

**LAND USE AMENDMENT
BELTLINE (WARD 8)
14 AVENUE SW EAST OF 2 STREET SW
BYLAW 114D2016**

MAP 15C

EXECUTIVE SUMMARY

This land use amendment proposes redesignation of a primarily residential parcel from Centre-City Multi-Residential High Rise District (CC-MH) to DC Direct Control District to accommodate non-residential uses (Office, Food Kiosk and Outdoor Café) within an existing building.

PREVIOUS COUNCIL DIRECTION

None.

ADMINISTRATION RECOMMENDATION(S)

2016 March 24

That Calgary Planning Commission recommends **APPROVAL** of the proposed Land Use Amendment.

RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION

That Council hold a Public Hearing on Bylaw 114D2016; and

1. **ADOPT** the proposed redesignation of 0.13 hectares \pm (0.32 acres \pm) located at 215 - 14 Avenue SW (Condominium Plan 8110899, Units 1 to 55) from Centre City Multi-Residential High Rise District (CC-MH) **to** DC Direct Control District to accommodate additional use of Office, Food Kiosk and Outdoor Café, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 114D2016.

REASON(S) FOR RECOMMENDATION:

The proposal aligns with the applicable policies of the Beltline Area Redevelopment Plan (ARP). The accommodation of the proposed non-residential uses (Office, Food Kiosk and Outdoor Café) complies with the Primarily Residential Policies. The proposed uses integrate compatible non-residential uses that maintain the existing residential character of the Beltline Community.

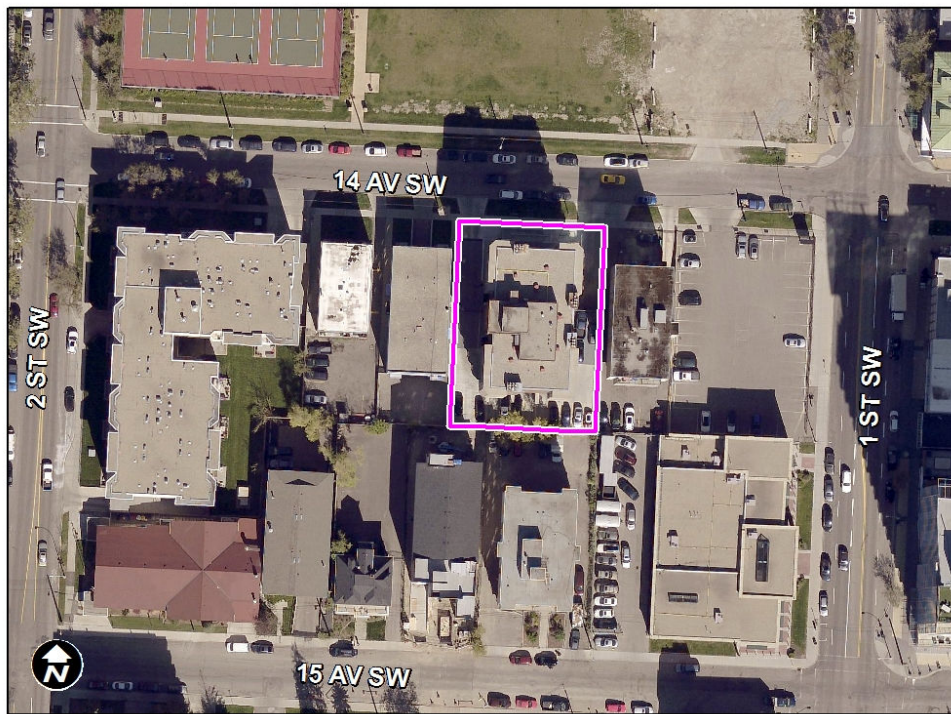
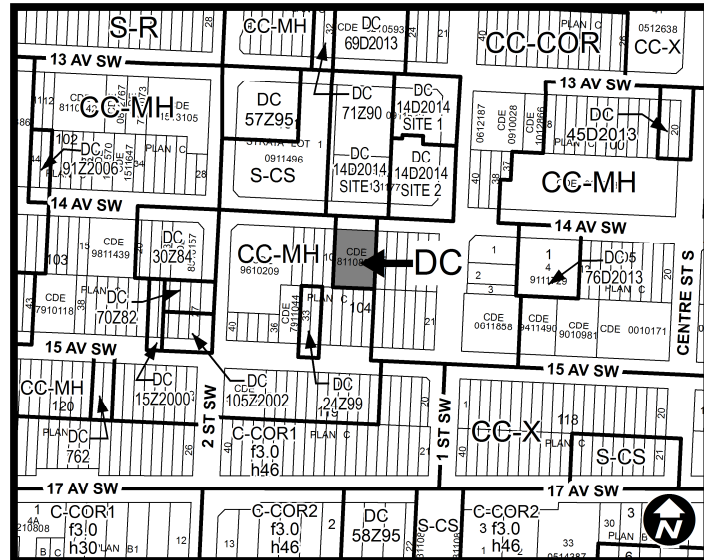
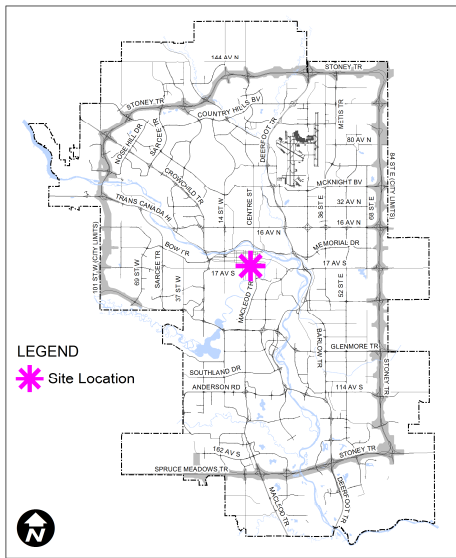
ATTACHMENT

