

**ROAD CLOSURE AND LAND USE AMENDMENT
RUTLAND PARK (WARD 11)
45 AVENUE & SARCEE ROAD SW
BYLAWS 13C2014 AND 104D2014**

MAP 6C

EXECUTIVE SUMMARY

This application is to close a portion of undeveloped road right-of-way adjacent to 4604 – 37 Street SW and 4645 Sarcee Road SW and to redesignate the closed road from Undesignated Road Right-of-Way to Commercial – Community 1 (C-C1) District.

The City of Calgary is in negotiations with the owner of the adjacent parcel, 4604 – 37 Street SW to purchase the subject area of approximately 0.09 hectares (0.22 acres) and consolidate with their lands. The consolidation would allow the closed road area to be developed as surface parking only as underground utilities have been identified and easements and Utility Right-of-Way will be required as stated in the conditions. An access agreement will also be required for the existing driveway to allow continuous access to the adjacent properties immediately south of the subject area.

PREVIOUS COUNCIL DIRECTION

No previous direction has been provided by Council with respect to the subject site or application.

ADMINISTRATION RECOMMENDATION(S)

2014 August 28

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

RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION

That Council hold a Public Hearing on Bylaws 13C2014, 104D2014; and

1. **ADOPT** the proposed closure of 0.09 hectares \pm (0.22 acres \pm) of road (Plan 1412135, Area A) adjacent to 4604 – 37 Street SW, and 4645 Sarcee Road SW, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Closure Bylaw 13C2014.
3. **ADOPT** the proposed redesignation of 0.09 hectares \pm (0.22 acres \pm) of closed road (Plan 1412135, Area A) adjacent to 4604 – 37 Street SW and 4645 Sarcee Road SW from Undesignated Road Right-of-Way **to** Commercial – Community 1 (C-C1) District, in accordance with Administration's recommendation; and
4. Give three readings to the proposed Bylaw 104D2014.

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REASON(S) FOR RECOMMENDATION:

The proposed land use redesignation of Commercial – Community 1 (C-C1) is consistent with the adjacent land to be consolidated with. The closed area would allow for the development of additional surface parking for the site.

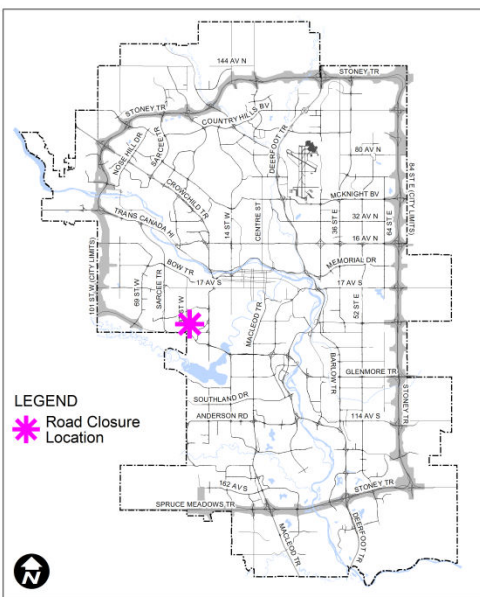
ATTACHMENTS

1. Proposed Bylaw 13C2014
2. Proposed Bylaw 104D2014
3. Public Submissions

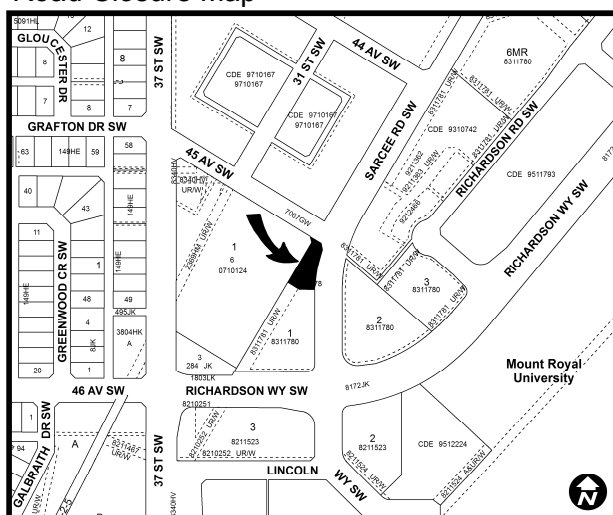
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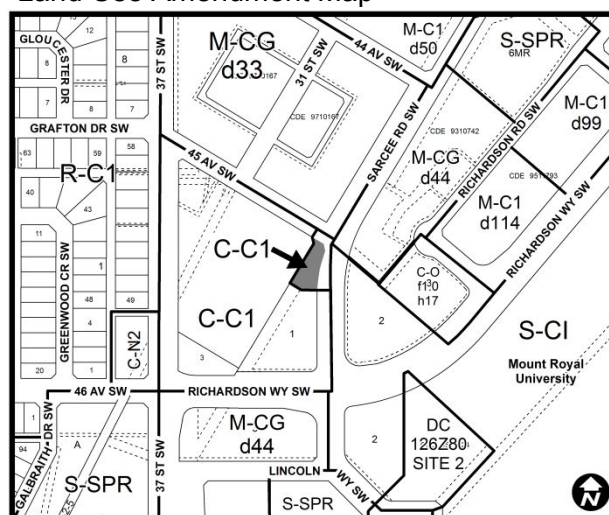
LOCATION MAPS



