

**POLICY AMENDMENT AND LAND USE AMENDMENT
BELTLINE (WARD 11)
14 AVENUE SE AND CENTRE STREET SE
BYLAWS 22P2018 AND 101D2018**

MAP 15C

EXECUTIVE SUMMARY

This Land Use Amendment application seeks to redesignate three existing commercial units in a single storey building from Centre City Multi-Residential High Rise District (CC-MH) to Centre City Multi-Residential High Rise Support Commercial District (CC-MHX) to allow for commercial uses. The units comprise an office, convenience store and a small retail store. The current commercial uses are legal non-conforming and would not be allowed should an existing tenant vacate a unit without immediate replacement with a new tenant. This application seeks to provide certainty of use for the commercial units in future.

An amendment to the Beltline Area Redevelopment Plan is required to accommodate this Land Use Amendment application.

PREVIOUS COUNCIL DIRECTION

None.

ADMINISTRATION RECOMMENDATION(S)

2018 January 25

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

RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION

That Council hold a Public Hearing on Bylaws 22P2018 and 101D2018; and

1. **ADOPT** the proposed amendments to the Beltline Area Redevelopment Plan, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 22P2018.
3. **ADOPT** the proposed redesignation of 0.06 hectares \pm (0.14 acres \pm) located at 111 – 14 Avenue SE (Plan 9611585, Units 7, 8 and 114) from Centre City Multi-Residential High Rise District (CC-MH) **to** Centre City Multi-Residential High Rise Support Commercial District (CC-MHX), in accordance with Administration's recommendation; and
4. Give three readings to the proposed Bylaw.

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REASON(S) FOR RECOMMENDATION:

The current CC-MH District does not allow commercial uses and the existing units have been operating as legal non-conforming uses. The land use redesignation corrects an issue created by the adoption of the Land Use Bylaw 1P2007, which no longer allowed commercial units on the subject site. Redesignation of the three commercial units to CC-MHX would enable conformance to the Land Use Bylaw. This minor housekeeping amendment would allow for support commercial uses on the subject site. The proposal conforms to relevant policies of the Municipal Development Plan and Beltline Area Redevelopment Plan as amended.

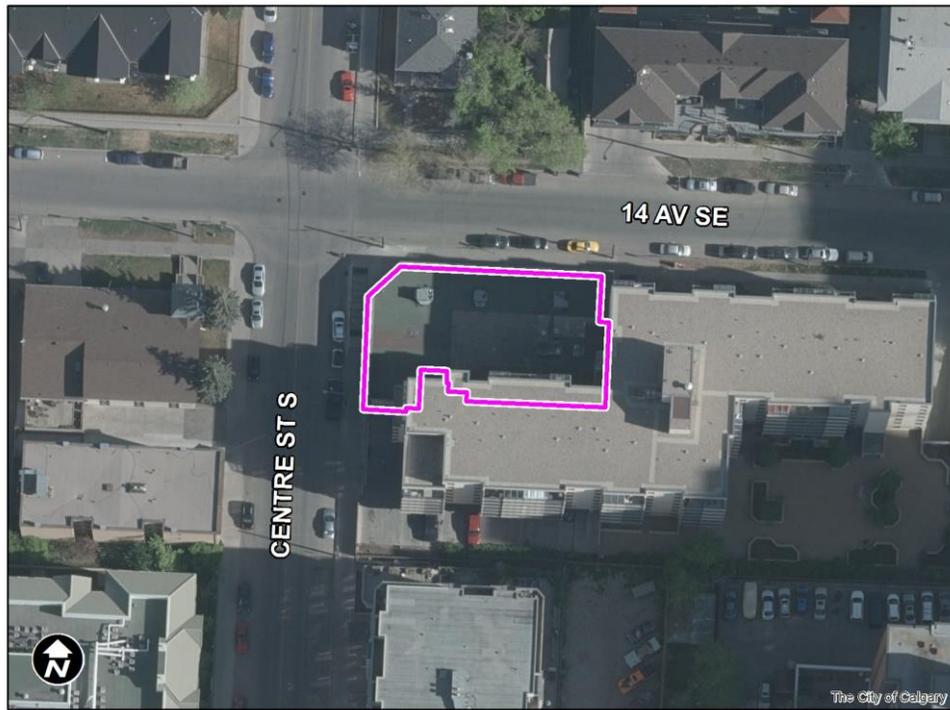
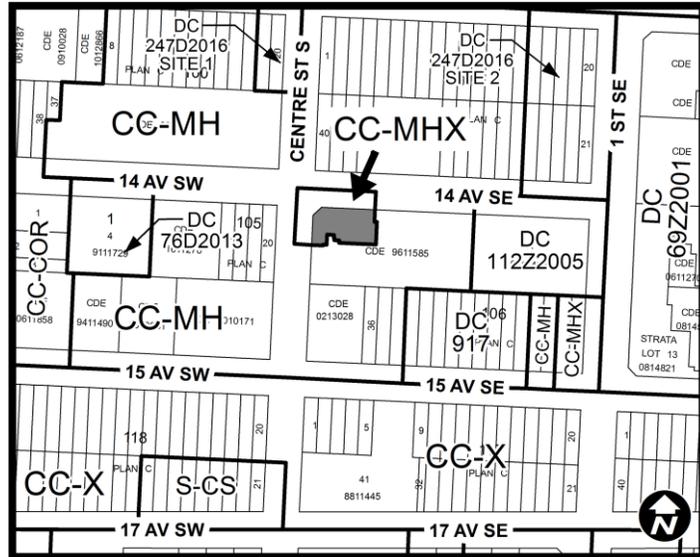
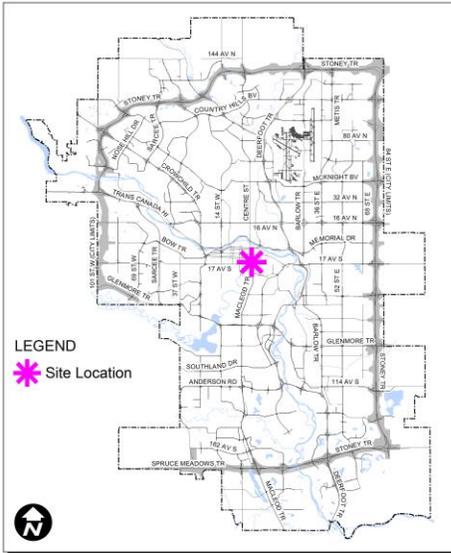
ATTACHMENTS

