



AGENDA

REGULAR PUBLIC HEARING MEETING OF COUNCIL

October 9, 2018, 9:30 AM
IN THE COUNCIL CHAMBER

1. CALL TO ORDER
2. OPENING REMARKS
3. CONFIRMATION OF AGENDA
4. CONSENT AGENDA
 - 4.1 Green Line Southeast Local Area Plans – Deferral Request, PUD2018-1027
5. PLANNING MATTERS FOR PUBLIC HEARING
 - 5.1 CALGARY PLANNING COMMISSION REPORTS

Note: Members of the public wishing to address Council, on any public hearing matter on this Agenda, may pre-register by contacting the City Clerk's office at PublicSubmissions@Calgary.ca or by calling 403-268-5861

 - 5.1.1 Land Use Amendment in Brentwood (Ward 4) at 4820 Northland Drive NW, LOC2018-0080, CPC2018-0972
Bylaw 254D2018
 - 5.1.2 Land Use Amendment in Downtown East Village (Ward 7) at 399 – 9 Avenue SE, LOC2015-0170, CPC2018-0989
Bylaw 255D2018
 - 5.1.3 Road Closure and Land Use Amendment in Centre City East Village (Ward 7) Adjacent to 539 - 7 Avenue SE and 502 - 8 Avenue SE, LOC2018-0099, CPC2018-0993
Bylaws 9C2018 and 249D2018
 - 5.1.4 Policy Amendment and Land Use Amendment in Tuxedo Park (Ward 7) at 121 – 18 Avenue NW, LOC2018-0092, CPC2018-0982
Bylaws 72P2018 and 252D2018
 - 5.1.5 Land Use Amendment in Banff Trail (Ward 7) at 2026 – 24 Avenue NW, LOC2018-0122, CPC2018-0976
Bylaw 253D2018

- 5.1.6 Policy Amendments and Land Use Amendment in Sunalta (Ward 8) at 1510, 1514, 1516, 1518, 1530 and 1534 – 10 Avenue SW, LOC2018-0116, CPC2018-0990
Bylaws 73P2018 and 256D2018
- 5.1.7 Land Use Amendment in Sunalta (Ward 8) at 1526 – 12 Avenue SW, LOC2018-0096, CPC2018-0981
Bylaws 258D2018
- 5.1.8 Policy Amendment, Road Closure and Land Use Amendment in Richmond (Ward 8) at 2232, 2236, and 2240 - 33 Avenue SW, LOC2017-0391, CPC2018-0812
Bylaws 74P2018, 10C2018 and 257D2018
- 5.1.9 Policy Amendment and Land Use Amendment in Killarney/Glengarry (Ward 8) at 2840 - 35 Street SW, LOC2018-0134, CPC2018-0991
Bylaws 75P2018 and 259D2018
- 5.1.10 Land Use Amendment in Renfrew (Ward 9) at 824 Edmonton Trail NE, LOC2018-0138, CPC2018-0975
Bylaw 250D2018
- 5.1.11 Policy Amendments – Southeast Industrial Area Structure Plan (Ward 12), M-2018-001, CPC2018-0863
Bylaw 63P2018
- 5.1.12 Land Use Amendment in Midnapore (Ward 14) at 15425 Bannister Road SE, LOC2018-0111, CPC2018-0903
Bylaw 251D2018

5.2 OTHER REPORTS AND POSTPONEMENTS FOR PUBLIC HEARING
(including non-statutory)

None

6. PLANNING MATTERS NOT REQUIRING PUBLIC HEARING

6.1 CALGARY PLANNING COMMISSION REPORTS
None

6.2 OTHER REPORTS AND POSTPONEMENTS NOT REQUIRING PUBLIC HEARING

- 6.2.1 Subdivision and Development Appeal Board Bylaw Amendments, C2018-1159
Bylaw 43M2018

6.3 BYLAW TABULATIONS
(related to planning matters)

- 6.3.1 Tabulation of Bylaw to Amend the East Stoney Area Structure Plan Bylaw 23P2017
Bylaw 69P2018

7. URGENT BUSINESS

8. CONFIDENTIAL ITEMS

8.1 ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

8.1.1 Personnel Matter (Verbal), C2018-1198
Held confidential pursuant to Sections 17 and 19 of *FOIP*.

8.2 URGENT BUSINESS

9. ADJOURNMENT

Planning & Development Report to
SPC on Planning and Urban Development
2018 October 01

ISC: UNRESTRICTED
PUD2018-1027

Green Line Southeast Local Area Plans – Deferral Request

EXECUTIVE SUMMARY

Administration is recommending deferral of local area plans along the southeast Green Line in the areas of Inglewood, Ramsay, Millican-Ogden and South Hill until comprehensive amendments to the *Developed Areas Guidebook* are adopted by Council. This recommendation ensures that amendments to the *Developed Areas Guidebook* are reflected in the local area plans and that further engagement on changes to the local area plans can be undertaken in a coordinated manner with communities.

Additionally, Administration is recommending to defer the South Hill plan until Real Estate & Development Services has completed development of the Corporate Land Strategy. The intent of the Corporate Land Strategy is to provide overarching strategic management and land development direction for all City-owned station lands.

ADMINISTRATION RECOMMENDATION:

1. That Council direct Administration to defer completion of the local area plans for Inglewood, Ramsay and Millican-Ogden to return to Council no later than Q2 2020 to allow for:
 - a. Council adoption of comprehensive amendments to the *Developed Areas Guidebook*; and
 - b. engagement with local communities on changes to the local area plans impacted by amendments to the *Developed Areas Guidebook*.
2. That Council direct Administration to defer completion of the local area plan for South Hill to return to Council no later than Q2 2020 to allow for:
 - a. Council adoption of comprehensive amendments to the *Developed Areas Guidebook*;
 - b. the completion of the Corporate Land Strategy; and
 - c. engagement with local communities on changes to the local area plan impacted by amendments to the *Developed Areas Guidebook* and results of the Corporate Land Strategy.

RECOMMENDATION OF THE SPC ON PLANNING AND URBAN DEVELOPMENT, DATED 2018 OCTOBER 01:

That the Administration Recommendations contained in Report PUD2018-1027 be approved.

**Planning & Development Report to
SPC on Planning and Urban Development
2018 October 01**

**ISC: UNRESTRICTED
PUD2018-1027**

Green Line Southeast Local Area Plans - Deferral Request

Excerpt from the Minutes of the Regular Meeting of the SPC on Planning and Urban Development, held 2018 October 01:

“And further, that the distribution be attached to the Report prior to being forwarded to Council.”

PREVIOUS COUNCIL DIRECTION / POLICY

At the 2017 April 10 Combined Meeting of Council:

That Council:

2. Defer the local area plans for Inglewood, Ramsay, Millican-Ogden and South Hill to return to Council, through Calgary Planning Commission (CPC) no later than 2018 Q4.

At the 2017 January 23 Regular Meeting of Council:

ADOPT, Moved by Councillor Chabot, Seconded by Councillor Demong, that the Committee Recommendations contained in the following Reports, be adopted in an omnibus motion:

GREEN LINE SE TRANSIT ORIENTED DEVELOPMENT POLICY- DEFERRAL REPORT,
PUD2017-0025

That the Standing Policy Committee on Planning and Urban Development recommends that Council defer this item to return to Council, through Calgary Planning Commission (CPC) no later than 2017 Q2.

At the 2016 July 25 Regular Meeting of Council:

ADOPT, Moved by Councillor Chabot, Seconded by Councillor Carra, that the SPC on Planning and Urban Development Recommendations contained in Report PUD2016-0631 be adopted, as follows:

That Council defer this item to return to Council, through Calgary Planning Commission, no later than the end of Q1 2017 to allow more time for community and industry engagement.

At the 2015 November 9 Combined Meeting of Council:

ADOPT, Moved by Councillor Keating, Seconded by Councillor Carra, that the SPC on Planning and Urban Development Recommendations contained in Report PUD2015-0765 be adopted, as follows:

That Council:

1. Direct Administration to investigate Transit Oriented Development (TOD) policy amendments as outlined in the Potential TOD Policy Implementation document (Attachment 2) and to undertake implementation by the end of December 2016;

Green Line Southeast Local Area Plans - Deferral Request

BACKGROUND

In 2015 November, Council directed Administration to investigate policy amendments along the southeast leg of the Green Line for five stations in the communities of Inglewood, Ramsay, Millican-Ogden and South Hill. Three draft local area plans were developed through community consultation that align with the *Municipal Development Plan* and existing *Developed Areas Guidebook*. Draft plans have been produced as per Council's latest direction on timing.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Amendments to the *Developed Areas Guidebook* are ongoing and are expected to be presented to Council in 2019 Q2. Following approval of the updated *Developed Areas Guidebook*, changes to the draft local area plans will be required to align with the amendments to the *Developed Areas Guidebook*. Engagement with Green Line southeast communities will also be required to discuss any resulting changes to the local area plans.

Community members and stakeholders have committed substantial time and efforts to the development of the draft local area plans for Green Line Southeast communities. The local area plans cannot be viewed in isolation as they are dependent on other ongoing City initiatives such as the *Developed Areas Guidebook*. Proper alignment must occur to ensure the local area plans provide appropriate land use policy direction and that any further engagement resulting from these initiatives can be undertaken in consultation with communities.

Real Estate & Development Services is currently developing a Corporate Land Strategy to provide overarching strategic management and land development direction for all City-owned station land, from immediate development potential, through to long-term land holdings, which impacts South Hill, as the core TOD lands are City-owned. Once complete, the Corporate Land Strategy will provide the framework whereby the South Hill area can be prioritized amongst all City-owned station areas. The Corporate Land Strategy will determine how Real Estate & Development Services could best position the site for interim development that protects the long-term vision for South Hill and will also define specific roles to deliver TOD at priority stations. As such, Administration is recommending that the South Hill local area plan be deferred until the Corporate Land Strategy has been completed and Administration can evaluate implications to the draft local area plan.

Stakeholder Engagement, Research and Communication

Information on the request to defer the local area plans was circulated with stakeholders through project pages for the local area plans on the Green Line webpages for the local area plans and via email. The local area Community Associations are aware of the deferral. Ward Councillors are supportive of the deferral. Calgary Planning Commission was informed about the deferral on 2018 September 20.

Additional information on the engagement process for the local area plans will be shared when the plans come forward for approval.

Green Line Southeast Local Area Plans - Deferral Request

Strategic Alignment

A deferral of the local area plans for Inglewood, Ramsay, Millican-Ogden and South Hill will allow for corporate strategic alignment between the *Developed Areas Guidebook* and land use policy to guide the long-term development of these communities.

A deferral to the South Hill Station Area Plan will also allow for corporate strategic alignment between TOD prioritization of City-owned station land and planning policy to guide long-term strategic development in South Hill.

Social, Environmental, Economic (External)

None regarding this request to defer.

Financial Capacity

Current and Future Operating Budget:

None regarding this request to defer.

Current and Future Capital Budget:

None regarding this request to defer.

Risk Assessment

There are associated risks with both options of i) moving forward with the local area plans before amendments to the *Developed Areas Guidebook* in 2019 Q2, or ii) deferring until amendments to the *Developed Areas Guidebook* are adopted by Council and incorporated into the local area plans in consultation with Green Line communities.

Moving forward with the local area plans prior to the *Developed Areas Guidebook* amendments presents the potential risk of requiring future amendments to the land use concept and policy in the plans, along with associated community engagement, if there are significant amendments to the *Developed Areas Guidebook* in 2019 Q2.

Alternatively, deferral of the local area plans may result in a loss of the time and resources already invested in the planning of these area if the amendments to the *Developed Areas Guidebook* are significant and require these efforts to be redone, which could lead to stakeholder fatigue.

Administration considers the risk associated with a deferral to be more manageable and to have less impact than moving forward with the local area plans ahead of amendments to the *Developed Areas Guidebook*.

Moving forward at this time with South Hill may also set false expectations of redevelopment timing in the South Hill area, while Real Estate & Development Services are currently reviewing priority areas.

Planning & Development Report to
SPC on Planning and Urban Development
2018 October 01

ISC: UNRESTRICTED
PUD2018-1027

Green Line Southeast Local Area Plans - Deferral Request

REASON(S) FOR RECOMMENDATION(S):

Deferral of the local area plans for the Green Line communities of Inglewood, Ramsay, Millican-Ogden and South Hill would allow for the adoption of amendments to the Developed Areas Guidebook, incorporation of those amendments into the local area plans and consultation with communities.

Deferral of planning for South Hill until completion of the Corporate Land Strategy also supports corporate alignment.

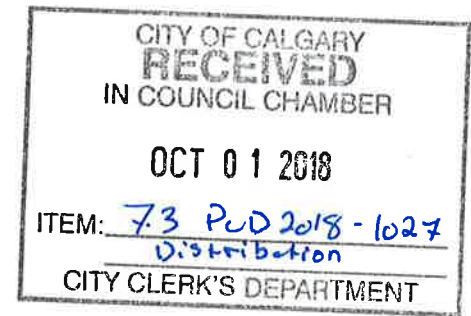
ATTACHMENT(S)

Distribution



September 28, 2018

SPC on Planning and Urban Development



Re: Green Line Southeast Local Area Plans – Deferral Request

The Federation of Calgary Communities (the Federation) is the support organization for over 230 community based non-profit organizations, including 151 community associations. We advocate for and assist community associations in navigating Calgary's planning process.

Through an email on September 24th, The Federation was made aware that Administration is proposing the deferral of the Area Redevelopment Plans (ARPs) for Inglewood, Ramsay, and Millican-Ogden to Q2 of 2020. From our understanding, this is also when the affected community associations were notified.

The community associations have volunteered their time over many years towards new ARPs, and have worked in good faith towards mutually advantageous policy as our inner city grows and changes. To only have a few weeks notice, with no consultation or understanding is poor practice.

We understand that Administration is working towards a major policy overhaul to improve redevelopment and better direct growth and change. Nonetheless, there must be mechanisms in place for communities in the interim and communities should be apprised of what is happening.

We accompanied members of some of the affected CAs to a meeting with the Developed Areas Guidebook team on September 27th and we appreciate their time. We were assured that the Developed Areas Guidebook would be finishing their engagement by Q2 2019 and learned that the ARP team is responsible for delaying their work. Rather than waiting an additional year, the engagement for the Area Redevelopment Plans should align with the proposals for the Developed Areas Guidebook so that they are ready at the same time. The Developed Areas Guidebook will be doing engagement citywide by Q2 2019, so why aren't these engagements aligned or collaborative? And why is it now, after years of community work, that CA's are being notified by email that their hard work will not be revisited for nearly two years?





Growth must happen in the inner city and we recognize that there will be growing pains. As our inner city grows and changes, we need to develop around transit and we need to focus on the missing middle. In the interim, however, we need to focus on the missing policy that recognizes local community context. Failure to do so will result in the potential loss of community character, and the deepening distrust, frustration and tension between City officials and community residents.

Communities should not feel blindsided by decisions that they learn about at the last minute, especially as communities are frustrated by growth through piecemeal land use redesignations rather than through intention. The deferral of these policies will only contribute to that sentiment. We all need to work better together for a better Calgary.

Sincerely,



Ben Morin
Urban Planner



Jennifer Miller
Urban Planner



**Planning & Development Report to
Calgary Planning Commission
2017 August 23**

**ISC: UNRESTRICTED
CPC2018-0972
Page 1 of 7**

**Land Use Amendment in Brentwood (Ward 4) at 4820 Northland Drive NW,
LOC2018-0080**

EXECUTIVE SUMMARY

This application was submitted by the landowner, Certus Developments, on 2018 April 12. The application proposes to change the designation of the property from DC Direct Control District to a new DC Direct Control District to allow for:

- the same overall range of commercial uses;
- flexibility in use sizes;
- a maximum building floor area of approximately 3,560 square metres; and
- the uses listed in the proposed DC designation.

The proposal allows for greater flexibility for the commercial uses within the development and is in alignment with the applicable policies of the *Municipal Development Plan*.

ADMINISTRATION RECOMMENDATION:

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

1. ADOPT, by bylaw, the proposed redesignation of 1.31 hectares \pm (3.24 acres \pm) located at 4820 Northland Drive NW (NW1/4 Section 31-24-1-5) from DC Direct Control District to DC Direct Control District to accommodate commercial development, with guidelines (Attachment 2); and
2. Give three readings to the proposed bylaw.

RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, DATED 2018 AUGUST 23:

That Council:

1. **Hold a public hearing during a 2018 October Public Hearing of Council;**
2. Adopt, by Bylaw, the proposed redesignation of 1.31 hectares \pm (3.24 acres \pm) located at 4820 Northland Drive NW (NW1/4 Section 31-24-1-5) from DC Direct Control District to DC Direct Control District to accommodate commercial development, with guidelines; and
3. Give three readings to the proposed **Bylaw 254D2018**.

PREVIOUS COUNCIL DIRECTION / POLICY

None.

BACKGROUND

**Planning & Development Report to
Calgary Planning Commission
2017 August 23**

**ISC: UNRESTRICTED
CPC2018-0972
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**Land Use Amendment in Brentwood (Ward 4) at 4820 Northland Drive NW,
LOC2018-0080**

This application was submitted by the landowner, Certus Developments, on 2018 April 12. The site was previously redesignated in 2016, from a DC District that was put in place in 1996, in order to increase the amount of floor area allowed for specific commercial uses.

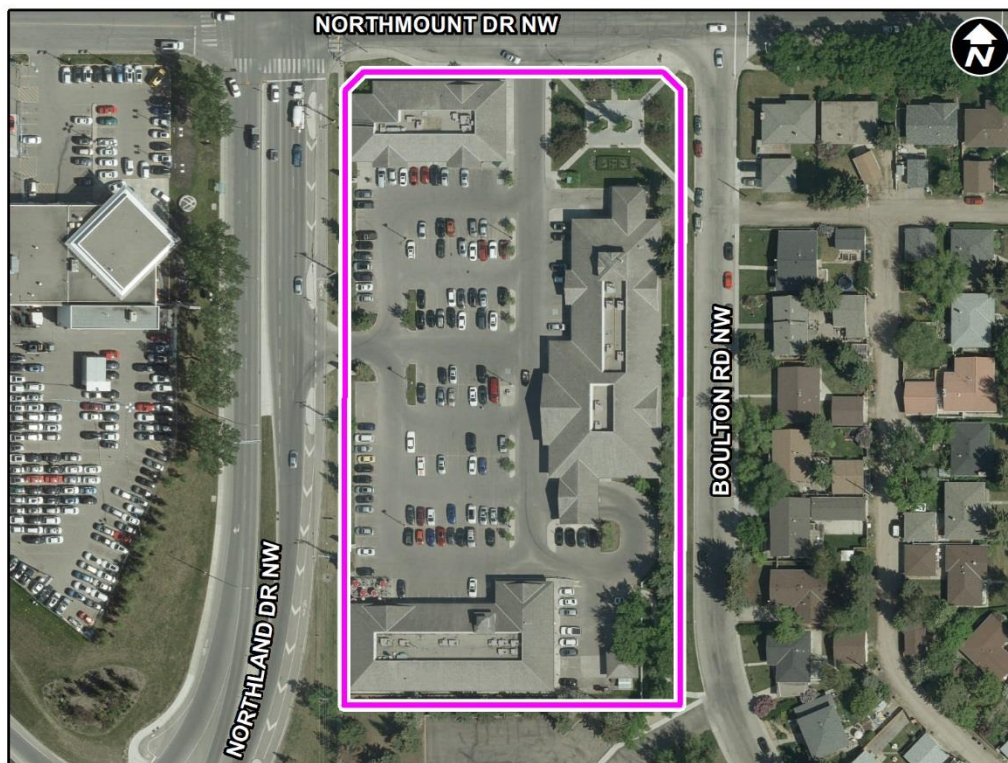
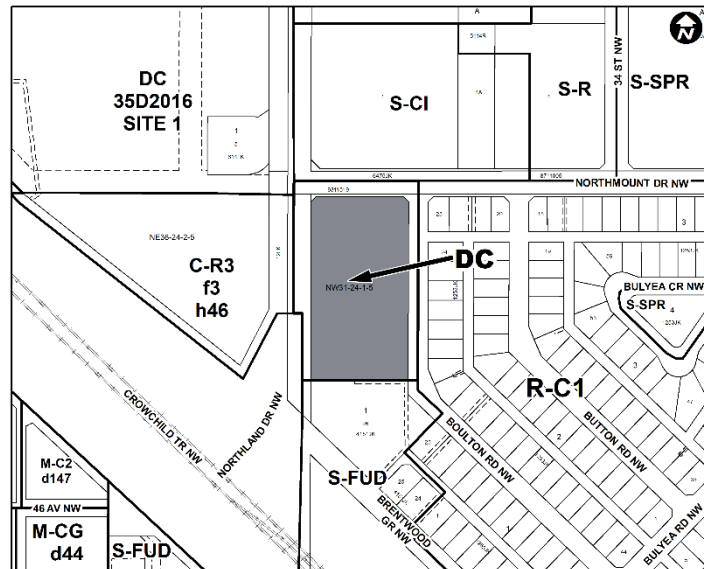
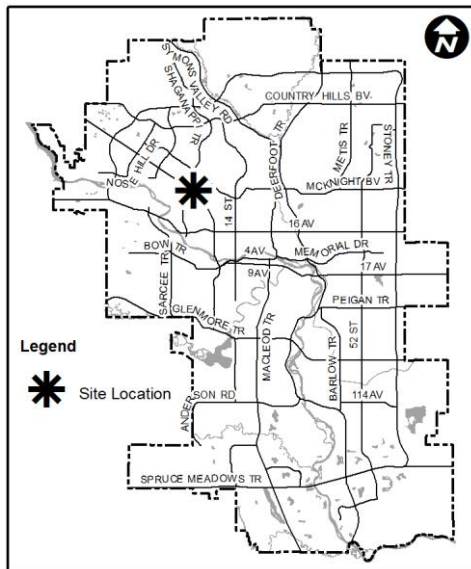
A development permit application for a new building to accommodate a neighbourhood restaurant was submitted on 2018 April 12 and was recently approved under the current DC District.

**Planning & Development Report to
Calgary Planning Commission
2017 August 23**

**ISC: UNRESTRICTED
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**Land Use Amendment in Brentwood (Ward 4) at 4820 Northland Drive NW,
LOC2018-0080**

Location Maps



**Land Use Amendment in Brentwood (Ward 4) at 4820 Northland Drive NW,
LOC2018-0080**

Site Context

The subject parcel is located at the intersection of Northland Drive NW and Northmount Drive NW. It is just north of Crowchild Trail NW. The parcel is developed with single storey commercial buildings that cater to local needs. The site incorporates a public plaza with an integrated transit stop along Northmount Drive NW. Northland Mall is located just northwest of the site and a church, library, senior's centre, and city pool are located across Northmount Drive NW to the north. To the east of the site is single detached dwellings and directly south of the site is a church.

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 194D2016) developed in 2016 based on the C-C1 district from Land Use Bylaw 1P2007. The DC Direct Control District currently prescribes very specific caps on the amount of gross floor area allowed for certain commercial uses. It also does not permit access to the site from Boulton Road NW or signage along that road. The land use redesignation in 2016 increased the amount of floor area allowed for specific uses from the previous DC District that was put in place in 1996. The applicant has continued to have issues dealing with these floor area caps when attempting to fill space within the development.

A standard land use district was considered for the site, however due to concerns around traffic and parking on the site as well as the fact that the applicant currently has no plans to comprehensively redevelop the site, a modified DC district was proposed. The proposed land use district is a DC Direct Control District based on the Commercial – Community 1 (C-C1) 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 allow the site to remain viable in its current configuration until such time that it is ready for comprehensive redevelopment. In addition to allowing for commercial development, the key components of DC Direct Control District include:

- it allows for the same range of commercial uses;
- it removes the gross floor area restrictions on individual uses; and
- it retains a cumulative gross floor area restriction for the total development.

**Land Use Amendment in Brentwood (Ward 4) at 4820 Northland Drive NW,
LOC2018-0080**

Development and Site Design

Any future development of the site will be evaluated against the guidelines of the proposed DC District subject to Council's decision on this land use redesignation application.

Transportation Networks

Pedestrian and vehicular access is available from Northland Drive and Northmount Drive NW. Calgary Transit buses stop at a stop integrated into the development and provide direct service to Brentwood and Dalhousie LRT Stations. A Parking Study was submitted in support of the land use application. The Study was reviewed and it was found that parking can sufficiently be accommodated on the site given the maximum gross floor area provided in the proposed land use district.

Utilities and Servicing

Water, sanitary and sewer services are available and can accommodate the potential additional gross floor area without the need for off-site improvements at this time. Adjustments to on-site servicing may be required depending on the nature of future development proposals and would be determined 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 was advertised on-line. No public meetings were held by the applicant or Administration.

Following Calgary Planning Commission, notifications for 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.

The Brentwood Community Association was circulated as part of this application. A letter was originally submitted by the Brentwood Community Association asking for further information on the proposed land use. Administration responded to this request for clarification, after which The Brentwood Community Association indicated they did not oppose the land use amendment (Attachment 3). However, they did have some concerns with the ability of the site to provide enough parking without an impact on the adjacent residential streets. The parking situation will continue to be monitored through future review of development permits for the site.

There were no letters received from the surrounding residents.

**Land Use Amendment in Brentwood (Ward 4) at 4820 Northland Drive NW,
LOC2018-0080**

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). While the SSRP makes no specific reference to the site, the proposal is consistent with policies on Land Use Patterns.

Municipal Development Plan (Statutory, 2009)

The subject site is located within the Developed Residential – Established Area as identified on Map 1 of the *Municipal Development Plan*. However, while not recognized by Map 1, the site would be considered as a Neighbourhood Activity Centre as defined in the Municipal Development Plan. These are neighbourhood-scale centres that provide opportunities for residential intensification and local jobs, retail, services and civic activities. These sites have the potential to provide a diverse mix of uses that fit with the scale and character of the surrounding neighbourhood.

