

Original LOC2018-0229 Report by Administration



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Item # 7.2.6

Planning & Development Report to
Calgary Planning Commission
2019 January 10

ISC: UNRESTRICTED
CPC2019-0057
CITY CLERK'S DEPARTMENT

Land Use Amendment in Haysboro (Ward 11) at multiple addresses, LOC2018-0229

EXECUTIVE SUMMARY

This land use redesignation application was submitted by IBI Group on 2018 October 19 on behalf of all landowners. The application proposes to change the designation of eight parcels from DC Direct Control District based on the C-4 General Commercial District of Bylaw 2P80 to the Commercial – Community 2 f4.0h80 (C-C2f4.0h80) District of Bylaw 1P2007 to allow for alignment with the current land use bylaw, as well as:

- commercial and mixed use development;
- the uses listed under the CC-2 District, as amended from time to time;
- a maximum height of 80 metres or approximately 25 storeys (the same as the current maximum building height); and
- a maximum floor area ratio (FAR) of 4.0 (the same as the current maximum floor area ratio).

This proposal is in compliance with the applicable policies of the *Municipal Development Plan*.

ADMINISTRATION'S RECOMMENDATION:

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

1. **ADOPT**, by bylaw, the proposed redesignation of 3.91 hectares \pm (9.66 acres \pm) located at 190 – 8835 Macleod Trail SW, 250 – 8835 Macleod Trail SW, 450 – 8835 Macleod Trail SW, 8710 Horton Road SW, 8740 Horton Road SW, 8850 Horton Road SW, 8855 Macleod Trail SW and 8880 Horton Road SW (Plan 0713615, Block 6; Plan 1010380, Block 753; Condominium Plan 0914953; Condominium Plan 0812824; Plan 0713615 Blocks 2, 3 and 5; Condominium Plan 1010380) from DC Direct Control District to Commercial – Community 2 (C-C2) District; and
2. Give three readings to the proposed bylaw.

PREVIOUS COUNCIL DIRECTION / POLICY

None.

BACKGROUND

The applicant, IBI Group, requested a pre-application meeting (PE2018-01382) on 2018 June 22. The pre-application assessment required that a thorough analysis of prospective land use districts be undertaken prior to application submission, demonstrating the appropriateness of each district and identifying if any of the existing uses on site would become non-confirming as a result of the change. The required analysis was submitted to Administration with the application submission on 2018 October 19, and is included as Attachment 2, in addition to the Applicant's Submission provided in Attachment 1.

Approval(s): K. Froese concurs with this report. Author: S. Loria

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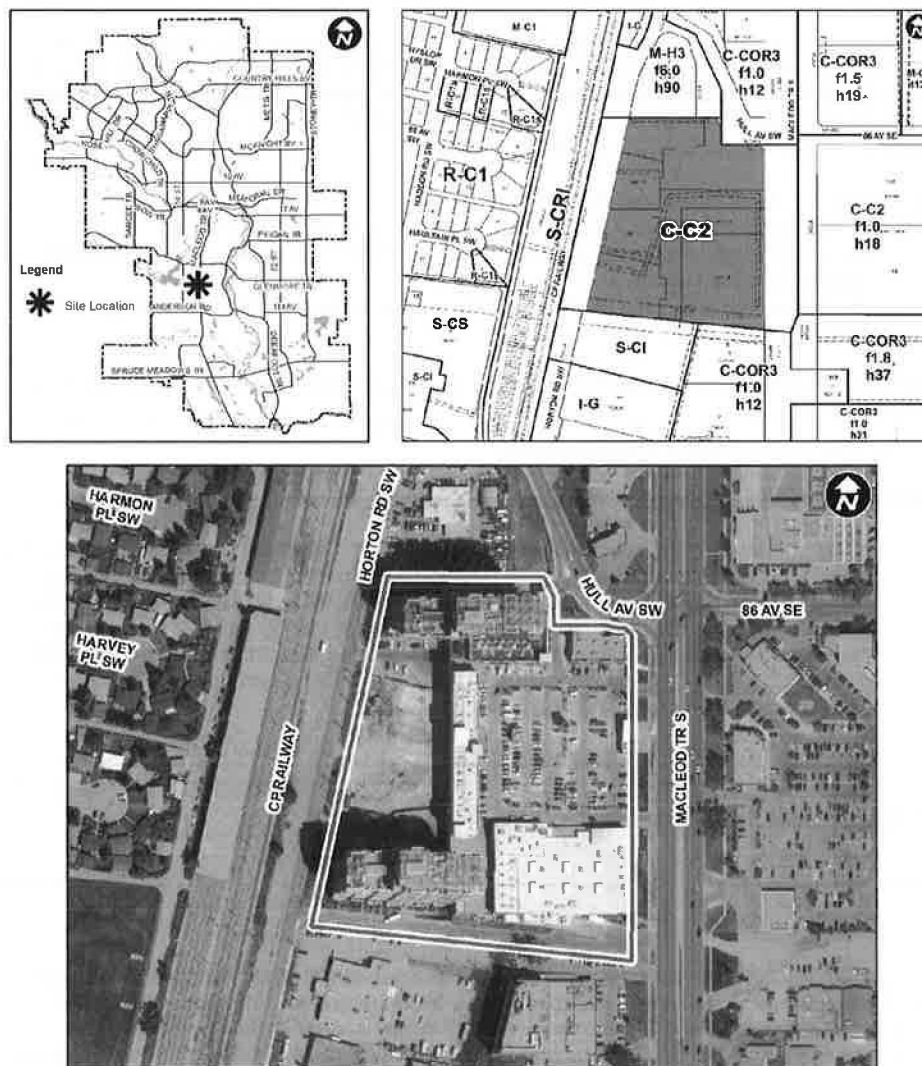
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Location Maps