1. Proposed Bylaw 22P2018
2. Proposed Bylaw 101D2018

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LOCATION MAPS



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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

1. Recommend that Council **ADOPT**, by bylaw, the proposed amendment to the Beltline Area Redevelopment Plan (APPENDIX II).

Moved by: M. Foht

Carried: 8 – 0

2. Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.06 hectares \pm 0.14 acres \pm) located at 111 – 14 Avenue SE (Plan 9611585, Units 7, 8 and 114) from Centre City Multi-Residential High Rise District (CC-MH) to Centre City Multi-Residential High Rise Support Commercial District (CC-MHX).

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Applicant:

CityTrend

Landowner:

Spring Creek Development Corporation
1376743 Alberta Ltd (Jay C.P. Damen,
Jane M. Hoffman)

PLANNING EVALUATION

SITE CONTEXT

The subject site is located at the corner of 14 Avenue SE and Centre Street SE in the Beltline. The site is part of a parcel which is currently developed with a single storey commercial building and a seven-storey multi-residential building under the same condominium plan. There is no direct access between the commercial and residential units. The three units proposed to be redesignated are all located in the single storey commercial building. The three existing commercial units are small in scale and have existed for many years in the community.

LAND USE DISTRICTS

Centre City Multi-Residential High Rise Support Commercial Districts (CC-MHX) are primarily residential with a limited range of support commercial uses, restricted in size and location within the building. Administration finds the redesignation of the existing commercial units to CC-MHX appropriate as it will bring them into conformance with the Land Use Bylaw.

LEGISLATION & POLICY

South Saskatchewan Regional Plan (SSRP)

The recommendation by Administration in this report has considered and is aligned with the policy direction of the South Saskatchewan Regional Plan (SSRP).

Beltline Area Redevelopment Plan (ARP)

The subject site is included in the Primarily Residential Area of the Beltline ARP. The proposed CC-MHX District fits well with the intent of the area which is to allow “primarily residential with a limited range of uses including support commercial uses, restricted in size and location within the building”. The subject site, however, is not situated along the street frontages identified for non-residential uses as shown on Map 3B of the Beltline ARP.

In order to bring the proposal into alignment with the Beltline ARP, it is necessary to make an amendment to Map 3B – Non-Residential Use Policy Area of the ARP to include the subject site

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in the Non-Residential Use Policy Area.