1. Proposed Bylaw 114D2016

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LOCATION MAPS



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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.13 hectares \pm (0.32 acres \pm) located at 215 - 14 Avenue SW (Condominium Plan 8110899, Units 1 to 55) from Centre City Multi-Residential High Rise District (CC-MH) **to** DC Direct Control District to accommodate additional use of Office, Food Kiosk and Outdoor Café with guidelines (APPENDIX II).

Moved by: M. Foht

Carried: 8 – 0

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Applicant:

CityTrend

Landowners:

Various Owners

PLANNING EVALUATION

SITE CONTEXT

The subject site is located within the Beltline Community. A nine-storey 55-unit multi-residential building exists on the subject site, built in 1980. The immediate area is characterized by a wide range of multi-residential development in various forms and densities. The site faces Haultain Park across 14 Avenue SW and adjoins existing mid to high density residential development along its remaining edges.

EXISTING LAND USE DISTRICT

The existing land use district for the subject site is Centre City Multi-Residential High Rise District (CC-MH). This district allows for a wide range of residential uses of various forms and density, and a limited range of non-residential uses that support the local area and complement the primarily residential building forms of the Beltline Community.

PROPOSED DC DIRECT CONTROL DISTRICT

The proposed DC Direct Control District retains all rules of the existing Centre City Multi-Residential High Rise District (CC-MH), with the addition of three (3) non-residential uses: Office, Food Kiosk and Outdoor Café (See APPENDIX II).

The rules of the proposed DC Direct Control District limit the uses to the existing residential building on the subject site, as of the date of this report. Specific size restrictions limit the proposed uses to specific locations within the existing building, on the first level. In addition, specific parking rules that do not require parking stalls for Office and Food Kiosk uses are included.

No existing districts within Land Use Bylaw 1P2007 provide for the proposed rules of the DC Direct Control District. Thus, the proposed DC Direct Control District is found to best accommodate non-residential uses within the subject site, meeting the requirements of Section 20 and 21 of Land Use Bylaw 1P2007 and policies of the Beltline ARP.

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LEGISLATION & POLICY

Beltline Area Redevelopment Plan (ARP)

4.2 Primarily Residential

Intent

To accommodate a variety of residential developments along with compatible and accessory retail, personal service and institutional uses to support the local residential population.