Social, Environmental, Economic (External)

The recommended land use will continue to allow for a variety of shops and services that meet daily needs of the community. The land use also allows for a broad range of uses, supporting a variety of neighbourhood shops and services and increasing the market viability of the commercial space.

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.

Risk Assessment

There are no significant risks associated with this proposal.

Planning & Development Report to
Calgary Planning Commission
2017 August 23

ISC: UNRESTRICTED
CPC2018-0972
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**Land Use Amendment in Brentwood (Ward 4) at 4820 Northland Drive NW,
LOC2018-0080**

REASON(S) FOR RECOMMENDATION(S):

The proposed Direct Control land use district provides for flexibility to allow this retail centre to continue operating in its current form until such time that the site is ready for comprehensive redevelopment. The proposed District keeps in place the restrictions that have minimized negative impacts on the adjacent residential community while allowing the site to adapt to changing market conditions. The site is ideally situated for commercial uses and serves as an important centre for nearby residents.

ATTACHMENT(S)

1. Applicant's Submission
2. Proposed Direct Control District Guidelines
3. Brentwood Community Association Letter
4. **Proposed Bylaw 254D2018**

Applicant's Submission



PROJECT RATIONALE

LAND USE RE-DESIGNATION APPLICATION

**RE: 4820 NORTHLAND DRIVE NW,
CALGARY, ALBERTA**

Owner:
Certus Developments Inc.

Corporate Directors:
Ron Ghitter
Jim Mitchell

Legal Description:
Section 31, Township 24, Range 1, Meridian 5

Information below is provided in support of a Land Use Re-designation application for the above noted address. Certus Developments Inc. is requesting a re-designation for the above noted site and offers this information as a lead in explanation to support the formal land use re-designation application.

The above noted property is a single level retail center of approximately 35,000 sf located near the intersection of Northland Drive and Crowchild Trail NW. The centre was developed in 1996 and at that time, was governed from a land use perspective by a Direct Control By-Law No. 87296 Amendment No. 96/062. (Council Approval September 26, 1996). That Direct Control By-law had specific premises area restrictions on certain uses (CAPS) that may have made sense in 1996 but became outdated in a later day changed retail world where they no longer seemed to be applicable.

In September of 2015, Certus Developments made an application and in September of 2016 was successful in having a new DC by-law put in place for the property (DC By-law 194D2016). This was done to adjust the CAPS slightly to revise both medical and restaurant CAPS, changes made to reflect the current leasing demand at the center.

As part of this process of approval, Certus coordinated the review of the parking at the property with the assistance of Bunt and Associates Transportation Engineers. The report satisfied all parties that there was sufficient parking in place to accommodate the approved uses at the center.

At this time, some 18 months later, we realize that we are now bumping up against the restrictions of the new DC bylaw. With the changes in the retail landscaping due to business challenges in the Calgary marketplace we are seeing more tenant turnover in our properties. Specifically, at Northland, we have had recent turnover in our tenants, and we anticipate more. For that reason, we are wanting to amend the current DC Bylaw to give us more flexibility to

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Calgary, AB Canada T2R 0B4
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Applicant's Submission

accommodate future tenants within the centre, not having to be restricted by the area CAPs on specific uses and henceforth, needing to continue to seek land use re-designation.

As an example: Under the current DC Bylaw, we have a CAP on liquor stores of 116 sqm (1,248 sf). However, with changes in the merchandising of the project, again to accommodate customer demand and retailer interest, we have a liquor store tenant that has moved into the centre. The available premises were a vacant unit of 112 sqm (1,200 sf) which this tenant has taken. He would have liked to take over the adjacent unit of 122 sqm (1,315 sf) however, due to the CAP in place we were unable to accommodate that. So as of now we need to develop another leasing strategy for the soon to be vacant adjacent unit of 112 sqm.

Although the liquor store has chosen to occupy a single available unit that has a liquor store designation, we wish that we would have been able to accommodate the retailer so that he could have provided a more complete store with a proper wine offering.

So as previously tabled, we are looking to obtain a new revised land use designation that would give us more freedom to deal with the leasing and merchandising at the centre. It is very onerous to seek a re-designation every time that we have a specific tenant requirement. Not only is it expensive from a cost perspective (+/- \$11,000), but as well, it is costly from a timeline and delay perspective.

Therefore, it would be our goal to remove the following CAPS that exist with our current DC Bylaw:

- Medical/Veterinary is capped at 600.0 sqm (6,458 sf)
- Restaurant Licensed Small & Medium is capped at 700.0 sqm (7,535 sf)
- Specialty Food Store is capped at 140 sqm (1,506 sf)
- Liquor Store capped at 116 sqm (1,248 sf)

The site has an overall gross floor area density CAP of 3,345 sqm (36,000 sf). With development to date of 3,346 sqm (34,164 sf) there is additional available density of 171 sqm (1,836 sf). We would also like to revise this CAP to a number that could give us future flexibility. We do understand that any future applications for Development Permits and /or Change of Use Permits would need to have a parking test if that was warranted at the time and necessary to justify City of Calgary planning approval.

Thank you.

Certus Developments Inc.
April 9, 2018

Proposed Direct Control District Guidelines

Purpose

- 1 This Direct Control District is intended to:
- (a) accommodate small to mid-scale commercial **developments**;
 - (b) provide for a variety of commercial **uses** while minimizing impact on the **adjacent** residential community; and
 - (c) allow for **uses** in existing **buildings** until the site is comprehensively redeveloped.

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 – Community 1 (C-C1) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District with the exclusion of:
- (a) **Convenience Food Store;**
 - (b) **Fitness Centre;**
 - (c) **Health Services Laboratory – With Clients;**
 - (d) **Information and Service Provider;**
 - (e) **Instructional Facility;**
 - (f) **Library;**
 - (g) **Museum;**
 - (h) **Pet Care Service;**
 - (i) **Print Centre;**
 - (j) **Radio and Television Studio;**
 - (k) **Supermarket; and**
 - (l) **Vehicle Rental – Minor.**

Discretionary Uses

- 5 The **discretionary uses** of the Commercial – Community 1 (C-C1) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District with the exclusion of:
- (a) **Amusement Arcade;**
 - (b) **Auto Service – Minor;**
 - (c) **Beverage Container Drop-Off Depot;**
 - (d) **Beverage Container Quick Drop Facility;**
 - (e) **Billiard Parlour;**
 - (f) **Car Wash – Single Vehicle;**
 - (g) **Computer Games Facility;**
 - (h) **Custodial Care;**
 - (i) **Drinking Establishment – Small;**
 - (j) **Drinking Establishment – Medium;**
 - (k) **Gas Bar;**

Proposed Direct Control District Guidelines

- (l) **Indoor Recreational Facility;**
- (m) **Payday Loan;**
- (n) **Place of Worship – Small;**
- (o) **Seasonal Sales Area;**
- (p) **Social Organization;**
- (q) **Vehicle Sales – Minor; and**
- (r) **Veterinary Clinic.**

Bylaw 1P2007 District Rules

- 6** Unless otherwise specified, the rules of the Commercial – Community 1 (C-C1) District of Bylaw 1P2007 apply in this Direct Control District.

Vehicular Access

- 7** No direct vehicular access is allowed to or from Boulton Road NW.

Loading Facilities

- 8** All **loading stalls** must be located on the **parcel**.

Gross Floor Area

- 9** (1) The maximum cumulative **gross floor area** for “Commercial Uses” within this Direct Control District is 3560.0 square metres.
- (2) In addition to the maximum cumulative **gross floor area** of 3560.0 metres, a maximum of 140.0 square metres of additional **gross floor area** may be provided for garbage storage structures or the storage of landscape maintenance equipment.
- (3) Where this section refers to “Commercial Uses”, it refers to the listed **uses** in sections 4 and 5 of this Direct Control District, other than **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Unit, Live Work Unit** and **Residential Care**.

Signs

- 10** **Signs** must not be located along Boulton Road NW.

Brentwood Community Association Letter

2018 May 11

Dear Mr. Jones:

We thank you for your assistance and information regarding the application by the commercial Property Owner of Northland Plaza to remove certain CAPS from the DC bylaw pertaining to that property (LOC2018-0080 - Northland Plaza Application). The following is the Brentwood Community Association's response to this application. Attached and below we also provide our letter to you (2018/4/24) on this topic with your responses (2018/4/25) embedded, as they were received. We have also attached my notes from our earlier meeting (2016/1/14) with the Property Owner when they made previous application to the city for a change to their property designation. You may receive other comments from nearby residents regarding this issue.

The previous application was resolved amicably among all parties and we believe the same type of consensus agreement can be reached on this application also. Rather than responding using the Community Context Questionnaire we believe that we can reply directly and efficiently.

The Brentwood Community Association (BCA) does not oppose the application to remove the CAPS requested by the property owner. Like the City, the BCA has concerns regarding the ability of this property to provide sufficient onsite parking, even currently, without causing much parking on adjacent residential streets, particularly Boulton Road N.W.. It would appear that some of the employees of businesses in Northland Plaza either choose or have been requested to park on the west side of Boulton Road, behind the Royal Bank to provide more onsite parking. We also note that the parking spots currently available immediately east of the Prairie Mill Bakery are seldom used, perhaps in part because of their poor visibility.

Like the City, as shown by your responses below, we agree that the removal of the existing CAPS, should be followed by careful evaluation of future development applications for the Northland Plaza site considering, among other things, the current parking situation, the needs for additional parking that might result from future redevelopment on the property and the cumulative impacts of developments at Northland Plaza in consideration of the approved redevelopment activities and any future applications at Northland Mall.

Sincerely,
Kirk

Kirk Osadetz,
Vice-President,
Brentwood Community Association

PROPOSED

CPC2018-0972
ATTACHMENT 4

BYLAW NUMBER 254D2018

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2018-0080/CPC2018-0972)**

WHEREAS it is desirable to amend the Land Use Bylaw Number 1P2007 to change the land use designation of certain lands within the City of Calgary;

AND WHEREAS Council has held a public hearing as required by Section 692 of the Municipal Government Act, R.S.A. 2000, c.M-26 as amended;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, is hereby amended by deleting that portion of the Land Use District Map shown as shaded on Schedule "A" to this Bylaw and substituting therefor that portion of the Land Use District Map shown as shaded on Schedule "B" to this Bylaw, including any land use designation, or specific land uses and development guidelines contained in the said Schedule "B".
2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

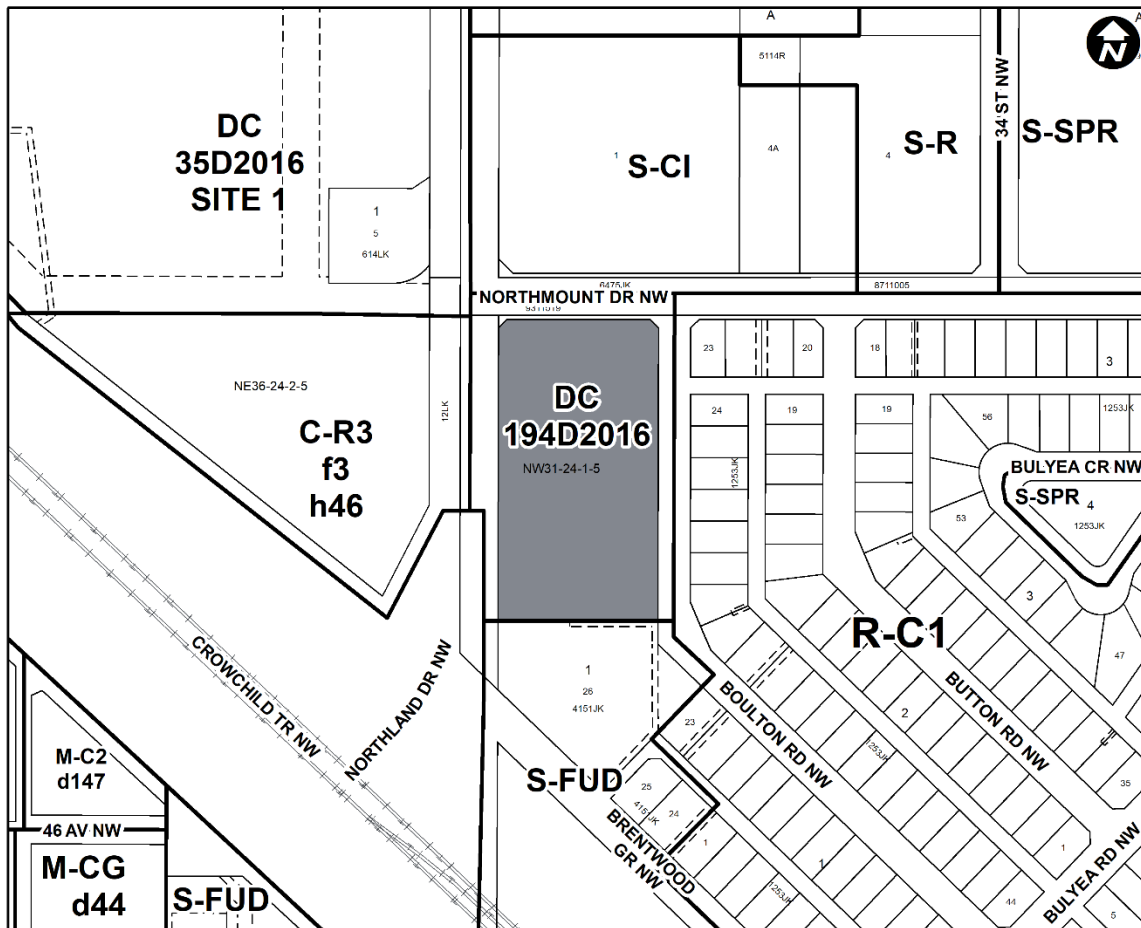
SIGNED ON _____

CITY CLERK

SIGNED ON _____

**AMENDMENT LOC2018-0080/CPC2018-0972
BYLAW NUMBER 254D2018**

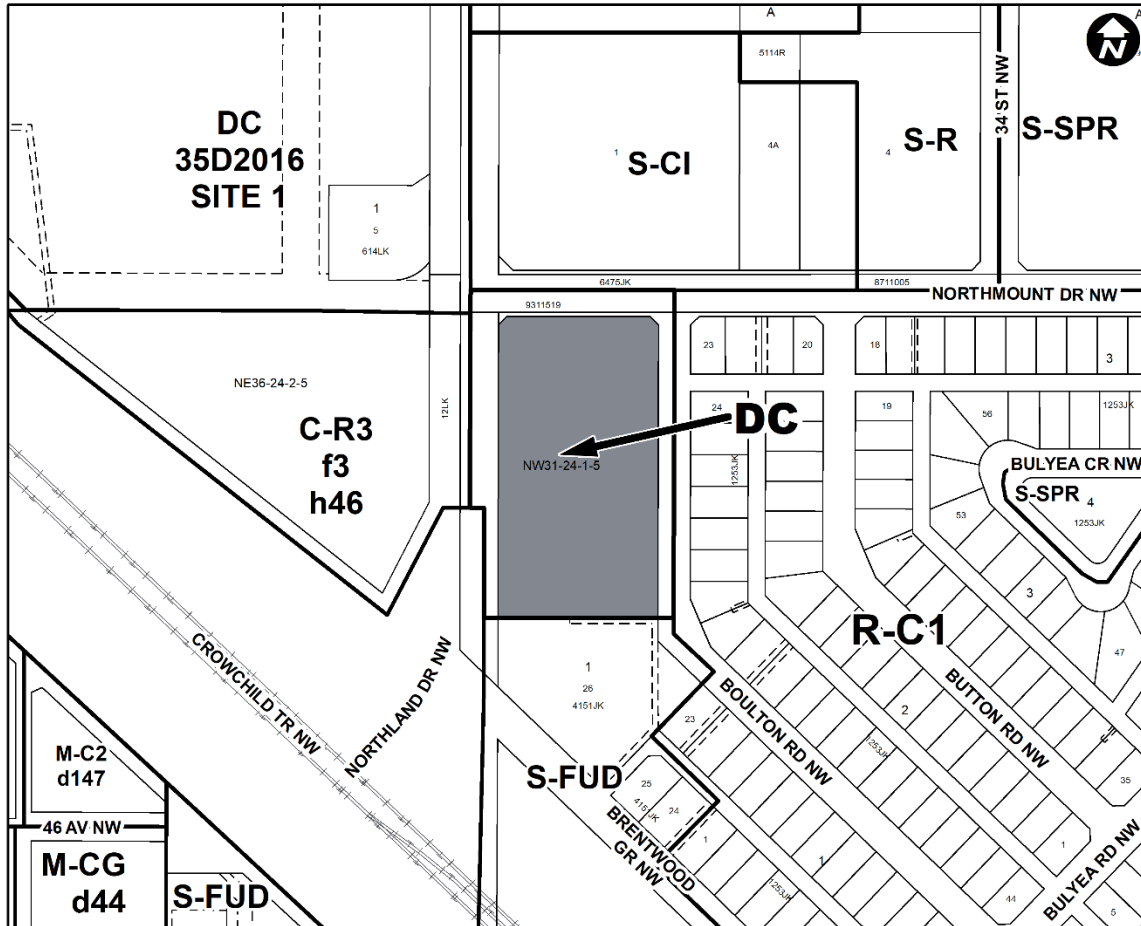
SCHEDULE A



PROPOSED

AMENDMENT LOC2018-0080/CPC2018-0972
BYLAW NUMBER 254D2018

SCHEDULE B



DIRECT CONTROL DISTRICT

Purpose

1 This Direct Control District is intended to:

- (a) accommodate small to mid-scale commercial **developments**;
- (b) provide for a variety of commercial **uses** while minimizing impact on the **adjacent** residential community; and
- (c) allow for **uses** in existing **buildings** until the site is comprehensively redeveloped.

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.

PROPOSED

AMENDMENT LOC2018-0080/CPC2018-0972
BYLAW NUMBER 254D2018

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 – Community 1 (C-C1) District of Bylaw 1P2007 are the ***permitted uses*** in this Direct Control District with the exclusion of:

- (a) Convenience Food Store;
- (b) Fitness Centre;
- (c) Health Services Laboratory – With Clients;
- (d) Information and Service Provider;
- (e) Instructional Facility;
- (f) Library;
- (g) Museum;
- (h) Pet Care Service;
- (i) Print Centre;
- (j) Radio and Television Studio;
- (k) Supermarket; and
- (l) Vehicle Rental – Minor.

Discretionary Uses

- 5 The ***discretionary uses*** of the Commercial – Community 1 (C-C1) District of Bylaw 1P2007 are the ***discretionary uses*** in this Direct Control District with the exclusion of:

- (a) Amusement Arcade;
- (b) Auto Service – Minor;
- (c) Beverage Container Drop-Off Depot;
- (d) Beverage Container Quick Drop Facility;
- (e) Billiard Parlour;
- (f) Car Wash – Single Vehicle;
- (g) Computer Games Facility;
- (h) Custodial Care;
- (i) Drinking Establishment – Small;
- (j) Drinking Establishment – Medium;
- (k) Gas Bar;
- (l) Indoor Recreational Facility;
- (m) Payday Loan;
- (n) Place of Worship – Small;
- (o) Seasonal Sales Area;
- (p) Social Organization;
- (q) Vehicle Sales – Minor; and
- (r) Veterinary Clinic.

Bylaw 1P2007 District Rules

- 6 Unless otherwise specified, the rules of the Commercial – Community 1 (C-C1) District of Bylaw 1P2007 apply in this Direct Control District.

PROPOSED

AMENDMENT LOC2018-0080/CPC2018-0972
BYLAW NUMBER 254D2018

Vehicular Access

7 No direct vehicular access is allowed to or from Boulton Road NW.

Loading Facilities

8 All **loading stalls** must be located on the **parcel**.

Gross Floor Area

- 9 (1) The maximum cumulative **gross floor area** for “Commercial Uses” within this Direct Control District is 3560.0 square metres.
- (2) In addition to the maximum cumulative **gross floor area** of 3560.0 metres, a maximum of 140.0 square metres of additional **gross floor area** may be provided for garbage storage structures or the storage of landscape maintenance equipment.
- (3) Where this section refers to “Commercial Uses”, it refers to the listed **uses** in sections 4 and 5 of this Direct Control District, other than **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Unit, Live Work Unit** and **Residential Care**.

Signs

10 **Signs** must not be located along Boulton Road NW.

Land Use Amendment in Downtown East Village (Ward 7) at 399 – 9 Avenue SE, LOC2015-0170

EXECUTIVE SUMMARY

This application was originally submitted by the Calgary Parking Authority (CPA) on 2015 November 04. In August of 2016, the Calgary Municipal Land Corporation (CMLC) assumed the role of owner, applicant, and project manager for the application. On 2018 May 03 after completing due diligence and developing a new program for the parkade, CMLC submitted a substantially amended application. In partnership with CPA and Platform, CMLC has developed an innovative and future-focused project that will combine 510 parking stalls across five levels and Platform's innovation centre across two levels.

A development permit application (DP2018-2774) for a parkade and innovation centre (Attachment 3) has been submitted and is under review. The proposed development will serve the parking needs of downtown and accommodate multi-modal users, with ample bicycle parking. A unique architectural design will also allow for full repurposing of the building in the future into commercial or residential uses as demand for traditional parking structures is anticipated to diminish with the use of autonomous vehicles.

The proposal is aligned with the *East Village Area Redevelopment Plan* (ARP) and CMLC's commitment to create mixed-use developments. Platform is fully integrated into the design of the parkade and will serve as a multi-use space for the entrepreneurial community. The objective of the innovation centre is to move ideas forward, turning concepts into entrepreneurial opportunities and expand local businesses into international enterprises. Platform will occupy part of the main floor and the entire second floor of the development.

The project will comprise a total of approximately 24,933 square metres and will be accessed directly off 9 Avenue at 3 Street SE, creating a central point for visitors heading into the downtown core and East Village. Two remnant parcels on the east and west ends of the subject site will result from this development.

The existing DC Direct Control District (Bylaw 53Z95) was created in 1995 allowing for light industrial, residential and commercial uses for up to 12 metres in height (~3-4 storeys). This application will change the land use district from the existing DC Direct Control District, to a new DC Direct Control District based on the Centre City East Village Transition District (CC-ET) to allow for:

- CC-ET rules:
 - no maximum building height;
 - a maximum floor area ratio (FAR) of 7.0, and
- Specific DC Guidelines:
 - exemption rules for the innovation centre to accommodate flexible reallocation of floor areas within the "innovation uses";
 - no parking requirement for "innovation uses" to reflect excellent travel modes in this location;
 - no minimum horizontal building separation within the district to reflect constraints in the future remaining parcels on the east and west ends of the site; and
 - additional bicycle parking stall requirements to support the city wide cycling strategy.

**Land Use Amendment in Downtown East Village (Ward 7) at 399 - 9 Avenue SE,
LOC2015-0170**

This proposed DC District (Attachment 1) allows flexibility for a mixed use public parkade and innovation centre development, sets up the two “bookend parcels” (DC Site 2 east and west) for future development, furthers CPA goals for the public parkade commitment in East Village, and aligns with the applicable policies of the *East Village ARP*.

ADMINISTRATION RECOMMENDATION(S)

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

1. ADOPT, by bylaw, the proposed redesignation of 0.88 hectares ± (2.18 acres ±) located at 399 - 9 Avenue SE (Plan 1711864, Block 3, Lot 5) from DC Direct Control District to DC Direct Control District to accommodate a mix use parking structure; and
2. Give three readings to the proposed bylaw.

RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, DATED 2018 AUGUST 23:

That Council:

1. **Hold a public hearing during a 2018 October Public Hearing of Council;**
2. Adopt, by Bylaw, the proposed redesignation of 0.88 hectares ± (2.18 acres ±) located at 399 - 9 Avenue SE (Plan 1711864, Block 3, Lot 5) from DC Direct Control District to DC Direct Control District to accommodate a mix use parking structure; and
3. Give three readings to the proposed **Bylaw 255D2018**.

Excerpt from the Minutes of the Regular Meeting of the Calgary Planning Commission, held 2018 August 23:

“And further, that the commentary provided by Commissioner Juan with respect to Report CPC2018-0989 be attached to the Report prior to being forwarded to Council.”

PREVIOUS COUNCIL DIRECTION / POLICY

None.

BACKGROUND

This application was originally submitted by the Calgary Parking Authority (CPA) on 2015 November 04. In August of 2016, the Calgary Municipal Land Corporation (CMLC) assumed the role of owner, applicant, and project manager for the application. In 2015, CPA and its consultant studied the subject site and identified a number of redevelopment scenarios. A land

**Land Use Amendment in Downtown East Village (Ward 7) at 399 - 9 Avenue SE,
LOC2015-0170**

use redesignation application was submitted to accompany these potential redevelopment scenarios. Following this, CPA entered into an agreement with CMLC to purchase the land and act as the developer of the property. Since the initial application CMLC has acquired the original two parcels and consolidated them. In May 2018, CMLC resumed the land use redesignation application to reflect the design of the parkade and its partnership with Platform to create an innovation centre within the mixed use development. The partnership with Platform in the first and second storeys creates a use that is intended to activate the area with start-up businesses, bringing employees and customers to the area.

The CPA parkade proposed for this site fulfills a commitment by the City of Calgary for a public parking facility on the east side of the Centre City, to serve the downtown, patrons for the new Central Library and National Music Centre, and East Village destination users. The parkade is funded by proceeds from cash-in-lieu funds collected under various development permit approvals and CPA reserves. Various surface parking lots in East Village have also been eliminated for current and future developments. The subject parkade is part of a broader outcome to provide public parking capacity for East Village and the downtown.

