

**Land Use Amendment in Franklin (Ward 10) at 999 – 36 Street NE, LOC2024-0121**

**RECOMMENDATION:**

That Calgary Planning Commission recommend that Council:

Give three readings to the proposed bylaw for the redesignation of 5.05 hectares ± (12.47 acres ±) located at 999 – 36 Street NE (Plan 7410806, Block 10) from Commercial – Community 2 f0.38h18 (C-C2f0.38h18) District to Commercial – Community 2 f0.5h18 (C-C2f0.5h18) District.

**RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, 2024 JUNE 6:**

That Council give three readings to **Proposed Bylaw 222D2024** for the redesignation of 5.05 hectares ± (12.47 acres ±) located at 999 – 36 Street NE (Plan 7410806, Block 10) from Commercial – Community 2 f0.38h18 (C-C2f0.38h18) District to Commercial – Community 2 f0.5h18 (C-C2f0.5h18) District.

**Opposition to Recommendations: Councillor Carra and Commissioner Hawryluk**

**HIGHLIGHTS**

- This application seeks to redesignate the subject site to a Commercial – Community 2 f0.50h18 (C-C2f0.50h18) District to allow for an increased floor area ratio to accommodate a minor intensification of the subject parcel.
- The proposed land use district represents an appropriate increase in intensity, is compatible with adjacent land uses in the area and is in keeping with the applicable policies of the *Municipal Development Plan* (MDP).
- What does this mean for Calgarians? The proposed increase to the floor area ratio (FAR) will allow for an appropriate interim use on the parcel in close proximity to transit and other commercial, restaurant and retail opportunities. It is anticipated that the site could still transition into a more transit-oriented mixed-use development along the Urban Main Street upon development of a comprehensive policy direction for the corridor.
- Why does this matter? The application would maintain the existing C-C2 District but increase the ability to intensify the site which may help activate the street frontage along 36 Street NE and potentially incentivize surrounding uses, creating at-grade improvements for pedestrians and transit users by encouraging infill retail developments.
- A development permit has been submitted and is currently under review.
- There is no previous Council direction related to this proposal.

**DISCUSSION**

This land use amendment application in the northeast community of Franklin was submitted by SLVGD Architecture on behalf of the landowner, Wesbild Holdings Ltd on 2024 April 29. A development permit (DP2024-01885) for a restaurant and drive through was submitted on 2024 March 18 and is under review as noted in Attachment 2.

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The 5.05 hectare (12.47 acre) site is located one block north of Marlborough LRT Station on 36 Street NE with additional frontages and access points on 12 Avenue NE, 33 Street NE and 8 Avenue NE. The land use amendment application maintains the maximum height of 18 metres and introduces a maximum floor area ratio (FAR) of 0.5 (a change from the existing maximum FAR of 0.38). A land use amendment is required to accommodate future intensification on the site. The proposed C-C2 District supports development that has a wide range of uses and sizes that are appropriate along an Urban Main Street.

A detailed planning evaluation of the application, including location maps and site context, is provided in the Background and Planning Evaluation (Attachment 1).

### **ENGAGEMENT AND COMMUNICATION**

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

#### **Applicant-Led Outreach**

As part of the review of the proposed land use amendment application, the applicant was encouraged to use the [Applicant Outreach Toolkit](#) to assess which level of outreach with the public/interested parties and the respective community association was appropriate. The applicant determined that no outreach would be undertaken. Please refer to the Applicant Outreach Summary, Attachment 3, for rationale why outreach was not conducted.

#### **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](#). Notifications were also sent to adjacent landowners. No comments were received from adjacent landowners. There is no Community Association for the area.

Administration considered the relevant planning issues specific to the application and has determined the proposal to be appropriate. The application is supported by Administration as it is a suitable use on site, allows for a minor intensification, and does not preclude the future transition of the site to a more intensive and comprehensively-designed TOD site.

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 proposed application enables the continuation of development along an Urban Main Street and enables a more efficient use of the land and infrastructure.

#### **Environmental**

This application does not include any specific actions that address the objectives of the *Calgary Climate Strategy – Pathways to 2050*. Opportunities to enhance the development on this site

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with applicable climate strategies have been identified and shared with the applicant and will be pursued at the development permit stage.

**Economic**

The proposed land use amendment would allow for an increase in economic activity on the parcel.

**Service and Financial Implications**

No anticipated financial impact.

**RISK**

There are no known risks associated with this proposal.

**ATTACHMENTS**

1. Background and Planning Evaluation
2. Applicant Submission
3. Applicant Outreach Summary
4. **Proposed Bylaw 222D2024**
5. **CPC Member Comments**

Department Circulation

| General Manager<br>(Name) | Department | Approve/Consult/Inform |
|---------------------------|------------|------------------------|
|                           |            |                        |