

Planning & Development Report to  
Calgary Planning Commission  
Click to select the meeting date.

ISC: UNRESTRICTED  
CPC2018-1303  
Page 1 of 6

## Land Use Amendment in Downtown Commercial Core (Ward 8) at 131 9 Avenue SW, LOC2018-0200

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### EXECUTIVE SUMMARY

This land use redesignation application was submitted by the landowner Palliser Square Properties Ltd on 2018 August 31. The application proposes to change the designation of this property from Direct Control District to Direct Control District to:

- accommodate the additional use of Kennel – Urban with guidelines; and
- update the base district of the existing Direct Control District from CM-2 Downtown Business District to Commercial Residential District (CR20-C20/R20).

Under the current Centre City Enterprise Area initiative, a development permit is not required for a future change of use if the subject land use redesignation is adopted by Council.

### ADMINISTRATION RECOMMENDATION:

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

1. **ADOPT**, by bylaw, the proposed redesignation of 0.97 hectares  $\pm$  (2.39 acres  $\pm$ ) located at 131 – 9 Avenue SW (Plan 1612253, Block 53, Lot 3) from DC Direct Control District **to** DC Direct Control District to accommodate the additional use of Kennel-Urban and to update the base district, **with guidelines** (Attachment 2); and
2. Give three readings 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 0.97 hectares  $\pm$  (2.39 acres  $\pm$ ) located at 131 – 9 Avenue SW (Plan 1612253, Block 53, Lot 3) from DC Direct Control District to DC Direct Control District to accommodate the additional use of Kennel-Urban and to update the base district (Attachment 2); and
2. Give three readings to **Proposed Bylaw 34D2019**.

Excerpt from the Minutes of the 2018 November 29 Regular Meeting of the Calgary Planning Commission:

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“Distributions with respect to Report CPC2018-1303:

- A revised page 1 of 6 of Report CPC2018-1303; and
- A revised page 3 of 3 of Attachment.”

**Planning & Development Report to  
Calgary Planning Commission**  
Click to select the meeting date.

**ISC: UNRESTRICTED**  
**CPC2018-1303**  
Page 2 of 6

**Land Use Amendment in Downtown Commercial Core (Ward 8) at 131 9 Avenue  
SW, LOC2018-0200**

**PREVIOUS COUNCIL DIRECTION / POLICY**

None.

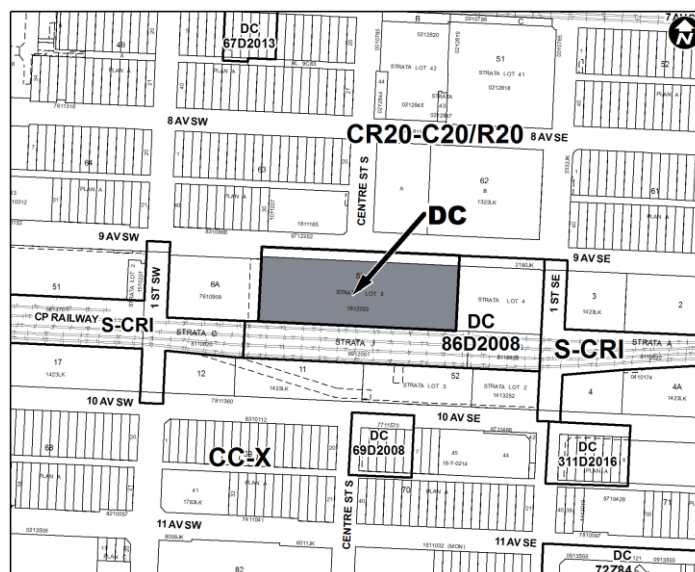
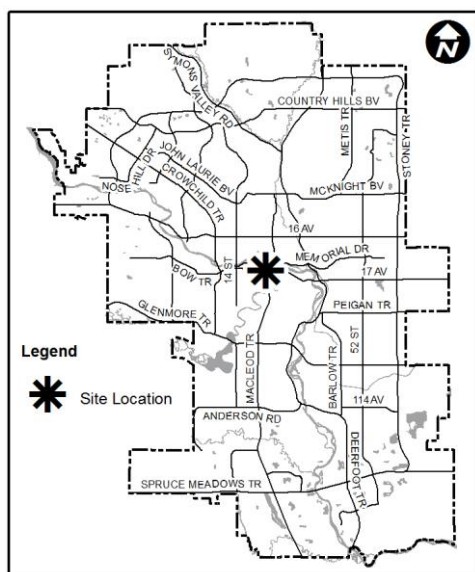
**BACKGROUND**

At the 2008 December 15 Combined Meeting of Council, Council adopted Bylaw 86D2008, a City initiated land use redesignation to ensure that the parking regulations contained within the Downtown Restricted Parking Area applied to existing Direct Control sites throughout the downtown. See CPC2018-114 (LOC2008-0056) for further details.

