

LAND USE AMENDMENT
GLENBROOK (WARD 6)
NORTHWEST CORNER OF 51 STREET SW & GLENBROOK
PLACE SW
BYLAW 127D2014

MAP 1W

EXECUTIVE SUMMARY

This land use redesignation proposes a new DC Direct Control District to accommodate a medical use within an existing building. The current DC only allows for plastic surgeons, this revised DC will improve on the current DC by broadening the range of medical uses permitted.

PREVIOUS COUNCIL DIRECTION

No previous direction has been provided by Council with respect to this application.

ADMINISTRATION RECOMMENDATION(S)

2014 September 25

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 127D2014; and

1. **ADOPT** the proposed redesignation of 0.16 hectares \pm (0.4 acres \pm) located at 7 Glenbrook Place SW (Plan 8110923, Block K, Lot 7) from DC Direct Control District to DC Direct Control District to accommodate medical clinics, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 127D2014.

REASON(S) FOR RECOMMENDATION:

Currently, this site has a DC Direct Control District limiting medical clinics to a maximum of six plastic surgeons and a maximum area. The applicant wants to continue using the site as a medical clinic but requires a land use change to broaden the range of medical uses permitted on the site.

The site is unique in that it has limited parking and the inability to create additional parking to serve the existing building. The previous DC limited the type of medical use to address this parking situation.

The proposed DC broadens the range of medical uses that can be housed within the current building but limits the use area to 450 square metres (1 level) to control parking impacts.

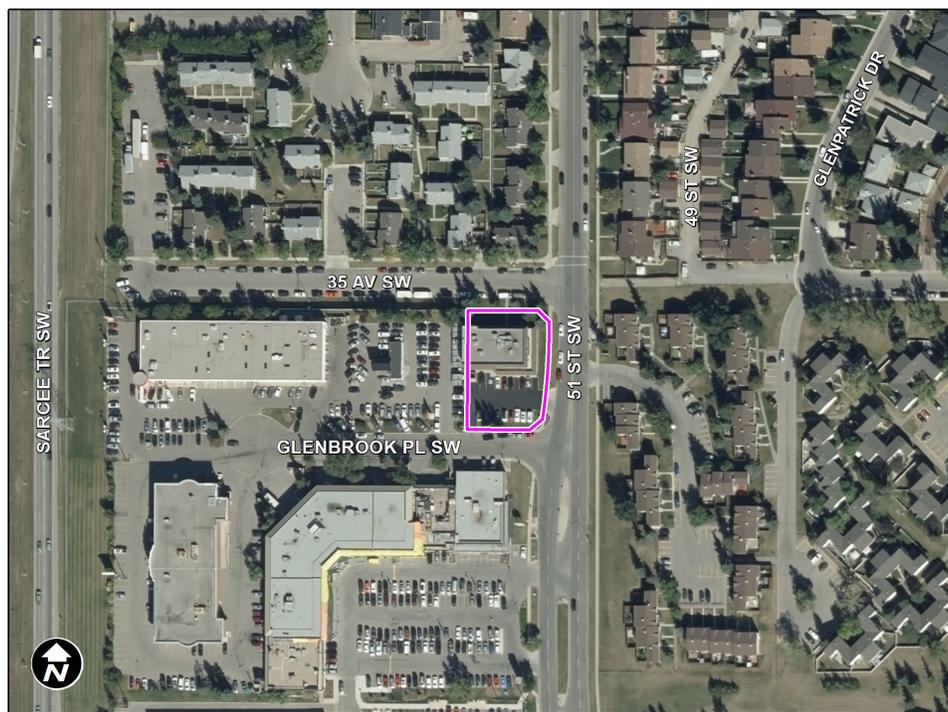
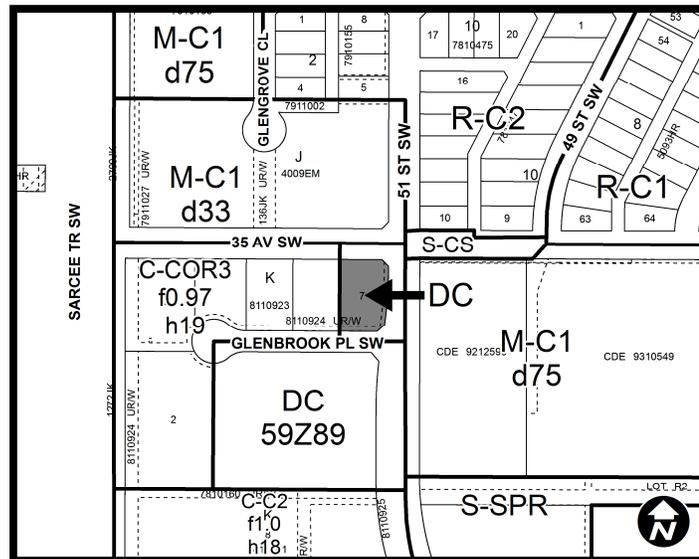
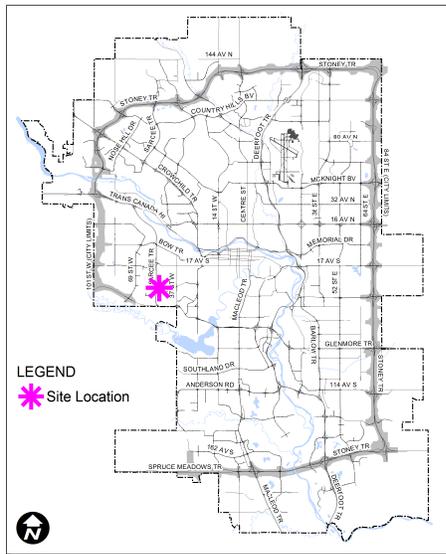
ATTACHMENT