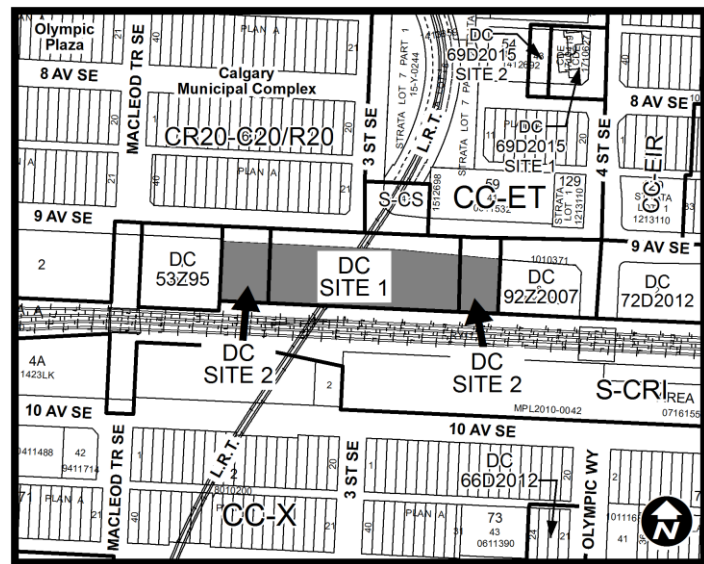
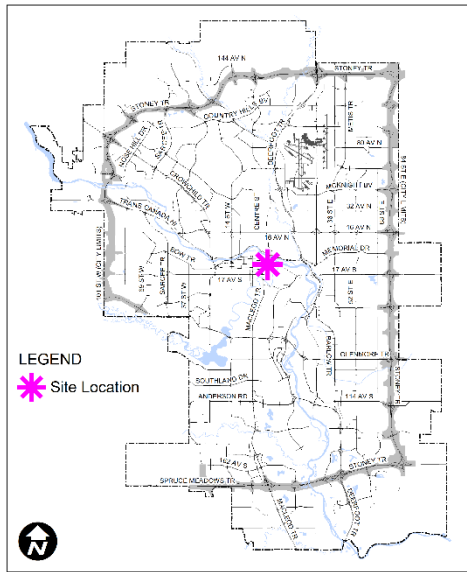
A development permit application (DP2018-2774) for a mixed use CPA parkade and innovation centre (Attachment 3) is currently under review and will be presented to CPC for a decision at a later date (anticipated Q4 of 2018). A subdivision application (SB2018-0230) is also under review to create the parcel for the parkade and innovation centre, and the two parcels on the east and west ends of the subject site.

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Land Use Amendment in Downtown East Village (Ward 7) at 399 - 9 Avenue SE,
LOC2015-0170

Location Maps



**Land Use Amendment in Downtown East Village (Ward 7) at 399 - 9 Avenue SE,
LOC2015-0170**

Site Context

The subject site is bounded by 9 Avenue SE to the north, Canadian Pacific Rail to the south, Allstream building to the west and Enmax's district energy building to the east. Existing site influences include:

- CPR freight rail corridor is on the south side of the parcel, consideration with regards to the Railway Corridor policy and the consequential lane less site;
- Limited vehicular access on 9 Avenue SE, with current one-way road (west of 3 Street SE) and two-way road (east of 3 Street SE);
- East and West bound cycle tracks on 9 Avenue;
- Multiple existing and future frequent bus routes on 9 Avenue SE and 3 Street SE;
- Flood Hazard within the Overland Flow area map;
- An LRT tunnel 2.0 - 2.5 metres below grade and spans approximately 20 metres across the middle of the site;
- A large water main utility easement spans across the middle of the site;
- A driveway access easement agreement is also located in the middle of the site;
- An Enmax duct bank registered as a utility easement is located on the west property line; and
- The parcel is at the south end terminus of the "Third Street SE Zipper" as described in the Civic District Public Realm Strategy and currently under construction.

The site is currently a relatively level gravel surface parking lot operated by CPA. Within 400 metres walking distance one can reach: the TELUS Convention Centre, Arts Commons, Olympic Plaza, Municipal Building, City Hall LRT Station, Bow Valley College, Central Library (current and new), Hilton Garden Inn, National Music Centre and the future 4 Street SE (Greenline) LRT Station.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The initial proposed DC submission focused on incentive density for provision of innovative public amenity. Through a revised submission CMLC re-focused the application on bringing CPA and Platform together to develop a mixed use parkade and innovation centre. CPA will own the open-air parking structure component of the project consisting of 510 stalls above grade and 139 combined class 1 and 2 bicycle stalls. Platform's innovation centre will own and occupy approximately 4,100 square metres of space located partially on the main floor and all of the second floor.

The proposed innovation centre will house studio and exhibition spaces, co-working spaces, classrooms, maker-space workshops, a business accelerator and a flexible hub/lounge space. It is composed of a combination of four land use bylaw uses; General Industrial-Light, Instructional Facility, Office and Retail and Consumer Service. The main objective of this DC is to allow the approved space to rapidly transform over time and change the intensity of uses without requiring a change of use development permit. The proposed DC bylaw enable this

**Land Use Amendment in Downtown East Village (Ward 7) at 399 - 9 Avenue SE,
LOC2015-0170**

condition by creating a term for “innovation uses”, which is composed of the four existing bylaw uses with rules that allow the changes within its approved space.

Planning Considerations

Land Use

The existing DC Direct Control land use district (Bylaw 53Z95) is based on the Land Use Bylaw 2P80 which no longer reflects the current policies for the area. The new DC Direct Control District (Attachment 1) is based on the Centre City East Village Transition District (CC-ET). The East Village ARP identifies this site as a transition area to the downtown and the rail corridor on the west and south edge of East Village.

The CC-ET district incorporates an extensive list of permitted and discretionary uses and is intended to transition the height and density of the downtown on the west edge of the East Village community. In addition the new Direct Control district provides for:

1)	Flexible exemption rules for the innovation uses in the identified DC Site 1.	This flexibility allows the innovation centre to adapt quickly within its approved space to increase or decrease intensity of the four listed innovation uses. Additionally, there are no use area restrictions and no parking requirements for the innovation uses.
2)	Increased bicycle parking requirements	Additional bicycle parking is required for both the innovation uses and the parkade in general. This supports the implementation of the city wide cycling strategy, to align with active modes objectives and to support bicycle commuters, particularly in the East Village area.
3)	Eliminate the building separation rule, for above podium towers, within the district	Removal of this restriction recognizes the limitation of the relatively smaller parcels on the east and west end. It understands that future buildings as it relates to the proposed approximately 30 metre high parkade and proposed property lines will not require this step back at the podium level. This enables the viability of future development on the end parcels.

This land use redesignation updates the existing 1995 land use district to better reflect the new East Village density and intensity context.

Transportation Networks

The subject parcel is fronted by 9 Avenue SE and is located at the south end of the intersection of 9 Avenue SE and 3 Street SE.

The Transportation Network surrounding the subject parcel provides many high-quality travel options including:

**Land Use Amendment in Downtown East Village (Ward 7) at 399 - 9 Avenue SE,
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- LRT, BRT and express bus service.
 - Both the City Hall LRT station and the future 4 Street Green Line LRT station are within 300 metres of the site.
- Cycling network – existing and planned.
- Grid street network providing multiple options for both pedestrians and vehicles.

Multiple BRT and express bus routes currently use the 9 Avenue and 3 Street corridors, with more planned routing to come including the new 17 Avenue BRT. Mitigating impacts to the 9 Avenue / 3 Street intersection is critical to maintain efficient transit operations and travel time into the core.

The 9 Avenue / 3 Street intersection sees a high volume of vehicular traffic during peak periods and is increasingly utilised by Transit and active modes users. It is also bounded by the new Central Library, the Municipal Complex and the proposed parkade. Pedestrian, cycling and vehicular traffic are expected to significantly increase as adjacent projects are completed.

A description of the major roadways in the area is as follows:

Road	Daily Traffic Volume	Details
9 AV SE	15,000	<ul style="list-style-type: none"> • Facilitates movements to/from the downtown core • East-West road • 4-lanes: One-way eastbound roadway until 3 ST SE where it becomes two-way Cycling Facilities <ul style="list-style-type: none"> • One-way (both sides of road) • From Macleod Trail to Inglewood
3 ST SE	9,000	<ul style="list-style-type: none"> • North-South road • 4-lanes, two-way traffic Cycling Facilities <ul style="list-style-type: none"> • None
Macleod Trail SE	21,000	<ul style="list-style-type: none"> • Facilitates movements to/from the downtown core • North-South road • 4-lanes: one-way northbound <ul style="list-style-type: none"> ◦ Forms a couplet with 1 ST SE which is one-way southbound Cycling Facilities <ul style="list-style-type: none"> • None

**Land Use Amendment in Downtown East Village (Ward 7) at 399 - 9 Avenue SE,
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Road	Daily Traffic Volume	Details
4 ST SE	6,000	<ul style="list-style-type: none"> Connects East Village to the Stampede Grounds North-South road 4-lanes, two-way traffic Cycling Facilities <ul style="list-style-type: none"> Planned one-way, both sides of the road.

The proposed development review has been part of an on-going discussion regarding the future streetscape cross-section of 9 Avenue from Macleod Trail to Inglewood. Public realm, cycling facilities, multi-use pathways and vehicular lanes are being analysed and discussed by stakeholders.

A Transportation Impact Assessment has been provided for the proposed land use application.

Several scenario options have been reviewed including:

1. Construction of a westbound left turn lane from 9 Avenue SE into the parcel (currently this movement is prohibited) and
2. Construction of a two-way cycle track on the north side of 9 Avenue SE.

Discussion and further analysis is on-going with the intent to resolve as part of the review of the associated development permit application.

Utilities and Servicing

Water, storm sewer and sanitary mains are available from 9 Avenue SE. Development servicing shall be to the satisfaction of Water Resources, at both the Development Permit and Development Site Servicing Plan circulation stages.

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. Information was also included in the Planning and Development Map (PD Map), which is an online tool accessible by the public that includes relevant information on land use amendment applications.

No citizen comments were received by the CPC report submission date. East Village Neighbourhood Association (EVNA) is in support of the land use change and have provided comments on the development permit application. The Downtown Calgary Association is also in support. (Attachment 4)

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CMLC hosted an event on 2018 January 23 to announce the 9 Avenue parkade and innovation centre. CMLC's community partners were invited to attend and presentations to inform the public on the project were made by CMLC, CPA, and Platform. A subsequent event was held in collaboration with Nucleus and Rainforest Alberta on 2018 March 14. This event was communicated through CMLC, East Village and the Rainforest social and digital channels. The CMLC and East Village website both include dedicated project pages with details on the 9 Avenue parkade.

Following Calgary Planning Commission, notifications for 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

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

The subject site falls within the Centre City area as identified on Map 1 of the *Municipal Development Plan* (MDP). The applicable MDP policies encourage development which is mixed use, high density and employment intensive. The land use goals of the Centre City is to allow for a vibrant, mixed-use area with neighborhoods that transition from Downtown and development that reflects the scale of the area. The MDP also calls for new bicycle amenities to support the city wide cycling strategy. The proposal aligns with all of these policy objectives.

East Village Area Redevelopment Plan

The subject site falls in the transition area to the downtown and the rail corridor on the west and south edge of East Village. It accommodates the broadest range of uses and larger non-residential developments than the rest of East Village. Developments should be scaled to the neighbourhood to enhance the pedestrian environment and light industrial uses may be considered abutting the railway corridor. It is commendable that the proposal, through the first and second storeys innovation centre uses, will create an active street frontage.

Social, Environmental, Economic

The proposed land use amendment will allow for a multi-use innovation centre to accommodate a flexible rapid adaptive space that support the development of start-up companies. An environmental site assessment was not required for this application.

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**Land Use Amendment in Downtown East Village (Ward 7) at 399 - 9 Avenue SE,
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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 application 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.

REASON(S) FOR RECOMMENDATION(S):

The proposed Direct Control land use district provides for flexibility to accommodate a CPA parkade and multi-use innovation centre. It allows a unique opportunity for the innovation centre to adapt and transform within its approved space. The proposed District also removes the restrictive building height rule that allows for a taller floor to ceiling heights which contributes to future re-purposing opportunity and a distinct parking structure design.

ATTACHMENT(S)

1. **Corrected** Proposed Direct Control Bylaw
2. Applicant's Submission
3. Development Permit Excerpts
4. Calgary Downtown Association Comments
5. **Proposed Bylaw 255D2018**
6. **CPC Member Commentary**

Proposed DC Direct Control Guidelines

Purpose

- 1 This Direct Control District is intended to:
 - (a) accommodate a multi-use innovation centre which allows for a flexible mix of co-working, incubating, making, instructing and exhibiting activities for the pursuit of entrepreneurship; and
 - (b) provide rules for **building** separation.

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.

General Definitions

- 4 In this Direct Control District,
 - (a) "**innovation uses**" means any one or more of the following **uses**:
 - (i) **General Industrial – Light;**
 - (ii) **Instructional Facility;**
 - (iii) **Office;** and
 - (iv) **Retail and Consumer Service.**

Permitted Uses

- 5 The **permitted uses** of the Centre City East Village Transition District (CC-ET) of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

- 6 The **discretionary uses** of the Centre City East Village Transition District (CC-ET) of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District with the addition of the following **use**:
 - (a) **Restaurant: Neighbourhood.**

Bylaw 1P2007 District Rules

- 7 Unless otherwise specified, the rules of the Centre City East Village Transition District (CC-ET) of Bylaw 1P2007 apply in this Direct Control District.

Additional Required Bicycle Parking Stalls

- 8 The minimum number of **bicycle parking stalls – class 1** and **bicycle parking stalls – class 2** for **Parking Lot — Structure** is 5.0 per cent of the **motor vehicle parking stalls** provided.

Building Separation

- 9 There is no horizontal separation requirement for **buildings** sharing a **property line** within this Direct Control District.

Proposed DC Direct Control Guidelines

Development Authority – Power and Duties for Relaxations

10 The **Development Authority** may relax the rules in Sections 8 and 12 of Direct Control District provided the test for relaxations as set out in Bylaw 1P2007 is met.

Site 1 (± 0.61ha / 1.5ac)

Application

11 The provisions in section 12 apply only on Site 1.

Additional Rules for a combination of *innovation uses*

12 Where at least two *innovation uses* are located primarily in a **building**:

- (a) *innovation uses* are exempt from the requirement of a **development permit** for a change of **use**, a change of intensity of **use**, or both, provided that:
 - (i) the proposed **use** has an existing **development permit**; and
 - (ii) the total **use area** for all *innovation uses* approved in the existing **development permits** will not increase or decrease as a result of the change of **use** or change of intensity of **use**.
- (b) *innovation uses* may locate on the first **storey** of a **building**;
- (c) There is no maximum **use area** requirement for *innovation uses*;
- (d) The **motor vehicle parking stall** requirement for *innovation uses* is zero; and
- (e) The minimum number of **bicycle parking stalls – class 1** and **bicycle parking stalls – class 2** for *innovation uses* is 1.0 stall per 400 square metres of **gross usable floor area**.

Applicant's Submission

DC-Innovation Centre

The intent of writing the new use, Innovation Centre, is to reflect the unique nature of *Platform*. This term Innovation Centre is used to describe a suite of uses that will be hosted inside of *Platform* including:

- Incubator—Incubators specialize in growing new and early-stage businesses. Typically they offer expert membership and resources like office space, legal counsel and seed money in exchange for businesses.
- Accelerator—Accelerators focus on growing new businesses but focus on rapid growth. Accelerators guide entrepreneurs from 'adolescence to adulthood and predominately operate during core business hours with the option of 24/7 access.
- Co-Working Space—Co-working spaces offer cost-effective working space for small companies and offer rental of various areas like a single desk or a common area. The intent is to house like-minded community and provide access to some benefits (e/g. networking events, connection with industry leaders, etc). Most spaces like this are open 24/7.
- Makerspace—Makerspaces are essentially co-working spaces targeted at light industry and may include production of arts, sewing, fashion, food production, light tech production, prototyping, welding, and woodworking. Makerspaces tend to be used outside core business hours (evenings and weekends).
- Academy—An instructional facility offers classroom style spaces used for short courses of varying length. Times of use are broad and range from evenings, weekends and business hours.

In addition to this, the new use modifies the parking ratio to zero. CMLC, with the help of WSP and Calgary Parking Authority, completed a parking study to identify if additional stalls, on top of the 510 stalls provided in the parkade, would be demanded. A copy of the Parking Study has been included with the Direct Control recirculation package.

DC- Landscaping and Building Separation Rules

The proposed DC includes amended landscaping rules (S. 1229) and building separation rules (S. 1223) to enable development and vehicle access on the narrow remnant parcels (Site 1 and 3).

Site 1 retains a 6 metre Enmax access easement along west property line. To optimize this non developable parcel, vehicle access is extended over the easement. The remaining developable land therefore is greatly reduced. Applying a typical office footprint to the site renders 15% landscaping area. Site 3 retains similar development challenges; Enmax, currently working with CMLC, is in the process of retaining a 5.0 metre ROW access easement agreement from the east property line. Applying a typical office footprint to Site 3 results in attaining 12% landscaping. For these reasons, The Direct Control includes reduced landscaping rules for Site 1 and Site 3.

The Parkade may be modified to enable vehicle access to Site 1 and Site 3, should there be a desire at future development stages to provide parkade access. For this reason, the Direct Control identifies a zero setback from the property line.

Applicant's Submission

APPLICANT PROPOSED DC

Purpose

1 This Direct Control District is intended to:

- (a) accommodate the **use** of **Innovation Centre**;
- (b) provide specific rules for landscaping;
- (c) provide specific rules for building separation; and

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.

General Definitions

4 In this Direct Control District,

(a) **"Innovation Centre"** means a **use**:

- (i) where entrepreneurs, artists, teachers, professionals, food service, and administrative staff work on premise;
- (ii) where food is prepared and sold for consumption on premise and make include the sale of prepared food for consumption off premise;
- (iii) where the manufacturing, fabricating, processing, assembly or disassembly, repair, service or refurbishment of materials, semi-finished goods, finished goods, food, beverages, products or equipment may occur;
- (iv) where instruction, training or certification of a specific trade, service or skill are provided, that includes, but is not limited to, trades, dance, music, martial arts, cooking, computers;
- (v) does not require **motor vehicle parking stalls**;
- (vi) requires a minimum of 1.0 bicycle parking stalls – class 1 per 1000.0 square metres of gross usable floor area; and
- (vii) requires a minimum of 1.0 bicycle parking stalls – class 2 per 1000.0 square metre of gross usable floor area.

Permitted Uses

5 The **permitted uses** of the Centre City East Village District (CC-ET) of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

6 The **discretionary uses** of the Centre City East Village District (CC-ET) of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District with the addition of the following **use**:

Applicant's Submission

(a) Innovation Centre.

Bylaw 1P2007 District Rules

- 7 Unless otherwise specified, the rules of the Centre City East Village (CC-ET) District of Bylaw 1P2007 apply in this Direct Control District.

Development Authority – Power and Duties for Relaxations

- 8 The Development Authority may relax the rules in Sections 9 and 11 in this Direct Control District provided the test for relaxations as set out in Bylaw 1P2007 is met.

Site 1 (+- 0.156 ha) and Site 3 (+- 0.117 ha)

Application

- 9 The provisions in section 10 through 11 apply only to Site 1 and Site 3.

Building Separation

- 10 The façade of a **building** located above 25.0 metres from **grade** must provide a minimum horizontal separation of 0.0 metres from a property line shared with another **parcel**.

Landscaped Area Rules

- 11 A minimum of 12.0 per cent of the area of the **parcel** must be **landscaped area**.

Site 2 (+- 0.6087 ha)

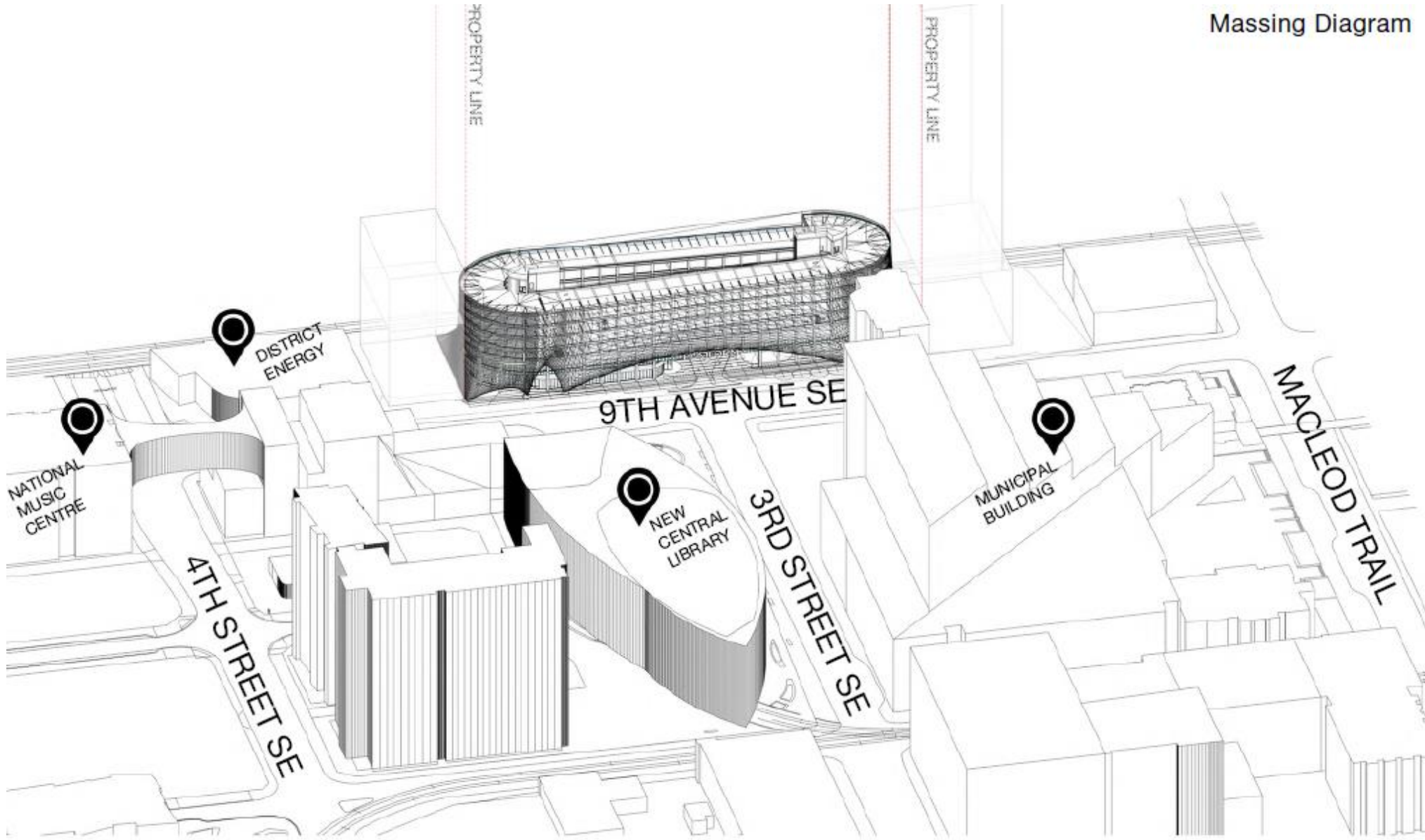
Building Separation

- 12 The façade of a **building** located above 25.0 metres from **grade** must provide a minimum horizontal separation of 0.0 metres from a property line shared with another **parcel**.

Development Permit (DP2018-2774) Summary

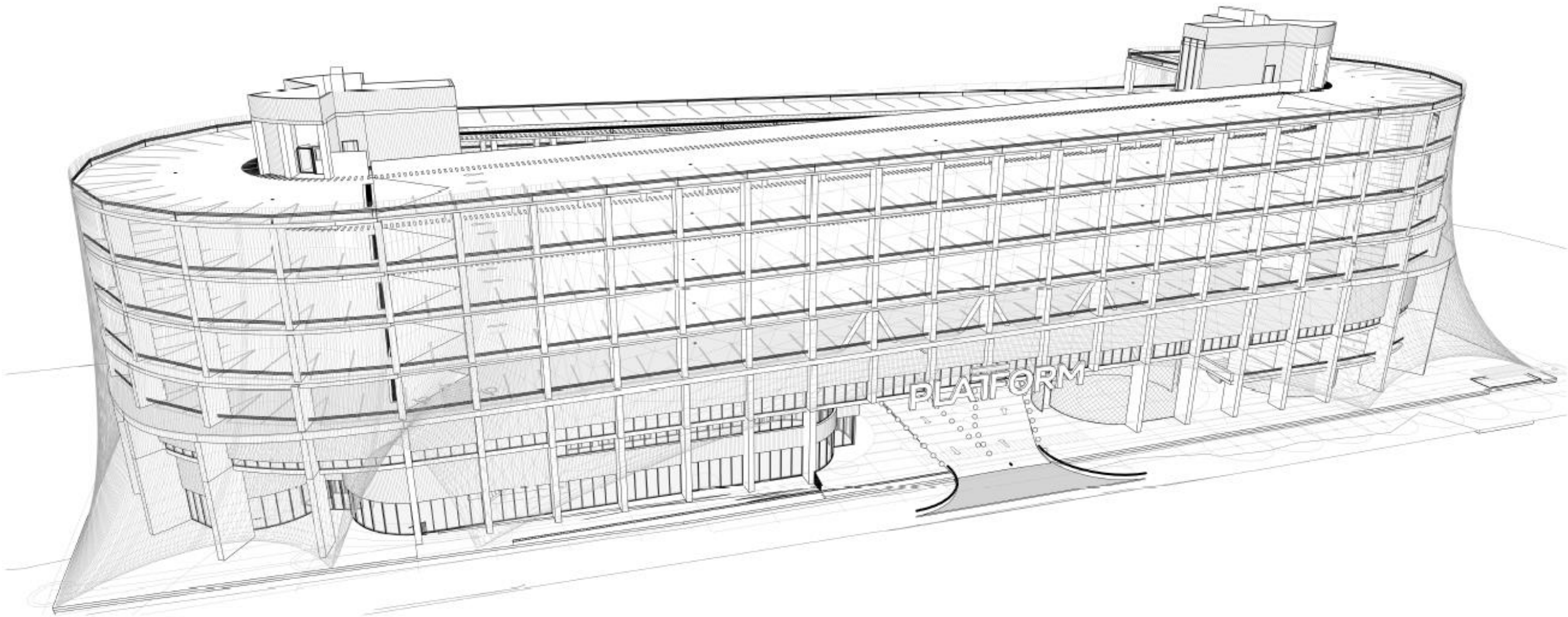
A development permit application (DP2018-2774) has been submitted by Kasian Architecture on 2018 June 8. The development permit application is under review. The proposal is for a seven-storey, mixed-use parkade including an “innovation centre” on the first two levels. The following excerpts (Figure 1, 2, 3, 4 and 5) from the development permit submission provide an overview of the proposal and are included for information purposes only. Administration’s review of the development permit will determine the ultimate building design and site layout details. The development permit application will be presented to Calgary Planning Commission for decision in the fourth quarter of 2018.

