

**Calgary Planning Commission Report to
Public Hearing Meeting of Council
2018 July 23**

**ISC: UNRESTRICTED
CPC2018-0694
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Road Closure and Land Use Amendment in Medicine Hill (Ward 06) at Canada Olympic Drive SW, LOC2017-0388, Bylaws 8C2018 and 223D2018

EXECUTIVE SUMMARY

This application was submitted by B&A Planning Group on 2017 December 14 on behalf of the landowner, Trinity Development Group.

This application provides the planning approval mechanisms for the developer to construct a private bridge above Canada Olympic Drive SW, to connect the east and west sides of the Gateway commercial area for Medicine Hill. The bridge will be located in the closed road right-of-way (air envelope), and the bridge will be maintained in perpetuity by the developer/owner.

This application is a land use amendment to change the designation of the air envelope above Canada Olympic Drive SW from undesignated road right of way to a site specific DC Direct Control District and a road closure to close a portion of the air envelope above Canada Olympic Drive SW.

Canada Olympic Drive SW will not be physically closed by this application and will be retained in the City of Calgary's ownership as a road right of way.

This application, together with the approved development permit for cell B, allows for construction of a private bridge over a road right of way which contributes to a more accessible, efficient and convenient method of access between cells B and A in the gateway district in the Medicine Hill community

The proposal is deemed appropriate and in keeping with applicable policies identified in the *Municipal Development Plan* and the *Canada Olympic Park and Adjacent Lands Area Structure Plan*.

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ADMINISTRATION RECOMMENDATION:

That Calgary Planning Commission recommend that Council hold a Public Hearing; and

1. **ADOPT**, by bylaw, the proposed strata road closure of 0.07 hectares \pm (0.17 acres \pm) of strata road (Plan 1811054, Area A) adjacent to a portion of Canada Olympic Drive SW, adjacent to 2200 Na'a Drive SW and 8395 Canada Olympic Drive SW with conditions (Attachment 3).

2. Give three readings to the proposed closure bylaw.

Moved by: A. Palmiere

Carried: 7 – 0

3. **ADOPT**, by bylaw, the proposed redesignation of 0.07 hectares \pm (0.17 acres \pm) adjacent to a portion of Canada Olympic Drive SW, adjacent to 2200 Na'a Drive SW and 8395 Canada Olympic Drive SW (Plan 1811054, Area A) from Undesignated Road Right-of-Way **to** DC Direct Control District to accommodate a private bridge above a public road and signage and utilities on or adjacent to a bridge structure, with guidelines (Attachment 2).

4. Give three readings to the proposed bylaw.

Moved by: A. Palmiere

Carried: 7 – 0

RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION, DATED 2018 JUNE 14:

That Council hold a Public Hearing on Bylaws 8C2018 and 223D2018; and

1. **ADOPT** the proposed closure of 0.07 hectares \pm (0.17 acres \pm) of strata road (Plan 1811054, Area A) adjacent to a portion of Canada Olympic Drive SW, adjacent to 2200 Na'a Drive SW and 8395 Canada Olympic Drive SW, in accordance with Administration's recommendation; and

2. Give three readings to the proposed Closure Bylaw 8C2018.

3. **ADOPT** the proposed redesignation of 0.07 hectares \pm (0.17 acres \pm) adjacent to a portion of Canada Olympic Drive SW, adjacent to 2200 Na'a Drive SW and 8395 Canada Olympic Drive SW (Plan 1811054, Area A) from Undesignated Road Right-of-Way **to** DC Direct Control District to accommodate a private bridge above a public road and signage and utilities on or adjacent to a bridge structure, in accordance with Administration's recommendation; and

4. Give three readings to the proposed Bylaw 223D2018.

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PREVIOUS COUNCIL DIRECTION / POLICY

None.

