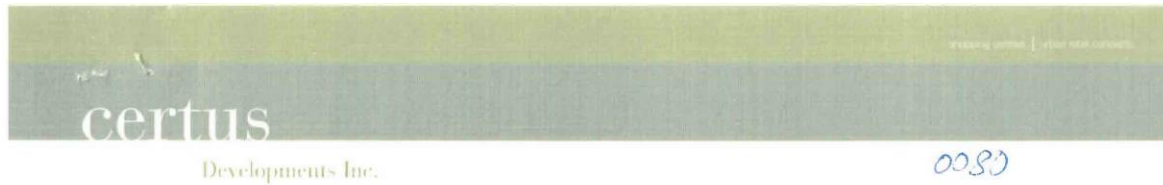


## Applicant's Submission



### PROJECT RATIONALE

#### LAND USE RE-DESIGNATION APPLICATION

**RE: 4820 NORTHLAND DRIVE NW,  
CALGARY, ALBERTA**

Owner:  
Certus Developments Inc.

Corporate Directors:  
Ron Ghitter  
Jim Mitchell

Legal Description:  
Section 31, Township 24, Range 1, Meridian 5

Information below is provided in support of a Land Use Re-designation application for the above noted address. Certus Developments Inc. is requesting a re-designation for the above noted site and offers this information as a lead in explanation to support the formal land use re-designation application.

The above noted property is a single level retail center of approximately 35,000 sf located near the intersection of Northland Drive and Crowchild Trail NW. The centre was developed in 1996 and at that time, was governed from a land use perspective by a Direct Control By-Law No. 87Z96 Amendment No. 96/062. (Council Approval September 26, 1996). That Direct Control By-law had specific premises area restrictions on certain uses (CAPS) that may have made sense in 1996 but became outdated in a later day changed retail world where they no longer seemed to be applicable.

In September of 2015, Certus Developments made an application and in September of 2016 was successful in having a new DC by-law put in place for the property (DC By-law 194D2016). This was done to adjust the CAPS slightly to revise both medical and restaurant CAPS, changes made to reflect the current leasing demand at the center.

As part of this process of approval, Certus coordinated the review of the parking at the property with the assistance of Bunt and Associates Transportation Engineers. The report satisfied all parties that there was sufficient parking in place to accommodate the approved uses at the center.

At this time, some 18 months later, we realize that we are now bumping up against the restrictions of the new DC bylaw. With the changes in the retail landscaping due to business challenges in the Calgary marketplace we are seeing more tenant turnover in our properties. Specifically, at Northland, we have had recent turnover in our tenants, and we anticipate more. For that reason, we are wanting to amend the current DC Bylaw to give us more flexibility to

No. 210, 815-10th Avenue S.W.  
Calgary, AB Canada T2R 0B4  
T: 403 248-2077 F: 403 245-2123

## Applicant's Submission

accommodate future tenants within the centre, not having to be restricted by the area CAPs on specific uses and henceforth, needing to continue to seek land use re-designation.

As an example: Under the current DC Bylaw, we have a CAP on liquor stores of 116 sqm (1,248 sf). However, with changes in the merchandising of the project, again to accommodate customer demand and retailer interest, we have a liquor store tenant that has moved into the centre. The available premises were a vacant unit of 112 sqm (1,200 sf) which this tenant has taken. He would have liked to take over the adjacent unit of 122 sqm (1,315 sf) however, due to the CAP in place we were unable to accommodate that. So as of now we need to develop another leasing strategy for the soon to be vacant adjacent unit of 112 sqm.

Although the liquor store has chosen to occupy a single available unit that has a liquor store designation, we wish that we would have been able to accommodate the retailer so that he could have provided a more complete store with a proper wine offering.

So as previously tabled, we are looking to obtain a new revised land use designation that would give us more freedom to deal with the leasing and merchandising at the centre. It is very onerous to seek a re-designation every time that we have a specific tenant requirement. Not only is it expensive from a cost perspective (+/- \$11,000), but as well, it is costly from a timeline and delay perspective.

Therefore, it would be our goal to remove the following CAPS that exist with our current DC Bylaw:

- Medical/Veterinary is capped at 600.0 sqm (6,458 sf)
- Restaurant Licensed Small & Medium is capped at 700.0 sqm (7,535 sf)
- Specialty Food Store is capped at 140 sqm (1,506 sf)
- Liquor Store capped at 116 sqm (1,248 sf)

The site has an overall gross floor area density CAP of 3,345 sqm (36,000 sf). With development to date of 3,346 sqm (34,164 sf) there is additional available density of 171 sqm (1,836 sf). We would also like to revise this CAP to a number that could give us future flexibility. We do understand that any future applications for Development Permits and /or Change of Use Permits would need to have a parking test if that was warranted at the time and necessary to justify City of Calgary planning approval.

Thank you.

Certus Developments Inc.  
April 9, 2018