Figure 1 – Site Context and Massing Diagram



Development Permit (DP2018-2774) Summary

Figure 2 – 3D Rendering



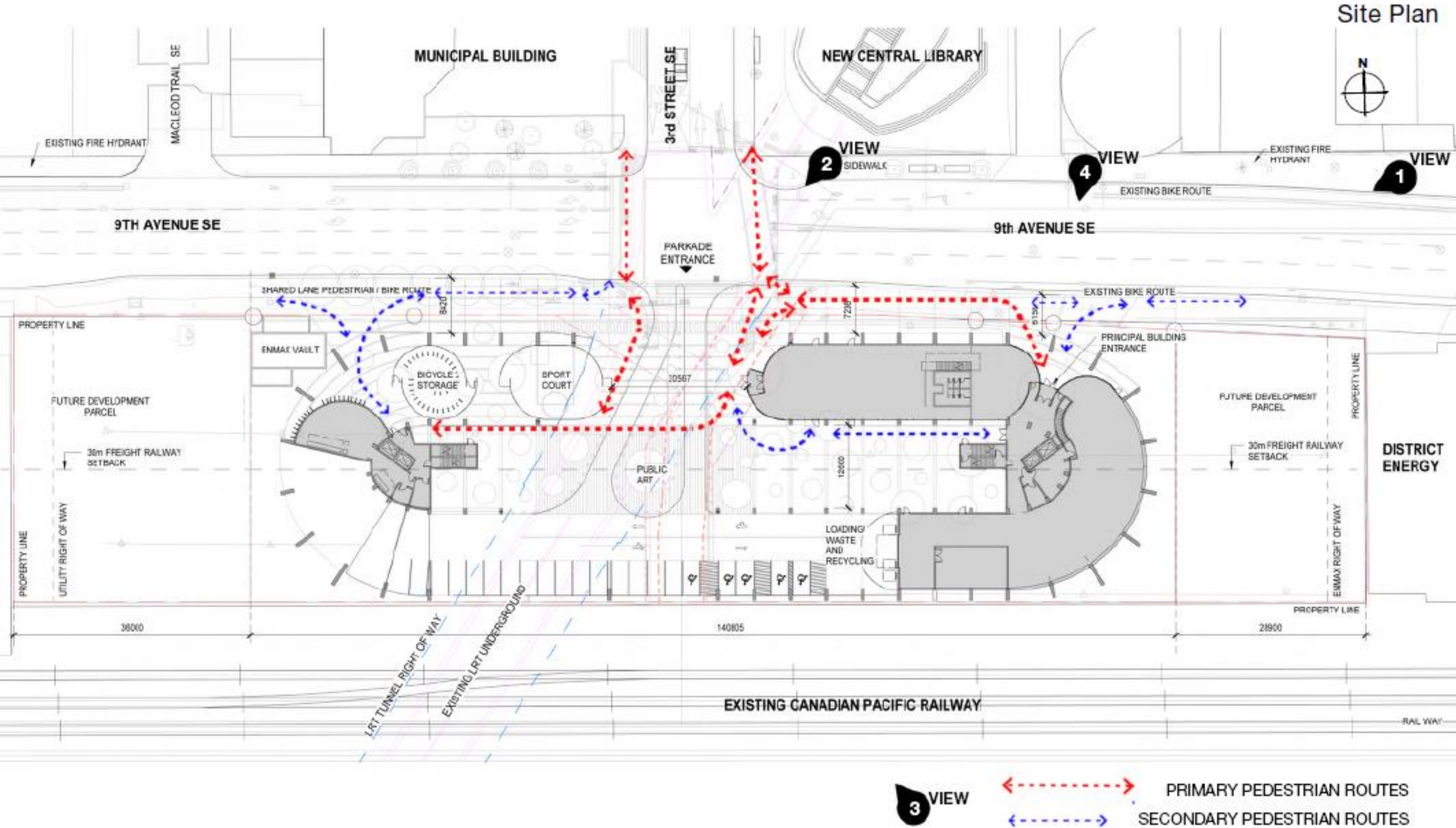
Development Permit (DP2018-2774) Summary

Figure 3 – 3D Perspective (looking south from (9 Avenue SE)



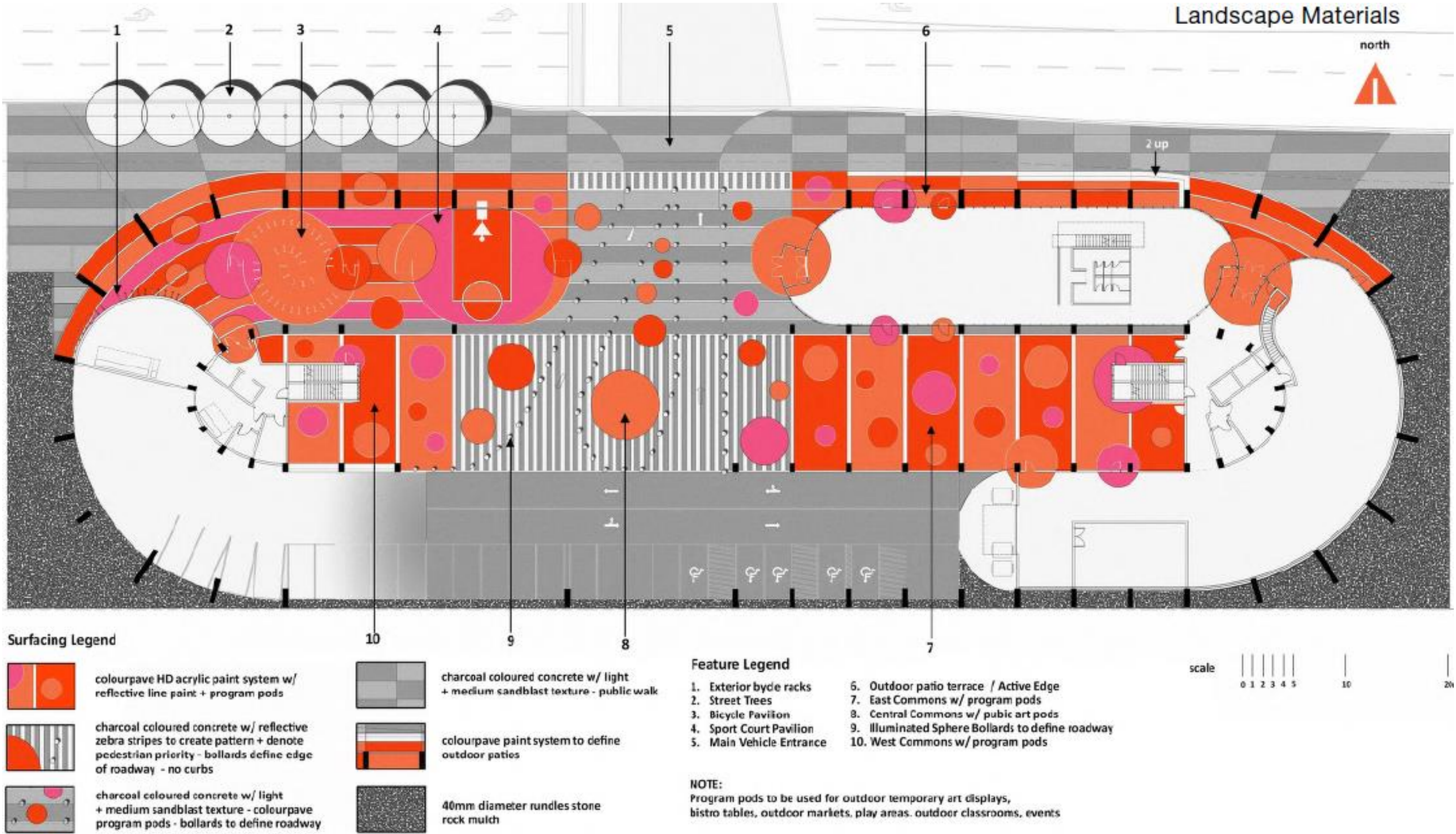
Development Permit (DP2018-2774) Summary

Figure 4 – Site Plan



Development Permit (DP2018-2774) Summary

Figure 5 – Site Landscape Plan



Downtown Community Association Comments



January 7, 2016

The City of Calgary
Development Circulation Controller
Planning, Development Assessment #8201
P.O. Box 2100 Station M
Calgary AB T2P 2M5

Attn: Richard Goecke

Dear Richard:

**Re: LOC2015-0170 – Land Use Amendment to accommodate parking lot structure
(9 Ave between MacLeod Trail SE and 4 St SE)**

Based on the complexity of this site, having requirements and restrictions related to both railway and LRT lines, the Calgary Downtown Association can support the addition of a parking lot structure to the accepted use for the site. As above-ground parking structures do not fit into any of the policy documents for the area (MDP, Centre City Plan, Downtown Parking Policy, etc), significant attention must be given to the design of such a structure, and the integration of this block to both the pedestrian realm, and the area as a whole. We do believe the parking requirements of the National Music Centre, The Central Library, and The City of Calgary are such that a structure is required, but we would like to ensure that it complements the excellent redevelopment currently underway in the area.

I trust our comments will be helpful. Should you require anything further, please call me directly at (403) 215-1565.

Yours truly,

A handwritten signature in blue ink, appearing to read 'M. A. Schofield'.

M. A. (Maggie) Schofield
Executive Director

PROPOSED

CPC2018-0989
ATTACHMENT 5

BYLAW NUMBER 255D2018

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2015-0170/CPC2018-0989)**

WHEREAS it is desirable to amend the Land Use Bylaw Number 1P2007 to change the land use designation of certain lands within the City of Calgary;

AND WHEREAS Council has held a public hearing as required by Section 692 of the Municipal Government Act, R.S.A. 2000, c.M-26 as amended;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, is hereby amended by deleting that portion of the Land Use District Map shown as shaded on Schedule "A" to this Bylaw and substituting therefor that portion of the Land Use District Map shown as shaded on Schedule "B" to this Bylaw, including any land use designation, or specific land uses and development guidelines contained in the said Schedule "B".
2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

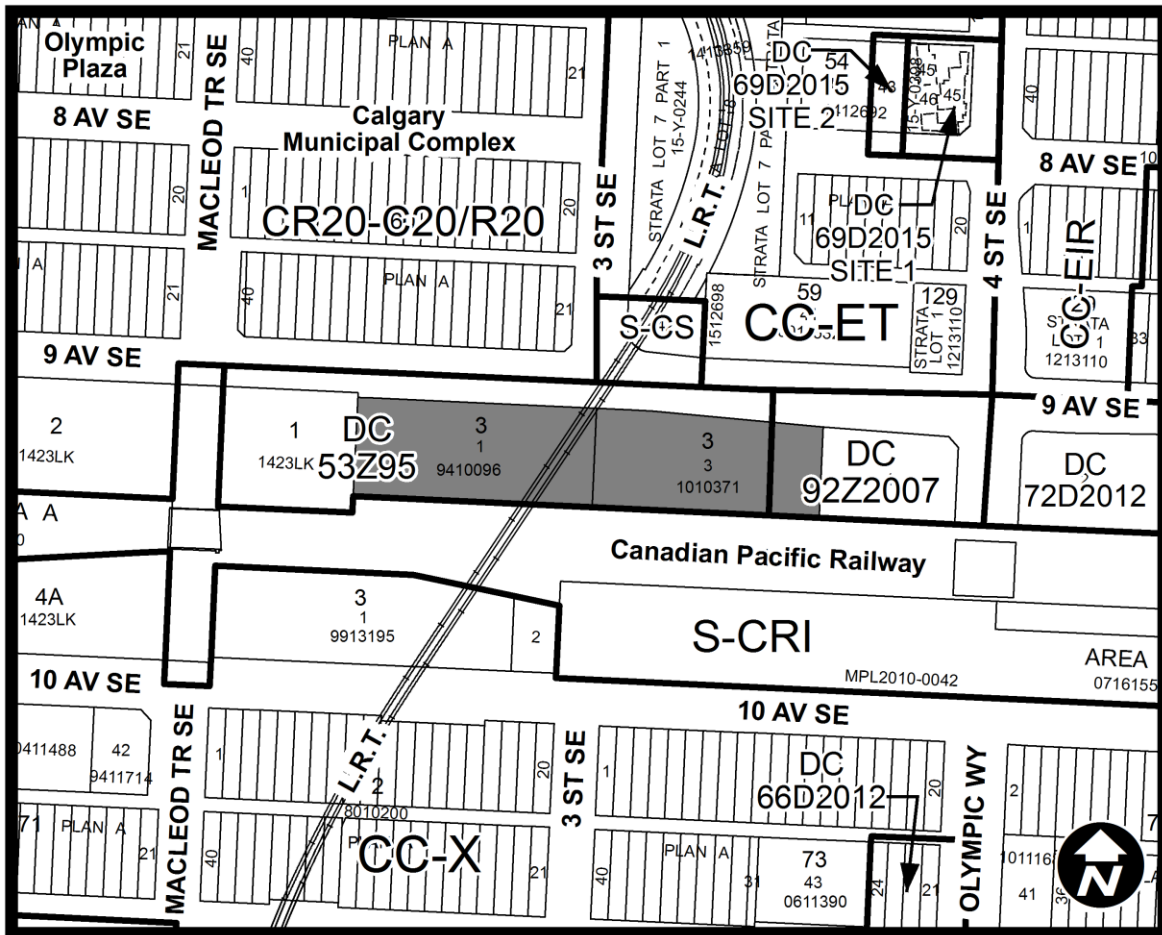
CITY CLERK

SIGNED ON _____

PROPOSED

AMENDMENT LOC2015-0170/CPC2018-0989
BYLAW NUMBER 255D2018

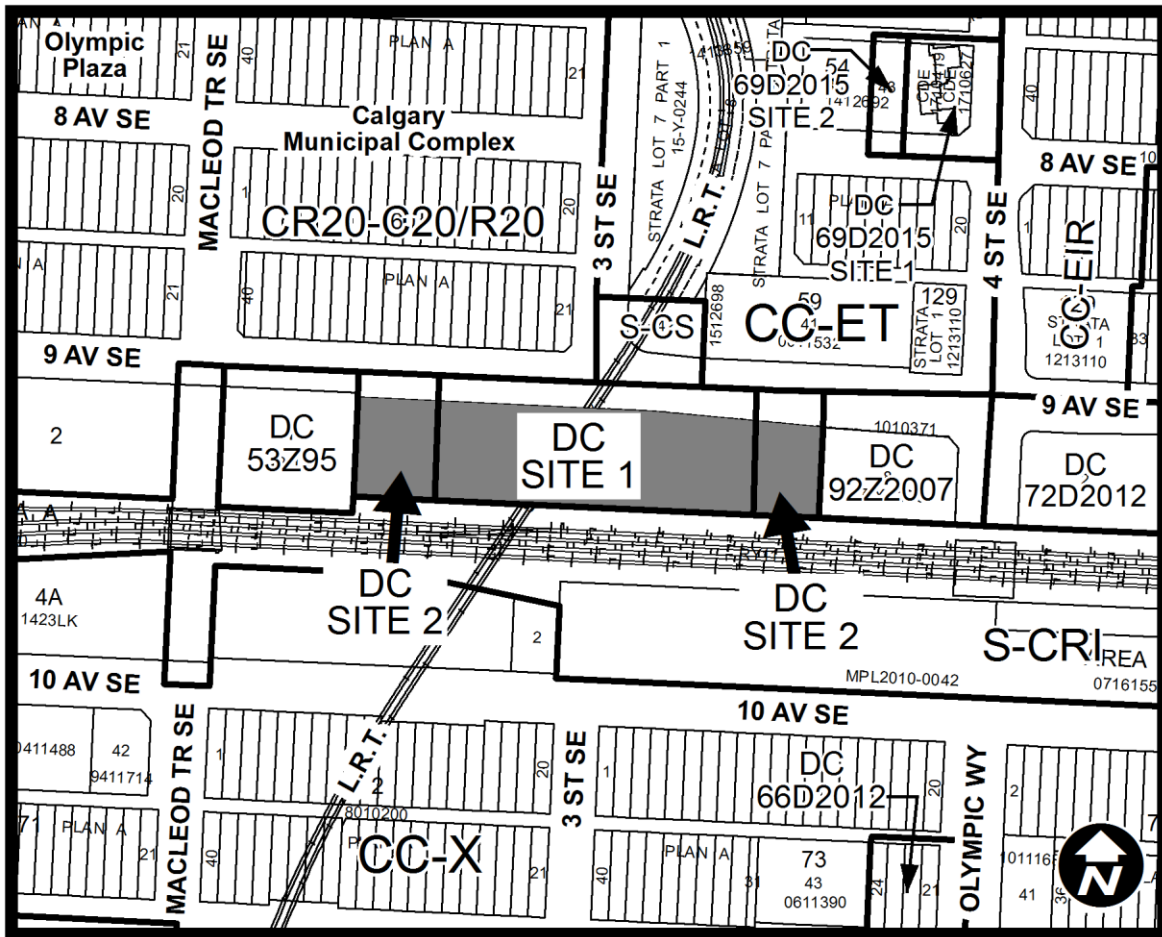
SCHEDULE A



PROPOSED

AMENDMENT LOC2015-0170/CPC2018-0989
BYLAW NUMBER 255D2018

SCHEDULE B



DIRECT CONTROL DISTRICT

Purpose

1 This Direct Control District is intended to:

- (a) accommodate a multi-use innovation centre which allows for a flexible mix of co-working, incubating, making, instructing and exhibiting activities for the pursuit of entrepreneurship; and
- (b) provide rules for **building** separation.

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.

PROPOSED

AMENDMENT LOC2015-0170/CPC2018-0989
BYLAW NUMBER 255D2018

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.

General Definitions

- 4 In this Direct Control District,

(a) "**innovation uses**" means any one or more of the following **uses**:

- (i) **General Industrial – Light;**
- (ii) **Instructional Facility;**
- (iii) **Office; and**
- (iv) **Retail and Consumer Service.**

Permitted Uses

- 5 The **permitted uses** of the Centre City East Village Transition District (CC-ET) of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

- 6 The **discretionary uses** of the Centre City East Village Transition District (CC-ET) of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District with the addition of the following **use**:

- (a) **Restaurant: Neighbourhood.**

Bylaw 1P2007 District Rules

- 7 Unless otherwise specified, the rules of the Centre City East Village Transition District (CC-ET) of Bylaw 1P2007 apply in this Direct Control District.

Additional Required Bicycle Parking Stalls

- 8 The minimum number of **bicycle parking stalls – class 1** and **bicycle parking stalls – class 2** for **Parking Lot – Structure** is 5.0 per cent of the **motor vehicle parking stalls** provided.

Building Separation

- 9 There is no horizontal separation requirement for **buildings** sharing a **property line** within this Direct Control District.

Development Authority – Power and Duties for Relaxations

- 10 The **Development Authority** may relax the rules in Sections 8 and 12 of this Direct Control District provided the test for relaxations as set out in Bylaw 1P2007 is met.

Site 1 (± 0.61ha / 1.5ac)

Application

- 11 The provisions in section 12 apply only on Site 1.

PROPOSED

AMENDMENT LOC2015-0170/CPC2018-0989
BYLAW NUMBER 255D2018

Additional Rules for a Combination of *Innovation Uses*

12 Where at least two *innovation uses* are located primarily in a *building*:

- (a) *innovation uses* are exempt from the requirement of a *development permit* for a change of *use*, a change of intensity of *use*, or both, provided that:
 - (i) the proposed *use* has an existing *development permit*; and
 - (ii) the total *use area* for all *innovation uses* approved in the existing *development permits* will not increase or decrease as a result of the change of *use* or change of intensity of *use*;
- (b) *innovation uses* may locate on the first *storey* of a *building*;
- (c) there is no maximum *use area* requirement for *innovation uses*;
- (d) the *motor vehicle parking stall* requirement for *innovation uses* is zero; and
- (e) the minimum number of *bicycle parking stalls – class 1* and *bicycle parking stalls – class 2* for *innovation uses* is 1.0 stall per 400 square metres of *gross usable floor area*.

McDougall, Libbey C.

From: Holberton, Kimberly
Sent: Monday, August 27, 2018 9:26 AM
To: Public Submissions
Subject: CPC2018-0989 Comments from the 2018 August 23 Meeting of CPC.

Follow Up Flag: Follow up
Flag Status: Completed

From: Lourdes Juan [mailto:lourdesjuan@me.com]
Sent: Sunday, August 26, 2018 7:13 PM
To: Holberton, Kimberly
Subject: [EXT] CPC Comments

7.2.7 - I support this application and hope that the DC is flexible enough to incorporate and allow innovation around food, beverages, and products.

Thanks!

Lourdes Juan
M.E.Des, BGS
403-619-6373

**Road Closure and Land Use Amendment in Centre City East Village (Ward 7)
Adjacent to 539 - 7 Avenue SE and 502 - 8 Avenue SE, LOC2018-0099**

EXECUTIVE SUMMARY

This road closure application and associated land use amendment was submitted on 2018 May 03, by Watt Consulting Group Ltd, representing the Calgary Municipal Land Corporation (CMLC). The application proposes to close a portion of road right-of-way between 539 - 7 Avenue SE and 502 - 8 Avenue SE and to redesignate the closed road to Centre City East Village Integrated Residential District (CC-EIR).

The proposal is aligned with the applicable policies of the Municipal Development Plan (MDP) and will facilitate the intent of the East Village Area Redevelopment Plan (ARP) which envisions the subject site as part of a high quality pedestrian public access route referred to as The Riff (refer to Attachment 3 for schematic illustration of The Riff walkway feature, as per the ARP).

ADMINISTRATION RECOMMENDATION:

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

1. ADOPT, by bylaw, the proposed closure of 0.810 hectares \pm (2.00 acres \pm) of road (Plan 1811391, Area A) adjacent to 539 – 7 Avenue SE and 502 - 8 Avenue SE, with conditions (Attachment 2); and
2. Give three readings to the proposed closure bylaw.
3. ADOPT, by bylaw, the proposed redesignation of 0.810 hectares \pm (2.00 acres \pm) of closed road (Plan 1811391, Area A) adjacent to 539 – 7 Avenue SE and 502 - 8 Avenue SE from DC Direct Control District to Centre City East Village Integrated Residential District (CC-EIR); and
4. Give three readings to the proposed bylaw.

**RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, DATED 2018
AUGUST 23:**

That Council:

1. **Hold a public hearing during a 2018 October Public Hearing of Council;**
2. **Adopt, by Bylaw, the proposed closure of 0.810 hectares \pm (2.00 acres \pm) of road (Plan 1811391, Area A) adjacent to 539 – 7 Avenue SE and 502 - 8 Avenue SE, with conditions;**
3. Give three readings to the proposed closure **Bylaw 9C2018;**
4. Adopt, by Bylaw, the proposed redesignation of 0.810 hectares \pm (2.00 acres \pm) of closed road (Plan 1811391, Area A) adjacent to 539 – 7 Avenue SE and 502 - 8 Avenue SE from DC Direct Control District to Centre City East Village Integrated Residential District (CC-EIR); and
5. Give three readings to the proposed **Bylaw 249D2018.**

Planning & Development Report to
Calgary Planning Commission
2018 August 23

ISC: UNRESTRICTED
CPC2018-0993
Page 2 of 6

**Road Closure and Land Use Amendment in Centre City East Village (Ward 7)
Adjacent to 539 - 7 Avenue SE and 502 - 8 Avenue SE, LOC2018-0099**

PREVIOUS COUNCIL DIRECTION / POLICY

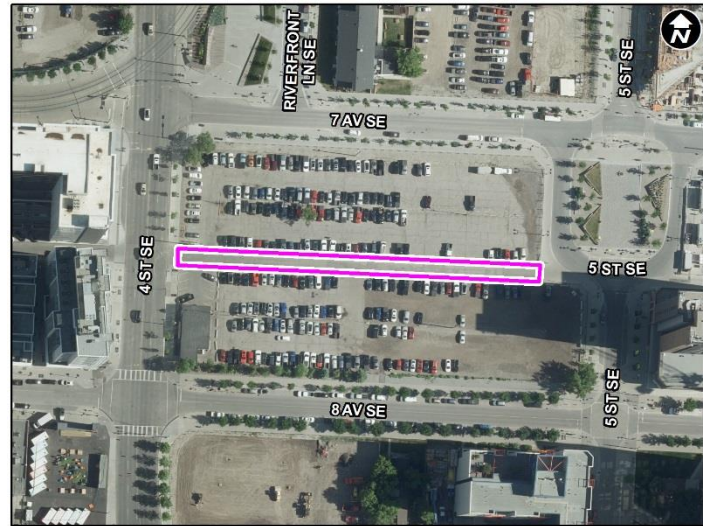
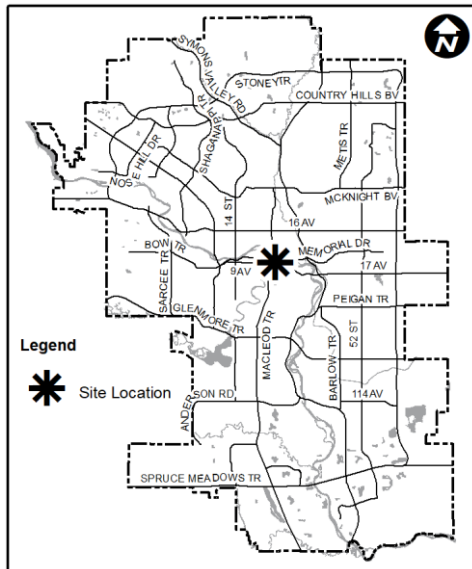
None.