At the 2017 June 12 Combined Meeting of Council, Council adopted Bylaw 30P2017, an amendment to Land Use Bylaw 1P2007 that established the Centre City Enterprise Area (CCEA). The amendment suspended the requirement for development permits for changes of use, exterior alterations and small additions for a period of three years within a specific area. The subject use would

At the 2018 January 22 Regular meeting of Council, Council approved Bylaw 52P2018, an amendment to Land Use Bylaw 1P2007 that exempted change of use development permits for buildings on the Inventory of Evaluated Historic Resources within the CCEA.

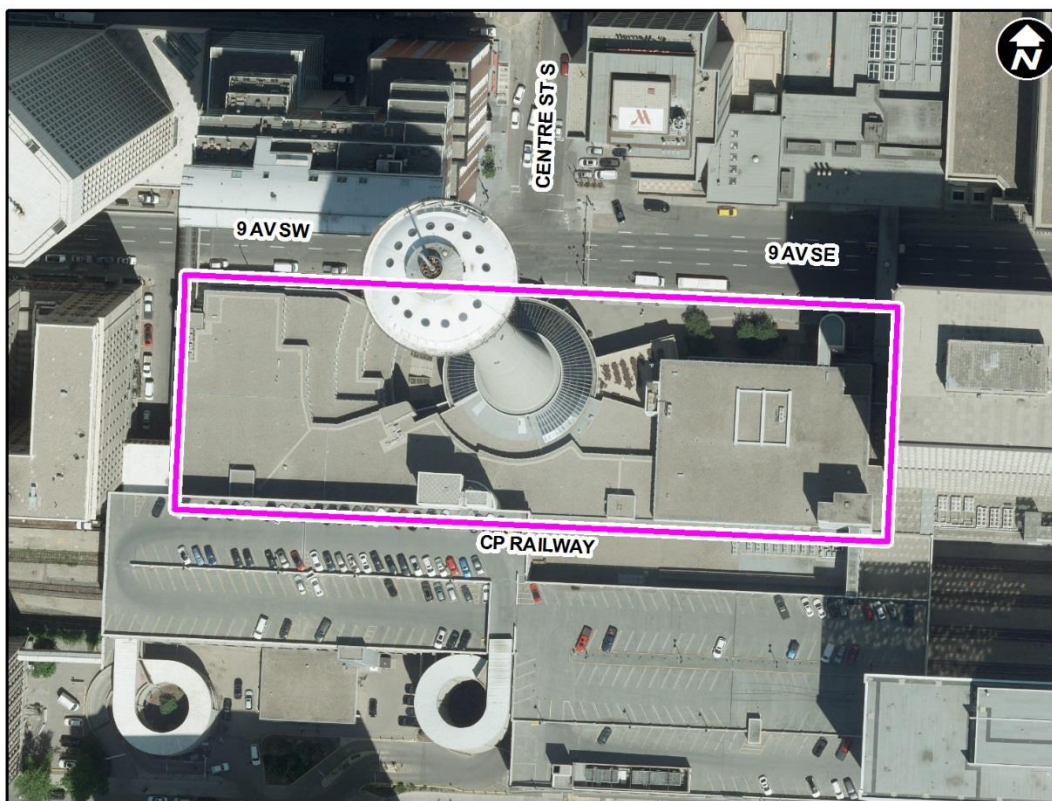
**Location Maps**



Planning & Development Report to  
Calgary Planning Commission  
Click to select the meeting date.

ISC: UNRESTRICTED  
CPC2018-1303  
Page 3 of 6

## Land Use Amendment in Downtown Commercial Core (Ward 8) at 131 9 Avenue SW, LOC2018-0200



### Site Context

The site currently includes the Calgary Tower and Palliser Square. According to The City's Inventory of Evaluated Historic Resources, the Calgary Tower is significant as a pre-eminent landmark in Calgary and holds design significance within the national and international contexts, as one of the first towers of its type to be built anywhere. Palliser Square is tremendously valued as a symbol of the 'New Heart of Downtown Calgary', and was a direct result of urban renewal initiatives to redevelop the downtown core in the 1960s. Additional information about the Calgary Tower and Palliser Square may be obtained online through the City's [Inventory of Historic Resources](#) database.