1. Proposed Bylaw 127D2014

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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 0.16 hectares \pm (0.4 acres \pm) located at 7 Glenbrook Place SW (Plan 8110923, Block K, Lot 7) from DC Direct Control District **to** DC Direct Control District to accommodate medical clinics with guidelines (APPENDIX II).

Moved by: S. Keating

Carried: 6 – 0

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Applicant:

Davis Jensen Law

Landowner:

Reddy Innovative Health Care Inc

| Planning Evaluation Content | *Issue | Page |
|---|--------|------|
| Density <i>Is a density increase being proposed.</i> | No | 5 |
| Land Use Districts <i>Are the changes being proposed housekeeping or simple bylaw amendment.</i> | No | 5 |
| Legislation and Policy <i>Does the recommendation create capital budget impacts or concerns.</i> | No | 5 |
| Transportation Networks <i>Do different or specific mobility considerations impact this site</i> | No | 6 |
| Utilities & Servicing <i>Is the site in an area under current servicing review and/or has major infrastructure (water, sewer and storm) concern</i> | No | 6 |
| Environmental Issues <i>Other considerations eg. sour gas or contaminated sites</i> | No | 6 |
| Growth Management <i>Does this site have the appropriate growth management direction.</i> | No | 6 |
| Public Engagement <i>Were major comments received from the circulation</i> | No | 6 |

*Issue - Yes, No or Resolved

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PLANNING EVALUATION

SITE CONTEXT

The site is located within a commercial setting within the community of Glenbrook. To the south is a big box/strip mall development and to the west is a car dealership to the west (C-C2 and C-COR3 respectively). Multi-unit dwellings are located to the north and east (M-C1) along with some single unit dwellings nearby to the north east (R-C2).

The site and building has been used as a medical clinic since 1994. The applicant wants to continue using the site and building as a medical clinic. The site currently has a temporary development permit allowing a similar use until a permanent DC Direct Control District is in place.

The site cannot accommodate the land use bylaw parking requirements for most uses and does not have the opportunity to expand the amount of stalls on site.

LAND USE DISTRICTS

A medical clinic has functioned on the site for the last 20 years. The previous DC Direct Control District limited the medical use to 6 plastic surgeons within 493 square metres of gross floor area. This new DC will allow for a medical clinic to continue in nearly the same square footage, but with other doctors allowed instead of only plastic surgeons. The original DC limited medical uses due to the constrained parking; this new DC will do the same. The site has 18 stalls with the inability to accommodate more without losing landscaping, but is still deficient 16 stalls.

There are few uses within the existing district (with some unlikely exceptions) that will meet the parking requirements. With a limited supply of parking, limiting the scope of the most intense use should limit the impact of the undersupply of parking. The new DC (APPENDIX II) will not limit the subtype of medical use but will limit the floor area to 450 square metres to ensure that the medical clinic does not grow larger and further constrain the parking. A number of 10 parking stalls is the minimum parking requirement for the medical clinic with the other 8 stalls for the remaining office space.

