

Planning & Development Report to
Calgary Planning Commission
2019 February 21

ISC: UNRESTRICTED
Corrected CPC2019-0139

Land Use Amendment in Cliff Bungalow/Mission (Ward 11) at 1716 Centre Street SE, LOC2018-0107

EXECUTIVE SUMMARY

This land use amendment has been submitted by Strategic Group Development on 2018 May 09, on behalf of the landowner Center Street GP Ltd, proposes the redesignation of a 0.23 hectares (0.57 acres±) parcel in the inner-city community of Cliff Bungalow/Mission from Commercial – Corridor 2 **f3.0h46** (C-COR2 f3.0h46) District and Multi-Residential – Contextual Medium Profile (M-C2) District to DC Direct Control District. A development permit application has not been submitted at this time. The proposed land use amendment seeks to accommodate an additional discretionary use of Kennel – Urban not available in Land Use Bylaw 1P2007. This proposal will:

- maintain all existing uses and rules of the existing districts (C-COR2 **f3.0h46** and M-C2);
- accommodate one additional discretionary use: Kennel – Urban in conjunction with a Pet Care Service;
- accommodate overnight boarding of domestic animals at-grade level; and
- restrict all use and functions of the Kennel – Urban to the designated use area inside the existing building.

The proposal is in keeping with the intent of the *Mission Area Redevelopment Plan*. No development permit application has been submitted at this time.

ADMINISTRATION RECOMMENDATION:

That Calgary Planning Commission:

1. Direct this report (CPC2019-0139) to the 2019 March 18 Combined Meeting of Council to the public hearing portion of the Agenda; and
2. Recommends that Council hold a Public Hearing; and
 - a) **ADOPT**, by bylaw, the proposed redesignation of 0.23 hectares ± (0.57 acres±) located at 1716 Centre Street SE (Plan 0210992, Block 4, Lot 41) from Commercial – Corridor 2 **f3.0h46** (C-COR2 f3.0h46) District and Multi-Residential – Contextual Medium Profile (M-C2) District to DC Direct Control District to accommodate an additional use (Kennel – Urban), with guidelines (Attachment 3); and
 - b) Give three readings to the proposed redesignation bylaw.

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RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, 2019 FEBRUARY 21:

That Council hold a Public Hearing; and

1. ADOPT, by bylaw, the proposed redesignation of 0.23 hectares ± (0.57 acres±) located at 1716 Centre Street SE (Plan 0210992, Block 4, Lot 41) from Commercial – Corridor 2 f3.0h26 (C-COR2 f3.0h46) District and Multi-Residential – Contextual Medium Profile (M-C2) District to DC Direct Control District to accommodate an additional use (Kennel – Urban), with guidelines; and
2. Give three readings to **Proposed Bylaw 76D2019**.

Excerpt from the Minutes of the 2019 February 21 Regular Meeting of the Calgary Planning Commission:

“A document containing a summary of clerical corrections to the Report, Attachment 2 and Attachment 4 was distributed with respect to Report CPC2019-0139, as follows:

In Report CPC2019-0139

Delete the height modifier of the existing land use district “f3.0h26”, and substitute with the height modifier “f3.0h46” in the following locations:

- On page 1 of 8, Executive Summary, fourth line & first bullet;
- On page 1 of 8, Administration Recommendation 2a; and
- On page 5 of 8, last sentence under Land Use section.

In Attachment 2

On page 2 of 2, under the heading ‘Proposed Use: Overnight Kennel’, subheading ‘Walks’ by deleting the last bullet in its entirety.

In Attachment 4

In row (i), column ‘Kennel – Urban (Proposed DC District)’, by deleting the words “In addition: Implements recommendations from a Sound Isolation Assessment submitted at the time of development”.

Moved by Commissioner Juan

That with respect to Corrected Report CPC2019-0139, the following be approved:

That the Calgary Planning Commission:

Direct this report (CPC2019-0139) to the 2019 March 18 Combined Meeting of Council to the public hearing portion of the Agenda, **after correction to the Report, Attachment 2 and Attachment 4, as contained in the distribution.**

MOTION CARRIED.”

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PREVIOUS COUNCIL DIRECTION / POLICY

None.

BACKGROUND

This land use amendment has been submitted by Strategic Group Development on behalf of the landowner Centre Street GP Ltd. on 2018 May 09. While no development permit application has been submitted, it is the applicant's intent to pursue a development permit for overnight kennelling of pets (Attachment 1).

Development Permit (DP2012-2474) for a four-storey, 66-unit mixed-use development with four at-grade commercial units was approved in 2014 and construction completed in 2016.