BACKGROUND

This road closure application and associated land use amendment was submitted on 2018 May 03, by Watt Consulting Group Ltd, representing the Calgary Municipal Land Corporation (CMLC). As per the Applicant's Submission (Attachment 1), CMLC has been overseeing a number of road closures in the East Village in order to implement the vision of the East Village ARP, which includes the establishment of high quality pedestrian public access routes. CMLC's intention is that once the lane is closed it will be included in a future subdivision application to consolidate the closure lands with the adjacent lands.

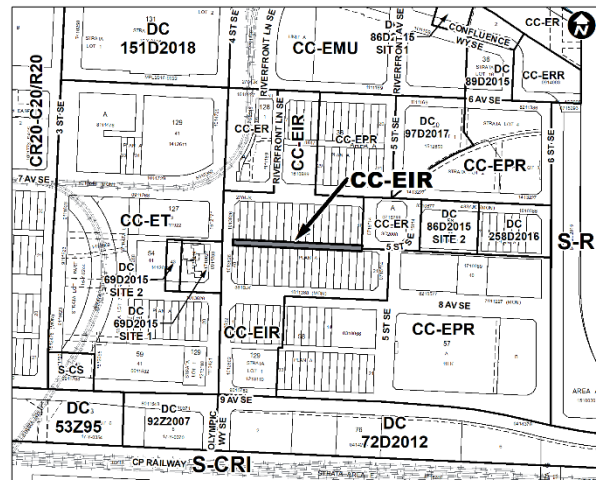
**Road Closure and Land Use Amendment in Centre City East Village (Ward 7)
Adjacent to 539 - 7 Avenue SE and 502 - 8 Avenue SE, LOC2018-0099**

Location Maps



Road Closure Map

Proposed Land Use Map



Road Closure and Land Use Amendment in Centre City East Village (Ward 7) Adjacent to 539 - 7 Avenue SE and 502 - 8 Avenue SE, LOC2018-0099

Site Context

The subject site is located to the east of 4 Street SE and to the west of 5 Street SE, in the community of Centre City East Village. The application proposes the road closure and land use redesignation of an undesignated road right-of-way. The road right-of-way is approximately 0.8 hectares (2.00 acres) in size which currently provides access to an existing surface parking lot.

The CC-EIR District is the predominant land use designation surrounding this road right-of-way, however there are DC Districts directly to west of the site (across 4 Street SE).

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The proposed CC-EIR District would allow the future incorporation of the subject land with the adjacent parcels to facilitate a comprehensive redevelopment project. The application is compatible with the uses and developments in the surrounding area and meets the objectives of the applicable policies outlined in the Strategic Alignment section of this report.

Planning Considerations

Land Use

This application seeks to redesignate the road right-of-way from DC to the CC-EIR District. The CC-EIR District is intended to facilitate a mixed-use area that integrates residential uses with a broad range of commercial, cultural and entertainment uses.

As part of the redesignations for the East Village Community in 2005 (Bylaw 93Z2005), the road-rights-of way were designated at that time as DC Direct Control District so closures and adjustments of roadways would not require a new land use.

The application is compatible with the uses and developments in the surrounding area and meets the objectives of the applicable policies outline in the Strategic Alignment section of this report.

Transportation

The subject site is situated on 4 Street SE which is a Boulevard class roadway with 11,000 vehicle trips per day, and 7 Avenue SE which is a Residential class roadway, with less than 5,000 vehicle trips per day.

A Transportation Impact Assessment (TIA) was not required as part of this road closure, as the proposed road closure is to facilitate the *East Village Area Redevelopment Plan* (ARP) to create a high quality pedestrian public access route through this area, known as the “Riff” (see Attachment 3).

**Road Closure and Land Use Amendment in Centre City East Village (Ward 7)
Adjacent to 539 - 7 Avenue SE and 502 - 8 Avenue SE, LOC2018-0099**

Public water, sanitary and storm deep utilities exist adjacent to the lands. Development servicing shall be to the satisfaction of Water Resources, at both the Development Permit and Development Site Servicing Plan circulation stages.

Utilities and Servicing

The developer shall coordinate either removal or relocation of existing utilities located within the subject closure lands or execute and register an easement or utility right-of-way for protection of existing utilities that will remain. City records show that an existing (inactive) public sanitary main is located within the proposed closure lands. Records also show existing (private) Atco and Enmax utilities within the same lands.

Stakeholder Engagement, Research and Communication

In keeping with Administration's standard practices, this application was circulated to relevant stakeholders (including the Community Association and Ward Councillor) and notice posted on-site. Notification letters were sent to adjacent land owners and the application was advertised online. No letters from the Community Association or adjacent landowners or the general public were received.

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

Strategic Alignment

South Saskatchewan Regional Plan (Statutory, 2014)

While the *South Saskatchewan Regional Plan* (SSRP) makes no specific reference to this site, the proposed road closure and land use amendment is consistent with the SSRP policies including the Efficient Use of Land policies (Section 5) Land Use Patterns policies (Section 8).

Municipal Development Plan (Statutory, 2009)

The subject site is identified under Map 1 Urban Structure of the *Municipal Development Plan* (MDP) as Centre City. Several policies within Section 3.2 Centre City are relevant to the subject site, including:

3.2.1 (a) Reinforcing the Centre City as the focus of business, employment, cultural, recreation, retail and high density housing within Calgary. This will be achieved by:

- iii. Encouraging a greater mix of cultural, recreation and leisure activities;
- v. Providing high-quality pedestrian and cycling connections within the Centre City and to communities, Activity Centres and *Main Streets* beyond its boundaries.

Planning & Development Report to
Calgary Planning Commission
2018 August 23

ISC: UNRESTRICTED
CPC2018-0993
Page 6 of 6

**Road Closure and Land Use Amendment in Centre City East Village (Ward 7)
Adjacent to 539 - 7 Avenue SE and 502 - 8 Avenue SE, LOC2018-0099**

East Village Area Redevelopment Plan (Statutory, 2017)

The subject site is located within the 'Neighbourhood Centre and the Riff'.

Section 3.3.1 'Neighbourhood Centre' states the vision for the Neighbourhood Centre is for a variety of residential and non-residential uses and is to be the most vibrant and pedestrian-oriented part of East Village, with many public amenities.

Section 6.1.1 'The RIFF Policy Area' includes details of the Riff, which is a privately owned, public accessible pedestrian route that connects the historic main street through the neighbourhood to the Bow River (see Attachment 3) for the Riff illustration

Social, Environmental, Economic (External)

The proposed road closure and land use redesignation will allow for future employment, social and economic opportunities once the land is incorporated into the adjacent CC-EIR District parcels.

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 road closure and 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 risks associated with this proposal.

REASON(S) FOR RECOMMENDATION(S):

The proposed road closure and land use redesignation is aligned with applicable policies identified in the *Municipal Development Plan* (MDP) and the *East Village Area Redevelopment Plan*. The proposed road closure and redesignation will accommodate the comprehensive city-block plans for the future redevelopment of the adjacent parcels.

ATTACHMENT(S)

1. Applicant's Submission
2. Proposed Road Closure Conditions
3. East Village Area Redevelopment Plan – The Riff Policy Area
4. **Proposed Bylaw 9C2018**
5. **Proposed Bylaw 249D2018**

Applicant's Submission



Land Use Redesignation Applicant's Submission Not Including Secondary Suites

PL 1263 (R2017-09)

This form is to be filled out by the applicant and provided to The City of Calgary at the time of submission. These comments are included in a report which is presented to the Calgary Planning Commission and a Public Hearing of City Council. Your comments **must** be limited to the area designated on this form to ensure it will fit the space requirements of the report. Supplementary information can be provided separately in your application if required.

REASONS IN SUPPORT OF THOROUGHFARE CLOSURE AND LAND USE REDESIGNATION

1. General Statement

Implementation of the East Village Area Redevelopment Plan (April 2010) and the East Village Outline Plan (LOC2005-0044) requires a number of road closures. The road closures are prerequisites to achieving road network improvements directed in the ARP and Outline Plan.

2. Road Closure Locations

- Lane within Block 55, Plan A

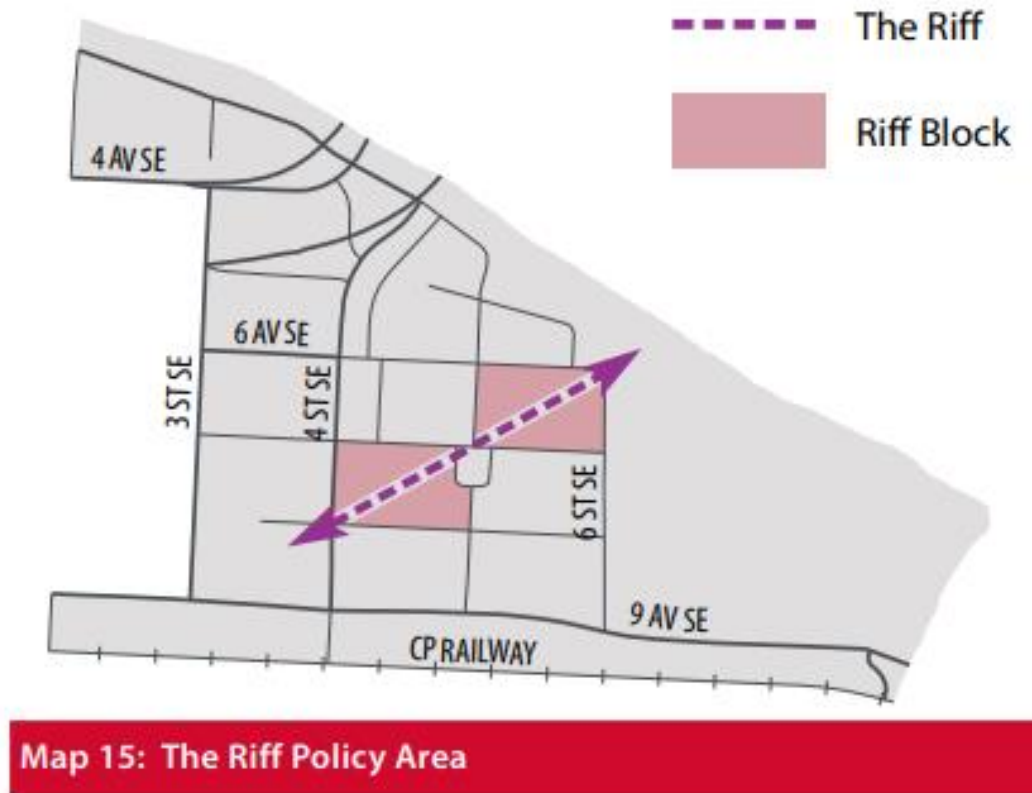
In order to achieve the intent of the East Village APR it is necessary to close the lane within Block 55. Calgary Municipal Land Corporation currently owns the entire Block 55 and requires the lane to be closed as the first step in achieving the goal of the APR. Block 55 will eventually create the high quality pedestrian public access routes of the 'Riff' and 'Mews' and a Neighbourhood Centre which are critical to the unique look of East Village.

It is intended that when this lane is closed, the land will then be included in the subdivision of Block 55, Plan A in accordance with the ARP.

Proposed Road Closure Conditions

1. All costs associated with the closure shall be borne by the applicant.
2. That the closed road right-of-way be consolidated with the adjacent lands located at 539 - 7 Avenue SE and 502 - 8 Avenue SE.
3. That protection and/or relocation of any utilities will be at the applicant's expense and to appropriate standards.
4. Remove and/or relocate existing utilities located within the subject parcel OR register an easement or utility right of way for the protection of the utilities, to the satisfaction of the affected utility owner(s).

East Village Area Redevelopment Plan – The Riff Policy Area



PROPOSED

CPC2018-0993
ATTACHMENT 4

BYLAW NUMBER 9C2018

**BEING A BYLAW OF THE CITY OF CALGARY
FOR A CLOSURE OF A ROAD
(PLAN 1811391, AREA A)
(CLOSURE LOC2018-0099/CPC2018-0993)**

WHEREAS The City of Calgary has decided to close from public use as a public street and to sell or to hold those portions of street described below;

AND WHEREAS the provisions of Sections 22 and 606 of the Municipal Government Act, R.S.A. 2000, c.M-26 as amended, with respect to notice of intention of Council to pass such a Bylaw have been complied with;

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS
FOLLOWS:**

1. Immediately upon passage of this Bylaw, the following described street shall be closed from use as a public highway:

PLAN 1811391
AREA A
EXCEPTING THEREOUT ALL MINES AND MINERALS
2. The proper officers of The City of Calgary are hereby authorized to execute such instruments as may be necessary to effect the purpose of the Bylaw.
3. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

CITY CLERK

SIGNED ON _____

PROPOSED

CPC2018-0993
ATTACHMENT 5

BYLAW NUMBER 249D2018

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2018-0099/CPC2018-0093)**

WHEREAS it is desirable to amend the Land Use Bylaw Number 1P2007 to change the land use designation of certain lands within the City of Calgary;

AND WHEREAS Council has held a public hearing as required by Section 692 of the Municipal Government Act, R.S.A. 2000, c.M-26 as amended;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, is hereby amended by deleting that portion of the Land Use District Map shown as shaded on Schedule "A" to this Bylaw and substituting therefor that portion of the Land Use District Map shown as shaded on Schedule "B" to this Bylaw, including any land use designation, or specific land uses and development guidelines contained in the said Schedule "B".
2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

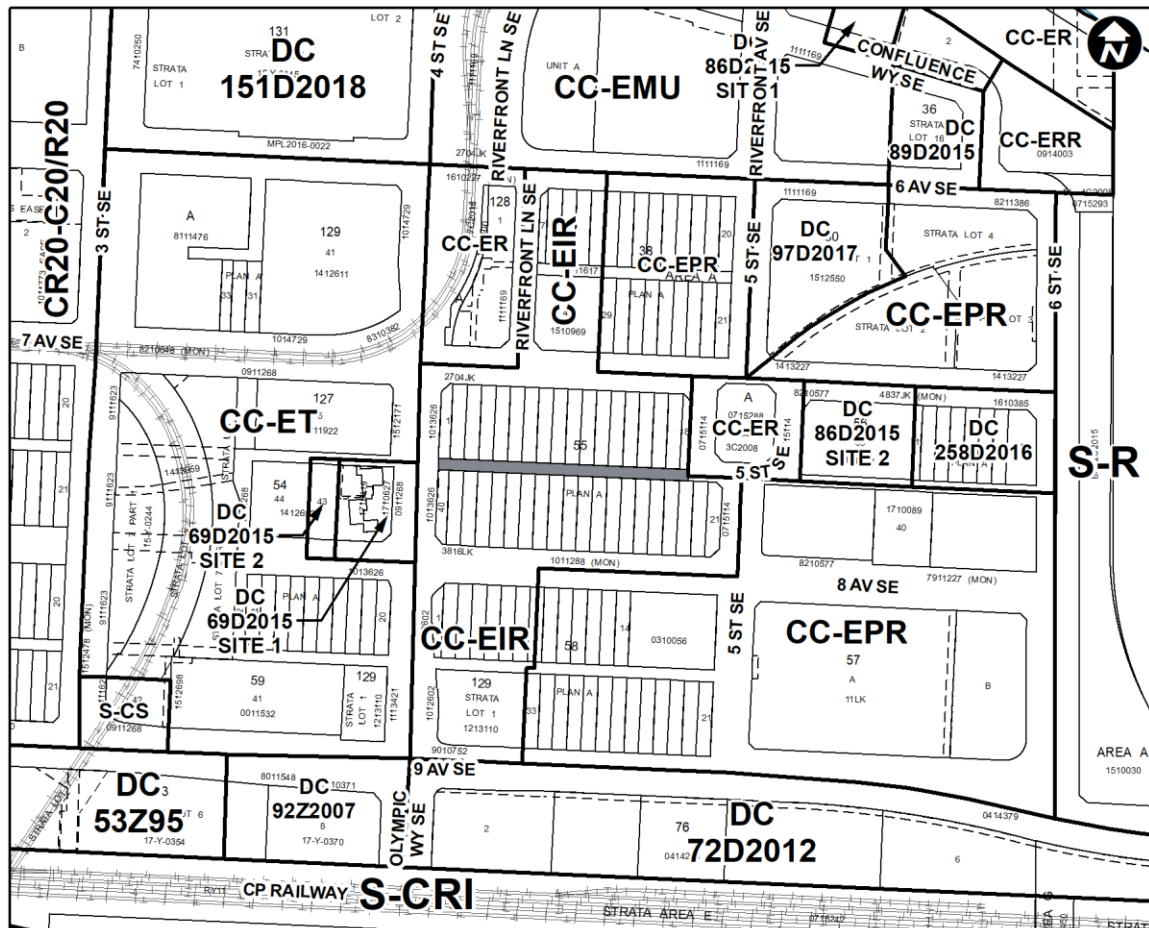
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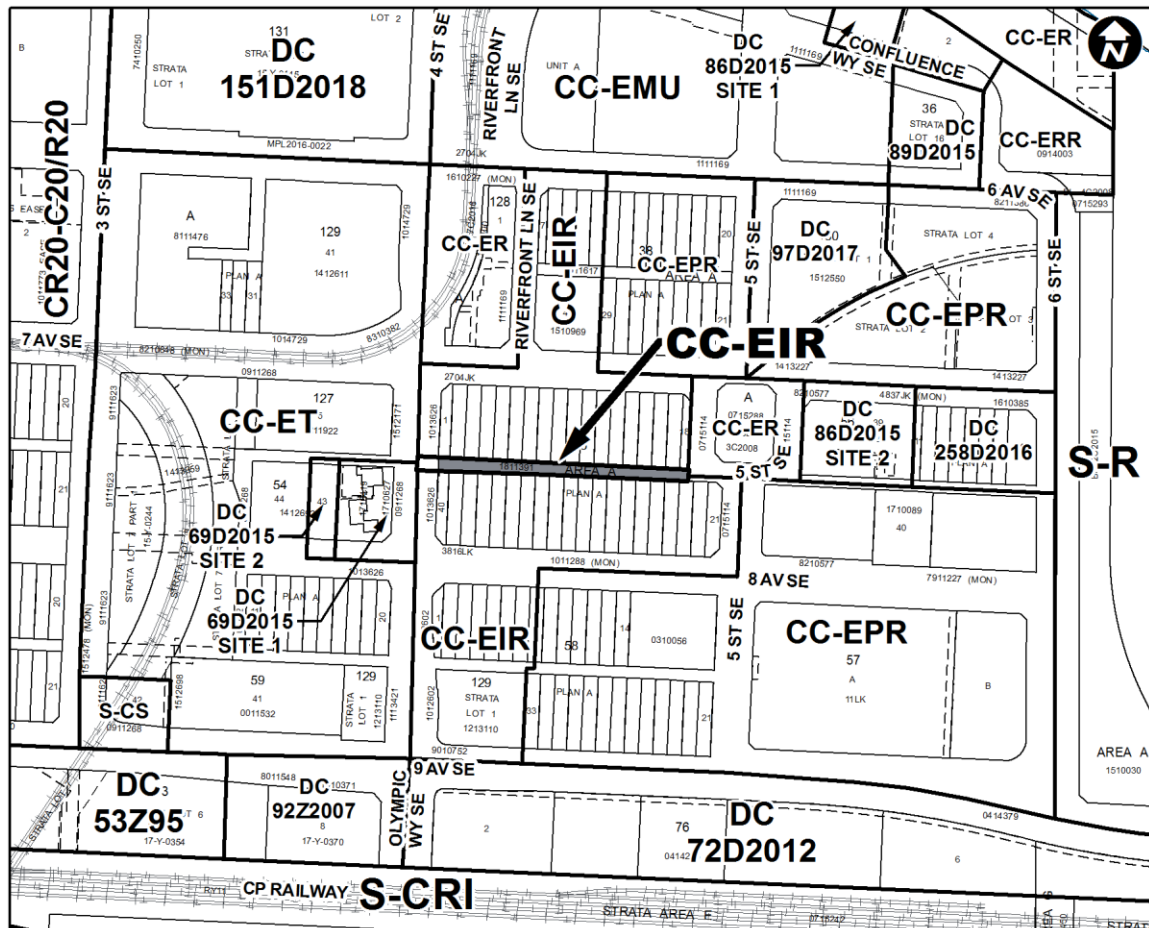
**AMENDMENT LOC2018-0099/CPC2018-0093
BYLAW NUMBER 249D2018**

SCHEDULE A



**AMENDMENT LOC2018-0099/CPC2018-0093
BYLAW NUMBER 249D2018**

SCHEDULE B



**Planning & Development Report to
Calgary Planning Commission
2018 August 23**

**ISC: UNRESTRICTED
CPC2018-0982
Page 1 of 8**

**Policy Amendment and Land Use Amendment in Tuxedo Park (Ward 7) at 121 – 18
Avenue NW, LOC2018-0092**

EXECUTIVE SUMMARY

This application was submitted by the Pai Yuin Tang Buddhist Congregation, who are also the landowners of the subject lands, on 2018 April 24. The application proposes to change the designation of the subject site from Residential – Contextual One / Two Dwelling (R-C2) District to Multi-Residential – Contextual Low Profile (M-C1) District to allow for:

- a maximum building height of 14 metres (an increase from 10 metres);
- a maximum of four dwelling units (an increase from the current maximum of two dwelling units); and
- the permitted and discretionary uses listed in the proposed M-C1 District.

The subject parcel comprises one half of a larger site that contains an existing semi-detached dwelling. The applicant's intent is to keep the existing dwelling and convert it into a fourplex. A minor map amendment to the Mount Pleasant and Tuxedo portion of the *North Hill Area Redevelopment Plan* (ARP) is required to accommodate the proposed land use redesignation.

The proposal conforms to the ARP as amended and is in keeping with applicable policies of the *Municipal Development Plan*.

No development permit has been submitted at this time.

Policy Amendment and Land Use Amendment in Tuxedo Park (Ward 7) at 121 - 18 Avenue NW, LOC2018-0092

ADMINISTRATION RECOMMENDATION:

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

1. ADOPT, by bylaw, the proposed amendments to the North Hill Area Redevelopment Plan (Attachment 2); and
2. Give three readings to the proposed bylaw.
3. ADOPT by bylaw the proposed redesignation of 0.03 hectares \pm (0.07 acres \pm) located at 121 – 18 Avenue NW (Plan 2129O, Block 9, Lot 28) from Residential – Contextual One/Two Dwelling (R-C2) District to Multi-Residential – Contextual Low Profile (M-C1) District; and
4. Give three readings to the proposed bylaw.

RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, DATED 2018 AUGUST 23:

That Council:

1. **Hold a public hearing during a 2018 October Public Hearing of Council;**
2. **Adopt, by Bylaw, the proposed amendments to the North Hill Area Redevelopment Plan;**
3. Give three readings to the proposed **Bylaw 72P2018;**
4. Adopt, by Bylaw the proposed redesignation of 0.03 hectares \pm (0.07 acres \pm) located at 121 – 18 Avenue NW (Plan 2129O, Block 9, Lot 28) from Residential – Contextual One/Two Dwelling (R-C2) District to Multi-Residential – Contextual Low Profile (M-C1) District; and
5. Give three readings to the proposed Bylaw **252D2018.**

PREVIOUS COUNCIL DIRECTION / POLICY

None.

