

**LAND USE AMENDMENT
DOWNTOWN COMMERCIAL CORE (WARD 8)
NORTH OF 4 AVENUE SW AND
EAST OF 6 STREET SW
BYLAW 281D2016**

MAP 16C

EXECUTIVE SUMMARY

This application seeks to re-designate the subject parcel from the existing zoning of CR20-C20/R20 to a DC Direct Control District to allow for the continued use of the parcel as a surface parking lot. This existing parking lot has been operating without an approved Development Permit since 2000. The DC is based on CR20-C20/R20, but allows for the additional discretionary use of Parking Lot - Grade (temporary), as this use currently is not allowed under CR20-C20/R20. This land use application precedes the submission of a development permit application for the parking lot.

PREVIOUS COUNCIL DIRECTION

None.

ADMINISTRATION RECOMMENDATION(S)

2016 September 08

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

RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION

That Council hold a Public Hearing on Bylaw 281D2016; and

1. **ADOPT** the proposed redesignation of 0.18 hectares \pm (0.44 acres \pm) located at 312 and 314 – 6 Street SW, 634 and 636 – 4 Avenue SW (Plan 8053EJ, Block 14, Lots E, G, H and I; Plan A1, Block 14, Lots 36 and 37) from Commercial Residential District (CR20-C20/R20) **to** DC Direct Control District to accommodate an existing parking lot – grade, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 281D2016.

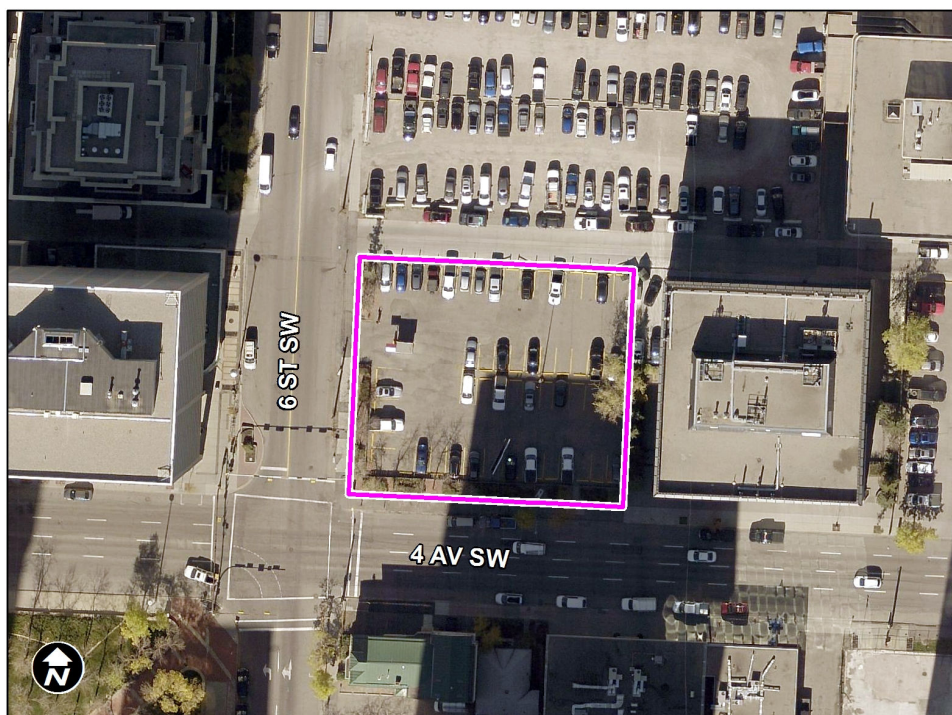
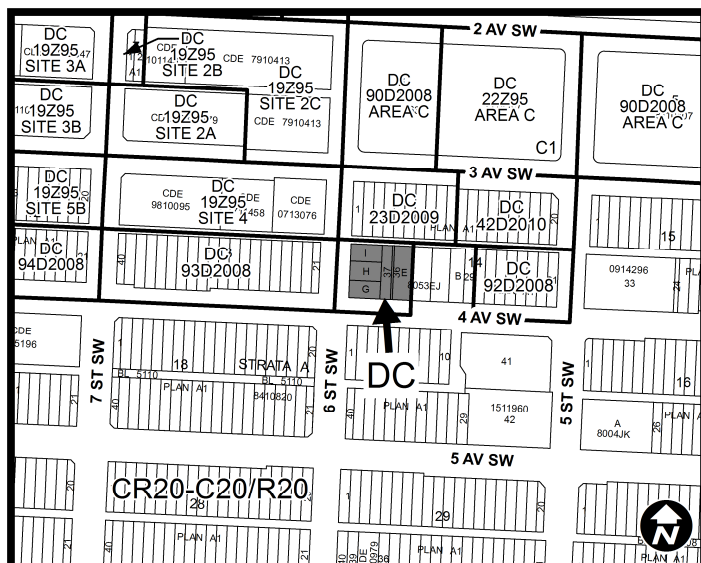
REASON(S) FOR RECOMMENDATION:

This application is supported, as it does not create a new surface parking lot, but, rather, legalizes an existing use that has been operating on the site for many years.

ATTACHMENT

1. Proposed Bylaw 281D2016

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ADMINISTRATION'S RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.18 hectares \pm (0.44 acres \pm) located at 312 and 314 – 6 Street SW, 634 and 636 – 4 Avenue SW (Plan 8053EJ, Block 14, Lots E, G, H and I; Plan A1, Block 14, Lots 36 and 37) from Commercial Residential District (CR20-C20/R20) **to** DC Direct Control District to accommodate an existing parking lot – grade, with guidelines (APPENDIX II).

Moved by: J. Gondek

Carried: 4 – 1

Opposed: R. Wright

Reasons for Opposition from Mr. Wright:

- I see no public benefit in continuing a parking lot on this site. It has had a 16 year run with no development permit.

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Applicant:

Gibbs Gage Architects

Landowner:

PBA Land Development Ltd

PLANNING EVALUATION

SITE CONTEXT

The subject site comprises a portion of a block in the downtown core between 5 and 6 Streets SW and 3 and 4 Avenues SW. The current use of the site is as a surface parking lot which has been operating at this location since the 1980s.

The site is located directly adjacent to one of the major vehicular corridors (4 Avenue SW) providing access out of the downtown core. The character of the community at this location is a mix of low to mid-rise commercial developments, with a residential apartment and McDougall Centre in close proximity. Directly to the north of the subject site is a surface parking lot. To the east of the subject site is a low-rise commercial development. To the south of the site are one-storey office developments. To the west of the subject site is a mid-rise commercial tower. The primary land uses around the subject site are a mix of CR20-C20/R20 and Direct Control Districts.

LAND USE DISTRICTS

This site is currently zoned CR20-C20/R20 and was part of the major City-initiated rezoning of downtown parcels that occurred in 2014 as Part 13 of Land Use Bylaw 1P2007. As mentioned, under CR20-C20/R20, Parking Lot - Grade is not an allowed use within this district, unless it legally existed on a parcel prior to the parcel being designated as CR20-C20/R20. Therefore, in order to legalize this existing use, the only option available to the owner was to submit an application for a land use redesignation to a Direct Control District. The proposed DC District is based on the CR20-C20/R20 district, with the only change being the addition of another discretionary use, Parking Lot - Grade (temporary) and a rule added that allows for renewals of a development permit for this use, but only for three year periods of time.

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).

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Municipal Development Plan

There is no specific mention of parking lots in the Municipal Development Plan within Section 3.2. Centre City.

Centre City Plan

The Centre City Plan does not support the development of new or temporary long-stay parking facilities. However, as this application does not propose the development of a new surface parking lot, it is not in contradiction with the objectives of the Centre City Plan.

Parking Policy Framework

The Parking Policy Framework also does not support the creation of new surface parking lots in the downtown. Again, as this application does not propose the development of a new surface parking lot, it does not contradict this policy.

TRANSPORTATION NETWORKS

The intent of the discretionary use for Parking Lot-Grade in CR20-C20/R20 is to allow previously existing surface lots to continue existing as surface lots in the new district. If the land was to be redeveloped, it would no longer be appropriate for it to be used for surface parking.

UTILITIES & SERVICING

There are no servicing or infrastructure concerns with this application.

ENVIRONMENTAL ISSUES

An Environmental Site Assessment was not required as part of this application.

ENVIRONMENTAL SUSTAINABILITY

Not Applicable.

GROWTH MANAGEMENT

This land use proposal does not require additional capital infrastructure investment and, therefore, no growth management concerns have been identified at this time. The proposal is in alignment with the MDP references associated with growth management matters.

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PUBLIC ENGAGEMENT

Community Association Comments

The application was circulated to the Calgary Downtown Association, and there were no objections raised to this land use application.

