

Planning & Development Report to
Calgary Planning Commission
2018 November 01

ISC: UNRESTRICTED
CPC2018-1234

Land Use Amendment in Downtown West End (Ward 8) at 1000 - 9 Avenue SW, LOC2018-0196

EXECUTIVE SUMMARY

This land use redesignation application was submitted by Beck Vale Architects & Planners on 2018 August 29 on behalf of the landowner 1210881 Alberta Ltd. (Devan Cook). The application proposes to change the designation of this property from Direct Control to Direct Control to allow for:

- the uses listed in the Centre City Mixed Use District (CC-X);
- a density bonusing system consistent with the local area plan; and
- no change to maximum height or density.

This redesignation is intended to accommodate cannabis uses within an existing commercial building. A change of use application from Liquor Store to Cannabis Store was submitted on 2018 October 12 and is currently under review.

ADMINISTRATION RECOMMENDATION:

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

1. **ADOPT**, by bylaw, the proposed redesignation of 0.11 hectares \pm (0.26 acres \pm) located at 1000 9 Avenue SW (Plan A1, Block 55, Lots 21-24) from DC Direct Control District to DC Direct Control District to accommodate cannabis uses; and
2. Give three readings to the proposed bylaw.

RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, DATED 2018 NOVEMBER 01:

1. Hold a Public Hearing on proposed Bylaw XXX;
2. Adopt, by Bylaw, the proposed redesignation of 0.11 hectares \pm (0.26 acres \pm) located at 1000 9 Avenue SW (Plan A1, Block 55, Lots 21-24) from DC Direct Control District to DC Direct Control District to accommodate cannabis uses, **with guidelines (Attachment 2)**; and
3. Give three readings to the proposed Bylaw.

PREVIOUS COUNCIL DIRECTION / POLICY

On 2018 April 05 City Council approved bylaw 26P2018 which amended Land Use Bylaw 1P2007 by adding Cannabis Store and Cannabis Counselling as discretionary uses in all districts where Liquor Stores are a listed use.

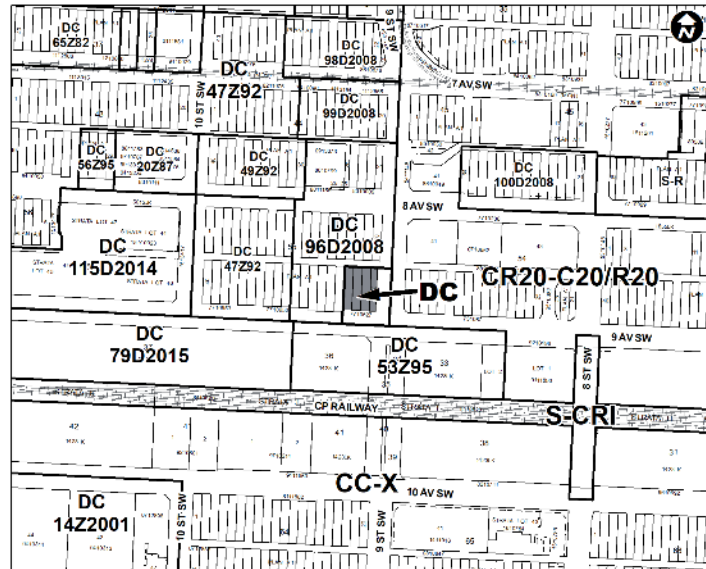
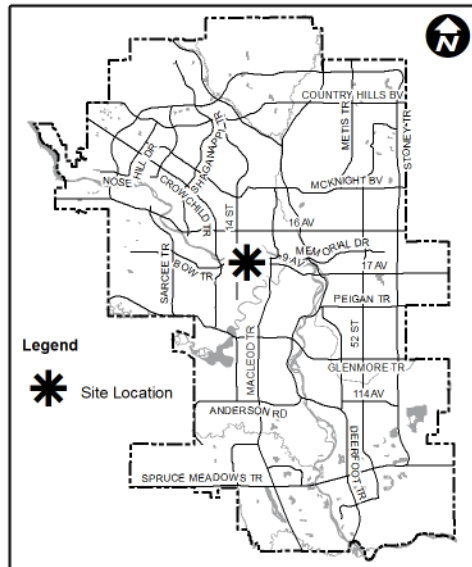
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BACKGROUND

Location Maps



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Site Context

The subject site is located in the community of Downtown West End at the northwest corner of 9 Avenue SW and 9 Street SW. Surrounding development is predominantly surface parking, with high-density multi-residential development to the east and a one-storey commercial building to the west. Land use districts west of 9 Street SW are Direct Control Districts meant to implement the local area plan, while land use east of 9 Street SW is Downtown Commercial Residential District (CR20-C20/R20).