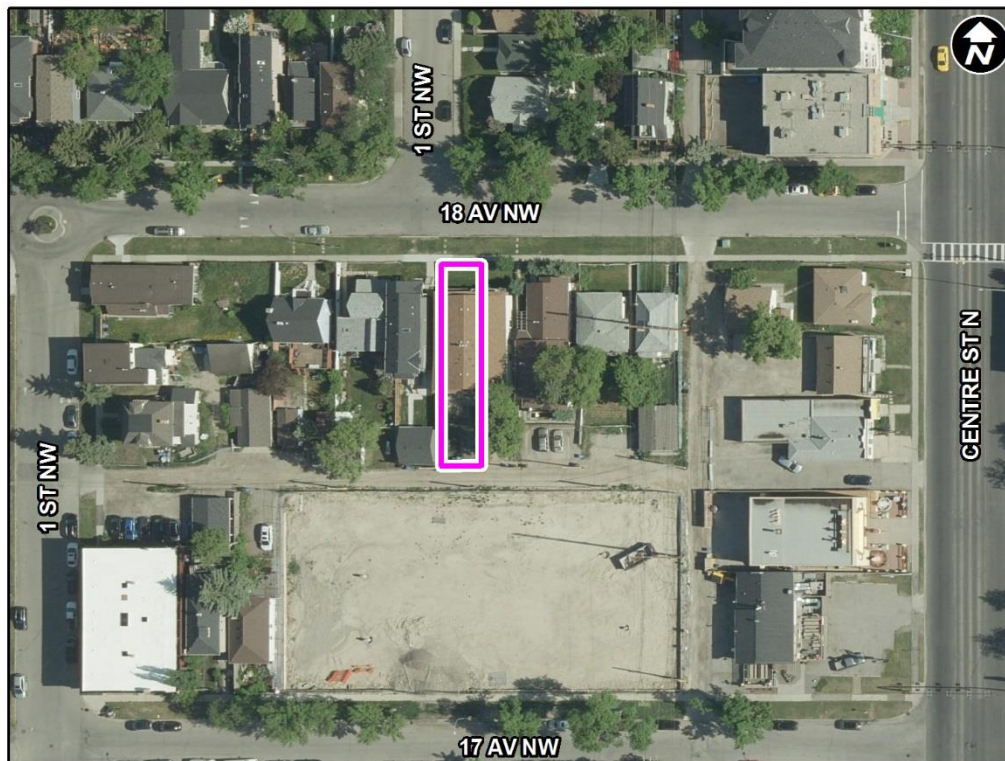
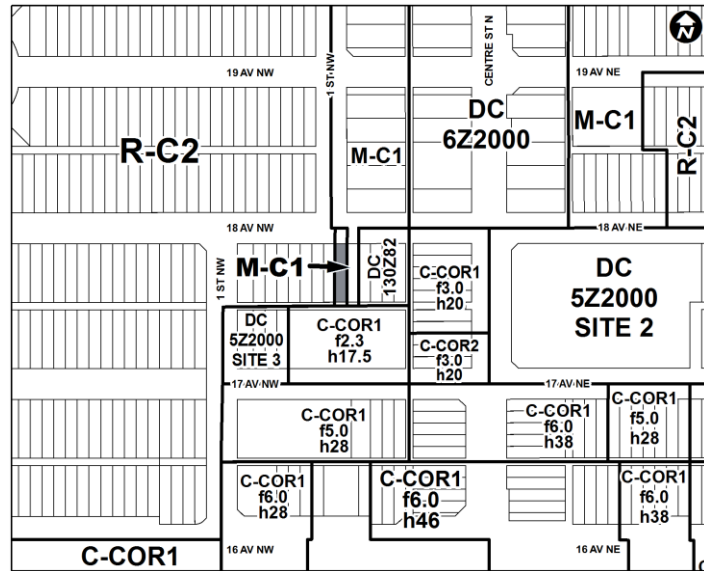
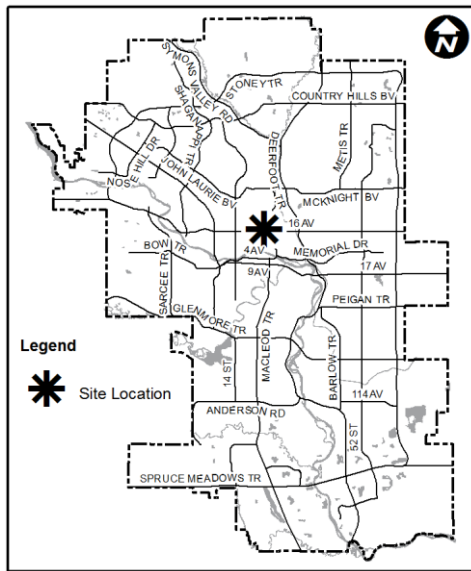
BACKGROUND

The subject parcel comprises the western portion of a larger site (the eastern portion is located on 119 – 18 Avenue NW and is already designated M-C1). The application was submitted by the Pai Yui Tang Buddhist Congregation who also own 119 – 18 Avenue NW. The parcel is located in the community of Tuxedo Park, south of 18 Avenue NW and west of Centre Street N. Tuxedo Park is subject to policies of the *North Hill Area Redevelopment Plan* which provides direction in relation to future redevelopment of Capitol Hill, Tuxedo Park and Mount Pleasant.

Although a development permit has not been submitted, as stated in the Applicant's Submission (Attachment 1) the intent of the land use amendment application is to enable the landowner to convert the existing semi-detached dwelling located on site into a fourplex.

Policy Amendment and Land Use Amendment in Tuxedo Park (Ward 7) at 121 - 18 Avenue NW, LOC2018-0092

Location Maps



Policy Amendment and Land Use Amendment in Tuxedo Park (Ward 7) at 121 - 18 Avenue NW, LOC2018-0092

Site Context

The subject parcel is approximately 0.03 hectares in size with approximate dimensions of 7.5 metres by 36 metres. The parcel is developed with one half of a two-storey semi-detached dwelling. A rear lane exists to the south of the parcel.

Land use in this area is a mixture of residential and commercial uses with Residential – Contextual One / Two Dwelling (R-C2) District, Multi-Residential – Contextual Low Profile (M-C1) District, Commercial – Corridor 1 (C-COR1) District and Direct Control Districts included in the immediately surrounding land uses. Surrounding development is characterized by a mix of single and semi-detached dwellings, multi-residential developments and commercial developments.

As identified in *Figure 1*, the community of Tuxedo Park has seen a slight population decline over the last several years having reached its population peak in 2015.

Figure 1: Community Peak Population

Tuxedo Park	
Peak Population Year	2015
Peak Population	5,119
2017 Current Population	4,983
Difference in Population (Number)	-136
Difference in Population (Percent)	-3%

Source: The City of Calgary 2017 Civic Census

Additional demographic and socio-economic information may be obtained online through the [Tuxedo Park](#) community profile.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The proposal allows for a range of building types that have the ability to be compatible with the established building form of the existing neighbourhood. Though a minor amendment to the *North Hill Area Redevelopment Plan* is required, the proposal generally meets the objectives of applicable policies as discussed in the Strategic Alignment of this report.

Planning Considerations

Land Use

The existing Residential – Contextual One / Two Dwelling (R-C2) District is a residential designation in developed areas that is primarily for single detached, semi-detached and duplex dwellings. Single detached dwellings may include a secondary suite. The R-C2 District allows for a maximum building height of 10 metres and a maximum of two dwelling units.

Policy Amendment and Land Use Amendment in Tuxedo Park (Ward 7) at 121 - 18 Avenue NW, LOC2018-0092

The proposed Multi-Residential – Contextual Low Profile (M-C1) District is a designation that provides for Multi-residential Development of low height and medium density, and is intended to be in close proximity or adjacent to low density residential development. It allows for a maximum building height of 14 metres and a maximum density of 148 units per hectare (4 dwelling units).

The M-C1 District also allows for a range of housing forms such as Multi-residential, Single Detached, Semi-detached and Duplex Dwellings. Backyard Suite are also allowable when the parcel contains a low density residential use.

The proposed land use amendment will bring the western portion of the overall site into conformity with the eastern portion and will enable the Owner to pursue the conversion of the existing dwelling into a fourplex.

Development and Site Design

At this time no are no plans to redevelop the site. This land use amendment is intended to accommodate a retrofit of the existing building. However, any future redevelopment of the site will be guided by the rules of the M-C1 District.

Transportation Networks

The subject site is located in close proximity to transit stops for several bus routes on both Centre Street N and 16 Avenue NW. Both streets are part of the primary transit network. Vehicular access is available from the rear lane. Parking is currently accommodated via a parking pad located in the rear yard. A Traffic Impact Assessment was not required as part of this application.

Utilities and Servicing

Water, sanitary and storm sewer mains are available and can accommodate the potential redevelopment of the subject site without the need for off-site improvements at this time. Individual servicing connections as well as appropriate stormwater management will be considered and reviewed at 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 was advertised on-line. No public meetings were held by the applicant or Administration for this application.

Administration did not receive comments from the Tuxedo Park Community Association by the Calgary Planning Commission report submission date.

No citizens' comments were received by the Calgary Planning Commission report submission date.

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2018 August 23**

**ISC: UNRESTRICTED
CPC2018-0982
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Policy Amendment and Land Use Amendment in Tuxedo Park (Ward 7) at 121 - 18 Avenue NW, LOC2018-0092

Following Calgary Planning Commission, notifications for 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 (Statutory 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. While the SSRP makes no specific reference to this site, the proposal is consistent with policies on Land Use Patterns.

Municipal Development Plan (Statutory, 2009)

The subject parcel is located within the Residential - Developed - Inner City area of the *Municipal Development Plan* (MDP). The applicable MDP policies encourage redevelopment of inner-city communities that is similar in scale and built form to existing development, including a mix of housing such as townhouses and other multi-residential forms. The MDP also calls for a modest intensification of the inner city, an area serviced by existing infrastructure, public amenities and transit.

The proposal is in keeping with relevant MDP policies as the rules of the M-C1 District provide for development form that may be sensitive to existing residential development in terms of height, built form and density.

North Hill Area Redevelopment Plan (Statutory, 2000)

The subject site is located in the Low Density Residential area as identified on Map 2 of the *North Hill Area Redevelopment Plan* (ARP). The Low Density Residential area policies envision redevelopment in the form of detached, semi-detached, and duplex residential buildings consistent with the existing R-C2 District. These policies are intended to ensure continued stability in the community and encourage compatible infill development to support community renewal and vitality.

In order to accommodate the proposed application, a minor map amendment to the ARP is required (Attachment 2). This proposed amendment would identify the site as "Medium Density Multi-Dwelling". The proposed amendments to the ARP are deemed appropriate given the intent of the application and contextual nature of the proposed M-C1 District.

Location Criteria for Multi-Residential Infill (Non-statutory – 2014)

These criteria are not meant to be applied in an absolute sense, but are used in conjunction with other relevant planning policy, such as the MDP or local area policy plans, to assist in determining the appropriateness of an application in the local context.

Policy Amendment and Land Use Amendment in Tuxedo Park (Ward 7) at 121 - 18 Avenue NW, LOC2018-0092

The subject parcel meets the majority of the location criteria such as proximity to other multi-unit developments and proximity to the primary transit network. Further, the site has lane access and is located approximately 150 metres from a green space.

The site does not satisfy the criteria of being located on a corner parcel and does not front onto a collector or higher standard roadway, although Centre Street is less than a block east of the subject site.

Social, Environmental, Economic (External)

The recommended land use allows for wider range of housing types than the existing R-C2 District and as such, the proposed change may better accommodate the housing needs of different age groups, lifestyles and demographics.

An Environmental Site Assessment was not required for this application.

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.

Risk Assessment

There are no significant risks associated with this proposal.

REASON(S) FOR RECOMMENDATION(S):

The proposal conforms to the *North Hill Area Redevelopment Plan*, as amended, and is in keeping with applicable policies of the *Municipal Development Plan*. The proposed M-C1 District is intended for parcels in proximity to or directly adjacent to low density residential development. The proposal represents a modest increase in density for this inner city parcel of land and brings the western portion of the overall site and existing building into conformity with the eastern portion. In addition, the subject parcel is located within walking distance of several transit stops, is in proximity to non-residential and multi-residential development, and has direct lane access.

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**Policy Amendment and Land Use Amendment in Tuxedo Park (Ward 7) at 121 - 18
Avenue NW, LOC2018-0092**

ATTACHMENT(S)

1. Applicant's Submission
2. Proposed Amendment to the North Hill Area Redevelopment Plan
3. **Bylaw 72P2018**
4. **Bylaw 252D2018**

Applicant's Submission



Land Use Redesignation Applicant's Submission

Secondary Suites

PL 1264 (R2017-09)

This form is to be filled out by the applicant and provided to The City of Calgary at the time of submission. These comments are included in a report which is presented to the Calgary Planning Commission and a Public Hearing of City Council. Your comments **must** be limited to the area designated on this page to ensure it will fit the space requirements of the report.

- 1) What are the benefits of the redesignation, for you, the surrounding community and the City of Calgary?

For us → Allows our temple more accommodation for fellow worshippers, & religious staff & monks if required.
- provide more housing in ^{the} area which make it more affordable for community & Calgary.

- 2) Provide information on how you engaged with the neighboring land owners and/or the Community Association? What was the response?

123, 18 AVE NW. (NEIGHBOR). SITE APPROVES
OF OUR REDESIGNATION.

- 3) Identify how you will provide the required parking for both the primary dwelling and the secondary suite on your parcel?

→ parking is available in the back of the property. Approximately 4 spaces available, one for each available dwelling.

- 4) Are there any potential negative impacts of this development that you are aware of?

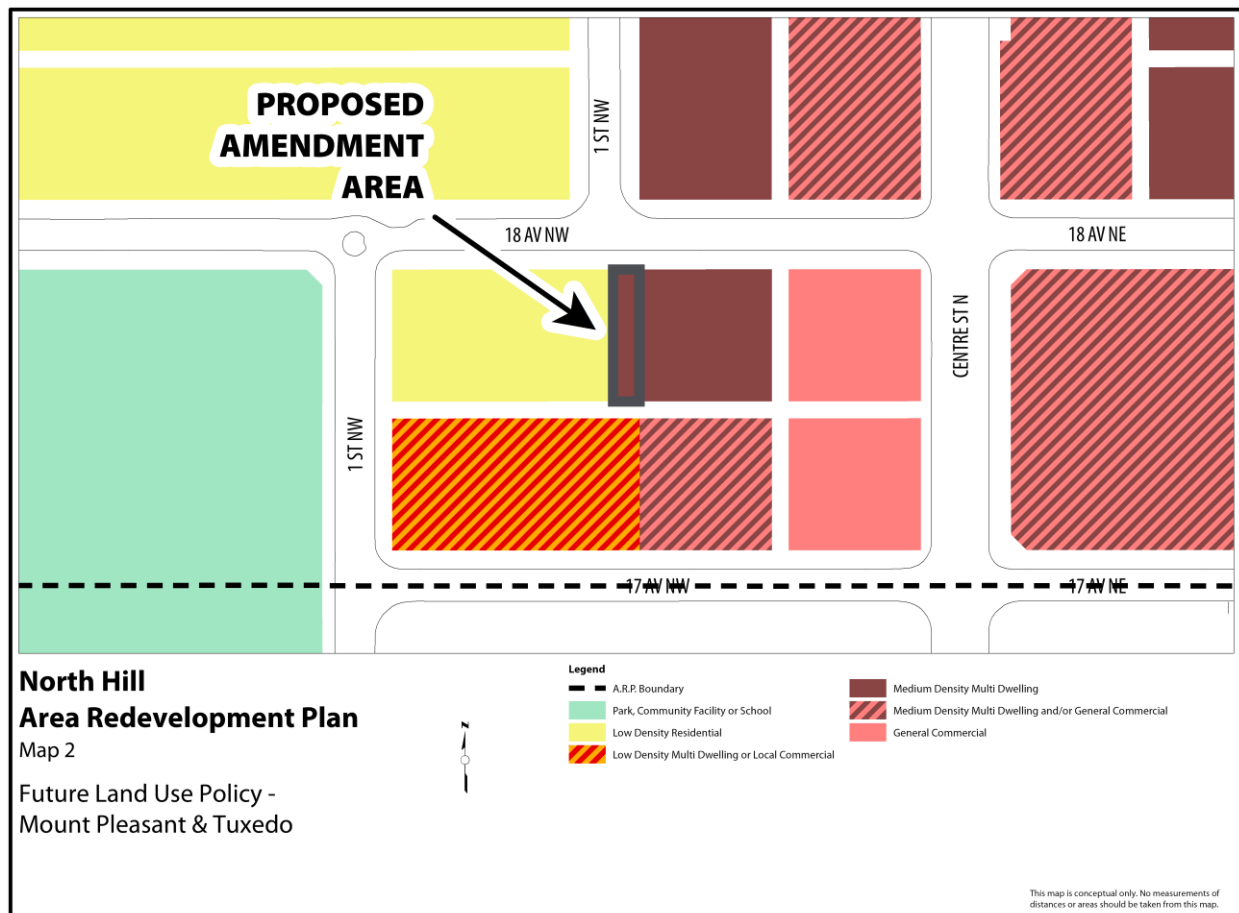
- No negative impacts
- most people living in this property are monks
- If tenants are ~~constantly monitored~~ well behaved. & ~~constantly~~ constantly monitored by property manager and temple.

NOTE: Applications must be submitted without personal information on any plans. Omitting this information will protect builders and tenants by reducing the risk of any personal information being wrongfully displayed, while also following the Province of Alberta's FOIP Act. If you consider the information to be personal, do not put it on the plans

ISC: Protected

Proposed Amendment to the North Hill Area Redevelopment Plan

1. The North Hill Area Redevelopment Plan, being Bylaw 7P99, as amended, is hereby further amended as follows:
 - a) Amend Map 2 entitled 'Future Land Use Policy – Mount Pleasant & Tuxedo' by changing 0.03 hectares \pm (0.07 acres \pm) located at 121 – 18 Avenue NW (Plan 2129O, Block 9, Lots 28) from 'Low Density Residential' to 'Medium Density Multi-Dwelling' as generally illustrated in the sketch below:



PROPOSED

CPC2018-0982
ATTACHMENT 3

BYLAW NUMBER 72P2018

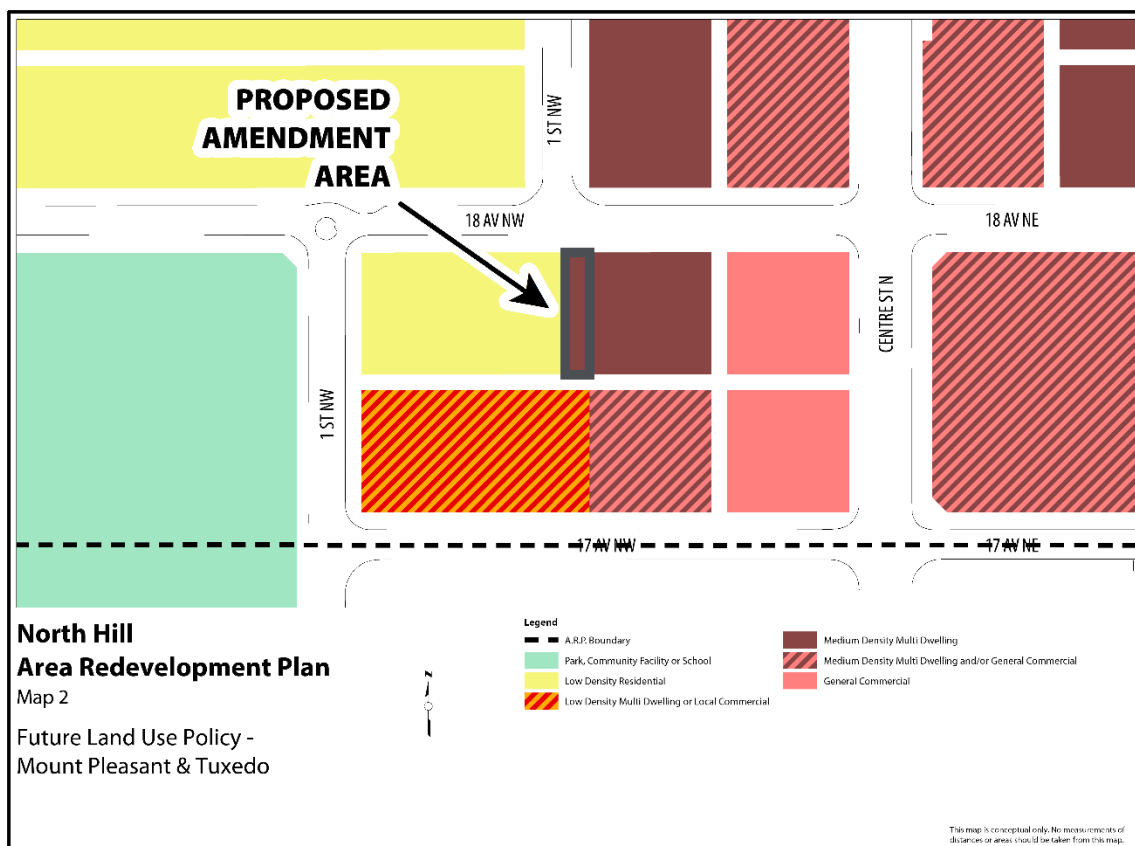
BEING A BYLAW OF THE CITY OF CALGARY TO AMEND THE NORTH HILL AREA REDEVELOPMENT PLAN BYLAW 7P99

WHEREAS it is desirable to amend the North Hill Area Redevelopment Plan Bylaw 7P99, as amended;

AND WHEREAS Council has held a public hearing as required by Section 692 of the *Municipal Government Act*, R.S.A. 2000, c.M-26, as amended:

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The North Hill Area Redevelopment Plan attached to and forming part of Bylaw 7P99, as amended, is hereby further amended as follows:
 - (a) Amend Map 2 entitled 'Future Land Use Policy – Mount Pleasant & Tuxedo' by changing 0.03 hectares \pm (0.07 acres \pm) located at 121 – 18 Avenue NW (Plan 2129O, Block 9, Lots 28) from 'Low Density Residential' to 'Medium Density Multi-Dwelling' as generally illustrated in the sketch below:



PROPOSED

BYLAW NUMBER 72P2018

2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

CITY CLERK

SIGNED ON _____

PROPOSED

CPC2018-0982
ATTACHMENT 4

BYLAW NUMBER 252D2018

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2018-0092/CPC2018-0982)**

WHEREAS it is desirable to amend the Land Use Bylaw Number 1P2007 to change the land use designation of certain lands within the City of Calgary;

AND WHEREAS Council has held a public hearing as required by Section 692 of the *Municipal Government Act*, R.S.A. 2000, c.M-26 as amended;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, is hereby amended by deleting that portion of the Land Use District Map shown as shaded on Schedule "A" to this Bylaw and substituting therefor that portion of the Land Use District Map shown as shaded on Schedule "B" to this Bylaw, including any land use designation, or specific land uses and development guidelines contained in the said Schedule "B".
2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

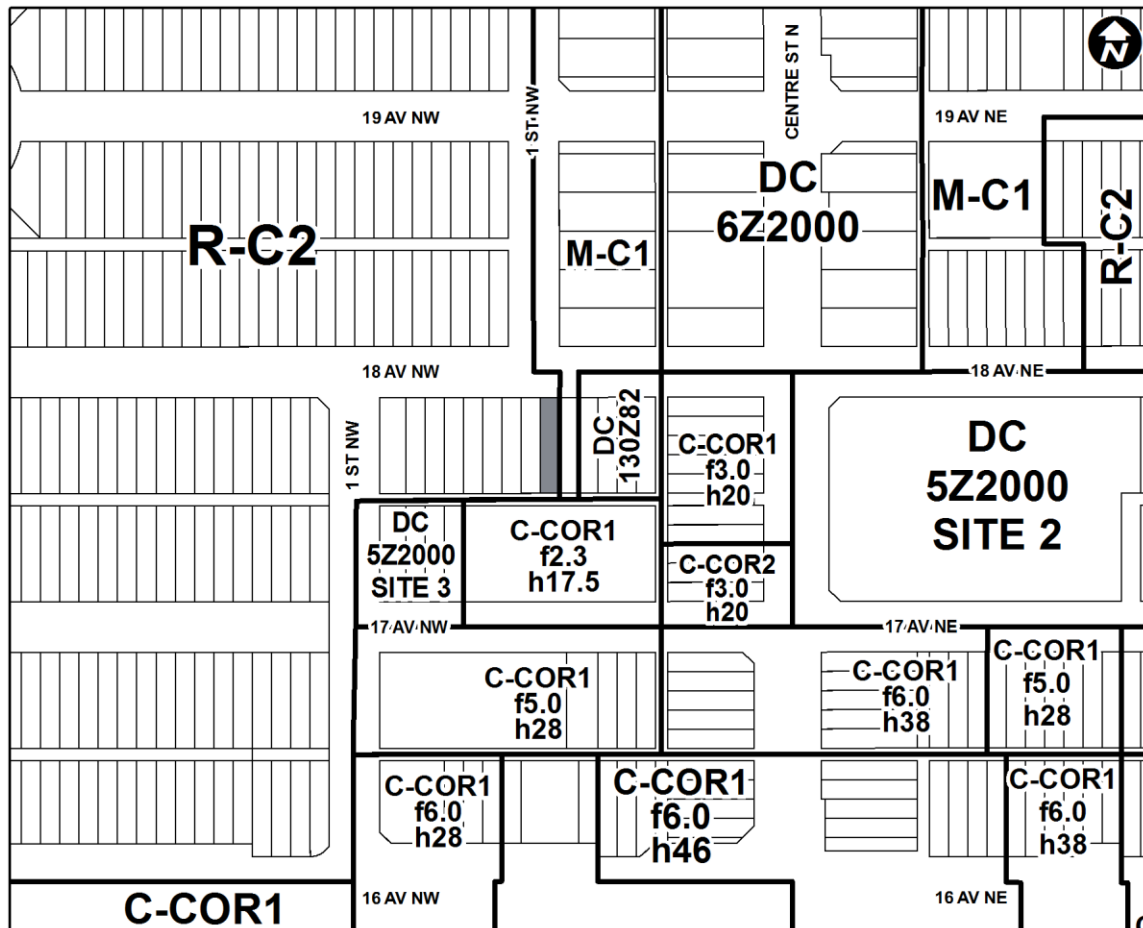
CITY CLERK

SIGNED ON _____

PROPOSED

AMENDMENT LOC2018-0092/CPC2018-0982
BYLAW NUMBER 252D2018

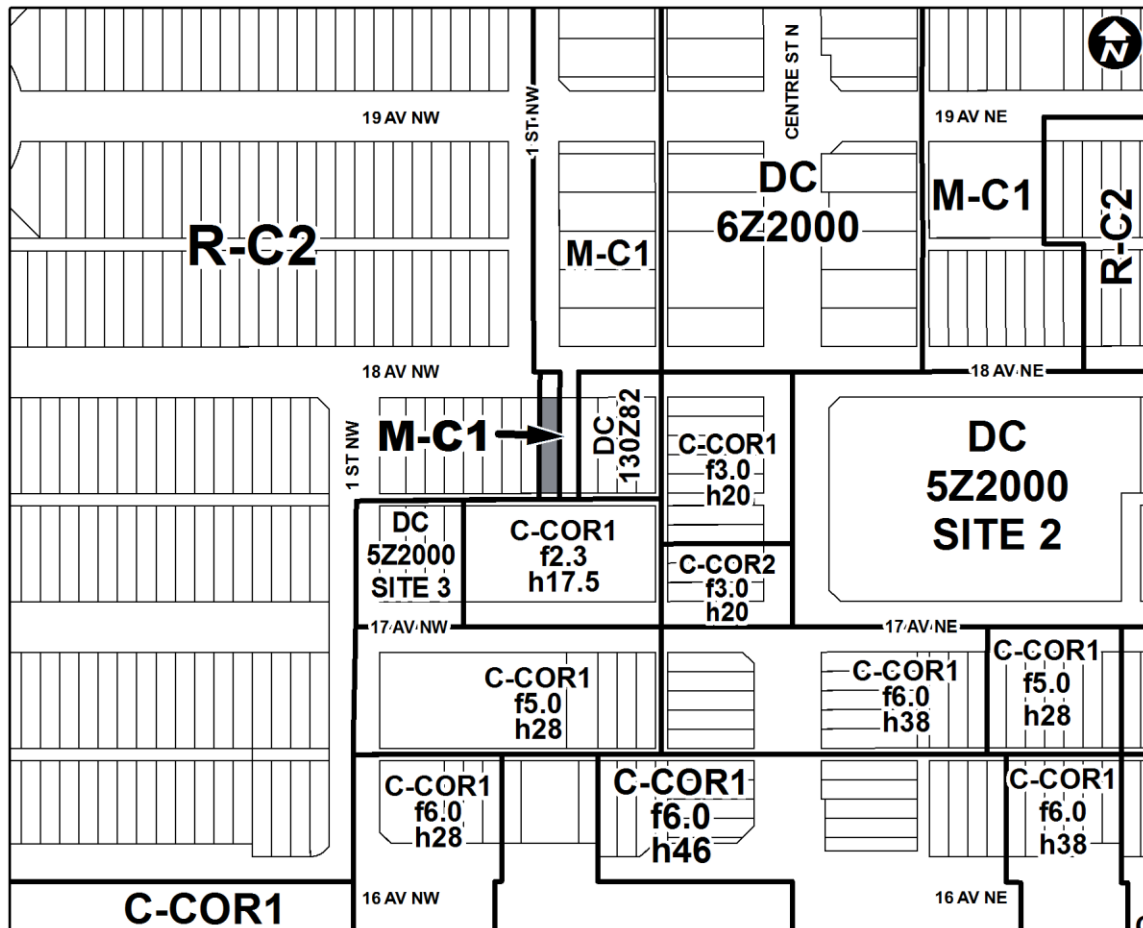
SCHEDULE A



PROPOSED

AMENDMENT LOC2018-0092/CPC2018-0982
BYLAW NUMBER 252D2018

SCHEDULE B



**Land Use Amendment in Banff Trail (Ward 7) at 2026 – 24 Avenue NW,
LOC2018-0122**

EXECUTIVE SUMMARY

This application was submitted by CivicWorks Planning + Design on 2018 May 30 on behalf of the landowner Banff Trail 2026 Ltd. The application proposes to change the designation of a single residential parcel from Residential – Contextual One/Two Dwelling (R-C2) District to Residential – Grade-Oriented Infill (R-CG) District to allow for:

- rowhouses in addition to building types already allowed (e.g. single detached homes, semi-detached, and duplex homes and suites);
- a maximum building height of 11 metres (an increase from the current maximum of 10 metres);
- a maximum of 4 dwelling units (an increase from the current maximum of 2 dwelling units); and
- the uses listed in the proposed R-CG land use district.

