

## **Banff Trail Station Area Redevelopment Plan Mobility Network Implementation**

### **EXECUTIVE SUMMARY**

This report provides an update on Administration's ongoing review of options for implementing the conceptual mobility network envisioned in the Banff Trail Station Area Redevelopment Plan for the area known as Motel Village. Specifically, the report summarizes implementation options being considered as they relate to the acquisition and the design and construction of new multi-modal connections in the Station Area. The report identifies clarifications and additional implementation tools to complement those currently available to facilitate the creation of the new mobility network. These clarifications and tools could be incorporated into the Area Redevelopment Plan to provide better policy guidance for landowners, developers and Administration in the review of development applications. These measures include a bonus density option to enable land dedication as well as protecting identified areas of the network from development through customized bylaw setbacks.

When the review of the implementation options and related engagement with key stakeholders has been completed Administration will report back to Council through Calgary Planning Commission no later than Q1 2019 with any proposed amendments to the Banff Trail Station Area Redevelopment Plan.

#### **ADMINISTRATION RECOMMENDATION:**

That the Standing Policy Committee on Planning and Urban Development recommend that Council:

1. Receive this report for information; and
2. Direct Administration to continue the work currently underway and consult with key stakeholders in the area including landowners and business owners, and report back to Council through the Calgary Planning Commission no later than Q1 2019 with any proposed amendments to the Banff Trail Station Area Redevelopment Plan.

#### **RECOMMENDATION OF SPC ON PLANNING AND URBAN DEVELOPMENT, DATED 2018 JUNE 14:**

That the Administration Recommendations contained in Report PUD2018-0633 be approved.

### **PREVIOUS COUNCIL DIRECTION / POLICY**

At the 2017 July 31 Combined Meeting of Council, following approval of the land use amendment for the Campus Suites development (LOC2016-0197/CPC2017-265), Council made the following Motion Arising:

MOTION ARISING, Moved by Councillor Farrell, Seconded by Councillor Chabot, that with Respect to Report CPC2017-265, that Council direct Administration to explore how to proactively address implementation of the mobility network identified in the Banff Trail Station Area Redevelopment Plan and report back to Council through the Standing Policy Committee on Planning and Urban Development no later than Q2 2018.

## **Banff Trail Station Area Redevelopment Plan Mobility Network Implementation**

### **BACKGROUND**

On 2011 October 03, Council approved the Banff Trail Station Area Redevelopment Plan (ARP) for the area also known as Motel Village. The ARP is intended to facilitate and guide redevelopment of the Banff Trail Station Area into a mixed-use, high-density, pedestrian-friendly, urban transit node. As part of this vision, the ARP requires the creation of a new mobility network that will provide for improved public realm and multi-modal transportation connections to support redevelopment in the area (Attachment 1). Implementation of this new network requires acquisition of privately owned land for new complete streets as well as the construction of these streets.

Recent applications (LOC2013-0067 and LOC2016-0197/DP2016-4219) in the Station Area Redevelopment Plan have highlighted the benefit that additional policy guidance for implementing the mobility network could provide. These development proposals were located in the southern portion of the ARP area, adjacent to 16 Avenue NW, on lands identified for mobility network improvements. Through the application reviews, Administration developed modified street designs and employed two different methods for land acquisition including piloting a new bonus density provision to incentivise voluntary land dedication.

As part of this process, Administration also identified challenges in implementing complete streets as defined by the Complete Streets Policy (TP021) for these sites. The Banff Trail Station Area is characterized by fragmented land ownership and a mix of commercial and hospitality uses of varying ages. Several buildings, both new or recently renovated, are located near or on shared property lines which creates challenges in acquiring sufficient rights-of-way to create complete streets. In some cases, existing buildings are located within areas identified for the conceptual mobility network (Attachment 2). Other key challenges identified include significant grade differences between adjacent parcels, and undefined funding mechanisms where land purchase is required.

In addition, The City is currently undertaking improvement projects for major transportation routes surrounding the Banff Trail Station Area including Crowchild Trail NW and 16 Avenue NW (Attachment 3). These projects will contribute to improving the mobility network in the area through the creation of new pedestrian and bicycle connections. They will also potentially impact existing vehicle site accesses for parcels located within the area and have implications for site redevelopment and implementation of the mobility network.

### **INVESTIGATION: ALTERNATIVES AND ANALYSIS**

As directed by Council, Administration undertook a review of the Banff Trail Station Area Redevelopment Plan and recent development applications in the area with the purpose of exploring how to proactively address the implementation of the envisioned mobility network. This exploration resulted in identifying implementation options that could potentially be clarified and/or incorporated into the ARP to provide additional guidance for developers and Administration in the review of development applications.

