

Community Association Letter



Planning Committee
917 Centre Avenue NE Calgary AB T2E0C6
brcacalgary.org

3 September 2018

Circulation Control
Planning, Development & Assessment #8201
The City of Calgary
PO Box 2100 Station M
Calgary AB T2P2M6

Attn: CPAG.Circ@calgary.ca
cc: Kate Van Fraassen, File Manager (Kate.vanFraassen@calgary.ca)
Ali McMillan, BRCA Planning Director (planning@brcacalgary.org)

To Whom It May Concern:

RE: LOC2018-0156 (118 8 St NE)

Thank you for the opportunity to comment with respect to the application for a Land Use Amendment affecting land at 118 8 Street NE (LOC2018-0156).

This Land Use Application was discussed at a meeting of our Planning Committee convened August 7, 2018. The applicant was invited to the meeting, and did attend. We were unable to give additional notice of this meeting to adjacent neighbours, which is our typical practice, mainly because of summertime constraints on our limited volunteer resources. In the result, the comments in this letter directly reflect those of the Planning Committee members only who attended this meeting; however, given the considerable overlap among various cannabis-shop applications that continue to affect our neighbourhood—and the fact that various other residents attended various other meetings about these applications—the comments below likely reflect a broader community perspective as well.

The application is seeking a new land use designation for the site to amend the current DC to incorporate on M-U2 zoning. Our understanding is this is primarily driven by a desire to allow for a cannabis store.

PD Map outlines the application as requesting the following...

- a maximum building height of 16.0 metres (an increase from the current maximum of 11.0 metres)

Community Association Letter

- a maximum building area of approx. 5940 square metres, based in a building floor to parcel area ratio (FAR) of 3.0 (an increase from the current maximum of 111 units per hectare)
- the uses listed in the proposed [MU-2](#) designation
- there is no change to the existing building proposed with this application
- this proposal would allow for the commercial use of Cannabis Store, which is not a use in the current Direct Control District
- this application proposes the same designation as other parcels within the 1 Avenue NE Neighbourhood Main Street
- mixed-use buildings (e.g. commercial storefronts with apartments or offices above)

Since the date when this application was submitted, a similar application for a land use redesignation was processed for another parcel in the vicinity. Specifically a land use redesignation was approved by City Council for a parcel on General Avenue which, like this parcel, is DC zoned, such that a proposed cannabis-store use required such redesignation. (As a matter of interest, note that the resulting DP approval at that other site is now subject to an SDAB appeal. Note also that the applicant abandoned the "non-cannabis-store" aspects of the MU-2 zoning basis for that application, such that the amendment effectively achieved only an updating of permissible uses for the parcel.)

As a land use matter, we see no reason why this building should not benefit from having the same base zoning as the General Avenue building to the East, by which we mean insofar as the targeted cannabis-store use is concerned. We do not, however, support consequential changes in zoning that would be triggered by reason of the MU-2 basis for the redesignation request. Specifically we do not support the (at this time, theoretical) approval in maximum permissible height nor the associated FAR increase. This building and DC were created as part of the master plan for the Bridges, and the area has just recently also been scrutinized during the Main Streets project. Especially given shadowing considerations to the north of 1st Avenue, we feel that the existing DC constraints on building height should remain as is.

We feel it is very unfortunate and contrary to all planning principles that Council and City administration chose to approach the approval-granting process for cannabis-store uses on a "first come first served basis". What we have thus seen in our neighbourhood as a result is an approval by Council of a land use redesignation for the application that was made the earliest, followed by an immediate approval of the related DP application. At neither step of that process was there any weighing of planning principles as to the suitability of the proposed use in the particular location, which strikes us as being unjustified given the "once in a lifetime" nature of marijuana legalization in Canada. Note especially that three Cannabis Store applications were applied for in proximity to this application. In respect of the DP application related to this very site, we commented on DP2018-1928 that "this is likely one of the least objectionable of the proposed locations for a Cannabis shop in our community out of the many applications received to date – the site is surrounded by a mix of uses that are not liquor or cannabis." However, given the approach that Council has seen fit to adopt in respect of the earlier General Avenue land-use-redesignation application, we see no reason to object now to the idea of making a cannabis-store use permissible at this site. Indeed, at least this approach has the merit that it will open up a greater range of potential locations for cannabis-store uses in our community, and over time market forces may cause the best locations to prevail. In the

Community Association Letter

meantime we continue to struggle (as in the appeal of the DP for General Avenue) to find some opportunity within the City's approach that will allow us to weigh one site against another based on planning principles.

Therefore we support the application in this case and believe the best approach is to approve this land use change.

Sincerely,

BRIDGELAND-RIVERSIDE COMMUNITY ASSOCIATION

Per: BRCA Board of Directors
Planning Committee