

Planning & Development Report to
Calgary Planning Commission
2018 August 23

ISC: UNRESTRICTED
CPC2018-0903
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**Land Use Amendment in Midnapore (Ward 14) at 15425 Bannister Road SE,
LOC2018-0111**

EXECUTIVE SUMMARY

This land use amendment application was submitted to The City of Calgary by David Pidgeon, on behalf of the landowner, Edron Holdings Ltd on 2018 May 14. This application proposes to change the designation of this property from DC Direct Control District to Commercial – Community 1 (C-C1) District to allow for:

- small to mid-scale commercial developments (e.g. one to two-storey commercial strip malls);
- a maximum building height of 10 metres;
- a maximum floor area ratio (FAR) of 1.0; and
- the uses listed in the proposed C-C1 designation.

The proposal is in keeping with applicable policies of the *Municipal Development Plan* and the *Revised Midnapore Phase 2 Area Structure Plan*. A change of use development permit application (DP2018-1887) for a Cannabis Store use was submitted on 2018 April 24, and is under review.

ADMINISTRATION RECOMMENDATION:

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

1. ADOPT, by bylaw, the proposed redesignation of 1.09 hectares ± (2.70 acres ±) located at 15425 Bannister Road SE (Plan 0711537, Block 12, Lot 1) from DC Direct Control District to Commercial – Community 1 (C-C1) District; and
2. Give three readings to the proposed bylaw.

RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, DATED 2018 AUGUST 23:

That Council:

1. **Hold a public hearing during a 2018 October Public Hearing of Council;**
2. Adopt, by Bylaw, the proposed redesignation of 1.09 hectares ± (2.70 acres ±) located at 15425 Bannister Road SE (Plan 0711537, Block 12, Lot 1) from DC Direct Control District to Commercial – Community 1 (C-C1) District; and
3. Give three readings to the proposed **Bylaw 251D2018**.

PREVIOUS COUNCIL DIRECTION / POLICY

None.

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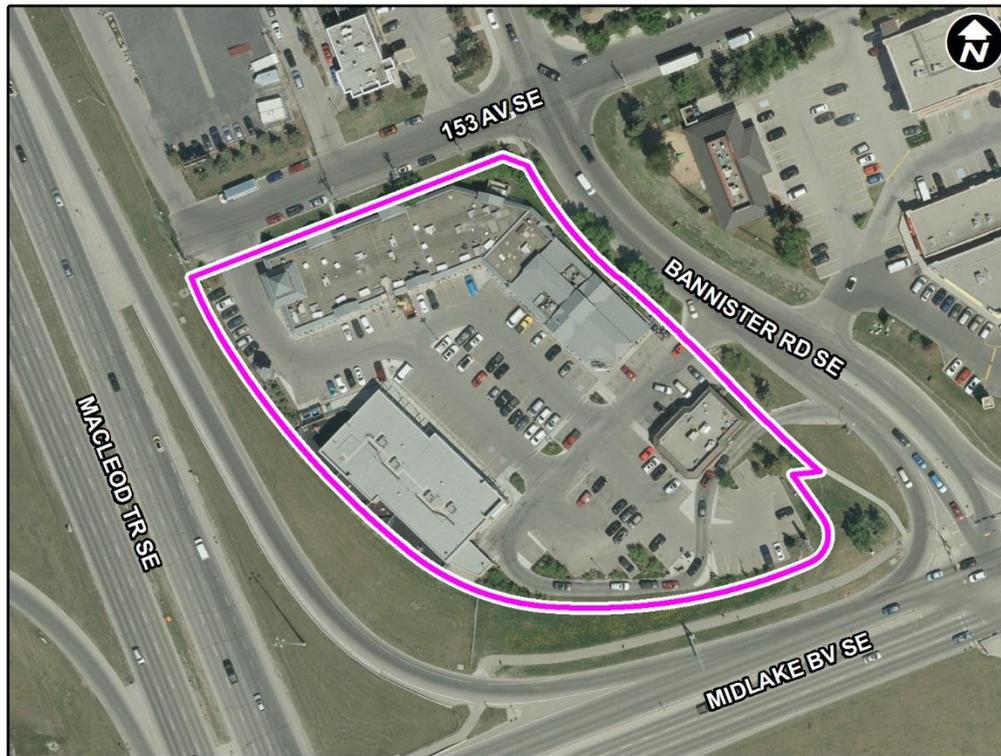
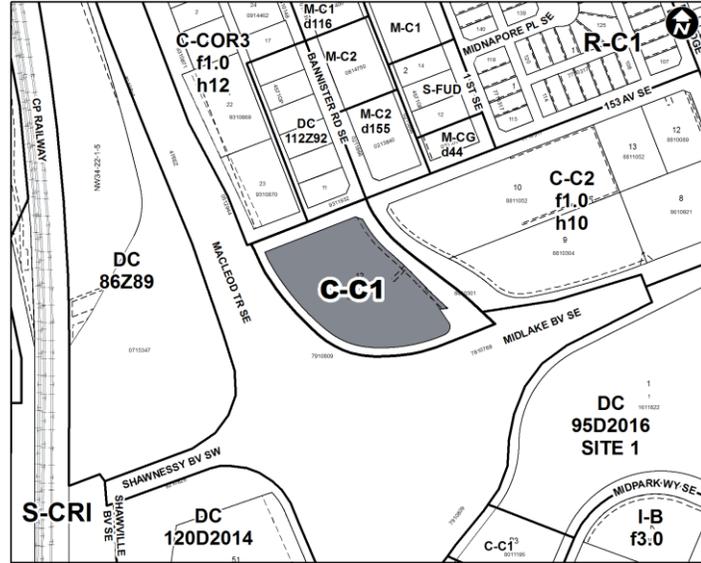
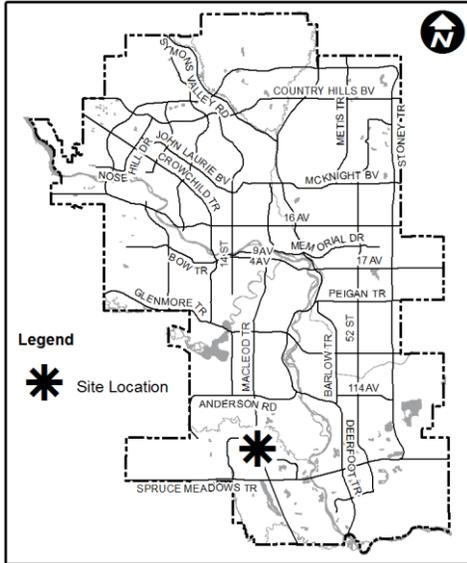
BACKGROUND