One of the main challenges is that private property interests and business objectives are diverse throughout the Banff Trail Station Area and the ARP recognizes that the new mobility network will evolve over time and will be mainly driven by individual development proposals as the two noted recent applications demonstrate. This necessitates a flexible approach and range of options that can be employed and tailored to individual development proposals as they arise.

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There are two primary considerations for implementing the mobility network. These include acquisition of required rights-of-way for new streets, and the design and construction of the physical infrastructure itself such as sidewalks, multi-use pathways, street lighting, curb and vehicle travelled ways.

### *Mobility Network Implementation Options – Acquisition*

There are three primary ways in which The City can acquire land for road rights-of-way from private landowners. These include 1) land dedication through subdivision, 2) sale and purchase, and 3) expropriation. A fourth additional option, recommended for further exploration by this report, is through providing development incentives to encourage voluntary land dedication.

#### **1) Land Dedication through subdivision**

Through the provisions of the Municipal Government Act, The City can require land owners to dedicate land without compensation at the time of subdivision for the purposes of roads and public utilities. This method of land dedication is most commonly employed for green field development through the outline plan and tentative plan processes. While a valid option in redevelopment contexts, for parcels that have already been subdivided, such as in the Banff Trail Station Area, the uncertainty as to whether further subdivision may occur has proved challenging. A further complication is that land ownership is fragmented throughout the plan area and there is no guarantee that redevelopment of an existing parcel will result in further subdivision. In practice, this means that for the redevelopment of most sites in the Banff Trail Station Area, land acquisition should occur prior to land use or development permit approval through one of the other means described below.

#### **2) Sale and purchase**

The second standard means of acquisition is through a sale and purchase agreement between The City and a private landowner. Real Estate & Development Services negotiates these agreements on The City's behalf and in the Station Area this approach is characterized as voluntary acquisitions by The City that are realized on a redevelopment or opportunity basis. The key challenge with this approach is the lack of secured funding sources for land purchases in the Station Area.

#### **3) Expropriation**

Expropriation is a third option that allows a municipality to take land for municipal purposes. Expropriation triggers a right to compensation in accordance with the Expropriation Act and raises similar challenges regarding funding sources as the sale and purchase option. It is worth noting that there can be significant financial risks associated with expropriations and it is only used as a final option when lands are urgently needed for a municipal project.

#### **4) Development incentives**

Development incentives to encourage voluntary land dedication are a fourth land acquisition option. This approach involves The City providing a development incentive such as increased buildable floor area, in exchange for voluntary land dedication. One such approach was piloted through a recent development application (LOC2017-0197/DP2017-4219) in the area. In this case, a bonus density provision was included in the direct control land use district for the site. The provision allows for additional buildable floor area (density bonus) in exchange for voluntary

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dedication of land required for the mobility network. This approach yielded positive results for the subject parcel and the land dedication is currently being finalized through the development permit process.

The primary benefit of this approach is that it provides for an additional option for acquisition at no cost to The City. As a bonus density option, however, it does not guarantee that dedication will occur. Ultimately, individual development proposals would need to take advantage of the bonus density system for this option to be utilized.

Bonus density for voluntary land dedication is not a listed option in the ARP. Presently, the Plan includes options such as providing recreational or cultural space, publicly accessible private open space, and/or affordable housing units as well as monetary contribution to a community enhancement fund. Through the current scope of work, Administration is exploring possible amendments to the ARP that would include the voluntary land dedication density bonus option for the purposes of implementing the mobility network. As recommended by this report, Administration intends to engage with key stakeholders including landowners and business owners in the area to further explore this implementation option.

#### *Mobility Network Implementation Options – Design and Construction*

Design and construction are the second key considerations for implementing the mobility network. Financing and ultimate build-out of the mobility network improvements require both privately led redevelopment in the area as well as publicly led infrastructure investment.

Private developments can contribute to upgrading and/or constructing adjacent public rights-of-way. In the case of the two recent developments, customized road designs were developed for the interim condition where only part of the complete street right-of-way had been acquired. This is intended to allow for construction of a functioning street to provide access to the developments in the short-term with future upgrades occurring as adjacent sites redevelop. Administration will continue to work with land owners/developers as redevelopment occurs to ensure there are clear expectations with respect to the responsibilities of individual developments for adjacent improvements.

