

Policy and Land Use Amendment in Lower Mount Royal (Ward 8) at 1815 – 8 Street SW, LOC2022-0104

RECOMMENDATION:

That Calgary Planning Commission recommend that Council:

1. Give three readings to the proposed bylaw for the amendments to the Lower Mount Royal Area Redevelopment Plan (Attachment 2); and
2. Give three readings to the proposed bylaw for the redesignation of 0.01 hectares ± (0.03 acres ±) located at 1815 – 8 Street SW (Plan 4453L, Block 14, a portion of Lot 11) from Multi-Residential – Contextual Medium Profile (M-C2) District to Direct Control (DC) District to accommodate a Tattoo Studio, with guidelines. (Attachment 3).

RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, 2023 AUGUST 17:

That Council:

1. Give three readings to **Proposed Bylaw 73P2023** for the amendments to the Lower Mount Royal Area Redevelopment Plan (Attachment 2); and
2. Give three readings to **Proposed Bylaw 188D2023** for the redesignation of 0.01 hectares ± (0.03 acres ±) located at 1815 – 8 Street SW (Plan 4453L, Block 14, a portion of Lot 11) from Multi-Residential – Contextual Medium Profile (M-C2) District to Direct Control (DC) District to accommodate a Tattoo Studio, with guidelines. (Attachment 3).

HIGHLIGHTS

- This application seeks to redesignate the subject parcel to a Direct Control (DC) District to accommodate a tattoo studio within an existing residential building.
- This proposal represents the adaptive re-use of an existing residential dwelling in support of a small, local business and is in keeping with the applicable policies of the *Municipal Development Plan* (MDP).
- What does this mean to Calgarians? The proposed policy amendment and land use redesignation accommodates a tattoo studio near a commercial corridor that is accessible through multiple mobility modes.
- Why does this matter? The proposed DC District would allow for a non-residential use (Tattoo Studio) in a form and scale that is in keeping with its surrounding residential context.
- An amendment to the *Lower Mount Royal Area Redevelopment Plan* (ARP) is required to accommodate the proposal.
- A development permit has not been submitted at this time.
- There is no previous Council direction related to this proposal.

DISCUSSION

This application, in the southwest community of Lower Mount Royal was submitted by William Anifowose, on behalf of the landowners, Nii Amah Ayi and Nii Okai Ayi, on 2022 June 17. No development permit application has been submitted at this time; however, as noted in the

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Applicant Submission (Attachment 4), the applicant identified the intent to transition the tattoo studio from an existing home occupation to using the entire building commercially.

The approximately 0.01 hectare (0.03 acre) parcel is located mid-block along 8 Street SW between 18 and 19 Avenues SW. The existing single detached dwelling does not have vehicular access from either the street or a lane and currently supports a home occupation on this parcel. The parcel is adjacent to single detached dwellings to the north and south, and two to four storey apartments to the west and east. The site is approximately 160 metres (a three-minute walk) from the primary transit network (17 Avenue SW) and bus stops for Route 2 (Killarney/17 Avenue SW), Route 7 (Marda Loop) and Route 6 (City Centre). A bus stop for Route 13 (City Centre) is available directly across 8 Street SW.

The site benefits from on-street bikeways provided along 8 Street SW and 19 Avenue SW, which provides cycling connections between the greater downtown and inner city neighbourhoods further south. The proposed DC District would accommodate a tattoo studio and includes the provision of bicycle parking stalls in lieu of vehicular parking stalls due to existing site constraints.

A detailed planning evaluation of the application including location maps and site context is provided in the Background and Planning Evaluation (Attachment 1).

ENGAGEMENT AND COMMUNICATION

- Outreach was undertaken by the Applicant
- Public/interested parties were informed by Administration

Applicant-Led Outreach

As part of reviewing the proposed land use amendment application, the applicant was encouraged to use the [Applicant Outreach Toolkit](#) to assess which level of outreach with the public/interested parties and the respective community association was appropriate. In response, the applicant initiated public outreach with residents, neighbours and community association members. The applicant facilitated discussions and mailed information packages to nearby residents. The feedback collected by the applicant included concerns of noise from potential renovations to the existing building. The applicant informed residents that no exterior renovations are required to accommodate the tattoo studio and confirmed commitment to daily upkeep of the property. The Applicant Outreach Summary can be found in Attachment 5.

City-Led Outreach

In keeping with Administration's practices, this application was circulated to the public/interested parties, notice posted on-site and published [online](#). Notification letters were also sent to adjacent landowners.

No public comments were received at the time of writing this report.

The Mount Royal Community Association (MRCA) expressed the following concerns with the initially circulated draft policy amendment and DC District:

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- ongoing commercial creep into residential areas of the community;
- lack of vehicular parking to support the proposed tattoo studio use within the existing building;
- lack of rules to regulate business operating hours, and potential conflicts with surrounding residential areas; and
- lack of appropriate rules regulating the use of signage associated with non-residential uses within the building.

In response, Administration revised the proposed policy amendment and DC District to include policies and rules that account for the following:

- a policy to ensure appropriate hours of operation are established at the development permit stage;
- policy and rules to ensure signage associated with a tattoo studio is limited in size and maintains the residential character of the existing building; and
- adding a rule in the DC District requiring a minimum number of bicycle parking stalls in lieu of vehicle parking stalls to be provided within the site.

The MRCA remains opposed to the proposed policy amendment and DC District upon its review of the amended proposal that accounts for their initial suggestions and comments. The formal letter summarizing their opposition is found in Attachment 6.

Administration considered the relevant planning issues specific to the application and determined the proposal to be appropriate as the proposed non-residential use (tattoo studio) can be accommodated without disrupting the residential character of the Mount Royal community (specifically along 8 Street SW corridor). Furthermore, the proposed policy and land use amendment supports adaptive reuse of an existing building through the introduction of non-residential uses at a modest scale. Hours of operations, bicycle parking and signage requirements will be reviewed and determined at the development permit stage.

Following Calgary Planning Commission, notifications for a 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.

IMPLICATIONS

Social

This application accommodates the adaptive reuse of an existing building within an inner-city community that supports a small business (tattoo studio) located within walking distance to a Neighbourhood Main Street (17 Avenue SW).

Environmental

This application does not include any actions specifically addressing objectives of the *Calgary Climate Strategy – Pathways to 2050*.

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Economic

The proposed land use would allow for more efficient use of land, existing infrastructure and services while supporting small business development within an inner-city neighbourhood.

Service and Financial Implications

No anticipated financial impact.

RISK

There are no known risks associated with this proposal.

ATTACHMENTS

1. Background and Planning Evaluation
2. **Proposed Bylaw 73P2023**
3. **Proposed Bylaw 188D2023**
4. Applicant Submission
5. Applicant Outreach Summary
6. Community Association Response
7. **CPC Member Comments**
8. **Confidential Public Submission**

Department Circulation

General Manager (Name)	Department	Approve/Consult/Inform