

**Land Use Amendment in Sunalta (Ward 8) at 1540 and 1602 – 10 Avenue SW,
 LOC2023-0308**

RECOMMENDATION:

That Calgary Planning Commission recommend that Council give three readings to the proposed bylaw for the redesignation of 0.05 hectares \pm (0.13 acres \pm) located at 1540 and 1602 – 10 Avenue SW (Plan 5380V, Block 208, Lots 22 and 23) from Direct Control (DC) District to Direct Control (DC) District to accommodate a mixed-use development with a relaxation clause, with guidelines (Attachment 2).

**RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, 2024
 FEBRUARY 22:**

That Council give three readings to **Proposed Bylaw 113D2024** for the redesignation of 0.05 hectares \pm (0.13 acres \pm) located at 1540 and 1602 – 10 Avenue SW (Plan 5380V, Block 208, Lots 22 and 23) from Direct Control (DC) District to Direct Control (DC) District to accommodate a mixed-use development with a relaxation clause, with guidelines (Attachment 2).

HIGHLIGHTS

- This application seeks to redesignate the subject parcel from the existing Direct Control (DC) District (Bylaw 82D2009) to the proposed DC District, which would not change the rules of the existing DC District, but simply add a relaxation clause.
- A relaxation clause would allow the Development Authority to use its discretion in approving development permit applications where the proposed development does not fully comply with specific land use bylaw provisions.
- The proposal represents a house-keeping amendment that updates the DC District and is in keeping with the applicable policies of the *Municipal Development Plan* (MDP) and the *Sunalta Area Redevelopment Plan* (ARP).
- What does this mean to Calgarians? Allowing for more flexibility when applying land use bylaw rules will support commercial uses and services on this site and help create opportunities for people to live, work and shop locally to meet their daily needs.
- Why does this matter? Providing greater flexibility for at-grade commercial uses along 10 Avenue SW, close to higher density residential development, will allow more opportunities for businesses to animate and contribute to the vibrancy of 10 Avenue SW.
- No development permit has been submitted at this time, however, a temporary approval for an outdoor cafe patio will be expiring in May 2024, and renewal is dependant on the proposed DC District.
- There is no previous Council direction related to this proposal.

DISCUSSION

This application, located in the community of Sunalta, was submitted by SLVGD Architecture, on behalf of the landowners Tail Gunner Holdings Corp., on 2023 October 10. The approximately 0.05 hectare (0.13 acre) site is located on the north side of 10 Avenue SW, west of 14 Street SW.

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The application proposes redesignating the subject site to a DC District to allow for relaxations to the land use bylaw provisions at the discretion of the Development Authority. As noted in the Applicant Submission (Attachment 3), the intent of the application is to allow for an outdoor café that encroaches into the front setback area. The site is subject to a temporary development permit approval for an outdoor café use that expires in 2024 May. The relaxation clause included in the proposed DC District is needed to allow for future development permit renewals of the outdoor café patio as it is located within the setback area and requires relaxations to the DC District setback requirements.

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 the review of the proposed land use amendment application, the applicant was encouraged to use the [Applicant Outreach Toolkit](#) to assess which level of outreach with relevant public groups and respective community association was appropriate. In response, the applicant spoke with the local Councillor's Office as well as the Sunalta Community Association. The Applicant Outreach Summary can be found in Attachment 4.

City-Led Outreach

In keeping with Administration's practices, this application was circulated to interested parties, notice posted on-site and published [online](#). Notification letters were also sent to adjacent landowners. Administration received one letter of support from the public. A letter of support was also provided by the Sunalta Community Association, which can be found in Attachment 5.

Following Calgary Planning Commission, notifications for a Public Hearing of Council for the land use redesignation will be posted on-site and mailed to adjacent landowners. In addition, Commission's recommendation and the date of the Public Hearing will be advertised.

IMPLICATIONS

Social

With the addition of the relaxation clause, the proposed DC District will allow greater flexibility for uses and businesses on the ground floor of the building. This will help support uses that cater to local needs as well as implement the vision of 10 Street SW as a retail high street as identified in the ARP.

Environmental

This application does not include any actions that specifically address the objectives of the *Calgary Climate Strategy – Pathways to 2050*. Further opportunities to align future development on this site with applicable climate strategies will be explored and encouraged at subsequent development approval stages.

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2024 February 22**

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Economic

The proposed land use would allow for a more efficient use of land, existing infrastructure and services, provide a more compact built form and uses in the community, and support the existing business on the site.

Service and Financial Implications

No anticipated financial impact.

RISK

There are no known risks associated with this application.

ATTACHMENTS

1. Background and Planning Evaluation
- 2. Proposed Bylaw 113D2024**
3. Applicant Submission
4. Applicant Outreach Summary
5. Community Association Response
- 6. CPC Member Comments**

Department Circulation

General Manager (Name)	Department	Approve/Consult/Inform