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Site Context

The site, known as London at Heritage Station, consists of eight parcels that are located in the southwest community of Haysboro, approximately 7.7 kilometres south of downtown Calgary. The parcels are bound by Macleod Trail S to the east and Horton Road SW and CP Railway tracks to the west, with the Heritage LRT Station located kitty-corner to the site beyond the rail tracks.

The parcels represent an area of 3.91 hectares (9.66 acres) that is partially developed with commercial and multi-residential uses under the C-4 District of Bylaw 2P80. A summary of these uses is included in Attachment 3.

As identified in Figure 1, Haysboro's peak population was in 1968, reaching 8,044 residents.

Figure 1: Community Peak Population

Haysboro	
Peak Population Year	1968
Peak Population	8,044
2017 Current Population	7076
Difference in Population (Number)	-968
Difference in Population (Percentage)	-12%

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

INVESTIGATION: ALTERNATIVES AND ANALYSIS

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

Planning Considerations

The following sections highlight the scope of technical planning analysis conducted by Administration.

Land Use

The site is presently subject to Bylaw 111Z2003, a DC Direct Control District based on the C-4 General Commercial District of Bylaw 2P80, with additional discretionary uses of apartment buildings, stacked townhouses and townhouses. A copy of the DC District is included in Attachment 5. The DC District provides site specific rules for development regarding yards, building height, landscaping, amenity space, gross floor area, access and parking. Analysis of these rules is provided in Attachment 4. While the associated CPC report does not clearly identify the intent of these rules, Administration has assessed the intent of the DC listed rules,

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and can reasonably expect that the rules of 1P2007, supplemented by file manager discretion, are able to supersede the DC rules where necessary.

This application seeks to redesignate the subject lands to Commercial – Community 2 f4.0h80 (C-C2f4.0h80) District. As identified in the Applicant's Analysis in Attachment 2, the applicant also considered the following districts:

- Commercial – Corridor 2 (C-COR2) District;
- Multi-Residential – High Density Low Rise (M-H1) District;
- Multi-Residential – High Density High Rise (M-H3) District;
- Mixed-Use – General (MU-1) District; and
- Mixed-Use – Active Frontage (MU-2) District.

Through a land use comparison, it was determined that the C-C2 District meets the intent of the development, aligns with the MDPs identification of the site, and can accommodate the existing, approved and future development of the site, while also generally aligning with the rules and intent of the original DC District.

The proposed C-C2f4.0h80 District is intended to accommodate large commercial developments that are on the boundary of several communities with a wide range of use sizes and types. The proposed district is intended to be characterized by comprehensively designed multi-building developments with higher maximum heights than nearby low density residential areas, with opportunities for commercial uses to be combined with office and residential uses.

Development and Site Design

The site was redeveloped in 2010 with a mix of commercial and multi-residential development. Existing, approved uses throughout the site are summarized in Attachment 3, and have been reviewed against the C-C2 District to ensure continued conformance.

The rules of the proposed C-C2f4.0h80 District will provide guidance for continued site development, including appropriate uses, height, building setbacks, and landscaping.

A development permit (DP2014-4684) for two residential towers with 646 units was approved by Calgary Planning Commission on 2015 March 26. The permit is pending release based on a security deposit for transportation related infrastructure. The development was granted a 24 month extension of commencement until 2020 March 26.

Environmental

No environmental issues have been identified at this time. An Environmental Site Assessment was not required for this application.

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Transportation Networks

The existing site has vehicular and pedestrian access to Macleod Trail S, Hull Avenue SW, and Horton Road SW. The Calgary Transportation Plan classifies Macleod Trail S as an Urban Boulevard and Horton Road SW as a Collector roadway.

The site is connected to the Heritage LRT station via a pedestrian bridge over Horton Road SW and the train tracks. The site is located approximately 150 metres walking distance to the Heritage LRT station with access to bus routes: 3, 20, 37, 39, 79, 80, 81, 410, and 502. The bus route 81 also runs along Macleod Trail S with a stop directly in front of the site on Macleod Trail S.

Utilities and Servicing

The existing servicing has capacity to support the proposed change of land use. Servicing requirements and details for the site will be determined at the development permit stage.