BACKGROUND

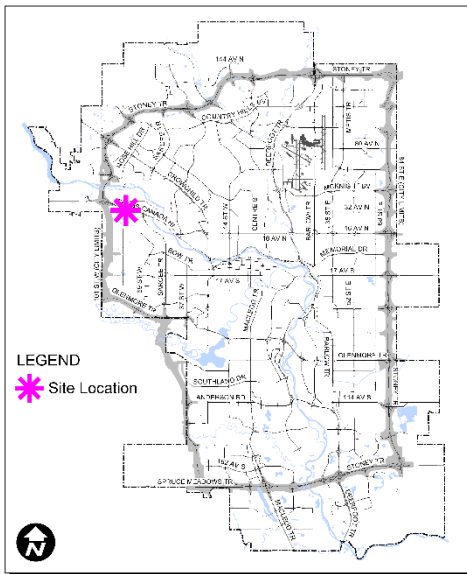
A private bridge between cells A and B (see attachment four the cell arrangement in the approved Outline Plan) above Canada Olympic Drive SW was originally proposed as part of the approved outline plan for the Medicine Hill community.

The development permit for cell B proposed 4 buildings with various uses - including retail and consumer services, fitness centre, liquor store, outdoor cafes and various restaurants (DP2017-2343). The development permit was approved by Calgary Planning Commission on January 25, 2018.

As part of the review of the development permit for cell B the applicant provided details of the bridge including the bridge dimensions and appearance, phasing and construction timing. Administration reviewed the development permit for cell B and considered the details and phasing provided to be acceptable and subsequently required a land use and road closure (through development permit conditions) to provide the legal mechanisms for the applicant to construct a private bridge over a City owned public right of way.

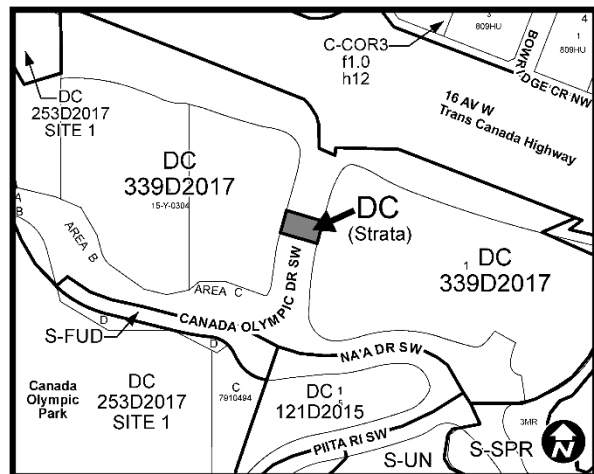
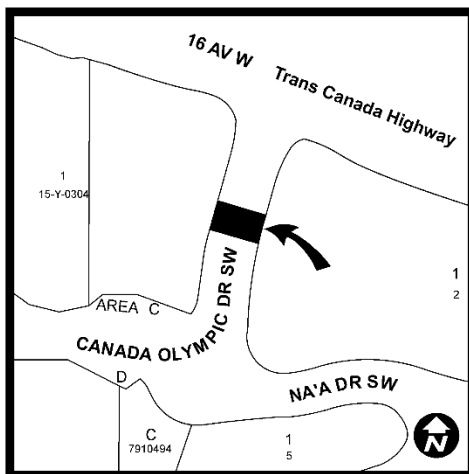
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Location Maps



Road Closure Map

Proposed Land Use Map



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Site Context

The subject site is located in the new community of Medicine Hill and comprises the air envelope above Canada Olympic Drive SW.

Bowfort Road Junction and the Trans-Canada Highway lie to the north, with undeveloped parcels to the east and west which have been stripped and graded and are owned by the applicant. Immediately to the south is a traffic circle with additional undeveloped parcels owned by the applicant to the south.

The subject site's total area is approximately 0.07 hectares \pm (0.17 acres \pm) in size.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Land Use

This application is a land use amendment and road closure to change the designation of a portion of air envelope above Canada Olympic Drive SW and to close a portion of the air envelope. The application provides the planning mechanisms for the developer to construct a private bridge above Canada Olympic Drive SW, which the developer will maintain in perpetuity.

A site specific Direct Control District is required to allow for signage in the proposed air space. The signage could be located adjacent to the bridge or attached to the bridge.

The circumstances warrant a direct control district to be able to limit the uses within the parcel to be created. Administration deliberately did not create a new use of "bridge" for the bridge structure as the bridge was considered to be ancillary to the uses approved as part of the development permit for cell B.