The subject site is located in the Downtown Commercial Core on the south side of 9 Avenue SW at the intersection of Centre Street. The immediate area is characterized by a mix of restaurants, entertainment, office, hotel and residential development. The predominant land use in this area is the Commercial Residential District (CR20-C20/R20).

### INVESTIGATION: ALTERNATIVES AND ANALYSIS

The proposal allows for the additional use of Kennel – Urban and a range of building types that are consistent with the established building form in Calgary's downtown. The proposal generally

## **Land Use Amendment in Downtown Commercial Core (Ward 8) at 131 9 Avenue SW, LOC2018-0200**

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meets the objectives of applicable policies as discussed in the Strategic Alignment section of this report.

### **Planning Considerations**

#### ***Land Use:***

The existing Direct Control District (Bylaw 86D2008) is based on the former CM-2 Downtown Business District, which was intended to accommodate commercial development as well as allowing a wide range of institutional and residential uses.

The proposed Direct Control District updates the base district of the existing Direct Control District to the Commercial Residential District (CR20-C20/R20), which is intended to accommodate a mix of commercial, residential and cultural uses within the Downtown. The CR20-C20/R20 district is consistent with the existing land use in the downtown.

The proposed Direct Control District also adds the additional use of Kennel – Urban, which will accommodate the boarding of domestic animals (domesticated bird, reptile, amphibian or mammal) for period greater than 24 hours. The Direct Control District also contains the following guidelines to mitigate potential nuisance concerns and ensure the suitability of the use in the urban context.

#### **Kennel – Urban:**

- must be located on the ground floor of a building
- must not have any outdoor enclosures, pens, runs or exercise areas; and
- must not have any indoor enclosures, pens, runs or exercise areas located in a room that shares an interior demising wall with an adjacent use.

### ***Development and Site Design***

The rules of the proposed Direct Control District will provide basic guidance for any future site redevelopment including appropriate uses, height and building massing, landscaping and parking.

The subject site is within the boundaries of the CCEA and would qualify for a change of use development permit exemption if this land use redesignation is adopted by Council.

### ***Environmental***

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

### ***Transportation***

The subject site is located approximately 200 metres from LRT stops on 7 Avenue SW, adjacent to several bus routes and Bus Rapid Transit stops along 9 Street SW. A traffic impact assessment was not required as part of this application.

**Planning & Development Report to  
Calgary Planning Commission**  
Click to select the meeting date.

**ISC: UNRESTRICTED  
CPC2018-1303  
Page 5 of 6**

## **Land Use Amendment in Downtown Commercial Core (Ward 8) at 131 9 Avenue SW, LOC2018-0200**

---

### ***Utilities and Servicing***

Water, storm sewer and sanitary mains are available from 9 Avenue SW 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 received a response of no objection from the Calgary Downtown Association. Administration did not receive any responses from the public. Administration considered the relevant planning issues specific to the proposed redesignation and has determined the proposal to be appropriate.

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 subject parcel is located within the Centre City area as identified on Map 1: Urban Structure in the *Municipal Development Plan* (MDP). The applicable MDP policies identify the Centre City as the focus of business, employment, cultural, recreation, retail and high-density housing within Calgary. Accommodating additional services in the Centre City supports these policies by providing additional services that will attract both residents and businesses to the downtown core.

#### ***Centre City Plan (Non-Statutory 2007)***

The Centre City Plan provides the policy framework for the downtown and provides overall guidance and direction for development. The plan recognizes that the downtown will remain the foundation of the Centre City because of the economic role that it plays for Calgary as a whole and that it has the potential to evolve substantially and contribute to the Centre City's overall vitality and livability.

Planning & Development Report to  
Calgary Planning Commission  
Click to select the meeting date.

ISC: UNRESTRICTED  
CPC2018-1303  
Page 6 of 6

## Land Use Amendment in Downtown Commercial Core (Ward 8) at 131 9 Avenue SW, LOC2018-0200

---

### Social, Environmental, Economic (External)

Development enabled by this application has the potential to allow more Calgarians to choose to live in a location well served by existing infrastructure and in close proximity to services, employment, community amenities and transit.

Further analysis of any on-site sustainability initiatives proposed in conjunction with any future development permit applications will be undertaken as part of the development permit review process. No environmental issues were identified through the proposed 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 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 Direct Control District base district (CR20-C20/R20) is consistent with the existing surrounding land use and the established building form in Calgary's downtown core.

Accommodating the additional use of Kennel – Urban is in keeping with applicable policies of the Municipal Development Plan and Centre City Plan by providing additional services that will attract both resident and businesses to the downtown core and contribute to the Centre City's overall vitality and livability.

### ATTACHMENT(S)

1. Applicant's Submission
2. **Proposed Bylaw 34D2019**