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.

Administration received one letter of support and one letter of objection in response to the notice posting and circulation.

The reason stated for the objection was that the proposed designation allows for Cannabis Store, which is not wanted in the area. The reasons for support were that reference to the present land use bylaw is beneficial for commercial tenants.

The Haysboro Community Association was circulated and sent a follow up email. However, no comments were received prior to the finalization of this report.

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 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.

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Municipal Development Plan (Statutory, 2009)

The site is identified as an Urban Main Street in accordance with Map 1: Urban Structure Map in the *Municipal Development Plan* (MDP). Urban Main Streets provide a mix of commercial, residential and office uses, with taller buildings located in nodes at the intersections of main streets. Urban Main Streets are intended to be developed with particular attention paid to the development's connections to and interface with transit and pedestrian frontages.

The proposal is consistent with the applicable policies of the MDP, specifically as the proposed land use redesignation maintains and expands the range of uses allowed on site, allowing for any future development of the site to be assessed against the land use bylaw of today.

LRT South Corridor Land Use Study (Statutory, 1980)

Within the LRT South Corridor Land Use Study (The Study), the site is identified as forming part of the Heritage Station Area Plan. Despite its year of approval, the proposed redesignation is aligned with The Study, which speaks to Council's approval of the existing DC District.

Area 31 Policy

The forthcoming Area 31 policy is a multi-community policy plan that will include 10 communities in the SW and SE quadrants of the city. Administration is completing background work and the plan is expected to start in 2019.

Further details will be shared when the project is launched.

Social, Environmental, Economic (External)

The proposed land use district supports the provision of a greater range of uses that are within a short walking distance of and have direct pedestrian connections to transit and nearby multi-residential developments. The mix of uses to be realized on-site will be determined as part of the review of an associated development permit.

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, therefore, there are no growth management concerns at this time.

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Risk Assessment

As mentioned in the Development and Site Design subsection of this report, a development permit (DP2014-4684) for two residential towers with 646 units was approved by Calgary Planning Commission on 2015 March 26. While the applicant was requested to undertake a review of the approval against the C-C2 District, it is possible that there could be relaxations to the new 1P2007 designation, which could lead to the requirement for a new development permit at the development completion stage.

REASONS FOR RECOMMENDATION:

This application brings the site and any future development of the lands into compliance with the current land use bylaw, allowing for a greater range of uses with more appropriate and modern rules. Further, the proposed land use redesignation is aligned with all relevant policies for the site.

ATTACHMENTS

1. Applicant's Submission
2. Applicant's Analysis
3. Summary of Existing Uses
4. Intent of Existing DC District
5. DC Bylaw 111Z2003

Approval(s): K. Froese concurs with this report. Author: S. Loria

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Attachment 1

Applicant's Submission



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November 6, 2018

PLANNING AND DEVELOPMENT
THE CITY OF CALGARY
5TH FLOOR, 800 MACLEOD TRAIL SE
P.O. BOX 2100, STATION M,
CALGARY, AB, T2P 2M5

LOC2018-0229: LAND USE AMENDMENT APPLICATION RATIONALE FROM DIRECT CONTROL DISTRICT 111Z2003 TO C-C2 COMMERCIAL LAND USE DISTRICT UNDER 1P2007

The proposed site is located on a number of parcels located at 8710, 8740, 8835, 8850, 8855, and 8880 Horton Road SW. The site is bounded by Macleod Trail SE to its east and Horton Road and the Canadian Pacific Railway line to its west, located directly adjacent to the Heritage LRT Station within the community of Haysboro and within walking distance to the Heritage LRT Station.



The site is home to a Mixed-use Transit Oriented Development and is currently designated DC 111Z2003 based on the C-4 district from the City of Calgary 2P80 Land Use Bylaw. Due to the fact that this DC bylaw is based on an old district and cannot be easily relaxed, added to, or deleted from, the site is essentially "trapped" under outdated regulations. Therefore, an amendment to the existing Land Use is required to align with the current City of Calgary Land Use Bylaw 1P2007; and therefore be afforded the same opportunities and more current design regulations of similar sites with 1P2007 land use designations.

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Attachment 2

Applicant's Analysis



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LAND USE AMENDMENT APPLICATION RATIONALE FROM DIRECT CONTROL DISTRICT 111Z2003 TO A STOCK LAND USE DISTRICT UNDER 1P2007

BACKGROUND

The site is home to a Mixed-use Transit Oriented Development and is currently designated DC 111Z2003 based on the C-4 district from the City of Calgary 2P80 Land Use Bylaw. Due to the fact that this DC bylaw is based on an old district and cannot be easily relaxed, added to or deleted from, the site is essentially "trapped" under outdated regulations. Therefore, the client is looking to amend the existing Land Use to align with the current City of Calgary Land Use Bylaw 1P2007; and be afforded the same opportunities of similar sites with 1P2007 land use designations.

