

Applicant Submission



The City of Calgary

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Attention: Chris McCaw
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March 10, 2023

Attn: Melanie Horkan
Senior Planner / South Area

Re: **ADMIRAL COURT ZONING**
Land Use Redesignation Application
Pre-App Reference: PE2022-01956
6110, 6120, 6130 1A Street SW and 210 61 Avenue SW, Calgary, AB.
Systemic Architecture Inc. File Number: 2018-013/1.2B

Dear Melanie,

Following your meeting with Kevin Pritchard, Vice President – Ronmor Development, we are pleased to submit the Land Use Amendment for the site with the Pre-App reference PE2022-01956.

Currently, the site is zoned as Direct Control – 56D2010 SITE 3, ruled under the Commercial – Corridor 1 (C-COR1) District (Bylaw 1P2007) and is approximately +/-2.9 hectares in size. Of primary concern to the immediate subject are the use restrictions for ground floor locations. Of specific interest to the landowner, Medical Clinic is highlighted as part of this discussion.

DC DIRECT CONTROL DISTRICT

SECTION 9 – Location of Uses Within Buildings.

- (a) The following uses must not be located on the ground floor of buildings:
- (i) Catering Service – Minor;
 - (ii) Child Care Service;
 - (iii) Counselling Service;
 - (iv) Health Services Laboratory – with Clients;
 - (v) Instructional Facility;
 - (vi) Live Work Unit;
 - (vii) **Medical Clinic;**
 - (viii) Office;
 - (ix) Place of Worship – Small;
 - (x) Post-Secondary Learning Institution;
 - (xi) Residential Care;
 - (xii) Social Organization; and
 - (xiii) Veterinary Clinic.

The new proposed Land use amendment will continue with the same DC 56D2010 SITE 3, ruled by the current 1P2007 Land Use Bylaw, except for the restricted ground floor uses location.

Due to the current tenant mix and ongoing market conditions experienced at this location (Admiral Court), the owner requires zoning to be less restrictive on the ground floor use restrictions. This is especially true to the use of Medical Clinic/Health Care Services, where several bays have already been approved under a Development Permit relaxation for the ground floor.

Where the Development Authority may relax the rules contained in Sections 6, 8 and 9 of this Direct Control District in accordance with Sections 30, 31 and 36 of Bylaw 1P2007. See below:

Land Use Bylaw 1P2007, Part 2: Administration / Division 4: Permitted Use Development Permit
Permitted Uses That Do Not Meet All Requirements

- 30 Where a development permit application is for a permitted use in a building or on a parcel and the proposed development does not conform to all of the applicable requirements and rules of this Bylaw, the Development Authority may:
- (a) refuse to approve the development permit application; or
 - (b) approve the development permit application and grant a relaxation of the requirement or rule to which the proposed use does not conform.

Test for a Relaxation

- 31 The Development Authority may approve a development permit application for a permitted use where the proposed development does not comply with all of the applicable requirements and rules of this Bylaw if, in the opinion of the Development Authority:
- (a) the proposed development would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring properties; and
 - (b) the proposed development conforms with a use prescribed by this Bylaw for that land or building.

Land Use Bylaw 1P2007, Part 2: Administration / Division 5: Discretionary Use Development Permit
Discretionary Use That Does Not Comply

- 36 (1) The Development Authority may approve a development permit application for a discretionary use where the proposed development does not comply with all of the applicable requirements and rules of this Bylaw if in the opinion of the Development Authority:
- (a) the proposed development would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring properties; and
 - (b) the proposed development conforms with a use prescribed by this Bylaw for that land or building.
- (2) The provisions of 36(1) apply to any reduction in the required distance of 100 metres from a Cannabis Store to a boundary of a parcel of land that does not contain a school building and is designated as school reserve or municipal and school reserve under the Municipal Government Act, in accordance with 105(5) of the Gaming, Liquor And Cannabis Regulation.

Of important note, the current zoning identified the use restriction on the ground floor; however, the DC document *prescribes a future build-out situation of the property* and envisions a multistorey building. As this existing building is one level and the DC zoning in question contemplates a future multi-stoery redevelopment format , we submit there is Planning rationale to support revision of the land use, to remove the use restriction. While redevelopment and densification of the property continues to be a long-term goal, it remains significantly in the future. To achieve this overall objective, current optimization the leasing potential is required to better position leasing opportunities for these buildings.

Pending a successful application and approval of this new Land Use Amendment, it is anticipated change of use applications will follow.

The application should be generally straightforward. We trust this letter, and supporting documents are sufficient to allow for a timely review and approval. If there is anything else required from us at this time, please do let us know.

Best Regards,



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Dipl. Arch.

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