This land use amendment application has been submitted to The City of Calgary by David Pidgeon, on behalf of the landowner, Edron Holdings Ltd on 2018 May 14. As noted in the Applicant's Submission (Attachment 1), the applicant is intending to accommodate a range of commercial uses, including the Cannabis Store use. At this time, the applicant is not considering demolition and a comprehensive redevelopment of the site, but rather the allowable uses within the proposed land use district.

A change of use development permit application (DP2018-1887) was submitted on 2018 April 24, to propose a Cannabis Store use within an existing commercial building.

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Location Maps



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Site Context

The subject site is located in the community of Midnapore at the southwest corner of 153 Avenue SE and Bannister Road SE. Lands to the north comprise of existing one-storey commercial developments and four-storey multi-residential developments. Lands to the east are commercial designated, consisting of existing one-storey commercial developments. Macleod Trail SE and Midlake Boulevard SE exist to the west and south of the site with an associated interchange.

The total area of the site is approximately 1.09 hectares \pm (2.70 acres \pm). The subject site is developed with three single-storey commercial buildings and surface parking areas. On-site surface parking is accessed via 153 Avenue SE and Bannister Road SE as the site does not have direct access onto Macleod Trail SE.

As identified in *Figure 1*, Midnapore's peak population was in 1990, reaching 7,697 residents.

Figure 1: Community Peak Population

Midnapore	
Peak Population Year	1990
Peak Population	7,697
2017 Current Population	7,320
Difference in Population (Number)	-377
Difference in Population (Percent)	-5%

Source: *The City of Calgary 2017 Civic Census*

Additional demographic and socio-economic information may be obtained online through the [Midnapore](#) community profile.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

This proposal allows for a range of commercial uses. The proposal meets the objectives of applicable policies as discussed in the Strategic Alignment section of this report.

Planning Considerations

Land Use

This application is to redesignate the site from the existing the DC Direct Control District (Bylaw 12Z2007), based on the C-1A Local Commercial District of *Land Use Bylaw 2P80* to Commercial – Community 1 (C-C1) District. The existing DC District from 2007 limits the total gross floor area devoted use areas of automotive speciality uses and restricts direct vehicular access to or from Macleod Trail SE and Midlake Boulevard SE. The DC District also allows for a maximum building height of 10 metres and a maximum floor area ratio of 1.0. Existing DC Districts based on *Land Use Bylaw 2P80* cannot be changed, and therefore no new uses can be added to the DC District for the subject site.