City led investments also play a key role in realizing the new mobility network. The Crowchild Trail NW and 16 Avenue NW projects are two examples; however, additional capital investment may still be required for other improvements such as along Banff Trail NW. Moving forward, financing the network improvements will require partnership between The City and private development interests.

#### *Protecting Lands through Custom Bylaw Setbacks*

Another implementation tool that was employed in one of the development applications in the Station Area is the use of building setback requirements in the land use district. This tool could be considered for further application in the area. It should be noted that while this approach may protect the identified portions of lands from development, acquisition of those portions of land using one of the options previously described would still be required to create public roads.

#### *Conclusion*

## **Banff Trail Station Area Redevelopment Plan Mobility Network Implementation**

Full implementation of the mobility network envisioned in the Banff Trail Station Area Redevelopment Plan will be extremely difficult to achieve. While City led improvement will assist in improving the mobility network surrounding the Station Area, such as along Crowchild Trail and 16 Avenue NW, improvements to the internal network will be primarily driven by individual redevelopment applications. Administration's review of the existing policies of the ARP as well as recent applications in the area have reiterated the need to maintain a flexible approach that can be tailored to specific development proposals but has also identified opportunities where policies could be amended to clarify and add to available implementation options.

This report recommends further exploration of two new policy implementation options including: a bonus density option to encourage voluntary dedication of lands for roads; and customized building setbacks that can be implemented at the land use stage to protect these future roads. These options, as well as any others identified as this work progresses, will provide Administration with additional tools to aid in realizing the implementation of the new network. Such options can be identified through a creative approach to find solutions negotiated with applicants. Ultimately, full implementation of the conceptual mobility network will rely on a range of acquisition and construction options including those discussed above.

### **Stakeholder Engagement, Research and Communication**

As noted in this report's recommendation, Administration intends to continue the work that has been undertaken to date by formally engaging with relevant stakeholders, including landowners and business owners in the area, before bringing forward proposed amendments to the ARP for Council's consideration.

### **Strategic Alignment**

Providing an implementation section within the ARP would facilitate the creation of a new mobility network in the Banff Trail Station Area and advance the overarching planning goals and objectives of the Municipal Development Plan (MDP) and Banff Trail Station ARP. Specifically, clearer policy guidance and additional mobility network implementation options will assist both landowners/developers and Administration to implement the vision and policies of these plans to realize redevelopment in this Major Activity Centre and Transit-Oriented Development area.

### **Social, Environmental, Economic (External)**

Implementation of a new mobility network in the Banff Trail Station Area will contribute to realizing the social, environmental, and economic goals of the MDP and ARP. In addition, encouraging voluntary land dedication through a bonus density development incentive could aid in implementing the network at a lower cost.

### **Financial Capacity**

#### ***Current and Future Operating Budget:***

The ongoing policy work can be accommodated within the existing Planning & Development operating budget and no additional funding requirements are anticipated.

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### ***Current and Future Capital Budget:***

Full implementation of the conceptual mobility network in the Banff Trail Station Area may require capital funding. The amount required is highly variable and depends both on land acquisition costs, if other low-cost, voluntary dedication options have not been successful, as well as the extent to which public funds are required to upgrade road infrastructure in the area.

### **Risk Assessment**

The two additional implementation options identified in this report are focused on planning policy and are intended to provide additional tools Administration can use to negotiate land acquisition to implement the new mobility network. The City does not have the ability to force a landowner to voluntarily dedicate land for the network and there is a risk that landowners may choose not to take advantage of the proposed options. Should this occur, Administration would have to rely on the other standard acquisition options such as purchase or expropriation.

Public acquisition of private land could make full implementation of the mobility network challenging. As noted in this report, dedication of land through subdivision is unlikely in the Banff Trail Station Area and there are financial risks associated with expropriation. While purchase was employed in one recent application, there are presently no funding sources identified for the purpose of land acquisition in this area. Finally, where land acquisition occurs outside of a development permit or subdivision process, The City may be limited in the ability to have roads constructed by others.

### **REASON(S) FOR RECOMMENDATION(S):**

Through the review of the Banff Trail Station Area Redevelopment Plan and recent applications in the area, Administration has identified two proactive options for facilitating the implementation of the conceptual mobility network. These options are low-cost to The City and can provide greater guidance to inform the review of development applications and realize the vision of the ARP. As the work continues, Administration is recommending that relevant stakeholders be engaged on these options with any proposed amendments to the ARP being brought forward by Q1 2019.

### **ATTACHMENT(S)**

1. Conceptual Mobility Network
2. Conceptual Mobility Network with Local Context
3. Crowchild Trail Medium-Term Plan