

**Land Use Amendment in Walden (Ward 14) at 19605 Walden Boulevard SE,
 LOC2018-0185**

EXECUTIVE SUMMARY

This land use amendment application was submitted 2018 August 16 by Carol McClary Planning Solutions on behalf of the landowner Genco (Walden) Ltd and DWG Holdings Corp. The application proposes to change the designation of the subject parcel from DC Direct Control District to Commercial – Corridor 2 f0.5h12 (C-COR2 f0.5h12) District to allow for:

- commercial development;
- a maximum building area of approximately 5,173.2 square meters based on a floor to parcel area ratio (FAR) of 0.5;
- a maximum building height of 12.0 metres; and
- a broader range of uses than what is available under the existing DC District.

The proposal is in keeping with applicable policies of the *Municipal Development Plan* and the *East Macleod Trail Area Structure Plan*.

A development permit for a Cannabis Store within one of the existing buildings was submitted by Puneet Nagpal on 2018 April 24 and was refused on 2018 August 07. An appeal to the Subdivision and Development Appeal Board was submitted 2018 August 21 and a hearing is scheduled for 2019 January 08.

ADMINISTRATION RECOMMENDATION:

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

1. **ADOPT**, by bylaw the proposed redesignation of 1.03 hectares \pm (2.55 acres \pm) located at 19605 Walden Boulevard SE (Condominium Plan 1711606) from DC Direct Control District to Commercial – Corridor 2 f0.5h12 (C-COR2 f0.5h12) District; and
2. Give three reading to the proposed bylaw.

**RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, DATED 2018
 NOVEMBER 29:**

That Council hold a Public Hearing: and

1. Adopt, by Bylaw the proposed redesignation of 1.03 hectares \pm (2.55 acres \pm) located at 19605 Walden Boulevard SE (Condominium Plan 1711606) from DC Direct Control District to Commercial – Corridor 2 f0.5h12 (C-COR2 f0.5h12) District; and
2. Give three reading to **Proposed Bylaw 36D2019**.

PREVIOUS COUNCIL DIRECTION / POLICY

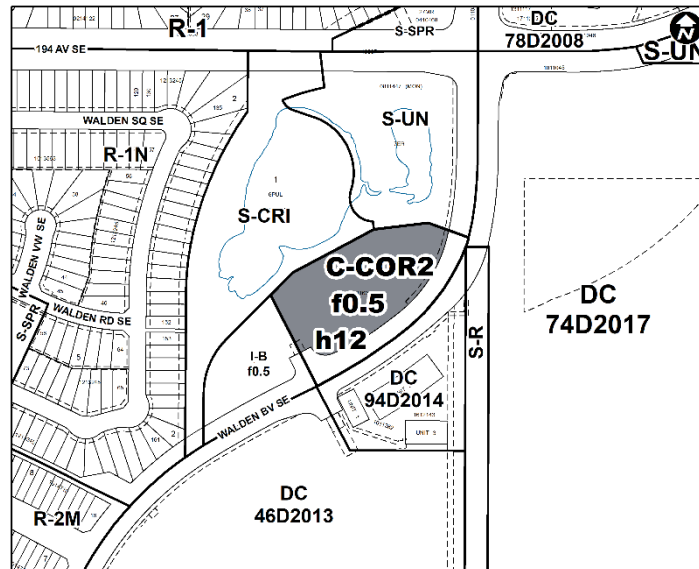
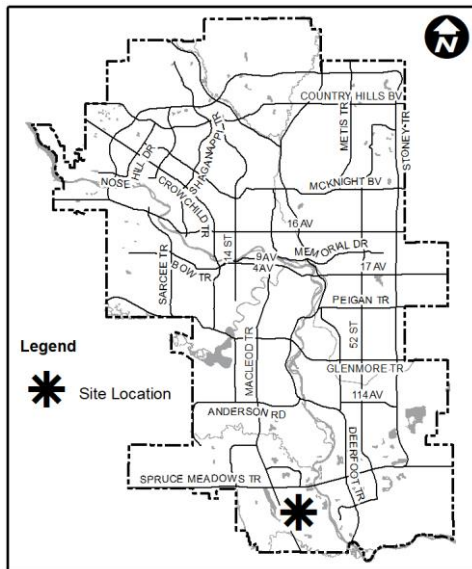
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None.