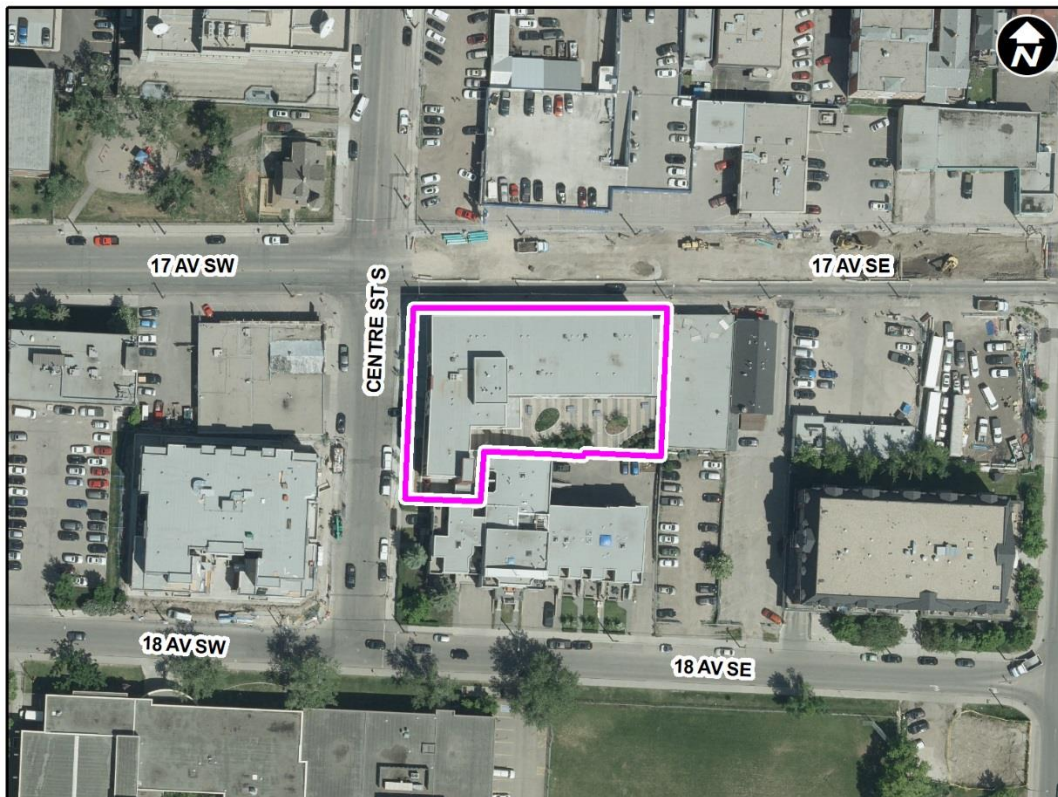
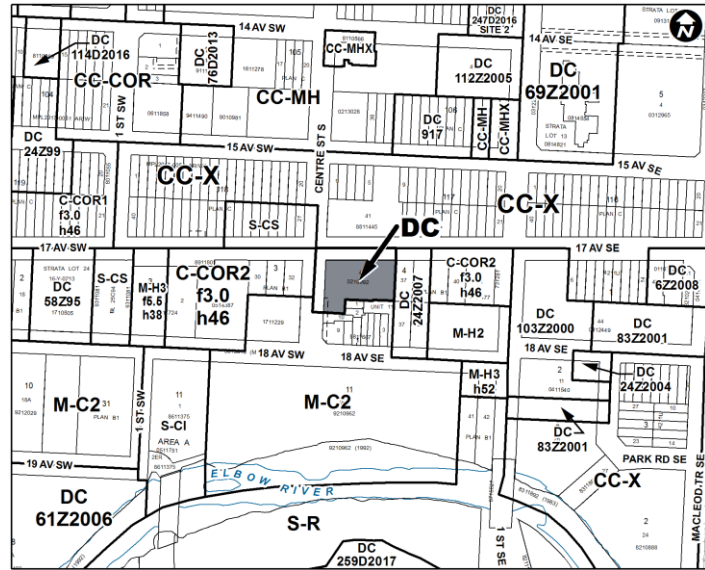
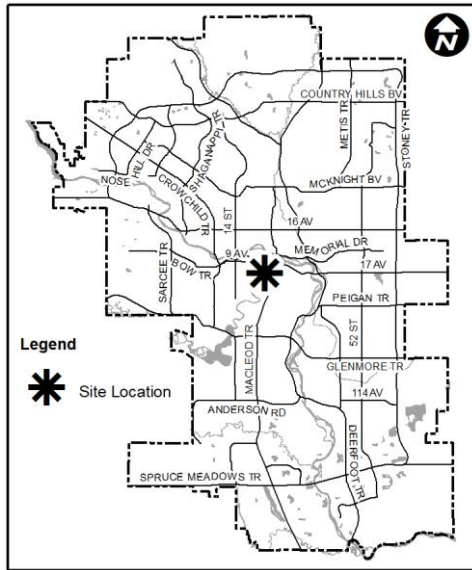
DP2017-3687 approved the existing Pet Care Service (Dogtopia) in August 2017. The business has been in operation within the easternmost commercial retail unit at grade-level for the past year.