The site is approximately 28 metres wide by 38 metres deep for a total area of 0.11 hectares. A rear lane runs along the north property line, providing access to surface parking for the existing three-storey commercial building. The building features a pub in the basement, three retail units at grade, and office uses on the upper floors.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The proposed land use district (Attachment 2) allows for a wider variety of commercial and residential uses while maintaining density and height regulations consistent with the local area plan.

As originally submitted, the applicant sought a redesignation to Downtown Commercial Retail District (CR20-C20/R20) to allow cannabis uses. The CR20 District would substantially raise the maximum floor area permitted on the site and was deemed inappropriate. The amended application requests a Direct Control District based on the Centre City Mixed Use District (CC-X).

A Direct Control District allows for cannabis uses while preserving the site's existing development entitlements and public amenity requirements as identified in the local area plan.

Planning Considerations

Land Use

The existing Direct Control District 96D2008 provides for residential and commercial development at medium to high densities, regulated by floor area ratio (FAR). Provision of basic public realm improvements allows for up to 5.0 FAR of commercial uses or 7.0 FAR of residential uses. An additional 2.0 FAR of commercial uses may be obtained in exchange for additional improvements. Cumulative FAR may not exceed 7.0 and height may not exceed 76.2 metres (250 feet).

The proposed Direct Control District maintains the same density regulations, maximum height, and required public realm improvements as the existing land use designation. The proposed district explicitly refers to the CC-X District as a base, including its list of uses and landscaping requirements. The intent of this Direct Control District is to preserve existing development entitlements and bonus provisions while broadening the range of allowable uses to include cannabis retail.

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Development and Site Design

The intent of this application is to allow for a change of retail uses within the existing building (Attachment 1). Should the site be redeveloped in the future, the proposed Direct Control District would allow for more intensive use of the site in alignment with the Downtown West End Policy Consolidation.

The application is intended to allow for cannabis retail. Any future development permit application would be reviewed for compliance with the rules for the specific use and the relevant district. The site falls within 300 metres of two separate existing cannabis store applications in the Beltline, however the Development Authority may relax the minimum separation distance when a major road, expressway or river separates the sites.

Environmental

There are no environmental concerns associated with the site or this proposal.

Transportation Networks

Pedestrian access to the site is provided from both frontages on 9 Street SW and 9 Avenue SW. Vehicular access comes solely from the lane. Eastbound transit service is available at a bus stop 40 metres away on the south side of 9 Avenue SW. The site is approximately 350 metres from Blue Line and Red Line LRT service at Kerby Station and 8 Street SW Station respectively.

Utilities and Servicing

Water, storm and sanitary 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.

Administration did not receive any comments in response to the circulation.

Following Calgary Planning Commission, notifications for a Public Hearing of Council will be posted on-site and mailed 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*. While the Plan makes no specific reference to this site, the proposal is consistent with policies on Land Use Patterns.

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Municipal Development Plan (Statutory – 2009)

The site falls within the Centre City policy area as identified on Map 1: Urban Structure of the Municipal Development Plan (MDP). While the MDP makes no specific reference to the site, the application complies with relevant policy guidance supporting a mix of retail uses in the Centre City.

Centre City Plan (Non-statutory – 2007)

The site is labelled as a mixed-use edge on Concept 7 of the *Centre City Plan*. Both sides of 9 Street SW are to feature a strong retail/pedestrian street character and mixed-use development. The proposed Direct Control District is aligned with this policy direction.

Downtown West End Policy Consolidation (Statutory – 2009)

The site falls within Area B of the local area plan, which is a transition zone between the primarily residential area and the higher-density land use districts of the Downtown Commercial Core. The rules of the Direct Control District meet the intent of this policy area to support a diverse range of retail complementing the central core and residential neighbourhood.

Social, Environmental, Economic (External)

The proposed land use allows for a wider range of uses and tenants in response to new business opportunities.

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.

REASON(S) FOR RECOMMENDATION(S):

The proposed land use district is aligned with relevant statutory and non-statutory policy. It allows for a broader mix of uses that are compatible with residential development while preserving the height and density regulations of the local area plan. The proposal allows for short-term use and long-term redevelopment of the site that is deemed appropriate.

ATTACHMENT(S)

1. Applicant's Submission
2. Proposed Direct Control Guidelines