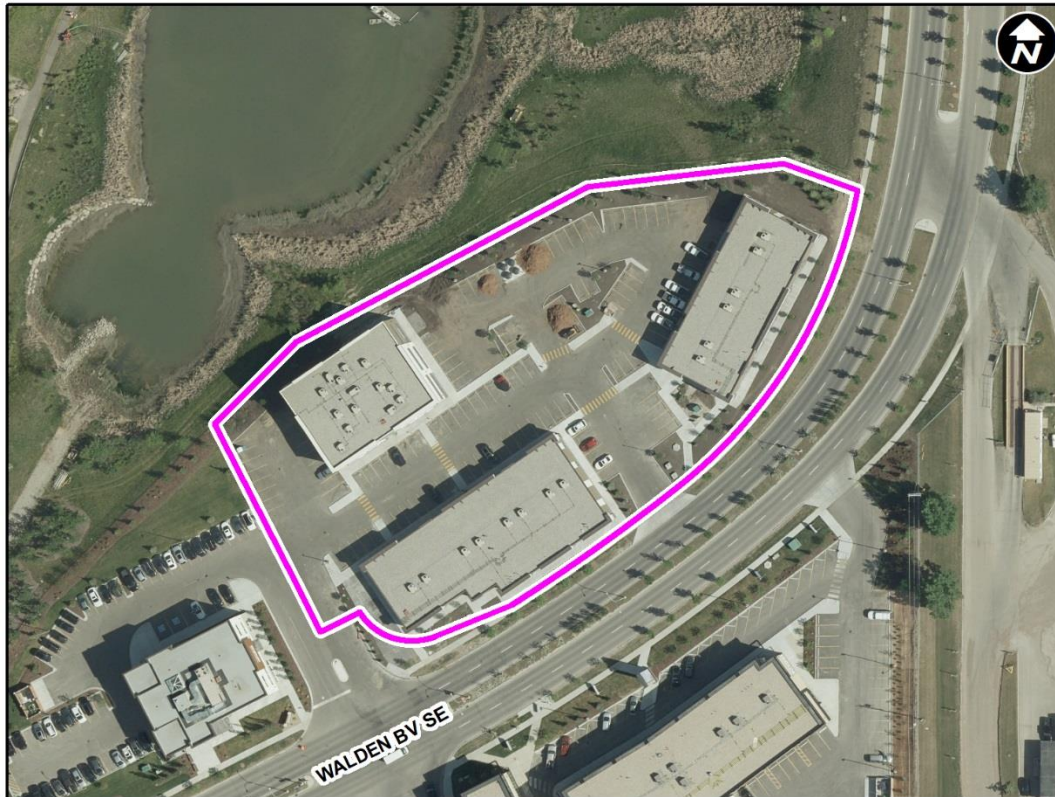
BACKGROUND

This land use amendment application was submitted 2018 August 16 by Carol McClary Planning Solutions on behalf of the landowner Genco (Walden) Ltd and DWG Holdings Corp. As indicated in the Applicant's Submission (Attachment 1), the application proposes to change the existing DC District to the standard C-COR2 District, which will allow for commercial development with a broader range of uses that are compatible with existing development on site and the surrounding area. The site is within a landfill setback area and any prohibited uses will require a variance to the Provincial *Subdivision and Development Regulation* at the development permit stage. A development permit for a Cannabis Store within an existing building was submitted by Puneet Nagpal on 2018 April 24 and was refused on 2018 August 07. An appeal to the Subdivision and Development Appeal Board was submitted 2018 August 21 and a hearing is scheduled for 2019 January 08.

Location Maps



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Site Context

The subject site is located in the community of Walden along Walden Boulevard SE. The site and surrounding parcels are developed with a number of commercial uses including medical clinics, offices, fitness centres, retail and consumer service and instructional facilities. An urban natural area and stormwater pond are located north of the site. An office development is located adjacent to the site to west, and a commercial development with a beverage container drop-off depot and retail and consumer services are located south of the site.

A landfill site is located to the east of the site across Walden Boulevard SE. The landfill has an existing Provincial approval held by Waste Connections of Canada Inc, and is owned and managed by Progressive, formally known as Browning Ferrie Industries (BFI). The Provincial approval for the landfill expires on 2019 July 31, and to Administration's knowledge the site is not currently accepting new waste. The latest development permit for a landfill expired in 2013 July.

The site is approximately 1.03 hectares in size and is developed with two one-storey buildings and one two-storey building.

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INVESTIGATION: ALTERNATIVES AND ANALYSIS

Planning Considerations

The proposed land use redesignation, if approved, would allow for commercial development with a broader range of uses than what is available under the existing DC District. The proposal meets the objectives of applicable policies as discussed in the Strategic Alignment section of this report.

Land Use

The existing DC District (Bylaw 184D2015) is based on the Industrial-Business (I-B) District with the additional discretionary use of Liquor Store. The DC District is intended for high quality manufacturing, research and office development and includes a number of discretionary commercial uses. The original proposal was for a new DC District based on the I-B district with both Liquor Store and Cannabis Store as additional discretionary uses, however the existing development contains commercial uses and does not have the characteristics of an industrial development.