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Location Maps



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Site Context

The subject parcel is located in the inner-city community of Cliff Bungalow/Mission. Figure 1 provides Peak Population statistics for the community of Cliff Bungalow/Mission. As identified in Figure 1, the community of Mission reached its peak population in 2018 with 4,673 residents.

Figure 1: Community Peak Population

Mission	
Peak Population Year	2018
Peak Population	4673
2018 Current Population	4673
Difference in Population (Number)	0
Difference in Population (Percent)	0%

Source: The City of Calgary 2018 Civic Census

The parcel fronts 17 Avenue SE between Centre Street S and 1 Street SE. Site access is provided from Centre Street S through a parkade entrance servicing both residents and business tenants.

A small portion of the parcel (south-west corner) is designated Multi-Residential – Contextual Medium Profile (M-C2) District. This portion of the site designated M-C2 serves as a vehicular access point and back of house area at grade level. Three storeys of residential units exist directly above grade in this portion of the site.

Current development comprises of a four-storey mixed-use residential (66 units)/commercial building with four commercial units at-grade level.

Commercial retail development adjoins the site on the east-west edges, fronting 17 Avenue SE.

Multi-residential development adjoins the site on the south (along 18 Avenue SE) varying from three to five stories in height.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Planning Considerations

Land Use

Development of the subject parcel is governed by the rules of the Commercial – Corridor 2 (C-COR2 f3.0h46) District. The proposed DC accommodates the existing development with the introduction of a new discretionary use: Kennel – Urban. All rules of the Commercial – Corridor 2 (C-COR2 f3.0h46) District would continue to apply on the parcel. The similarities and differences between the ‘Kennel’ use as found within Land Use Bylaw 1P2007 and the

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proposed “Kennel – Urban” are listed in Attachment 4. The area of the parcel currently designated M-C2 would now be replaced with the rules of the C-COR2 f3.0h46 District. The redesignation of this portion of the parcel would continue to closely mirror that of the parcels directly across Centre Street S, also designated C-COR2 **f3.0h26** and M-C2.

Development and Site Design

The applicant seeks to provide for an overnight boarding service for domestic animals in conjunction with an existing Pet Care Service located on the ground floor of the building. The most relevant use befitting of such a service is identified as ‘Kennel’ in Land Use Bylaw 1P2007. However, the definition of ‘Kennel’ requires such uses to be a minimum distance of 150.0 metres from a residential district. Investigations by Administration found that kennels within the City are generally located in commercial and industrial areas; far removed from residential districts. Thus, Administration investigated the opportunity to accommodate a similar use within the inner-city while ensuring its compatibility with residential uses within and adjoining the subject site.

Sound Isolation Assessment & Recommendations

A Sound Isolation Assessment (SIA) was submitted by the applicant for consideration by Administration. A series of noise control strategies have been outlined by the applicant’s consultants that can practically be achieved at the time of development. The strategies outlined are as follows:

- Strategic program layout.
- Noise barrier ceiling.
- Interior partition construction.
- Control of flanking paths.
- Acoustically sealed penetrations with dense insulation.

According to the applicant, the retail unit for the existing pet care service (Dogtopia) was initially retrofitted to implement the strategies outlined in the SIA.

Environmental

An Environmental Site Assessment was not required for this application; there are no other environmental considerations or significant issues.

Transportation

Pedestrian and vehicular access to the site is available from 17 Avenue SE and Centre Street S. The area is served by Calgary Transit with the Victoria Park LRT station, within approximately 330.0 metres walking distance of the site on 17 Avenue SE. On-street parking adjacent to the site is regulated by the Calgary Parking Authority with a maximum of two hours parking. The site is approximately 150 metres from the transit stop, servicing the Route 10 and

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offer service to the Downtown Core and LRT stations. No additional vehicular parking requirements are associated with the proposed DC Direct Control District. However, bicycle parking requirements (Class 1 and 2) have been provided in association with the Kennel-Urban use. These are found in the proposed direct control district (Attachment 3).