There will be no design alteration to the site, nor any increases in density/Floor to Area Ratio or change in height to be considered, as the proposed new Land Use would simply be required as a "refresh" of the existing Land Use so that it could align with 1P2007 and allow for updates to 1P2007 as amended from time to time, to be applicable to the site.

An approved Development Permit (DP2014-4684) currently exists on site for two additional residential towers and is in effect until March 26, 2020. The Prior to Release Conditions for this Development Permit have not been addressed and is still pending release.

LOCATION/CONTEXT

The proposed site is located on a number of parcels located at 8710, 8740, 8835, 8850, 8855, and 8880 Horton Road SW. The site is bounded by Macleod Trail SE to its east and Horton Road and the Canadian Pacific Railway line to its west, located directly adjacent to the Heritage LRT Station within the community of Haysboro. The site is located within the LRT South Corridor Land Use Study and is bounded along its east by a series of Commercial Land Use Districts along both sides of Macleod Trail SE, and there is a M-H3, Multi-Residential high Density Rise District located to the site's immediate north. The site is also located within walking distance to the Heritage LRT Station which is located along Horton Road SW to its immediate west.

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Applicant's Analysis

PURPOSE

The purpose of this proposal is to redesignate the site so that it aligns with the current Land Use Bylaw (1P2007) provisions in order to afford the site the same opportunities that most commercial sites possess. Otherwise, this site remains in a disadvantaged position as a result of being "trapped in time" due to its existing DC district. For example, uses such as Liquor sales and Cannabis Store, would remain unviable uses, even though they are allowed under nearly all the current commercial land use districts.

The underlying rationale is simply to select an existing Land Use District from 1P2007 that considers all of the present uses within the site, along with any other uses which may be feasible in the future and which fits into the existing context that could provide the highest degree of commercial flexibility for future tenants and the evolving market, while respecting the unique intent of the original DC district. We believe this can be achieved through one of the stock districts offered within 1P2007, without having to create a new DC district.

PRE APPLICATION MEETING PE2018-01382

A previous Pre-App meeting was scheduled (PE2018-01382) on July 17, 2018 with the City of Calgary Planning Department along with the Client/Consultants. The Pre-App summary had indicated a series of requirements to be addressed prior to the Land Use Amendment submission. The analysis was to initially evaluate viable Multi-Residential, Mixed Use, and Commercial Districts in order to decide on a feasible Land Use District by evaluating the existing and potential future uses within the site. Next, once a stock district(s) was to be chosen, the analysis was to outline the unique characteristics contained within the existing Direct Control District 111Z2003 and compare the details within this district to the chosen stock land use district. This analysis included a comparison of the details contained within the potential Land Use Districts, existing Direct Control District as well as C-4 General Commercial District, in order to determine if any non-conforming components/uses were present and/or to highlight if any differences existed between the existing and newly-chosen Land Use Districts.

ANALYSIS

Although not exhaustive, a range of specific Land Uses options have been considered as recommended by City of Calgary Planning Department and responding to the Pre-Application Meeting Comments. The Districts include two Commercial Districts (C-C2 and the C-COR2) - which offer a high degree of commercial flexibility while retaining the existing mixed-use character of the current site, two Multi-Residential Districts (M-H1 and M-H3) - which offer varied heights and commercial storefronts, and two Mixed-Use Districts (MU-1 and MU-2) - which allow for commercial and residential uses in street-oriented buildings. An evaluation of these Land Use Districts and the listed Permitted Uses that correspond to each Land Use District has been provided in the following table:

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Attachment 2

Applicant's Analysis

LAND USE DISTRICT USE ANALYSIS						
USE	COMMERCIAL DISTRICT		MULTI RESIDENTIAL		MIXED USE DISTRICT	
	C-C1	C-C2	MHR-1	MHR-2	MUR-1	MUR-2
Accessory Food Service						
Accessory Liquor Service						
Admission Treatment						
Amusement Arcade						
Artist's Studio						
Assisted Living						
Auction Market-Goods						
Auto Service - Major						
Auto Service Minor						
Beerage Container Wash Drop Facility						
Billiard Parlor						
Beverage, Liquor & Grocery						
Business Consultation Business						
Car Wash						
Car Wash Mini Vehicles						
Car Wash Single Vehicle						
Catering Service Minor						
Child Care Service						
Cinema						
Computer Service Facility						
Conference & Event Facility						
Convenience Food Store						
Counseling Service						
Custodial Care						
Dinner Theatre						
Dining Establishment Medium						
Dining Establishment Small						
Drive Through						
Dwelling Unit						
Education, Training & Enrichment						
Exercising Institution						
Fitness Centre						
Food Production						
Funeral Home						
Health Services Lab - with Clients						
Health Services Lab - No Clients						
Home Based Child Care - Class 1						
Home Occupations - Class 1						
Hotel						
Indoor Rec Facility						
Info and Service Provider						
Intermediate Facility						
Library						
Liquor Store						
Lot Wash Wash						
Market - Indoor						
Medical Clinic						
Medical Diagnostic Imaging						
Medical Office						
Multi-Residential Development						
Multi-Residential Development Minor						
Museum						
Office						
Outdoor Cafe						
Park						
Performing Arts Center						
Performing Arts Studio						
Place of Worship - Large						
Place of Worship - Medium						
Place of Worship - Small						
Post Secondary Building						
Power Plant Facility - Small						
Power Plant Facility - Medium						
Public Storage						
Recreation and Amusement						
Public Transit Station						
Retail and Wholesale Store						
Retail, Call, Collection, Internet						
Self-Storage						
Restaurant Food Service - Large						
Restaurant Food Service - Medium						
Restaurant Food Service - Small						
Restaurant - Large						
Restaurant - Medium						
Restaurant - Small						
Retail and Consumer Service						
Recreational Area						
Signage - Class A						
Signage - Class B						
Signage - Class C						
Signage - Class D						
Signage - Class E						
Signage - Class F and Party Sign						
Specialty Shop						
Specialty Shop Class 1						
Specialty Shop Class 2						
Specialty Shop Class 3						
Storage						
Taxi Cab Food Service						
Utilities - Large						
Utilities - Medium						
Utilities - Small						
Utilities - Major						
Utilities - Minor						
Utilities - Major						
Utilities - Minor						
Veterinary Clinic						