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The proposed C-C1 District is intended to accommodate small to mid-scale commercial developments located within a community. Areas of land greater than 3.2 hectares should not be designated C-C1 District. The proposed district allows for a range of uses, a maximum height of 10 metres and a maximum floor area ratio of 1.0. Opportunities for residential uses above grade can be accommodated in this proposed district. The three existing buildings on-site are less than 10 metres in height and collectively have a floor area ratio of less 1.0. The proposed C-C1 District aligns with the relevant policy, while allowing for a range of uses and flexibility to support future redevelopment of the subject site.

Development and Site Design

Direct vehicle access to the site from MacLeod Trail SE and Midlake Boulevard SE will not be allowed and is not feasible for future development due to the existing site constraints associated with the adjacent interchange. The site is developed with three buildings and surface parking areas, and no comprehensive redevelopment of the site is being contemplated at this time.

Transportation Network

A Calgary Transit bus stop is located directly in front of the site on Bannister Road SE with bus service every ten minutes during the AM and PM peak hours (Route 11 Southwest Loop). The site is approximately 900 metres from the Shawnessy Light Rail Transit (LRT) station and is therefore not within a Transit Oriented Development area. There is no direct vehicular access from the site to Macleod Trail SE or Midlake Boulevard SE.

Utilities and Servicing

Water, sanitary, and storm sewer mains are available and can accommodate the potential redevelopment of the subject site without the need for off-site improvements at this time.

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 landowners and the application was advertised online. No public meetings were held by the applicant or Administration in association with this application.

The Mid-Sun Community Association indicated their objection to the proposed land use redesignation by email correspondence on 2018 June 11. Their concern was with regards to the proximity of a Cannabis Store use to an existing child care facility (Attachment 2).

Administration also received one (1) letter of objection in response to the notice posting. Reasons stated for opposition:

- Observations of impacts of Cannabis Stores in other jurisdictions;
- Concerns with the location of a proposed Cannabis Store use in close proximity to a child care facility and senior residents;

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- Concerns with increased noise and litter associated with a proposed Cannabis Store;
- Safety concerns and impact on existing businesses; and
- Impact on property values of nearby residential dwellings.

The two (2) letters of objection received by Administration focused on one use (i.e. Cannabis Store) amongst the listed uses within the proposed C-C1 District.

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

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)

The site is located within a 'Major Activity Centre' area as identified on Map 1: Urban Structure Map in the *Municipal Development Plan (MDP)*. Major Activity Centres (MACs) provide for the highest concentration of jobs and population outside of the Centre City area. The MDP identifies that MACs should be developed to function as an "urban centre" for a sub-region of the city and provide opportunities for people to work, live, shop, recreate, be entertained and meet their daily needs.

While the MDP makes no specific reference to this site, the proposal is consistent with the applicable policies. The proposed C-C1 District allows existing one-storey commercial developments on-site to continue to function, while encouraging future redevelopment on the site through enabling a greater range of uses, including residential and commercial uses, that support evolving community needs.

Revised Midnapore Phase 2 Area Structure Plan (Statutory, 1991)

The *Revised Midnapore Phase 2 Area Structure Plan* makes no specific reference to the parcel, which is located within an area identified as the 'Midnapore I Planning Area' (Map 2: Land Use). The 'Midnapore I Planning Area' is subject to the *Midnapore I Design Brief* that was approved by Council in 1975. This design brief provides development recommendations for the area, including that employment opportunities should be encouraged in close proximity to Macleod Trail (Recommendation G.4., p.25).

The proposed land use redesignation application is consistent with these recommendations as the C-C1 District enables additional uses that support the viability of existing commercial

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developments and promote further employment opportunities in close proximity to Macleod Trail, transit and community amenities.

Social, Environmental, Economic (External)

The proposed land use district supports the provision of a greater range of medium and small format commercial uses that are within a short walking distance of and have direct pedestrian connections to transit and nearby residential developments. The district also increases the market viability of existing commercial developments on-site, and may encourage future intensification and redevelopment of the site.

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 investments and therefore there are no growth management concerns at this time.

Risk Assessment

There are no known risks associated with this proposal.

REASON(S) FOR RECOMMENDATION(S):

The proposal is consistent with the applicable policies of the *Municipal Development Plan* and the *Revised Midnapore Phase 2 Area Structure Plan*. The proposal supports a greater range of uses that serve changing community needs and support the viability of existing commercial developments on-site.

ATTACHMENT(S)

1. Applicant's Submission
2. Community Association Letter
3. **Proposed Bylaw 251D2018**