This proposal conforms to the relevant policies of the *Municipal Development Plan* and is supported by the objectives of the *Banff Trail Area Redevelopment Plan*. A development permit application for a four-unit rowhouse development (DP2018-3273) has been submitted and is under review (Attachment 3).

ADMINISTRATION RECOMMENDATION:

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

1. ADOPT, by bylaw, the proposed redesignation of 0.06 hectares \pm (0.14 acres \pm) located at 2026 – 24 Avenue NW (Plan 2950AJ, Block 1, Lots 12 and 13) from Residential – Contextual One/Two Dwelling (R-C2) District to Residential – Grade-Oriented Infill (R-CG) District; and
2. Give three readings to the proposed bylaw.

RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, DATED 2018 AUGUST 23:

That Council:

1. **Hold a public hearing during a 2018 October Public Hearing of Council;**
2. Adopt, by Bylaw, the proposed redesignation of 0.06 hectares \pm (0.14 acres \pm) located at 2026 – 24 Avenue NW (Plan 2950AJ, Block 1, Lots 12 and 13) from Residential – Contextual One/Two Dwelling (R-C2) District to Residential – Grade-Oriented Infill (R-CG) District; and
3. Give three readings to the proposed **Bylaw 253D2018**.

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Calgary Planning Commission
2018 August 23**

**ISC: UNRESTRICTED
CPC2018-0976
Page 2 of 8**

Land Use Amendment in Banff Trail (Ward 7) at 2026 - 24 Avenue NW, LOC2018-0122

PREVIOUS COUNCIL DIRECTION / POLICY

None.

BACKGROUND

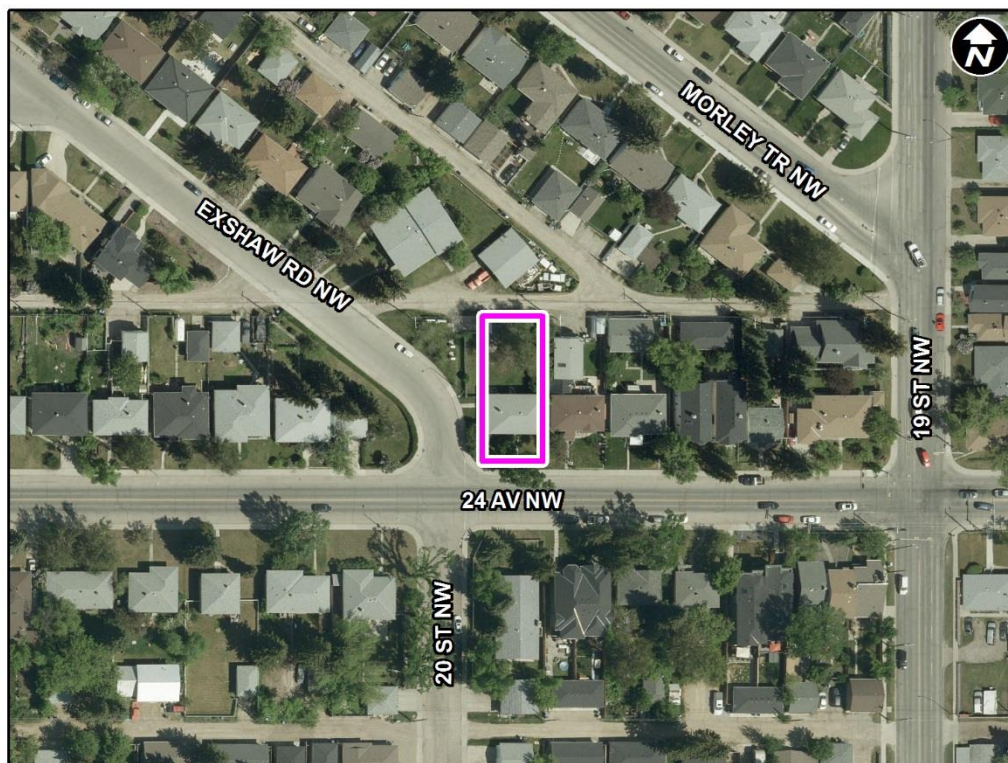
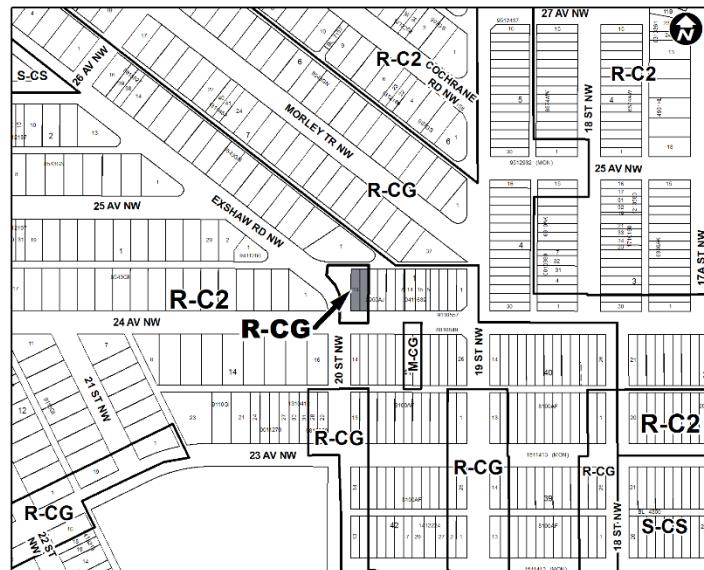
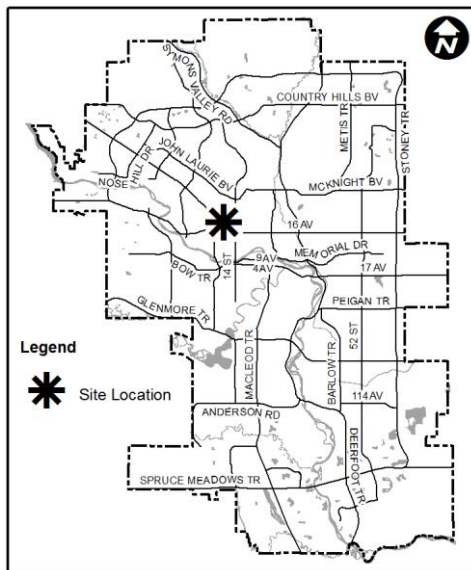
This redesignation application was submitted by CivicWorks Planning + Design on 2018 May 30 on behalf of the landowner Banff Trail 2026 Ltd (Attachment 1). A development permit application for a four-unit rowhouse development (DP2018-3273) has been submitted and is under review (Attachment 3).

In 2016, City Council adopted comprehensive amendments to the Banff Trail Area Redevelopment Plan (ARP). Following these changes and after consultation with the community, Council redesignated several blocks of parcels in Banff Trail to reflect the amended ARP. These land use bylaw changes were to allow for rowhousing (R-CG) land use in strategic locations.

The city-initiated redesignation of these parcels to R-CG District only included those parcels located within the “Low Density Rowhouse” area identified on Figure 2 – Land Use Plan of the ARP. The site subject to this application is located within the “Medium Density Low-Rise” area which was not subject to the 2017 city-initiated redesignation.

Land Use Amendment in Banff Trail (Ward 7) at 2026 - 24 Avenue NW, LOC2018-0122

Location Maps



Land Use Amendment in Banff Trail (Ward 7) at 2026 - 24 Avenue NW, LOC2018-0122

Site Context

The subject site is located at the northeast corner of the intersection of Exshaw Road NW and 24 Avenue NW in the community of Banff Trail. The site is approximately 0.06 hectares in size with approximately 15.25 metres of frontage along 24 Avenue NW and a depth of 36.6 metres. The site is currently developed with a single-storey detached dwelling and a single-car detached garage accessed from the rear lane. Due to the irregular alignment of Exshaw Road NW there exists a triangular section of underutilized road right-of-way immediately adjacent to the western boundary of the site. This portion of the right-of-way currently contains some existing underground utilities and above-grade transformers. Developer-funded improvements to this space are being explored through the associated development permit process.

Surrounding development is comprised of predominantly low density residential dwelling forms such as single detached and semi-detached dwellings. A large portion of the existing residential community in Banff Trail is designated R-C2 but several blocks of parcels along strategic corridors are designated R-CG as a result of a city-initiated redesignation in 2017. A site directly south of the subject site is designated M-CG. The broader community of Banff Trail has experienced several similar rowhouse redevelopments on corner lots.

As identified in *Figure 1*, Banff Trail has experienced a relatively substantial population decline from its peak in 1968.

Figure 1: Community Peak Population

Banff Trail	
Peak Population Year	1968
Peak Population	4,883
2017 Current Population	4,092
Difference in Population (Number)	- 791
Difference in Population (Percent)	-16%

Source: *The City of Calgary 2017 Civic Census*

Additional demographic and socio-economic information can be obtained online through the [Banff Trail](#) community profile.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The proposal represents a modest increase in density for a corner parcel of land in an established area and provides for a development form that will be compatible with the low-density residential character of the existing neighbourhood. This specific site has been identified for intensification of this nature by the Banff Trail ARP.

Land Use Amendment in Banff Trail (Ward 7) at 2026 - 24 Avenue NW, LOC2018-0122

Planning Considerations

Land Use

The existing Residential – Contextual One/Two Dwelling (R-C2) District is a residential designation applied to developed areas that is primarily for single detached, semi-detached and duplex homes. Single detached dwellings may include a secondary suite. The R-C2 District allows for a maximum building height of 10 metres and a maximum of two dwelling units.

The proposed Residential – Grade-Oriented Infill (R-CG) District allows for two to three storey (11 metres maximum height) rowhouse developments where one façade of each dwelling unit must directly face a public street. The district provides for a maximum density of 75 units per hectare which would enable up to four dwelling units on the subject site. The R-CG District also allows for a range of other low-density housing forms such as single detached, semi-detached, duplex dwellings and secondary suites.

Some modifications to the R-CG District rules have recently been endorsed by Calgary Planning Commission and will be included on the 2018 September 10 Council Agenda for decision. These modifications are relatively minor in nature but do include some discretion for secondary suites and associated parking requirements in rowhouse developments and greater consistency in determining maximum building height. These potential changes to the R-CG district rules do not impact the suitability of the site to accommodate R-CG development.

Development and Site Design

The rules of the proposed Residential – Grade-Oriented Infill (R-CG) District will provide basic guidance for the future site development including appropriate uses, height and building massing, landscaping and parking. Given the specific context of this corner site, additional items that are being considered through the development permit process include:

- ensuring an engaging built interface along both the Exshaw Road NW and 24 Avenue NW frontages;
- emphasizing individual at-grade entrances;
- the delineation of an appropriate front yard setback;
- definition of front yard amenity space for individual units; and
- developer-funded upgrades to the underutilized “triangle” space in the Exshaw Road right-of way.

Transportation Networks

Pedestrian access to the site is available from Exshaw Road NW and 24 Avenue NW while vehicular access is provided via the rear lane. The area is served by Calgary Transit primary transit network bus service with stops located approximately 100 metres walking distance southeast of the site on 19 Street NW. These bus routes provide service to the Lion's Park and Downtown West LRT stations. Further, the Banff Trail LRT station is within 700 metres walking distance southwest of the site. On-street parking adjacent to the site is not subject to any

Land Use Amendment in Banff Trail (Ward 7) at 2026 - 24 Avenue NW, LOC2018-0122

specific regulation. A Transportation Impact Assessment was not required as part of this application.

Utilities and Servicing

Water and sanitary sewer mains are available and can accommodate the potential redevelopment of the subject site without the need for off-site improvements at this time. Options for stormwater management and the extension of the public storm sewer main will be considered and 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 was advertised online.

The applicant, CivicWorks Planning + Design, in collaboration with Eagle Crest Construction (future developer), supplemented the City's standard communication practices with on-site signage and a postcard drop to approximately 100 surrounding neighbours. Additionally, the Applicant engaged in pre-application consultation with the Banff Trail Community Association.

Comments were received from the Banff Trail Community Association by way of an email to the file manager dated 2018 July 10 (Attachment 2). Their comments indicate that the Community Association generally has no issue with the proposed application. The letter highlights an appreciation for the proactive communication undertaken by the developer and the plans, through the associated development permit application, to rehabilitate the small underutilized triangular portion of the adjacent Exshaw Road NW right-of-way. The letter does further highlight some regret that the Applicant wasn't able to further consolidate adjacent lots to enable a larger M-CG development.

No citizen's comments were received by the CPC report submission date.

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 (Statutory – 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.

Land Use Amendment in Banff Trail (Ward 7) at 2026 - 24 Avenue NW, LOC2018-0122

Municipal Development Plan (Statutory – 2009)

The subject parcel is located within the Residential – Developed – Inner City area as identified on Map 1: Urban Structure in the Municipal Development Plan (MDP). The applicable MDP policies encourage redevelopment and modest intensification in inner-city communities to make more efficient use of existing infrastructure, public amenities and transit. Such redevelopment is intended to occur in a form and nature that respects the scale and character of the neighbourhood context.

The proposal is in keeping with relevant MDP policies as the R-CG District provides for a modest increase in density in a form that is sensitive to existing residential development in terms of height, scale and building massing.

Banff Trail Area Redevelopment Plan (Statutory – 1986)

The subject site is located within the “Medium Density Low-Rise” area as identified in Figure 2 – Land Use Plan of the *Banff Trail Area Redevelopment Plan* (ARP). The Medium Density Low-Rise area is intended to allow for a low-rise built form (approximately 3-4 storeys) that can provide for a modest increase in density while not being out of context with the existing character of the area. New development within this area is intended to include townhouses, apartments, and live/work units. In this regard, the proposed R-CG serves to implement the intent of the Medium Density Low-Rise area policies of the *Banff Trail ARP*.

Location Criteria for Multi-Residential Infill (Non-statutory – 2014)

The *Location Criteria for Multi-Residential Infill* is a tool for review of redesignation applications in the developed areas. The criteria are not meant to be applied in an absolute sense, but are used in conjunction with other relevant planning policy, such as the MDP or local area policy plans, to assist in determining the appropriateness of an application in the local context.

In this instance, the subject site has been specifically identified for rowhouse and/or apartment development by the Banff Trail Area Redevelopment Plan. The identification of this site for medium density low-rise redevelopment in the ARP indicates that previous community-wide planning analysis has identified desirable locational characteristics to support intensification. Given the existence of statutory local policy, the further application of these criteria to guide decision-making on this application is somewhat redundant. Notwithstanding, the proposed land use aligns with five of the eight criteria including being a corner parcel, having direct lane access, being adjacent to planned multi-residential development, being located on a collector roadway and being in close proximity to multiple bus routes.

Land Use Amendment in Banff Trail (Ward 7) at 2026 - 24 Avenue NW, LOC2018-0122

Social, Environmental, Economic (External)

The recommended land use allows for a wider range of housing types than the existing R-C2 District and as such, the proposed change may better accommodate the housing needs of different age groups, lifestyles and demographics. Further, the ability to develop up to four rowhouse units will make more efficient use of existing infrastructure and services.

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.

Risk Assessment

There are no significant risks associated with this proposal.

REASON(S) FOR RECOMMENDATION(S):

The proposal is in keeping with applicable policies of the *Municipal Development Plan* and provides for a form of development contemplated by the Medium Density Low-Rise policies of the *Banff Trail Area Redevelopment Plan*. The proposed R-CG District was designed to be implemented in proximity or adjacent to low-density residential development. The proposal allows for a range of building types that have the ability to be compatible with the established building form of the existing neighbourhood and can better accommodate the housing needs of different age groups, lifestyles and demographics.

ATTACHMENT(S)

1. Applicant Submission
2. Community Association Letter
3. Proposed Development (DP2018-3273) Summary
4. **Bylaw 253D2018**

Applicant's Submission



460 - 5119 Elbow Drive SW
Calgary, Alberta T2V 1H2

P 403 201 5305
F 403 201 5344

MAY 24, 2018

City of Calgary
Planning and Building
800 MacLeod Trail SW
Calgary AB T2P 2M5

RE: Land Use Redesignation from R-C2 to R-CG: 2026 24 Ave SW | Lot 12 & 13, Block 1, Plan 2950AJ

The subject parcel is located in the community of Banff Trail and consists of 0.0558 ha of privately owned land. Eagle Crest Construction has retained CivicWorks Planning + Design Inc. to undertake a land use redesignation process to facilitate the construction of a four-unit Rowhouse Building with front doors facing Exshaw Rd NW and 24 Avenue NW. The proposed use is well-suited to the site, given its surrounding context, lot characteristics and location.

R-C2 (Residential – Contextual One / Two Dwelling) District allows for duplex, single and semi-detached dwellings and limits this parcel to two households regardless of configuration. In support of the proposed development, this application seeks to amend the existing R-C2 (Residential – Contextual One / Two Dwelling) District to a R-CG (Residential – Grade-Oriented Infill) District.

Like R-C2, the R-CG District is a Low Density Residential District, and is intended to facilitate grade-oriented development. The R-CG District accommodates a variety of grade-oriented development in forms like Rowhouse Buildings, Duplex Dwellings, Semi-detached Dwellings and Cottage Housing Clusters. The District provides flexible parcel dimensions and building setbacks that facilitate integration of a diversity of grade-oriented housing over time, and accommodate site and building designs that are adaptable to the functional requirements of evolving household needs.

The subject lands fall within the boundaries of the Banff Trail Area Redevelopment Plan, a Local Area Plan approved in 1986. In 2013, the ARP was amended as a result of a Council direction for administration to work with the Banff Trail Community Association and other local stakeholders to identify areas for modest intensification, consistent with the policies of the Municipal Development Plan, which identifies the community of Banff Trail as a key location for new growth within the city. The MDP identifies ground-oriented housing as a key component of complete communities and encourages growth and change in low density residential neighbourhoods through the addition of a diverse mix of ground-oriented housing options.

PLANNING RATIONALE

The subject site features numerous characteristics that make it especially appropriate for the proposed R-CG land use change, which will directly facilitate the development of new and innovative housing options for Calgarians:

Corner Lot: The subject site occupies a corner lot, allowing the proposed development to contribute to the neighbourhood streetscape by addressing both Exshaw Rd and 24 Ave NW with grade-oriented unit entrances.

Direct Lane Access: The subject site enjoys direct lane access, facilitating a development that orients vehicle access to the rear lane, creating an uninterrupted, pedestrian-friendly streetscape interface along Exshaw Rd and 24 Ave SW.

Major Road: The subject site is located along 24 Ave NW – a Collector Road – ensuring both ease of access and traffic capacity for future residents.

Proximity To Transit: The subject site is ~150m from two transit stops (Route 65 & 105), and is also within ~800m of the Primary Transit Network along the 16 Ave NW corridor and the Banff Trail LRT Station. Calgary's Primary Transit Network provides communities with daily reliable public transit service, with a frequency of every 10 minutes or less, 15 hours a day, 7 days a week.

Proximity To An Existing Open Space, Park or Community Amenity: The subject site allows future residents direct and easy access to a variety of community resources. Four schools are within short walking-distance: William Aberhart School, Branton School, Capital Hill School, and Ecole St Pius. The Banff Trail Community Association facilities and sports fields are a 5-minute walk away, and the site is located within 600m of a Neighbourhood Activity Centre on 20th Ave NW.

2

Applicant's Submission



CITY-WIDE POLICY ALIGNMENT

This proposed land use redesignation and associated development vision is consistent with the city-wide goals and policies of the Municipal Development Plan, which encourage: the development of more innovative and affordable housing options in established communities; more efficient use of infrastructure; and more compact built forms in locations with direct and easy access to transit, shopping, schools and other community services.

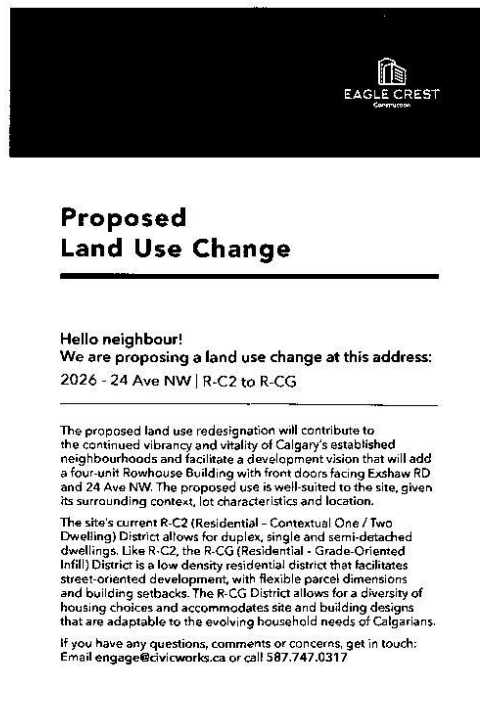
COMMUNITY ENGAGEMENT

Eagle Crest Construction is committed to being a good neighbour and working with surrounding community members and stakeholders throughout the application process. As part of that commitment, Eagle Crest Construction and the project team have undertaken a community engagement process in support of this application to ensure a clear and transparent process for all stakeholders. Stakeholders like the Community Association and Ward Councillor's office are actively invited to participate in our process, which focuses on informative and fact-based engagement and communications. Key elements of our engagement process include:

On-site Signage | To be installed on-site at time of submission

To supplement the usual City of Calgary notice signage that is associated with Land Use Redesignation and Development Permit applications, Eagle Crest Construction and the project team deploy on-site signage that notifies neighbours and surrounding community members of a proposed land use change.

The signage outlines the land use change and development vision for the subject site and directs interested parties to get in touch with the project team via a dedicated email inbox. All inquiries, questions and comments are received, compiled, and responded to by the project team in a timely manner.