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Applicant's Analysis

The analysis demonstrates that given the existing uses within the site currently (highlighted in red), the most feasible Land Use Districts include the Commercial Districts (C-C2 and C-COR2) as these two Land Use Districts currently permit all the existing uses within the site. Both the M-H1 and M-H2 districts lack the uses that are integral to the existing development and therefore were eliminated from consideration. The MU-1 and MU-2 districts possess a broader use list, but the intent of the MU districts do not match the characteristics of this development and therefore were also eliminated from consideration.

Additionally, given the context of the site as it currently exists with a large section of Commercial Land Use Districts located to its east, the Commercial Districts (C-C2 and C-COR2) appear to be the most appropriate Land Use District options.

LAND USE DETAIL ANALYSIS

From this evaluation, an additional matrix was created in order to compare and investigate the differences outlined within the existing DC 11122003 Land Use Bylaw as it compares to the proposed Commercial (C-C2 and C-COR2) as well as the Mixed Use (MU-1 and MU-2) Land Use Districts as well as how they compared to the original C-4 General Commercial District from the City of Calgary Land Use Bylaw 2P80 from which Direct Control District 11122003 was originally crafted. The intent of this exercise is to demonstrate the elimination of any "non-conforming" components both within in the existing development as well as within the approved Development Permit which exists on the site. Supplementary Commercial Corridor Land Use Districts within the City of Calgary Land Use Bylaw including C-C1, C-COR1, C-COR3 were initially included and filtered out based upon their inability to allow for all the permitted uses within the existing site. The remaining Commercial Land Use Districts (C-N1, C-N2, C-O, C-R1, C-R2, C-R3) were not considered based on their misalignment within the existing site context and inability to suite the existing development on site as well as inability to allow for similar size and scale. The following table summarizes this investigation:

DC 11122003	C-C2	C-COR2	MU-1	MU-2	C-C1	C-COR1	C-COR3	C-N1	C-N2	C-O	C-R1	C-R2	C-R3
Commercial District (C-C2)	Commercial District (C-C2)	Commercial District (C-COR2)	Mixed Use District (MU-1)	Mixed Use District (MU-2)	Commercial District (C-C1)	Commercial District (C-COR1)	Commercial District (C-COR3)	Commercial District (C-N1)	Commercial District (C-N2)	Commercial District (C-O)	Commercial District (C-R1)	Commercial District (C-R2)	Commercial District (C-R3)
Permitted Uses:	Permitted Uses:	Permitted Uses:	Permitted Uses:	Permitted Uses:	Permitted Uses:	Permitted Uses:	Permitted Uses:	Permitted Uses:	Permitted Uses:	Permitted Uses:	Permitted Uses:	Permitted Uses:	Permitted Uses:
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Applicant's Analysis

<p>For the above reasons, the City of San Diego is recommending that the proposed project be approved for the C-COR2 Land Use District.</p>	<p>The proposed project is a 100,000 sq. ft. office building with a 10,000 sq. ft. parking garage. The project is located on a 10-acre site in the City of San Diego. The project is consistent with the City's Comprehensive General Plan and the City's Zoning Ordinance.</p>	<p>The proposed project is a 100,000 sq. ft. office building with a 10,000 sq. ft. parking garage. The project is located on a 10-acre site in the City of San Diego. The project is consistent with the City's Comprehensive General Plan and the City's Zoning Ordinance.</p>	<p>The proposed project is a 100,000 sq. ft. office building with a 10,000 sq. ft. parking garage. The project is located on a 10-acre site in the City of San Diego. The project is consistent with the City's Comprehensive General Plan and the City's Zoning Ordinance.</p>
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While there are specific details and nuances contained within each of the four distinct Land Use Districts reviewed, there does not seem to be any crucial indicators of prominent non-conforming items which have been represented and/or indicated.