TRANSPORTATION NETWORKS

There is an on street loading zone along 14 Ave SE and parking restriction (2 hour maximum) on 14 Avenue SE and Centre Street SE adjacent to the site. A Traffic Impact Assessment (TIA) or parking study was not requested for this application. However, upon future redevelopment of the parcel, the applicant will be required to submit a TIA in support of the development.

UTILITIES & SERVICING

Public water, sanitary and storm mains exist within the adjacent public rights-of-way. Services exist from public mains to the existing site and development. Should changes to servicing be required at the time of future development, services shall be to the satisfaction of Water Resources.

ENVIRONMENTAL ISSUES

An Environmental Site Assessment was not required, as there are no known environmentally related concerns associated with the lands and/or proposed scope. The lands and existing development are located within the Overland Flow Zone flood risk area as per current Council approved flood maps. At the time of future development, proposed development shall conform with current Land Use Bylaw flood regulations.

ENVIRONMENTAL SUSTAINABILITY

Sustainability measures will be evaluated at the development permit stage.

GROWTH MANAGEMENT

The proposed amendment does not trigger capital infrastructure investment and therefore there are no growth management concerns at this time.

PUBLIC ENGAGEMENT

Community Association Comments

A letter of no objection was received from the Beltline Neighbourhoods Association, following discussions with the applicant.

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Citizen Comments

No comments received by CPC Report submission date.

Public Meetings

No public meetings were held.

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APPENDIX I

APPLICANT'S SUBMISSION

2.0 Planning Evaluation

This application proposes the redesignation of three commercial units in an existing building from CC-MH to CC-MHX. The current district does not allow for commercial uses. The units to be redesignated are occupied by Hoffman Law, Centre Point Grocery and Calgary Coin.

A multi-residential building and a single storey commercial building currently exist on the site. There is no direct access between the existing residential and commercial units. Redevelopment of the site is not proposed.

A pre-application meeting was held prior to the submission of this application – PE2017-00638.

Site Context

The site is located in the Beltline community of the Centre City. It is located at the corner of 14 Avenue SE and Centre Street.

Proposed Land Use District

We are seeking to redesignate the site to the Centre City Multi-Residential High Rise Commercial Support District (CC-MHX).

Commercial units have existed on this site for many years, providing services to local residents. Currently, an office, convenience store and small retail store are located on the subject property. Though commercial uses are existing, they are not allowed in the current CC-MH District. They have been operating as legal non-conforming uses. Should one of the current tenants move out and not be immediately replaced by a new tenant the commercial use would cease to be allowed.

This land use redesignation seeks to provide the owners of the commercial units certainty of use and allow them greater flexibility in the future. Additionally, the proposed CC-MHX District would provide local residents with small-scale commercial uses in an existing commercial building and would not create any negative impacts.

Site Characteristics

The subject site is located on a corner parcel. The surrounding properties have a mix of uses including CC-MH and Direct Control Districts based in R-5 and RM-7. There is an existing multi-residential building on site. However, there is no direct access between the commercial and residential units. The subject commercial units form part of the residential complex and are under the same condominium plan.

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Public Engagement

CITYTREND met with the Victoria Park Business Improvement Area and discussed the application with Councillor Woolley prior to our submission. The proposal has also been discussed with the condo board. We will continue to engage with the Councillor's office, Community Association, Victoria Park BIA and adjacent neighbours on the application as it progresses.

Conclusion

The proposed redesignation addresses a long-standing issue on the site following the adoption of 1P2007. The redesignation to CC-MHX is appropriate to the context where there is currently a mix of commercial and residential uses.

- The proposed District of CC-MHX provides supportive uses to nearby residents
- The uses included in the proposed District are limited in impact and size.
- The proposed redesignation falls in line with the policies included in the Municipal Development Plan
- The units to be redesignated include the corner unit, following the policies included in the Beltline ARP for the location of non-residential uses
- Commercial uses have existed on the site for many years without issue in the existing single storey commercial building
- The land use redesignation fixes an issue created by the adoption of 1P2007, which no longer allowed commercial units on the subject site
- The adoption of this land use redesignation will provide the owners of the commercial units certainty of use and greater flexibility for users into the future

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APPENDIX II

PROPOSED AMENDMENT TO THE BELTLINE
AREA REDEVELOPMENT PLAN

- (a) Delete the existing Map 3B entitled “Non-Residential Use Policy Area” and replace with the revised Map 3B entitled “Non-Residential Use Policy Area”, as follows:

