supporting infrastructure.

The proposed land use districts allow for a mix of residential and commercial uses, as well as a new public park. The proposed Direct Control (DC) District (Attachment 4) is structured to allow for additional residential and commercial density if an LRT station and affordable housing units are provided. Without an LRT station and affordable housing units, the proposed DC District allows a maximum floor area ratio (FAR) of 2.0 and a maximum building height of 20.0 metres (6 storeys ±). If an LRT station and affordable housing units are provided, the density may be increased up to a maximum FAR of 12.0 and up to a maximum building height up to 160.0 metres (45 storeys ±).

The Proposed Outline Plan (Attachment 10), the Registered Road Closure Plans (Attachment 11) and the associated Proposed Land Use District Map (Attachment 12) would create a total of 7,045 homes and 2,810 jobs at full buildout, as shown in the Proposed Outline Plan Data Sheet

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(Attachment 13). Advancing Midtown’s vision would enable significant growth and change, and amendments to the MDP, CTP and *Heritage Communities LAP* are required to change the development direction for the area (Attachments 5 and 6). A detailed planning evaluation of the application, including location maps and site context, is provided in Attachment 1 Background and Planning Evaluation.

ENGAGEMENT AND COMMUNICATION

- Outreach was undertaken by the Applicant
- Public/interested parties were informed by Administration

Applicant-Led Outreach

As part of the review, the applicant was encouraged to use the [Applicant Outreach Toolkit](#) to assess which level of outreach with the public/interested parties was appropriate. In response, the applicant created an engagement strategy which included onsite signage, a project website with additional information, regular updates and opportunities for online feedback. Engagement also included four in-person workshops/information sharing meetings with the Fairview Community Association (CA), one meeting with the Kingsland CA representatives and follow-up response to the CAs’ comments, one open-house to conclude the engagement process, as well as ongoing engagement with local businesses, community residents and adjacent landowners. The Applicant Outreach Summary can be found in Attachment 14.

City-Led Outreach

In keeping with Administration’s practices, this application was circulated to the public/interested parties, notice posted on-site and published [online](#). Notification letters were also sent to adjacent landowners.

Administration received five letters of opposition and seven letters of support from the public. The letters of opposition identified concerns primarily related to perceived crime and safety issues resulting from the potential LRT station, motor vehicle congestion, parking impacts, excessive building height and a lack of existing amenities and schools. Impacts to existing motor vehicle access to adjacent businesses were also raised in relation to the proposed realignment of 73 Avenue SE. Letters of support focussed on the benefits of more development opportunities and improved mobility infrastructure in the established areas.

The Fairview CA provided comments on 2023 October 15, which can be found in Attachment 15. The CA expressed that the proposal would provide opportunities to help address Calgary’s housing shortage and identified the need for public safety measures with the potential LRT station, appropriate building heights to limit impact, more diverse affordable housing options, improved mobility networks, enhanced traffic safety and parking management in the surrounding area.

The Kingsland CA provided comments on 2023 May 03, which can be found in Attachment 16. The CA identified concerns on ensuring adequate utility infrastructure upgrades in and out of Kingsland, and traffic safety for those walking, wheeling, and driving in and out of Kingsland from 69 Avenue SE to 73 Avenue SE on Macleod Trail S, and the need for improved active mobility connections from MacLeod Trail South to the 5 Street SE bicycle route.

Administration worked with the applicant to address concerns raised by the CAs and others. Building heights were adjusted to provide a greater variety of building forms and reduce shadowing on public

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spaces. Walking and wheeling connections both on-site and to surrounding communities were also significantly improved. Traffic impacts will be mitigated through a realigned 73 Avenue SE and motor vehicle traffic increases will be offset if an LRT station is provided. Building and site design, number of dwellings and on-site parking will be reviewed at the development permit stage. Further review of parking management in surrounding communities and station security measures may be required if an LRT station is provided.

Following Calgary Planning Commission, notifications for a Public Hearing of Council will be posted on-site and mailed to adjacent landowners. In addition, Commission's recommendation and the date of the Public Hearing will be advertised.

IMPLICATIONS

Social

The proposal would enable housing and employment opportunities in the established areas, providing Calgarians with more choices for where to live and work. Midtown would align with *Home is Here – The City of Calgary's Housing Strategy 2024-2030* by increasing housing supply and, with the requirement to include a minimum 10 percent affordable housing to achieve ultimate densities and heights, providing options for those who are not served by market rate housing. A central community park, improved mobility networks, new local amenities and potential LRT station would significantly improve the existing site conditions and support quality of life for future residents and workers in Midtown, as well as for the communities of Fairview and Kingsland.

Environmental

The applicant has indicated that they plan to pursue measures as part of future development permits which could align with the *Calgary Climate Strategy – Pathways to 2050*. Realizing TOD and intensification within the City's existing communities also generates lower greenhouse gas emissions per home due to more efficient buildings and reduced dependence on driving. More information on the intended measures can be found in Attachment 1.

Economic

The intensities and community form proposed by Midtown can support more cost-effective delivery of City services. Development of land and infrastructure supports economic activity, and the proposal does not have negative impact to the City's industrial inventory as most of the existing lands are designated for commercial activity. The extent to which Calgary realizes economic benefits from new development depends on the level of net new activity generated by that development. Adding Midtown as a new strategic growth location could affect build-out for comparable communities elsewhere in Calgary, which may affect whether net new economic activity occurs.

Service and Financial Implications

Other: Risk of Financial Impact

Given the levels of intensification proposed for Midtown, and because a new LRT station carries operating costs far greater than typical costs necessary to serve new development, Administration conducted a review of projected operating costs and property tax revenues through the Incremental Operating Cost Model. The applicant's revised business case and projections were also reviewed. A detailed evaluation of the application is provided in Attachment 17, Growth Strategy Evaluation.

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Overall, the calculated incremental property taxes more than exceed the anticipated incremental operating costs for the proposed infill LRT station at full buildout. However, this is contingent on the higher assessed values and property tax revenues from the proposed intensification materializing as anticipated. Operations funding, particularly for an infill LRT station, would be confirmed through future service plans and budgets.

RISK

The nature of Midtown's intensification and its potential impact on City services, combined with a first of its kind proposed developer-funded and constructed infill LRT station, presents risks that must be weighed against the benefits of the proposal. The risks and opportunities implications are explained in Growth Strategy Evaluation (Attachment 17) and Midtown Station: MDP and CTP Review (Attachment 18).

Strategic Growth Risks

The significant intensification proposed for Midtown falls outside of Calgary's strategic growth framework and is not aligned with the MDP's goal to grow in areas well-served by existing infrastructure. The development of Midtown would require major upgrades to existing infrastructure, including an infill LRT station, to service the proposed ultimate intensities. There is also risk that the intensification in Midtown may draw demand from other areas that are already appropriate for these intensities, such as the adjacent Chinook Major Activity Centre. These risks and opportunities are explained at length in Attachment 18, Midtown Station: MDP and CTP Review.

The risk must also be weighed against the opportunities presented by Midtown's vision for significant housing and employment opportunities. Midtown represents the rethinking of the future of this area through creative planning and land assembly. If developed as a TOD site through provision of an LRT station, Midtown would facilitate growth within the established areas and facilitate major infrastructure upgrades for the benefit of surrounding communities.

LRT Station Risks

Realising a developer-funded and constructed LRT station on an active line adjacent to Canadian Pacific Kansas City Limited (CPKC) infrastructure represents unprecedented challenges and opportunities for Calgary. There are significant development, mobility and legal complexities associated with such a project. Failure for any reason to build and operate the station would make the proposed development non-viable. Development proceeding at the ultimate intensities without the station would also present mobility issues in the area that could not be fully mitigated, even with significant road and street upgrades.

To mitigate this risk, the DC District permits the ultimate densities and heights only if the supporting LRT station and affordable housing units are provided. Without these measures in place, the density and heights will be limited to 2.0 FAR and 20 metres respectively. This lower intensity of development can be managed without an LRT station, though other mobility upgrades may be required. The DC represents an innovative approach to achieve ultimate heights and densities and to provide Development Authority relaxation powers to facilitate development prior to or concurrent with an LRT station during development permit review. This risk can also be mitigated through the Outline Plan condition that an SDA must be executed prior to an initial tentative plan or development permit. This would detail the design expectations for the station, as well as assign construction and cost obligations to the developer and/or The City. The SDA would also provide recourse to The City should the developer fail to meet their construction and/or funding obligations.

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Calgary Planning Commission
2024 March 21**

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ATTACHMENTS

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| <ol style="list-style-type: none"> 1. Background and Planning Evaluation 2. Approved Outline Plan Conditions of Approval 3. Proposed Road Closure Conditions of Approval 4. Proposed Bylaw 155D2024 5. Proposed Bylaw 34P2024 6. Proposed Bylaw 35P2024 7. Previous Council Direction Summary 8. Applicant Submission 9. Developer Commitment Letter | <ol style="list-style-type: none"> 10. Approved Outline Plan 11. Registered Road Closure Plans 12. Proposed Land Use Amendment Map 13. Approved Outline Plan Data Sheet 14. Applicant Outreach Summary 15. Fairview Community Association Response 16. Kingsland Community Association Response 17. Growth Strategy Evaluation 18. Midtown Station: MDP and CTP Review 19. Proposed Bylaw 4C2024 20. Proposed Bylaw 5C2024 21. CPC Member Comments 22. Public Submissions |
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Department Circulation

General Manager (Name)	Department	Approve/Consult/Inform