This comparison thus suggest that either the C-C2 or the C-COR2 could be acceptable as adequate Land Use Districts for both the existing components within the site as well as for the existing approved Development Permit (DP2014-4684) and the site could exist as-is in its current state in either of the two Land Use Districts.

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Attachment 2

Applicant's Analysis

C-C2 AND C-COR2 COMMERCIAL LAND USE DISTRICT COMPARISON

A further analysis was conducted in order to bring to light some of the specific details which differed between the two proposed Commercial Land Use Districts C-C2 and C-COR2. This exercise was necessary in order to suggest the most applicable Land Use District both for the existing conditions and uses within the site, but more importantly to allow for the site to be as flexible as possible in its ability to consider the largest range of tenants to provide services for the future.

As a result of the comparison between the C-C2 and C-COR2, it was determined that the C-C2 Commercial Land Use District would be the most appropriate stock Land Use District, both for the existing site as well as approved Development Permit (DP2014-4684). The vital detail which made C-C2 the logical choice included the limitation under C-COR2 related to the Maximum Use Area limit for a Supermarket of 2500 sq. m. (where the existing Save-On-Foods on site has an area of above 4000 sq. m.). Additionally, C-COR2 also contains a provision which requires the percentage of Commercial Use to be a minimum of 20% of total Gross Floor Area. With the extent of the residential towers approved on this TOD, this ratio is not appropriate.

APPROVED DP2014-4684 AND C-C2 COMMERCIAL LAND USE DISTRICT COMPARISON

The final investigation included examining the ability for the approved Development Permit DP2014-4684 to align within the stock Commercial C-C2 Land Use District and demonstrate that all existing features of the existing and proposed development are conforming and that no issues or conflicts were identified.

Development Permit DP2014-4684 is comprised of Phase 6 + 7 (Buildings 2 and 3) of the Heritage Station Site Development by Westcorp. This Development Permit proposal, which was approved within the DC-111Z2003 Land Use District, coupled with the existing development approved under the same DC, appears to comply with the C-C2 district.

After an initial investigation of DP2014-4684 with the guidelines of the C-C2 Commercial Land Use District, it was determined that the Commercial C-C2 Land Use District can readily accommodate the existing and approved future development and aligns with the intent of the original approval and Direct Control Land Use District.

COMMUNITY ASSOCIATION

A meeting was held between Westcorp, IBI Group, and the Haysboro Community Association members on October 10, 2018 to review the Land Use Amendment as well as discuss future Phase 6 + 7 developments which have been approved through DP2014-4684. No objections were expressed and a positive dialogue ensued between the developer and the Community Association as many ideas for improving the site, community and vision for the future development were expressed. The development of future phases was recognized as a positive step forward by the community association members and both community and developer look forward to enhancing and augmenting the area in the future.

CONCLUSION

C-C2 Commercial Land Use District has been identified as the most viable Land Use District as it allows the ability to retain the existing Save-On-Foods supermarket, provides the fewest limitations and/or restrictions for any future developments to occur within the site, and allows the existing Development Permit DP2014-4684 to be accommodated with no foreseeable adjustments or issues within the site. Therefore it is our recommendation that the existing Direct Control DC111Z2003 Land Use District be redesignated to Commercial – Community 2 Land Use District with multipliers f4.0h80 (C-C2f4.0h80) within the Calgary Land Use Bylaw 1P2007.

Original LOC2018-0229 Report by Administration

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Attachment 3

Summary of Existing Uses

Business	2P80 Use	1P2007 Use	C-C2 District
<i>Tommy Gun's Barbershop</i>	Personal Service Business	Retail and Consumer Service	Permitted
<i>Big Catch</i>	Restaurant/Drinking Establishment	Restaurant: Licensed: Small/Medium/Large	Discretionary
<i>Skymount Drones</i>	Retail Food Store	Retail and Consumer Service	Permitted
<i>Pet Valu</i>	Retail Store	Retail and Consumer Service	Permitted
<i>Saigon Thai Restaurant</i>	Restaurant - Licensed	Restaurant: Licensed: Small/Medium	Discretionary
<i>London Medical Centre</i>	Medical Clinic	Medical Clinic/Health Service Laboratory – With Clients	Discretionary
<i>Lasik MD</i>	Medical Clinic	Medical Clinic/Health Service Laboratory – With Clients	Discretionary
<i>London Heritage Dental</i>	Medical Clinic	Medical Clinic/Health Service Laboratory – With Clients	Discretionary
<i>JB Nails</i>	Personal Service Business	Retail and Consumer Service	Permitted
<i>Lash Studio</i>	Personal Service Business	Retail and Consumer Service	Permitted
<i>Tim Hortons</i>	Restaurant – Food Service Only	Restaurant: Food Service Only - Small	Permitted
<i>Cedar's Deli</i>	Restaurant – Food Service Only	Restaurant: Food Service Only - Small	Permitted
<i>Jus Fruit</i>	Restaurant – Food Service Only	Restaurant: Food Service Only - Small	Permitted
<i>Macleod Optometry</i>	Medical Clinic	Medical Clinic/Health Service Laboratory – With Clients	Discretionary
<i>Children's Link</i>	Medical Clinic	Medical Clinic	Discretionary
<i>Citizen Salon</i>	Personal Service Business	Retail and Consumer Service	Permitted
<i>Divergent Health</i>	Medical Clinic	Medical Clinic	Discretionary
<i>Save on Foods</i>	Retail Food Store	Supermarket	Discretionary
<i>Chrisalics</i>	Medical Clinic	Medical Clinic/Health Service Laboratory – With Clients	Discretionary
<i>Devine Spine</i>	Medical Clinic	Medical Clinic	Discretionary
<i>The One Travel</i>	Personal Service Business	Retail and Consumer Service	Permitted