Citizen Comments

This application was also circulated to adjacent landowners. Administration did receive correspondence from three separate adjacent residents expressing concerns over the proposed continuation of this surface parking lot. Their main concerns included:

- Continuation of this lot as parking when it could be developed which would add to the commercial viability of the downtown core.
- Upkeep and maintenance of the parking lot which has historically been neglected.

To address the first bullet point, there is a restriction of three years on the length of time that a development permit can be approved for this use, although the development permit can be renewed, with the rationale being that this is only a temporary use and development of this site will happen at some point. The second bullet point relates to the general upkeep of a parcel and can be dealt with through enforcement of Community Standards Bylaw (5M2004).

Public Meetings

No public meetings were held as part of this application.

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APPENDIX I

APPLICANT'S SUBMISSION

This Direct Control District is requested to permit the landowner to continue its historic parking lot operation at this address pending redevelopment of the site. The parking lot is paved, screened and landscaped. It has been operating continuously since at least 1995. Due to internal inadvertence, this Development Permit which expired in 2000, was not renewed. This fact only just came to light, and due to the recent changes made to the Land Use Bylaw for this site, a land use must be sought to enable this use to continue.

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APPENDIX II

PROPOSED DIRECT CONTROL GUIDELINES

Purpose

- 1 This Direct Control District is intended to:
 - (a) provide for the continuation of the **Parking Lot - Grade (temporary) use** existing on the lands which are the subject of this Direct Control District.

Compliance with Bylaw 1P2007

- 2 Unless otherwise specified, the rules and provisions of Parts 1, 2, 3, and 4 of Bylaw 1P2007 apply to this Direct Control District.

Reference to Bylaw 1P2007

- 3 Within this Direct Control District, a reference to a section of Bylaw 1P2007 is deemed to be a reference to the section as amended from time to time.

Permitted Uses

- 4 The **permitted uses** of the Commercial Residential District (CR20-C20/R20) of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

- 5 The **discretionary uses** of the Commercial Residential District (CR20-C20/R20) of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District with the addition of:
 - (a) **Parking Lot - Grade (temporary).**

Bylaw 1P2007 District Rules

- 6 Unless otherwise specified below, the rules of Commercial Residential District (CR20-C20/R20) of Bylaw 1P2007 apply in this Direct Control District.

Rules for Parking Lot - Grade (temporary)

- 7 A **development permit** for **Parking Lot - Grade (temporary)** may be issued more than once on a **parcel**.

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APPENDIX III

LETTERS SUBMITTED



The City of Calgary
PLANNING, DEVELOPMENT & ASSESSMENT

REQUEST FOR COMMENT ON APPLICATION

Date: June 16, 2016

To: BRZ - Calgary Downtown Association
Maggie Schofield
#720, 304 8 Av SW
Calgary, Alberta
T2P 1C2

Return To: **Circulation Control**
Planning, Development & Assessment #8201
P.O. Box 2100 Station M
Calgary AB T2P 2M5
email: CPAG.Circ@calgary.ca

File Number: LOC2016-0154

312 6 ST SW 8053EJ;14;G,I
See plans for all addresses.

Community: DOWNTOWN COMMERCIAL CORE
Alderman: Evan Woolley

Ward: 08 **Map:** 16C

Applicant: GIBBS GAGE ARCHITECTS

Contact: Andrew Pun (403) 233-2000

Parcel Owner: PBA LAND DEVELOPMENT LTD.,
220-101 6 ST SW
CALGARY AB CANADA T2P 5K7
(See title for additional owners.)

Application: Land Use Amendment - to accommodate existing
parking lot - grade

Site Area: 0.18 ha

Existing Use:
Commercial Residential District (CR20-C20/R20)

Proposed Use:
DC Direct Control District to accommodate existing
parking lot -grade

Attached are the plans and application material for this proposal. Please submit your response to the above sender by:

DUE DATE Thursday July 7, 2016

If you want to discuss this application further, please call the File Manager:

Colleen Renne-Grivell (403) 268-1451 <mailto:Colleen.Renne-Grivell@calgary.ca>

Please note that any written submissions made in response to this application will form part of the official record, and upon final decision of the application the correspondence will be available for public viewing.

No Objection

See Accompanying Letter

Signed: [Signature]

Signed: _____

Date: JUNE 22, 2016

Date: _____

Agency: CALGARY DOWNTOWN ASSOCIATION

Agency: _____

C. Renne-Grivell