

**Land Use Amendment in West Hillhurst (Ward 7) at 2340 – 1 Avenue NW,  
 LOC2018-0217**

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**EXECUTIVE SUMMARY**

This application was submitted by Matthew Theo Gillespie (Joe Media Group Inc) on 2018 September 26 on behalf of multiple landowners. The application proposes to change the designation of the property from DC Direct Control District to a new DC Direct Control District based on the Residential – Contextual One / Two Dwelling (R-C2) District to allow for the additional use of office.

The proposal allows for continued use of the site as an office and is in alignment with the applicable policies of the *Municipal Development Plan*.

No development permit application has been submitted at this time.

**ADMINISTRATION RECOMMENDATION:**

That Calgary Planning Commission recommend that Council hold a Public Hearing; and

1. **ADOPT**, by bylaw, the proposed redesignation of 0.09 hectares ± (0.22 acres ±) located at 2340 – 1 Avenue NW (Plan 3710, Block 32, Lots 38 to 40) from DC Direct Control District to DC Direct Control District based on the Residential – Contextual One / Two Dwelling (R-C2) District to accommodate an Office, with guidelines (Attachment 2); and
2. Give three readings to the proposed bylaw.

**PREVIOUS COUNCIL DIRECTION / POLICY**

None.

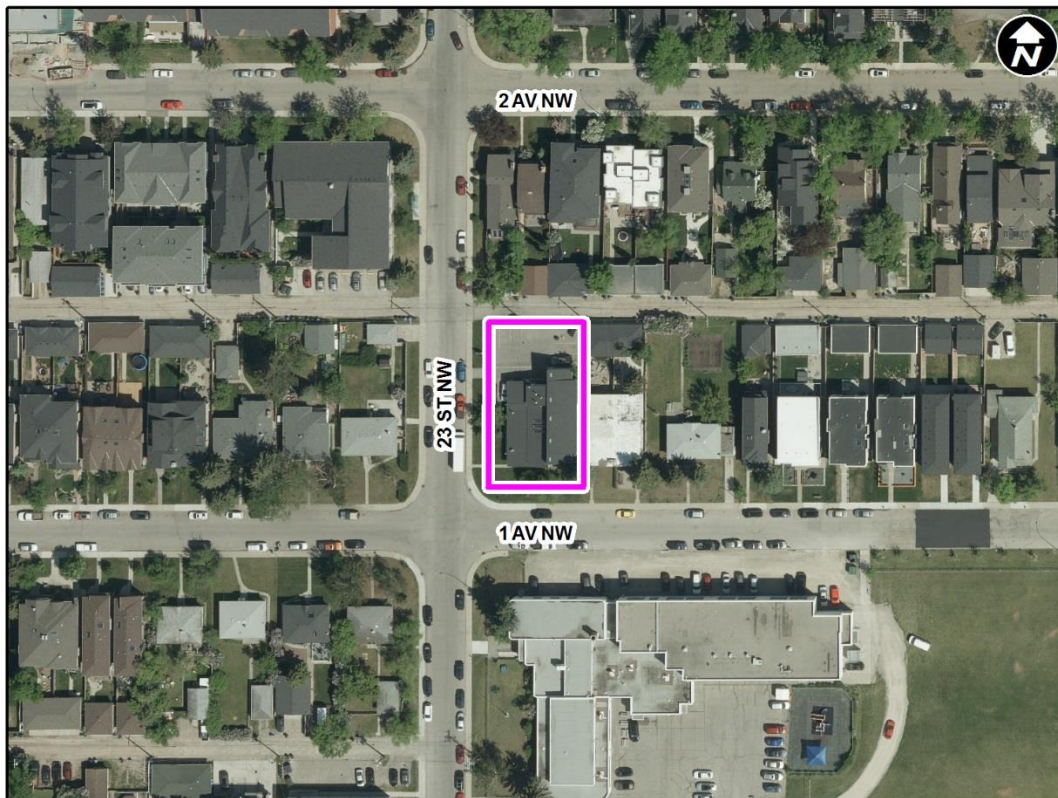
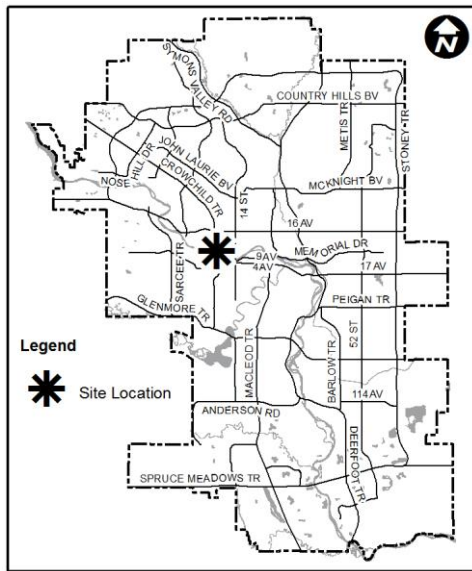
**BACKGROUND**

This land use amendment was submitted on 2018 September 26 by Matthew Theo Gillespie (Joe Media Group Inc) on behalf of the landowners, Ronald and Sandra Handkamer, John and Susan Sowerbutts, and Colman Orthotics (2001) Ltd. No development permit has been submitted at this time. As noted in the Applicant's Submission (Attachment 1), the applicant is intending on locating his business within the existing building on the site.