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Attachment 4

Intent of Existing DC Bylaw 111Z2003

Subject	Summary	Intent	Solution
Yards	-Min width of 3m for residential buildings <5 storeys -Min width of 6m for residential buildings >6 storeys	Require setbacks and stepbacks for taller buildings.	1P2007 Bylaw setback requirements and discretionary review
Building Height	-Maximum 80 metres where diagonal of the floor plate of a building doesn't exceed 41.5 metres. Otherwise 50 metres.	Max overall building height of 80 metres with stepbacks from Macleod Trail and Horton Road	Maximum height of 80 metres as per Bylaw with discretionary review
Landscaped Area	-All yards to be landscaped -minimum 2m depth across all parking areas at front -landscaping can be on rooftops/common deck areas -detailed landscaping plan to be submitted with any DP	Good landscaping with flexible options	1P2007 Bylaw landscaping requirements and discretionary review
Amenity Space	-where <50% GFA of building is residential, 40% of site area must be common amenity space through indoor/outdoor spaces -private amenity space = 5.6sqm as open or enclosed balcony with glazed opening to outside no less than 75% of the exterior wall with min dimension of 1.8 metres	Ensuring adequate common amenity space	No bylaw requirements, however discretionary review will determine common amenity space requirement
Gross Floor Area	-4.0 -density is transferrable if land is subdivided	Max GFA of 4.0	Max GFA of 4.0 as per Bylaw

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Intent of Existing DC Bylaw 111Z2003

Pedestrian Connections	-requirement for public pedestrian connection from and through the development connecting to the Heritage LRT Station (both vertical and horizontal, and can include raised pedestrian crossing of public roadway with financial contribution by developer)	Create access from Heritage LRT to the commercial/res site	Discretionary review at DP Stage
Access and Transportation	-right turns only for Macleod Trail -Access and egress to Hull Avenue may be restricted subject to DP review -Comprehensive traffic study required where DA deems necessary -DA can require development	Access/traffic to be reviewed at DP	Discretionary review at DP stage
Parking	-where multi-res is condominiumized, 50% of condos must have 1 parking stall for each unit.	Maintain parking requirement	Discretionary review at DP stage to determine requirements

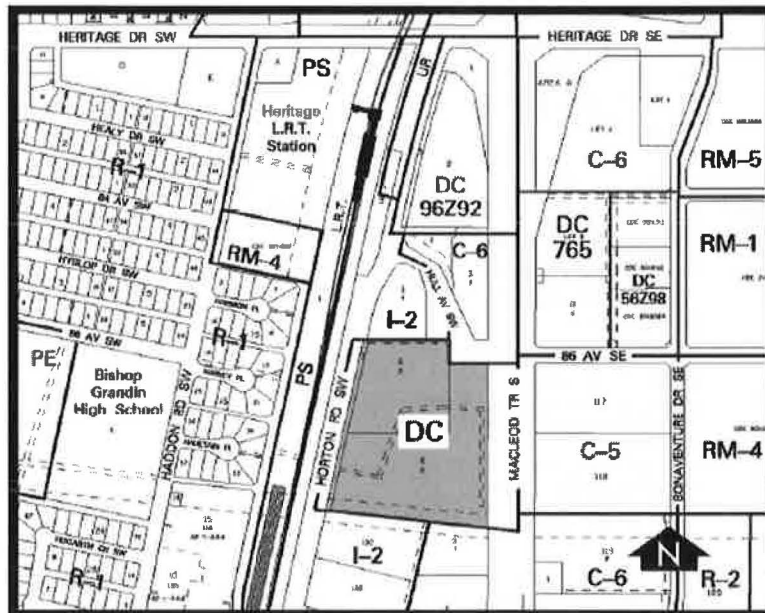
Original LOC2018-0229 Report by Administration

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Attachment 5

DC Bylaw 111Z2003

Amendment # LOC2002-0126
Bylaw # 111Z2003
Council Approval: 2004 December 16

SCHEDULE B



DC DIRECT CONTROL DISTRICT

1. Land Use

The Permitted and Discretionary Uses of the C-4 General Commercial District of Bylaw 2P80 shall be the Permitted and Discretionary Uses respectively with the additional Discretionary Uses of apartment buildings, stacked townhouses and townhouses.