The proposed Commercial – Corridor 2 (C-COR2) District would allow for a broader range of commercial uses than what is allowed for under the existing DC District. Other commercial districts and the Industrial – Commercial (I-C) District were considered in the review of the proposal. C-COR2 was selected because it does not include uses outside the building and only allows for limited automotive uses. The proposed district includes uses that can serve the surrounding neighbourhood, and the proposed height and density modifier limit the potential for future development to have adverse impacts on the neighbourhood nodes and gateway commercial areas identified within the *East Macleod Trail Area Structure Plan (ASP)*. The proposed density modifier of 0.5 FAR is consistent with the existing DC District, and the proposed height modifier of 12.0 metres allows for moderate intensification of the site in the future.

A variance to the *Subdivision and Development Regulation* for prohibited uses will still be required at the development permit stage. While the proposed C-COR2 District would expand the number of prohibited uses from what is included in the existing DC District, residential and significant intensification of commercial uses are restricted with the proposed height (12 metres) and density modifiers (0.5 FAR).

Development and Site Design

Any proposed prohibited uses under the *Subdivision and Development Regulation* will be required to follow The City's *Waste Management Facilities: Setback Variance Protocol*. While a variance has been approved for a Liquor Store on the site (DP2016-1027), this does not mean that all prohibited uses will necessarily be granted a variance in the future. Cannabis Store is considered a prohibited use and specific mitigation measures may be identified at the development permit stage for the development of a Cannabis Store on this site.

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Redevelopment of the site is not anticipated in the short or medium term given that the existing development was approved in 2016 January. At the time of future redevelopment, the rules of the proposed C-COR2 District will provide basic guidance for development including pedestrian and vehicular access, site design and building massing.

Environmental

The site is within a landfill setback area and is subject to the *Subdivision and Development Regulation*.

Transportation

Vehicular and pedestrian access to the site is from the existing driveways adjacent to Walden Boulevard SE. The area is well served by Transit with bus stops located within 200 metres of the site on Walden Boulevard SE. A Transportation Impact Assessment (TIA) and Parking Study was not required in support of this land use amendment application.

Utilities and Servicing

The site is developed with water, sanitary, and storm services. The existing site services are adequate to support the proposed land use amendment.

Stakeholder Engagement, Research and Communication

In keeping with Administration's practices, this application was circulated to 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 Administration or the applicant.

Administration received one inquiry but did not receive any letters regarding the application.

Following Calgary Planning Commission, notifications for a 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 recommendation by Administration in this report has considered and is aligned with the policy direction of the *South Saskatchewan Regional Plan (SSRP)* which directs population growth in the region to Cities and Towns and promotes the efficient use of land.

Municipal Development Plan (Statutory, 2009)

The site is located within a '*Residential; Developing; Planned Greenfield with Area Structure Plan (ASP)*' area as identified on the Urban Structure Map (Map 1) in the *Municipal*

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Development Plan (MDP). While the MDP makes no specific reference to this site, this land use proposal is consistent with MDP policies including the complete communities policies found in subsection 2.2.4.

The proposed redesignation to C-COR2 would allow for commercial development that can provide services that are within walking distance to surrounding residential development and meet the day-to-day needs of residents, in keeping with the above MDP policy.

East Macleod Trail Area Structure Plan (Statutory, 2007)

The site is located within Neighbourhood A of the *East Macleod Trail Area Structure Plan* (ASP) and identified as within the 'Landfill Restricted Area' on the Land Use Concept Map (Map 3). The purpose of the 'Landfill Restricted Area' is to provide for the protection of the landfill site, formally known as the BFI Landfill, from encroachment of incompatible uses (section 6.10.1).

The proposed redesignation to C-COR2 does not limit the requirement for future development to meet the Provincial *Subdivision and Development Regulation* that governs landfill operations and landfill setbacks.

Social, Environmental, Economic (External)

The recommended land use district will help to implement policy goals of providing more compete communities with a variety of shops and services that meet daily needs of residents. The district also allows for a broader range of uses than the existing DC District, thereby increasing the overall market viability of the development.

The *Subdivision and Development Regulation* and the *Waste Management Facilities: Setback Variance Protocol* require analysis of proposed future development of prohibited uses within the landfill setback for any potential environmental and health risks.

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 land use amendment does not trigger capital infrastructure investment and therefore, there are no growth management concerns at this time.

Risk Assessment

The proposed C-COR2 District includes a larger number of uses that are prohibited under the *Subdivision and Development Regulation* than the existing DC District. There is the possibility that uses may be proposed with future development permits that cannot be accommodated under the *Waste Management Facilities: Setback Variance Protocol*. The landowner

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acknowledges that the regulation may limit certain uses included in the proposed district, please see Attachment 2 for the letter submitted by the landowner.

REASON(S) FOR RECOMMENDATION(S):

The proposal is consistent with the applicable policies of the *Municipal Development Plan* and the *East Macleod Trail Area Structure Plan*.

ATTACHMENT(S)

1. Applicant's Submission
2. Landowner Letter
3. **Proposed Bylaw 36D2019.**