Road Closure Map



Land Use Amendment Map



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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

- | | |
|----|--|
| 1. | Recommend that Council ADOPT , by bylaw, the proposed closure of 0.09 hectares \pm (0.22 acres \pm) of road (Plan 1412135, Area A) adjacent to 4604 – 37 Street SW, and 4645 Sarcee Road SW with conditions (APPENDIX II). |
| | Moved by: R. Wright Carried: 7 – 0 |
| 2. | Recommend that Council ADOPT , by bylaw, the proposed redesignation of 0.09 hectares \pm (0.22 acres \pm) of closed road (Plan 1412135, Area A) adjacent to 4604 – 37 Street SW and 4645 Sarcee Road SW from Undesignated Road Right-of-Way to Commercial – Community 1 (C-C1) District. |
| | Moved by: R. Wright Carried: 7 – 0 |

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Applicant:

D S Bathory Architect

Landowner:

The City of Calgary

PLANNING EVALUATION

This application is to close a portion of undeveloped road right-of-way adjacent to 4604 – 37 Street SW and 4645 Sarcee Road SW and to redesignate the closed road from Undesignated Road Right-of-Way to Commercial – Community 1 (C-C1) District.

The City of Calgary is in negotiations with the owner of the adjacent parcel, 4604 – 37 Street SW to purchase the subject area of approximately 0.09 hectares (0.22 acres) and consolidate with their lands. The consolidation would allow the closed road area to be developed as surface parking only as underground utilities have been identified and easements and Utility Right-of-Way will be required as stated in the conditions. An access agreement will also be required for the existing driveway to allow continuous access to the adjacent properties immediately south of the subject area.

The road closure and land use amendment application was circulated to the stakeholders and no objections were received.

The proposed redesignation is compatible with the adjacent land use.

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APPENDIX I

APPLICANT'S SUBMISSION

The subject lands are considered excess and residual land within an existing City of Calgary roadway along Sarcee Road SW.

It is the express intention of the interested purchasing party, subject to City approvals, to consolidate the subject site with that of the current shopping center lands.

The road closure will permit efficient and beneficial utilization of underdeveloped vacant lands for long term improved community benefit. This proposal achieves City stated policies and objectivises of community sustainability, smart growth and responsive inner city development intensification.

The subject lands are directly contiguous to the established neighbourhood shopping center (land use district C-C1) fo Sarcee Plaza located at 4604 – 37 Street SW. The shopping center is experiencing increasing demand and popularity due to residential intensification within the nearby communities, and wishes to acquire said lands in order to expand and accommodate further development serving the immediate community. At the present time a new private operated community daycare facility is under construction, pending lease negotiations and development approvals.

The subject site's lands will permit development of surface improvements for surface parking and landscaping to compliment additional development on the existing Sarcee Plaza lands.

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APPENDIX II

PROPOSED ROAD CLOSURE CONDITIONS

1. That all costs associated with the closure be borne by the Applicant;
2. That utility easements be provided, as required and that a utility Right-of-Way plan be registered concurrently with the subdivision and to the satisfaction of the manager, Corporate Growth Management, City Solicitor, Enmax Power Corporation.
3. That concurrent with registration at Land Titles, a mutual access agreement be registered for this project;
4. That the closed road right-of-way be consolidated with the adjacent lands located at 4604 – 37 Street SW.