Objectives

- To increase the residential population throughout the Beltline and within each neighbourhood.
- To support the local residential population by allowing for low-intensity non-residential uses.
- To address the liveability of residential area by regulating the location and size of non-residential uses.
- To provide for a range of housing types and unit sizes to meet the needs of a diverse urban population.
- To allow for creative, adaptive re-use of existing buildings.
- To promote building forms that respect the local context and interfaces with adjacent properties, including consideration of visible facades, decks, roofs, access points and balconies from various viewpoints.
- To encourage and accommodate small site development that will sustain the diversity of building forms and scales within the Beltline.

Analysis

The proposed DC Direct Control District meets the intent and objectives for Primarily Residential areas of the Beltline Community. By regulating the location and size of the non-residential uses (213.80 square metres for Office and 20.0 square metres for Food Kiosk, tailored to specific locations within the first floor), and accommodating creative, adaptive re-use of existing spaces), the proposed Direct Control District limits the impact of non-residential uses within the site. For these reasons, the proposed Direct Control district complies with Section 4.2 of the Beltline Area Redevelopment Plan.

4.2.1 Uses

All proposed uses are listed as appropriate uses for Primarily Residential areas.

4.2.4 Non-Residential Uses

The following policies for Non-Residential uses were considered and summarized below:

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a) Non-residential uses are appropriate provided they meet the following criteria:

- The use is located within the first two storeys of a building; and
- The use is situated along the street frontages as shown on Map 3b.

In addition, the Development Authority may consider non-residential uses in other locations provided they are situated at the corner of a block and would not detract from the essentially residential character of the immediate vicinity.

Analysis:

The rules of the proposed DC Direct Control District accommodate non-residential uses within the first level. However, the subject site is not situated along the street frontage as shown on Map 3b of this policy, nor at the corner of a block. Nevertheless, the scale and location of the non-residential uses would not detract from the residential character of the immediate vicinity. For this reason, the proposed DC Direct Control District remains supported by the intent of this policy.

c) Individual commercial uses such as retail, service commercial, office and restaurant/food service uses should generally not exceed 300 square metres in size. In considering such uses, the Development Authority shall have regard to the character of the immediate area, and the impacts that such uses may create particularly with respect to noise, light and local traffic impacts.

Analysis:

The rules of the DC Direct Control District limit proposed non-residential uses to the first level with use areas not exceeding 300 square metres (213.80 square metres for Office and 20.0 square metres for Food Kiosk, tailored to specific locations within the first floor). For this reason, the proposed DC Direct Control District aligns with this Policy.

4.2.5 Residential Conversions

The intent of this policy is to promote varied building forms and historical character by encouraging the retention and productive use of residential structures by allowing conversion to non-residential uses. When considering a proposed conversion through a Land Use Re-designation or a Development Permit, the following criteria shall be considered:

- Residential structure is on the Heritage Inventory or is a single detached, duplex or semi-detached dwelling built prior to 1950,
- The structure is within a Character Area as defined in Section 8 of this Plan;
- Proposed use must not, in the opinion of the Development Authority, generate an excessive amount of localized traffic or detract from the residential character of the immediate area; and
- Any proposed signage has a total surface area of less than 1.0 square metres.

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Analysis:

The existing building is not on the Heritage Inventory or built prior to 1950. Furthermore, the site is not found within a Character Area (Section 8 – Beltline ARP). The proposed uses do not generate an excessive amount of localized traffic as there is no parking required for the proposed non-residential uses within the DC Direct Control District (APPENDIX II). As the proposed non-residential uses would be retained within the existing structure through modest conversions of only portions of the first level, the proposed DC Direct Control District is found to align with this policy.

TRANSPORTATION NETWORKS

The subject site is currently served by lane-access along its southern edge. On-street short-stay parking stalls are available along 14 Avenue SW. A Transportation Impact Assessment or Parking Study was not required due to the modest scope of the proposed redesignation. The proposed Direct Control District provides specific rules that do not require parking stalls for Office and Food Kiosk uses.

UTILITIES & SERVICING

Servicing is currently available and operational to the existing building. No changes to water, sewer, storm and emergency response is required to accommodate the proposed non-residential uses.

ENVIRONMENTAL ISSUES

None.