Utilities and Servicing

Public water, sanitary and storm mains are available and will accommodate the proposed development without the need for off-site improvements at this time.

Further requirements will be assessed at time of development permit application.

Stakeholder Engagement, Research and Communication

In keeping with Administration's practices, this application was circulated to stakeholders and notice posted on-site. Notification letters were sent to adjacent landowners and the application was advertised online.

Comments and feedback were received during the internal and external circulation period from various stakeholders, and no letters were received by nearby residents at time of circulation. This feedback is summarized in Attachment 5. Verbal support was provided by the Cliff Bungalow/Mission Community Association upon meeting with the applicants. Administration received a circulation feedback form confirming the Community Association having no objections.

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

Strategic Alignment

South Saskatchewan Regional Plan (2014)

The site is located within the City, Town area as identified on Schedule C: South Saskatchewan Regional Plan Map in the *South Saskatchewan Regional Plan* (SSRP). While the SSRP makes no specific reference to this site, the proposal is consistent with policies on Land Use Patterns (Section 8.14).

Interim Growth Plan (2018)

The recommendation aligns with the policy direction of the *Interim Growth Plan* builds on its principles by means of promoting efficient use of land, regional infrastructure, and establishing strong, sustainable communities.

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Municipal Development Plan (Statutory – 2009)

The subject parcel is located with the Developed – Inner City area and on a Neighbourhood Main Street as identified in the *Municipal Development Plan (MDP)*. The proposed development of the subject site is in compliance with the applicable policies of the MDP.

Mission Area Redevelopment Plan (2013)

The proposed redesignation complies with the policies of the *Mission Area Redevelopment Plan (ARP)*. The ARP encourages mixed-use developments with ground floor commercial uses and residential uses above, particularly near the Stampede LRT station. The height of commercial development allows sunlight to reach the sidewalk of the north side of 17 Avenue SW during daylight hours from spring to autumn, while maintaining safe pedestrian access to the Stampede LRT station

A variety of uses including residential, offices, retail, restaurants, and entertainment uses are encouraged within the ARP, but should not negatively impact adjacent residential development. Mixed-use projects containing a residential component are encouraged. The intent of the land use policies for 17 Avenue SW is to encourage mixed-use developments that reinforce the pedestrian shopping street character, particularly where it intersects with the regional pedestrian strips of 1 and 4 Streets SW. The existing shopping street atmosphere is to be enhanced by emphasis on continuous retail frontage at-grade, building scale sensitive to the pedestrian, the assurance of sunlight on north sidewalks, open spaces, and a diversity of building façade treatments which provide visual interest at grade. New commercial or mixed-use developments should accommodate pedestrian-oriented commercial uses such as retail, personal services businesses, restaurants, financial services but not offices, at grade.

There are no relevant policies that contradict the proposed DC Direct Control District.

Social, Environmental, Economic (External)

The proposed amendment would accommodate a service that currently does not exist within inner-city area (Attachment 1). The proposed Kennel – Urban use addresses a need for the overnight boarding of domestic animals in closer proximity to the inner-city population.

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

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Risk Assessment

Sound Isolation Assessment – Implementation

Sound isolation strategies were implemented to accommodate the existing pet care service (Dogtopia) at the time of occupancy (Attachment 2). These strategies are in accordance to the recommendations provided by the applicant's acoustic consultants in the aforementioned Sound Isolation Assessment.

At the development permit stage the applicant is required to show detailed drawings and specifications depicting the noise isolation strategies implemented. The detailed drawings are to be validated by way of a qualified acoustic consultant.

Administration consulted directly with the applicant's acoustic consultant who confirms implementation of all strategies by the applicant will mitigate noise emanating from the proposed use. According to the consultant, the resulting noise emanating from the proposed use would be maintained to an acceptable level for residents who dwell directly above the proposed use and the adjoining commercial tenants at grade.

REASON(S) FOR RECOMMENDATION(S):

The proposal complies with the commercial policies of the *Mission Area Redevelopment Plan*. The proposed redesignation of the parcel to DC Direct Control District accommodates a new use where a qualified Acoustics Consultant finds to be compatible within the existing mixed-use residential/commercial building. The implementation of noise attenuation strategies will mitigate potential disturbances between residential and commercial uses.

ATTACHMENT(S)

1. Applicant's Submission
2. Applicant's Summary – Noise Mitigation (Corrected)
3. **Proposed Bylaw 76D2019**
4. Kennel Use – 1P2007 vs Proposed DC District (Corrected)
5. External Stakeholder Circulation Comments