Infrastructure

Transportation Networks

The approved outline plan for the Medicine Hill community allows two points of access into and out from the development - from Bowfort Junction / Trans-Canada Highway and Sarcee Trail. As part of the development permit for cell B the access point and bridge details (design specifications, clearance and loading requirements) were reviewed and considered to be satisfactory.

Through this land use amendment review CPAG Transportation ensured there will be satisfactory clearance between the base of the proposed bridge and Canada Olympic Drive SW which will be beneath it.

The road closure conditions ensure there are appropriate agreements in place (including sale of the air rights above Canada Olympic Drive SW) to Transportation's satisfaction. The City will review construction drawings and maintenance plans for the bridge and has the right to maintain or close the bridge if deemed necessary.

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No transportation impact assessment was required as part of this land use amendment application.

Utilities and Servicing

Utilities and servicing were not relevant to this land use amendment application as they were considered as part of the previous outline plan, subdivision and development permit applications for cell B.

Stakeholder Engagement, Research and Communication

In keeping with Administration's standard practices, this application was circulated to relevant stakeholders and notice posted on-site. Notification letters were sent to adjacent land owners and the application was advertised online.

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

In accordance with the Canada Olympic Park and Adjacent Lands ASP and the East Paskapoo Slopes Joint Advisory Committee (JAC) Terms of Reference, Administration provided the direct control district to the JAC and convened a JAC meeting to discuss this application on March 21, 2018.

No members of the JAC attended the JAC meeting on 2018 March 21.

As no members of the JAC attended the JAC meeting, Administration encouraged comments on the application to be made in writing. As of the date of writing this report one comment has been received from a member of the JAC who had no objection to the application and considered the road closure application to be an enhancement to the site (based on the elevation details of the bridge provided to the JAC).

In accordance with planning policy in the Canada Olympic Park and Adjacent Lands ASP, Administration circulated this application to:

- Coach Hill/ Patterson Height Community Association;
- Valley Ridge Community Association;
- East Paskapoo Preservation Society;
- Edworthy Park Heritage Society;
- Society of Bowness Residents; and
- Bowness Community Association.

Administration received correspondence from the Bowness Community Association with no comments on this application.

No citizens' comments were received by the report submission date.

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Strategic Alignment

South Saskatchewan Regional Plan (Statutory – 2014)

The site is located within the “City, Town” area as identified on Schedule C: South Saskatchewan Regional Plan Map in the *South Saskatchewan Regional Plan* (SSRP). While the SSRP makes no specific reference to this site, the proposal is consistent with policies on Land Use Patterns.

Municipal Development Plan (Statutory – 2009) and Canada Olympic Park and Adjacent Lands Area Structure Plan (ASP) (Statutory – 2017)

The subject site is located within the Residential - Developing - Planned Greenfield with Area Structure Plan (ASP) area as identified on Map 1 of the *Municipal Development Plan* (MDP) and within the Gateway District and Commercial Main Street in Map 2 Land Use Concept of the Canada Olympic Park and Adjacent Lands ASP.

This land use amendment and road closure application does not conflict with any of the overarching policies in the MDP or ASP. This application, together with the approved development permit for cell B, allows for construction of a private bridge over a road right of way which contributes to a more accessible, efficient and convenient method of access between cells B and A in the gateway district in the Medicine Hill community.

The proposed bridge will create a fitting entrance and exit into the Medicine Hill community and will contribute to place making in line with sound planning principles.

Social, Environmental, Economic (External)

An environmental site assessment was not required for this application.

Financial Capacity

Current and Future Operating Budget:

There are no known impacts to the current and future operating budgets at this time.

Current and Future Capital Budget:

The proposed amendment does not trigger capital infrastructure investment and therefore there are no growth management concerns at this time.

Risk Assessment

There are no significant risks associated with this proposal.

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REASON(S) FOR RECOMMENDATION(S):

The proposed land use redesignation is aligned with applicable policies identified in the *Municipal Development Plan* and the Canada Olympic Park and Adjacent Lands Area Structure Plan.

ATTACHMENT(S)

1. Applicant's Submission
2. Proposed Direct Control District Guidelines
3. Road Closure Conditions
4. Approved Outline Plan (LOC2014-0080)
5. Proposed Bylaw 8C2018
6. Proposed Bylaw 223D2018