PUBLIC ENGAGEMENT

Community Association Comments

The Beltline Planning Group was inactive at the time of circulation.

Citizen Comments

No comments were received at the time of circulation.

Public Meetings

None.

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APPENDIX I

APPLICANT'S SUBMISSION

This application is seeking to re-designate CC-MH, Centre City Multi-Residential High Rise District to a DC – Direct Control District, to accommodate office space on the main floor and a small food kiosk. Fontainebleu Estates is located on the south side of 14 Ave SW, between 2 and 1 Street SW. It is a 9 storey residential building with 55 units. The Direct Control District is necessary to achieve the intended use of the subject property, which cannot be achieved through the use of a land use district in the Land Use Bylaw. The standard land use of CC-MH limits the potential of the site, as it does not allow for uses necessary to transform the underutilized main floor. Specifically, the addition of Office and Small Kiosk Food Service on this site would allow Fontainebleu Estates to fit the mixed-use typology desired in this neighbourhood as per the Beltline ARP. The land use amendment will be smaller scale, taking effect onto the main floor, 149.55 square meters. Additionally, there is a small area, 63.80 square meters, which would be designated mainly as storage of the main floor tenants.

The benefits of this re-designation include:

- Stimulate a mixed use component along this area of 14 Ave that offers Beltline Community residents an opportunity to live closer to their place of work, and foster growth of small businesses to serve the community.
- Make the best use of an underutilized space for residents of Fontainebleu Estates. The unused pool area and common space on the main floor does not provide any added value to the residents.
- Increase the amenity of the neighbourhood by providing a small kiosk food service, which will benefit visitors at Haultain Park located across the street, the local tennis courts and pedestrian traffic in the neighbourhood.
- Allows for office space development in the Centre City, as per the Municipal Development Plan.

The new office and small kiosk food service will adhere to the Direct Control District Policies set forth in this application. This re-designation will mitigate any negative effects on surrounding property, and will work to add value to the Beltline Community and its residents.

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APPENDIX II

PROPOSED DIRECT CONTROL GUIDELINES

Purpose

- 1 This Direct Control District is intended to allow for the additional **uses** of **Office**, **Food Kiosk** and **Outdoor Café**.

Compliance with the Bylaw 1P2007

- 2 Unless otherwise specified, the rules and provisions of Parts 1, 2, 3, and 4 of Bylaw 1P2007 apply to this Direct Control District.

Reference to the Bylaw 1P2007

- 3 Within this Direct Control District, a reference to a section of Bylaw 1P2007 is deemed to be a reference to the section as amended from time to time.

Permitted Uses

- 4 The **permitted uses** of the Centre City Multi-Residential High Rise District (CC-MH) of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

- 5 (1) The **discretionary uses** of the Centre City Multi- Residential High Rise District (CC-MH) of Bylaw 1P2007 are the **discretionary uses** of this Direct Control District.
- (2) The **discretionary uses** of the Centre City Multi- Residential High Rise District (CC-MH) of Bylaw 1P2007 are **discretionary uses** in this Direct Control District with the addition of the following **uses** within the existing **building** as of the effective date of this Direct Control District:
- (a) **Office**;
 - (b) **Food Kiosk**; and
 - (c) **Outdoor Café**.

Bylaw 1P2007 District Rules

- 6 Unless otherwise specified, the rules of the Centre City Multi-Residential High Rise District (CC-MH) of Bylaw 1P2007 apply in this Direct Control District.

Use Area

- 7 (1) The maximum **use area** of an **Office** is 213.80 square metres.
- (2) The maximum **use area** of **Food Kiosk** is 20.0 square metres.

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Location of Uses Within Buildings

8 **Office** and **Food Kiosk** must not be located above the ground floor of a ***building***.

Minimum Motor Vehicle Parking Stalls

- 9** (1) Unless otherwise referenced in subsection (2) the minimum number of required ***motor vehicle parking stalls*** is the requirement specified in the General Rules for Centre City Multi-Residential Land Use Districts referenced in Part 11, Division 1 of Bylaw 1P2007.
- (2) There is no minimum number of ***motor vehicle parking stalls*** for **Office** or **Food Kiosk**.