LEGISLATION & POLICY

The Glamorgan/Glenbrook Design Brief (1971) applies to this area. In addition to this design brief, this part of Glenbrook is considered a Community Activity Centre in the Municipal Development Plan and therefore a Medical Clinic is an appropriate use in that context.

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TRANSPORTATION NETWORKS

Transportation Planning supports the change in use on for this site, with the existing parking on site to be maintained. The site has been operating as is since 1995, and no complaints have been registers with regards to parking. There is no opportunity to increase parking on site, without removing landscaping. On street parking is available on 51 Street SW, Glenbrook Place SW and 35 Avenue SW adjacent to this property.

UTILITIES & SERVICING

Water, sanitary and storm servicing exist on site.

ENVIRONMENTAL ISSUES

Not applicable

ENVIRONMENTAL SUSTAINABILITY

Not applicable

GROWTH MANAGEMENT

Not applicable

PUBLIC ENGAGEMENT

Community Association Comments

No comments received

Citizen Comments

No comments received

Public Meetings

Not applicable

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APPENDIX I

APPLICANT'S SUBMISSION

The subject site is currently within an existing 1994 Direct Control (DC) land use district (DC75Z94). The general rules for this district were based on the C-1 and C-1A "Local Commercial District" as this district was defined in the former Land Use Bylaw 2P80.

The existing DC bylaw was drafted using unusually restrictive language, limiting the use of "medical clinics" within the DC area to "maximum of six plastic surgeons only". We understand that this restriction was an attempt to use the land use to limit site demand, as this site has a limited number of parking stalls (18 currently); the prescriptive requirements were intended to limit the parking demand on the site.

The current owner purchased the site with the intention of operating a "medical clinic" not realizing that all "medical clinics" were not created equal. They were not made aware of the existing limitation until December, 2013.

The applicant purchased the existing building on the subject site on or about March 6, 2013. The existing Development Permit for the site (DP1995-0155) limited the medical clinic not only to the DC mandated maximum of six plastic surgeons only but further mandated the limit of the maximum floor area to 493 square metres (5,306.61 sq ft) gross floor area on the main floor.

The second floor was approved for office uses. The applicant does not intend to change that approved use.

493 sq m / 5306.61 gross area (medical clinic)

The 1995 DP required a minimum of 18 parking stalls on site and that number is currently provided. The applicant seeks to confirm the net floor area used for medical clinic use to that area approved for the 1995 DP – a maximum gross floor area of 493 square metres (5306.61 sq ft). While the applicant expects that only two physicians will work within the medical clinic, it does not wish to limit the number of physicians in the manner of the existing "DC" bylaw, given its inflexibility.

The proposed DC bylaw is required to accommodate a significant parking relaxation on the site. For example, using the current Land Use Bylaw requirements for parking with only offices on the second floor and medical clinic on the main floor (assuming a 419 sq m gross usable floor area on each floor), the offices would require 8.38 parking stalls and the medical clinic 25.1 parking stalls – for a total of 33.48 parking stalls (deficiency of 16).

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APPENDIX II

PROPOSED DC DIRECT CONTROL GUIDELINES

Purpose

- 1 This Direct Control District is intended to accommodate a **Medical Clinic** with reduced parking requirements on a site with limited on-site parking.

Compliance with 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 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 Commercial-Community (C-C1) District of Bylaw 1P2007 are the *permitted uses* in this Direct Control District.

Discretionary Uses

- 5 The *discretionary uses* of the Commercial-Community (C-C1) District of Bylaw 1P2007 are the *discretionary uses* in this Direct Control District.

Bylaw 1P2007 District Rules

- 6 Unless otherwise specified, the rules of the Commercial-Community (C-C1) District of Bylaw 1P2007 apply in this Direct Control District.

Use Area

- 7 (a) The maximum *use area* for a **Medical Clinic** is 450 square metres.
- (b) In all other cases, the rules of 1P2007 apply.

Required Motor Vehicle Parking Stalls

- 8 (a) A minimum of 10.0 *motor vehicle parking stalls* are required for any **Medical Clinic** if located on the main floor within the existing building.
- (b) In all other cases, the rules of 1P2007 apply.