2. Development Guidelines

The General Rules for Commercial Districts contained in Section 33 of Bylaw 2P80 and the Permitted and Discretionary Use Rules of the C-4 General Commercial District shall apply unless otherwise noted below:

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DC Bylaw 111Z2003

(a) Yards

- (i) No minimum requirement for at grade commercial development or for a parking structure which does not require external maintenance and is located to the side or rear of the building;
- (ii) A minimum width of 3.0 metres for residential buildings five storeys or lower in height; and
- (iii) A minimum width of 6.0 metres for that portion of residential building six storeys or above in height.

(b) Building Height

A maximum of 50 metres measured from the curb of either Macleod Trail SW or Horton Road SW (whichever is considered directly adjacent in the opinion of the Approving Authority) except that a maximum of 80 metres may be allowed where the maximum diagonal of the floor plate of the building does not exceed 41.5 metres.

(c) Landscaped Area

- (i) All yards shall be landscaped except for accessways from public thoroughfares and parking areas;
- (ii) Where a parking area is provided in the front yard, an area extending the full width of the yard to a minimum depth of 2 metres measured from the front property line shall be landscaped;

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DC Bylaw 111Z2003

**Amendment # LOC2002-0126
Bylaw # 111Z2003**

SCHEDULE B

CONTINUED

- (iii) Landscaped area may include any horizontal surface greater than 5.6 square metres in area including roof top amenity space and common deck areas; and
- (iv) A detailed landscaping plan shall be submitted and approved in conjunction with any development permit.
- (d) Amenity Space
 - (i) Where 50 percent or more of the gross floor area of a building is comprised of dwelling units, a minimum of 40 percent of the gross site area shall be provided as common amenity space for all residents through a combination of indoor and outdoor spaces and may include landscaped areas provided in accordance with Section (c); and
 - (ii) For each dwelling unit, a private amenity space having a minimum area of 5.6 square metres, shall be provided either in the form of an open or enclosed balcony with a glazed opening to the outside amounting to no less than 75 percent of the exterior wall and a minimum dimension of 1.8 metres.
- (e) Gross Floor Area
 - (i) A maximum of 4 times the entire site area that is the subject of this Bylaw;
 - (ii) Where the site area that is the subject of this Bylaw is further divided by way of subdivision or condominium plan, density is fully transferable between individual development cells provided a minimum of 0.5 F.A.R. is retained for use by any undeveloped cell. A caveat shall be required to be registered on each title specifying the density received or remaining on each affected site;
 - (iii) Development cells which have been identified for common amenity space or for common parking areas as part of a comprehensive plan are not required to retain the minimum 0.5 F.A.R. density allotment specified in (ii); and

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Attachment 5

DC Bylaw 111Z2003

**Amendment # LOC2002-0126
Bylaw # 111Z2003**

SCHEDULE B

CONTINUED

- (iv) The area of an enclosed parking structure located below the grade of Macleod Trail SW and screened by buildings adjacent to Horton Road SW shall not be included in the calculation of F.A.R.
- (f) Pedestrian Connections
 - (i) All development shall make provision, satisfactory to the Approving Authority, for a public pedestrian connection from and through the development connecting to the Heritage LRT Station and/or adjacent site as a through connection to the Heritage LRT Station;
 - (ii) Pedestrian connections shall provide for both vertical and horizontal connections as may be determined at the time of a development permit; and
 - (iii) Where the Approving Authority determines a benefit can be attributed to a development within the site by connection to a raised pedestrian crossing of a public roadway, the developer shall contribute its share as determined by the Approving Authority to the cost of the construction of the bridge.
- (g) Access and Transportation
 - (i) Access and egress to Macleod Trail SW shall be limited to right turns only;
 - (ii) Access and egress to Hull Avenue SW may be restricted or prohibited subject to full development review;
 - (iii) A comprehensive traffic study shall be submitted and approved by the Approving Authority in conjunction with a development permit for the site or any portion thereof as determined necessary by the Approving Authority; and

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Attachment 5

DC Bylaw 111Z2003

**Amendment # LOC2002-0126
Bylaw # 111Z2003**

SCHEDULE B

CONTINUED

- (iv) Prior to approval of any development permit for the site, or any portion thereof, the developer shall enter into a special development agreement for any offsite road, pedestrian, or intersection improvements necessitated by the development, as determined in the sole discretion of the Approving Authority, by the approval of the aforementioned traffic study, including, but not limited to, intersections of Horton Road SW and Macleod Trail SW with Heritage Drive SW, Southland Drive SW, and Hull Avenue SW.

(h) **Parking**

In the event that a condominium plan is registered in respect of a development containing dwelling units, 50% of the condominium units containing a dwelling unit shall include at least one parking stall for each dwelling unit contained within the condominium unit.