The current DC District is based on Land Use Bylaw 2P80 and is based on the R-2 district while allowing for the additional uses of prosthetics and orthotics business as well as specific office uses. The proposed land use amendment would provide for the applicant's business to be located on the site while also allowing for greater flexibility of use over time.

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Location Maps



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**Site Context**

The subject parcel is located at the northeast corner of 1 Avenue NW and 23 Street NW. It is just north of Kensington Road NW and east of Crowchild Trail NW. The site has historically been used for commercial purposes and is developed with a one and a half storey commercial building that was originally designed to complement the residential character of the area. Surrounding development consists of primarily of low density residential with multi-residential development to the northwest and a school to the south of the site.

**INVESTIGATION: ALTERNATIVES AND ANALYSIS**

The proposal allows for a range of commercial uses within the existing development. The proposal meets the objectives of applicable policies as discussed in the Strategic Alignment of this report.

**Planning Considerations**

***Land Use***

The site is currently governed by a DC Direct Control District (Bylaw 44Z94) developed in 1994 based on the R-2 district from Land Use Bylaw 2P80. The DC Direct Control District currently allows for the additional uses of prosthetics and orthotics business as well as offices for the following professions: Architectural, Engineering, Financial, Investment, Legal, Accounting, Oil, Gas and Geological and Property Management. The site has been redesignated several times in the past to expand the number of office uses allowed on the site.

The proposed land use district is a DC Direct Control District based on the Residential – Contextual One / Two Dwelling (R-C2) District of Land Use Bylaw 1P2007 (Attachment 2). Section 20 of the Land Use Bylaw indicates that DC Direct Control Districts must only be used for developments that, due to their unique characteristics, innovative ideas or unusual site constraints, require specific regulation unavailable in other land use districts. A DC Direct Control District has been used for this application to provide for greater flexibility of the office uses allowed on the site while also allowing for residential use consistent with the surrounding development if the office use is no longer warranted.

***Development and Site Design***

A discretionary use development permit application will be required to enable a change of use to accommodate the applicant's business. Any potential changes to the building, signage or design of the site would also be determined through the development permit process.

***Environmental***

There are no existing environmental conditions on this parcel. An environmental site assessment was not required for this application.

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***Transportation***

The site is located at the corner of 1 Avenue NW and 23 Street NW and has rear lane access to a surface parking lot. The site has access to transit stops along 23 Street NW (45 metres) and Kensington Road NW (170 metres). A transportation impact assessment was not required as part of this application.

***Utilities and Servicing***

Water, sanitary and storm mains are available to this site. Further details for servicing and waste collection facilities will be reviewed at the development permit stage.

**Stakeholder Engagement, Research and Communication**

In keeping with Administration's standard practices, this application was circulated to relevant stakeholders and notice posted on-site. Notification letters were sent to adjacent land owners and the application has been advertised online. No public meetings were held by the applicant or Administration.

The West Hillhurst Community Association had no comment on the land use application and there were no letters were received from the public as a result of the notice posting.

Following Calgary Planning Commission, notifications for the 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.

**Strategic Alignment**

***South Saskatchewan Regional Plan (Statutory, 2014)***

The recommendation by Administration in this report has considered and is aligned with the policy direction of the *South Saskatchewan Regional Plan (SSRP)* which directs population growth in the region to Cities and Towns and promotes the efficient use of land.

***Municipal Development Plan (Statutory, 2009)***

The subject parcel is located within the Residential - Developed - Inner City area of the *Municipal Development Plan*. The applicable policies encourage redevelopment of inner-city communities that is similar in scale and built form to existing development. The proposal is in keeping with relevant Municipal Development Plan policies as it is compatible with the established pattern of development while also maintaining the stability of the neighbourhood.

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**Social, Environmental, Economic (External)**

The recommended land use will continue to allow for a variety of office uses to function on the site. The land use also allows for a wider range of office uses, supporting the viability of small business in a location close to downtown and major transportation routes.

**Financial Capacity**

***Current and Future Operating Budget:***

There are no known impacts to the current and future operating budgets at this time.

***Current and Future Capital Budget:***

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

**Risk Assessment**

There are no significant risks associated with this proposal and operational risks which have been identified will be managed at the time of development permit.

**REASON(S) FOR RECOMMENDATION(S):**

The proposed DC Direct Control District provides for flexibility to allow this site to continue operating in its current form. The proposed District keeps in place the residential use that should minimize the negative impacts on the adjacent residential community while allowing the site to adapt to changing market conditions. The site has historically been used for commercial purposes and has functioned well over time.

**ATTACHMENT(S)**

1. Applicant's Submission
2. Proposed DC Direct Control District