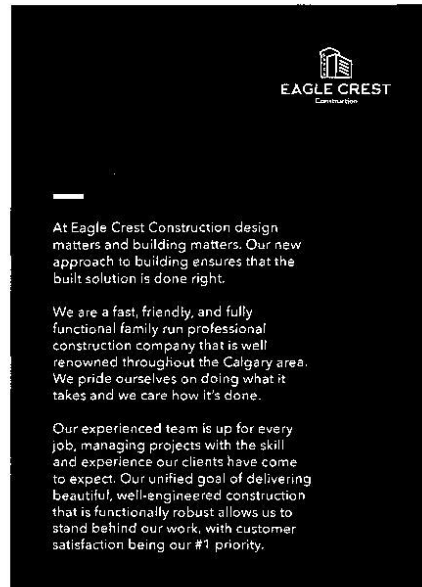
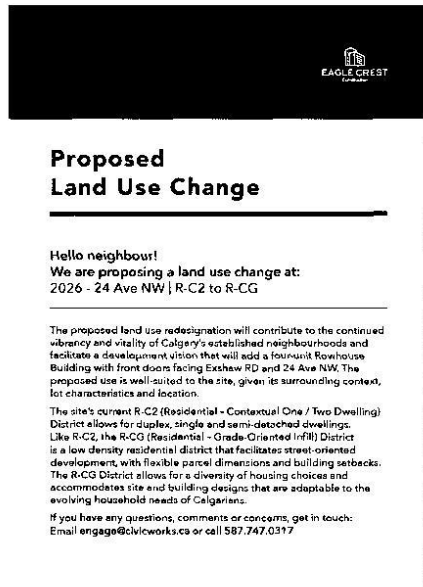
Applicant's Submission



Surrounding Area Postcard Drop | ~100 surrounding area neighbours

Paired with on-site signage, hand delivered postcards ensure that surrounding area neighbours and adjacent property owners are aware of the proposed land use change and associated development vision.

The postcards outline the proposed land use change and ultimate development vision for the subject site and direct interested parties to get in touch with the project team via a dedicated phone line and email inbox. All inquiries, questions, and comments are received, compiled, and responded to by the project team in a timely manner.



CONCLUSION

The proposed land use redesignation is in keeping with the city-wide goals and policies of the Municipal Development Plan and will facilitate a development vision that will introduce new and innovative housing options for Calgarians looking to live in established communities that enjoy excellent access to transit, existing infrastructure and community amenities. For the reasons outlined above, we respectfully request that Administration, Calgary Planning Commission and Council support this application.

Should you have any questions, comments or concerns, please contact me at 403-975-3763 or ben@civicworks.ca.

Sincerely,

Ben Bailey, RPP, MCIP

CIVICWORKS
PLANNING + DESIGN

Community Association Letter

Hi Michael,

We have discussed this application as a committee and have no issue with the proposed plan. The developer has been proactive in communicating with us, which we appreciate, and we are also keen on their plans to rehabilitate the small triangular wasteland immediately adjacent to the property.

We do find it regrettable that the applicant is not choosing to maximize the density potential of the lot. I spoke with the developer who said they had approached the neighbour in the interest of combining lots but they weren't willing to sell. Obviously it's difficult to build to MC-G on a single lot, but it does seem to be a bit of a lost opportunity.

Let me know if you have any questions.

Cheers,

Kathryn Davies
403-831-5860

Development Permit (DP2018-3273) Summary

A development permit application (DP2018-3273) was submitted by FAAS Architecture Inc. on 2018 July 06. The development permit application is for a two-storey, four-unit rowhouse development which includes four on-site parking stalls in a detached garage. The following excerpts (Figure 1 & 2) from the development permit submission provide a general overview of the proposal and are included for information purposes only.

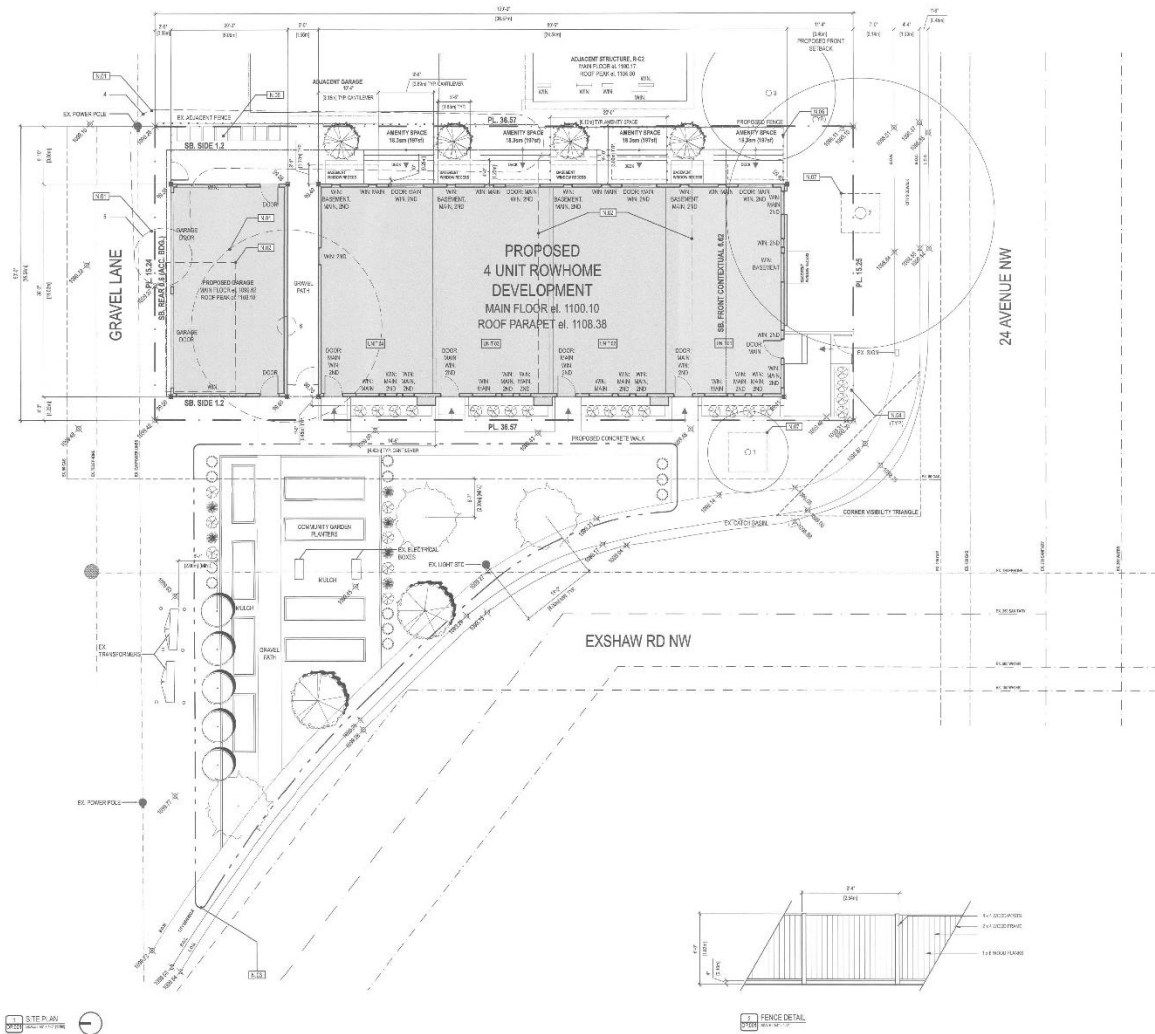
Administration's review of the development permit will determine the ultimate building design, number of units and site layout details such as parking, landscaping and site access. No decision will be made on the development permit application until council has made a decision on this land use redesignation.

Figure 1: Rendering of Proposed Development (View from Exshaw Road NW)



Development Permit (DP2018-3273) Summary

Figure 2: Site Plan



PROPOSED

CPC2018-0976
ATTACHMENT 4

BYLAW NUMBER 253D2018

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2018-0122/CPC2018-0976)**

WHEREAS it is desirable to amend the Land Use Bylaw Number 1P2007 to change the land use designation of certain lands within the City of Calgary;

AND WHEREAS Council has held a public hearing as required by Section 692 of the Municipal Government Act, R.S.A. 2000, c.M-26 as amended;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, is hereby amended by deleting that portion of the Land Use District Map shown as shaded on Schedule "A" to this Bylaw and substituting therefor that portion of the Land Use District Map shown as shaded on Schedule "B" to this Bylaw, including any land use designation, or specific land uses and development guidelines contained in the said Schedule "B".
2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

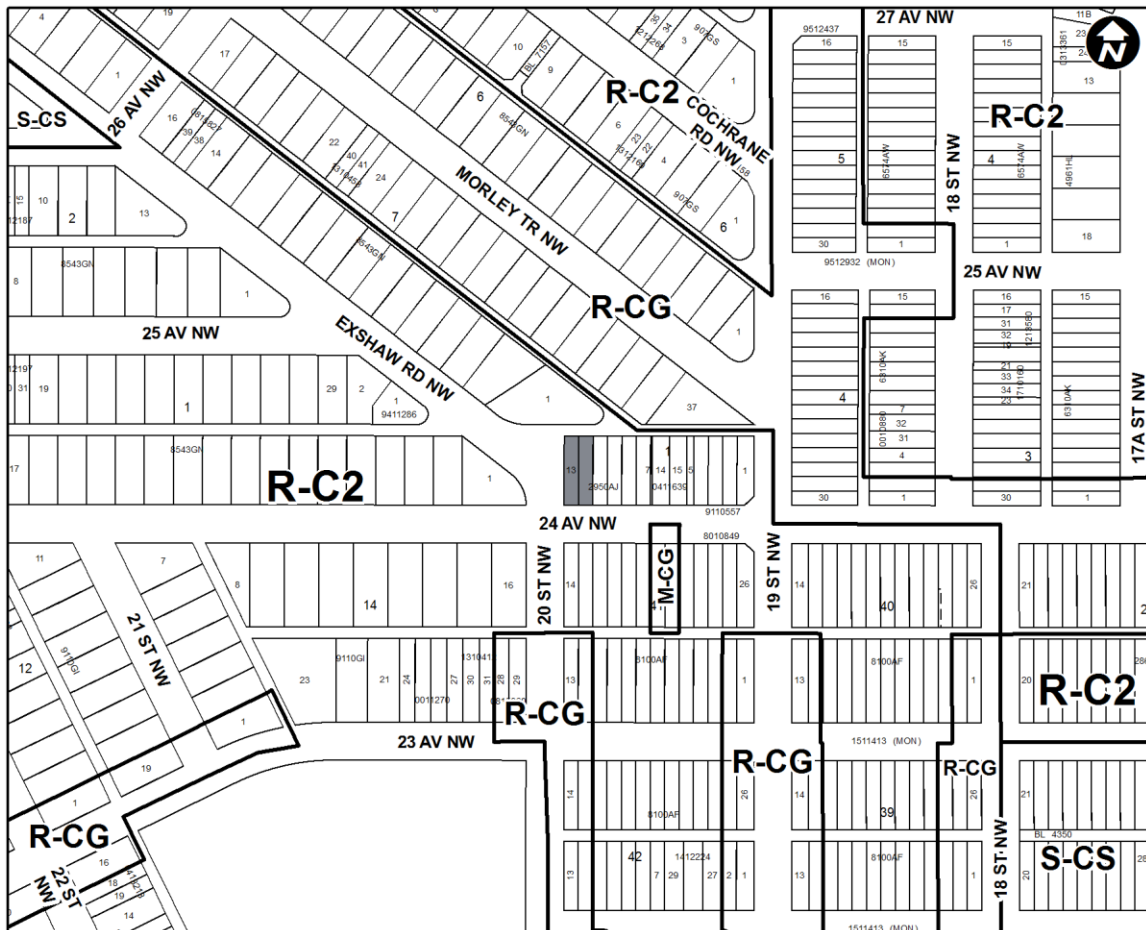
CITY CLERK

SIGNED ON _____

PROPOSED

AMENDMENT LOC2018-0122/CPC2018-0976
BYLAW NUMBER 253D2018

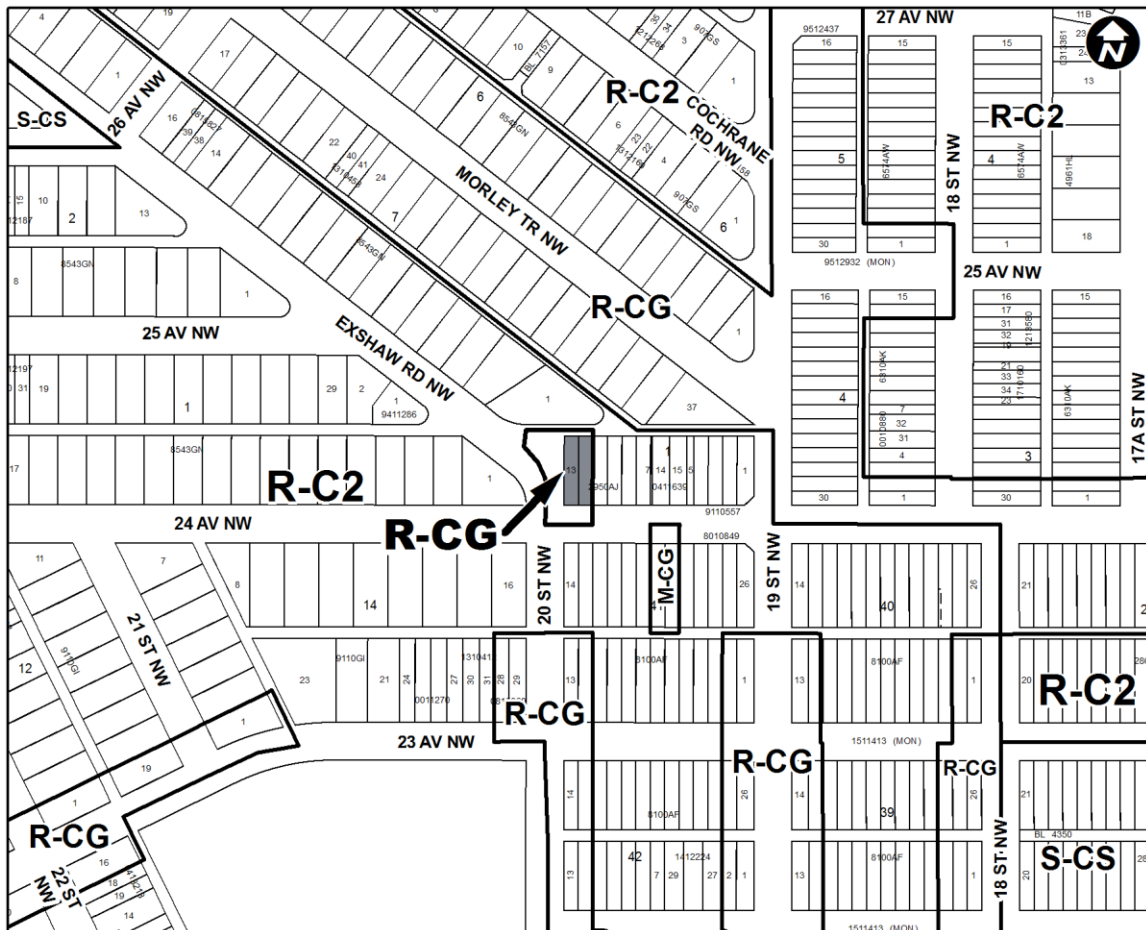
SCHEDULE A



PROPOSED

AMENDMENT LOC2018-0122/CPC2018-0976
BYLAW NUMBER 253D2018

SCHEDULE B



Policy Amendments and Land Use Amendment in Sunalta (Ward 8) at 1510, 1514, 1516, 1518, 1530 and 1534 – 10 Avenue SW and 983 – 14 Street SW, LOC2018-0116

EXECUTIVE SUMMARY

This land-use redesignation and policy amendment was submitted by S2 Architecture on 2018 May 22 on behalf of the landowner, Interloq Capital Inc **and The City of Calgary (Real Estate and Development Services)**. This application proposes a land use redesignation of six parcels of land (34.5 metres in depth by 90.0 metres in width) located on the north side of 10 Avenue SW, just west of 14 Street SW. The proposal is for a significant density increase, which supports the goals of intensification close to Light Rail Transit (LRT) stations, and *Transit Oriented Development* (TOD) policy. The City has made a significant investment in the LRT infrastructure of the West LRT line. This Sunalta location is seen as a pivotal, first-in-case, which will be a catalyst for redevelopment of the subject site and the future redevelopment of other lands in this area.

The subject site is directly adjacent to, and significantly influenced and impacted by:

- North edge: West LRT elevated guideway (Height above Grade: 14.7 metres to LRT track; 19.4 metres to LRT power lines on the west side of the site);
- North edge: Canadian Pacific Rail (CPR) freight corridor; and
- To the west: Site within 200 metres of the Sunalta LRT Station

According to the *Sunalta Area Redevelopment Plan* (ARP), the subject parcel is located in the Mixed-Use area which is designated for TOD intensification. This area extends four blocks in length from 14 Street SW to 19 Street SW. As a development area, this cell is characterized by historic, narrow, shallow lots. The subject application is significant, as it is the first case wherein the historic narrow, shallow lots (six parcels in total) have been consolidated into a larger holding for redevelopment. The resultant development footprint creates a wide and shallow parcel, which is, in effect, constrained between the LRT guideway/CPR Line and 10 Avenue SW, and the future public lane that will run east-west between the guideway columns and the north property line of the subject parcels. These constraints are effectively the major determinant in the development envelope of the building proposed for the site (Attachment 5 – Uses and Building Massing Schematic – Information Only). Due to the LRT guideway, there are unique constraints with this site not typically found elsewhere in the City, including:

- Building setback of 3.0 metres is required from the LRT guideway and 7.5 metres from the support columns for safety and maintenance of the guideway;
- To mitigate LRT impacts, the development proposal is to “start” the residential storeys above the LRT catenary (overhead wires), by building a parkade podium for this purpose.

In addition, adjacency to the CPR freight rail corridor requires that the maximum building width be no more than 121 metres (based on the residential/commercial uses proposed) as it is within 30 metres of the freight rail corridor and that noise mitigation be provided with any development permit application.

Policy Amendments and Land Use Amendment in Sunalta (Ward 8) at 1510, 1514, 1516, 1518, 1530 and 1534 - 10 Avenue SW and 983 - 14 Street SW, LOC2018-0116

This application proposes a change from a DC Direct Control District based on the Centre City Mixed Use District (CC-X) to a new DC District, also based on the Centre City Mixed Use District (CC-X), with significant changes made to the site-specific regulations to accommodate:

- A higher maximum for Floor Area Ratio (FAR) to support the proposed introduction of TOD in this unique and constrained location:
 - Base FAR of 5.0
 - Base FAR increased to 9.0 for the provision of mixed-use residential and commercial uses
 - No height restrictions imposed
- Up to 3.0 FAR for low occupancy uses to mitigate the development constraints of the LRT elevated guideway, allowing the development to raise the residential towers above the geodetic elevation of the catenary of the LRT guideway
- Bonusable items and framework for bonus FAR of up to 3.0 to include:
 - Affordable housing
 - Accessible housing
 - Contribution to the Sunalta Community Investment Fund with the contribution of funds specifically targeted to the Sunalta community hub project

The proposed DC District proposes to increase the intensification potential of the subject lands identified within the Mixed-Use area of the *Sunalta ARP* with regards to height and density and to add to the bonus framework. Therefore, an amendment is required to the ARP as part of this application (Attachment 2).

The proposal conforms to the ARP as amended and aligns with applicable policies of the *Municipal Development Plan* (MDP).

Policy Amendments and Land Use Amendment in Sunalta (Ward 8) at 1510, 1514, 1516, 1518, 1530 and 1534 – 10 Avenue SW and 983 – 14 Street SW, LOC2018-0116

ADMINISTRATION RECOMMENDATION:

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

1. **ADOPT**, by bylaw, the proposed amendments to the Sunalta Area Redevelopment Plan (Attachment 2); and
2. Give three readings to the proposed bylaw.
3. **ADOPT**, by bylaw, the proposed redesignation of 0.32 hectares \pm (0.79 acres \pm) located at 1510, 1514, 1516, 1518, 1530 and 1534 – 10 Avenue SW (Plan 5380V, Block 208, Lots 25 to 36) and 0.04 hectares \pm (0.1 acres \pm) representing a portion of 983 – 14 Street SW (**Portion of** Plan 0913611, Area A) from DC Direct Control District to DC Direct Control District to accommodate a mixed-use development with at-grade retail uses and residential tower development above with guidelines (Attachment 3); and
4. Give three readings to the proposed bylaw.
5. **THAT** any density bonus contributions made through the development permit process for the subject site be directed toward the Sunalta Community Hub project.

RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, DATED 2018 SEPTEMBER 20:

That Council:

1. **Hold a public hearing during a 2018 October Public Hearing of Council;**
2. Adopt, by Bylaw, the proposed amendments to the Sunalta Area Redevelopment Plan;
3. Give three readings to the proposed **Bylaw 73P2018**;
4. Adopt, by Bylaw, the proposed redesignation of 0.32 hectares \pm (0.79 acres \pm) located at 1510, 1514, 1516, 1518, 1530 and 1534 – 10 Avenue SW (**Portion of** Plan 5380V, Block 208, Lots 25 to 36) and 0.04 hectares \pm (0.1 acres \pm) representing a portion of 983 – 14 Street SW (Plan 0913611, Area A) from DC Direct Control District to DC Direct Control District to accommodate a mixed-use development with at-grade retail uses and residential tower development above with guidelines;
5. Give three readings to the proposed **Bylaw 256D2018**; and
6. **Direct that any density bonus contributions made through the development permit process for this site be paid to and used in accordance with the community investment fund established for the Sunalta community, and as a priority, directed towards the Sunalta Community Hub project.**

Excerpt from the Minutes of the Regular Meeting of the Calgary Planning Commission, held 2018 August 23:

“And further, that the both the comments provided by Commissioner Juan and the letter distributed with respect to Report CPC2018-0990 be attached to the Report prior to being forwarded to Council.”

Planning & Development Report to
Calgary Planning Commission
2018 August 23

ISC: UNRESTRICTED
CPC2018-0990
Page 4 of 16

Policy Amendments and Land Use Amendment in Sunalta (Ward 8) at 1510, 1514, 1516, 1518, 1530 and 1534 - 10 Avenue SW and 983 - 14 Street SW, LOC2018-0116

Excerpt from the Minutes of the Regular Meeting of the Calgary Planning Commission, held 2018 September 20:

“Moved by Commissioner Scott

That the Calgary Planning Commission reconsider its decision as contained in the Minutes of the Regular Meeting of Calgary Planning Commission, held 2018 August 23, with respect to Report CPC2018-0990.

MOTION CARRIED

A Revised Cover Report with respect to Report CPC2018-0990 was received for the Corporate Record.

Moved by Commissioner Scott

That with respect to **Corrected** Report CPC2018-0990, the following be approved, **after amendment**:

That Calgary Planning Commission recommends that Council:

1. **Hold a public hearing during a 2018 October Public Hearing of Council;**
2. Adopt, by Bylaw, the proposed amendments to the Sunalta Area Redevelopment Plan;
3. Give three readings to the proposed bylaw;
4. Adopt, by Bylaw, the proposed redesignation of 0.32 hectares \pm (0.79 acres \pm) located at 1510, 1514, 1516, 1518, 1530 and 1534 – 10 Avenue SW (**Portion of** Plan 5380V, Block 208, Lots 25 to 36) and 0.04 hectares \pm (0.1 acres \pm) representing a portion of 983 – 14 Street SW (Plan 0913611, Area A) from DC Direct Control District to DC Direct Control District to accommodate a mixed-use development with at-grade retail uses and residential tower development above with guidelines (Attachment 3);
5. Give three readings to the proposed Bylaw; and
6. **Direct that any density bonus contributions made through the development permit process for this site be paid to and used in accordance with the community investment fund established for the Sunalta community, and as a priority, directed towards the Sunalta Community Hub project.**

MOTION CARRIED”

PREVIOUS COUNCIL DIRECTION / POLICY

None.

BACKGROUND

This land-use redesignation and policy-amendment application has been submitted by S2 Architecture on 22 May, 2018, on behalf of the landowner Interloq Capital Inc. No development permit has been submitted at this time. However, as noted in the Applicant's Submission (Attachment 1), the applicant is intending to develop a mixed-use project including a

**Planning & Development Report to
Calgary Planning Commission
2018 August 23**

**ISC: UNRESTRICTED
CPC2018-0990
Page 5 of 16**

Policy Amendments and Land Use Amendment in Sunalta (Ward 8) at 1510, 1514, 1516, 1518, 1530 and 1534 - 10 Avenue SW and 983 - 14 Street SW, LOC2018-0116

podium with retail uses at-grade, three levels of above-grade parking (as well as three levels of below-grade parking) and two residential towers above the podium.

It should be noted that development of the 10th Avenue Main Street Streetscape Master Plan (the Plan) is currently underway. The Plan will provide a comprehensive vision in the short and long terms for the entire public road right of way (including the bylawed road right of way setback) from 14 Street SW to 19 Street SW. The objective of the Plan is to provide a streetscape enhancement that will reflect the unique character of the area, promote economic vitality by activating the street, and increase safety for pedestrians, cyclists, and transit users. A consultant will be retained in September 2018 with the expectation of completing the Plan in Q2, 2019.

Policy Amendments and Land Use Amendment in Sunalta (Ward 8) at 1510, 1514, 1516, 1518, 1530 and 1534 - 10 Avenue SW and 983 - 14 Street SW, LOC2018-0116

Site Context

The subject site is located in the community of Sunalta and includes six parcels along the north side of 10 Avenue SW, one parcel to the west of the 14 Street SW intersection. This site is approximately 200 metres from the Sunalta LRT Station and is in close proximity to the downtown core. It is approximately 900 metres walking distance from the free-fare zone of the LRT. Surrounding development is characterized by low-scale, light industrial and commercial uses. The primary designation is two DC districts; 82D2009 and 64D2010. The *Sunalta ARP* was updated in 2009, after the approval of the West LRT line, and it implemented TOD policies in close proximity to the Sunalta LRT Station. The City then redesignated some parcels of land in this area to DC districts to reflect these changes to the ARP. Notwithstanding the construction of the LRT and station, updates to the ARP and re-designations, there has been no redevelopment in this area since that time. This application represents the first redevelopment proposal in this strategic location.

North: Directly north of the subject site is the CPR freight rail corridor and the elevated West LRT guideway approximately 15.0 metres above grade on the west side of the site, with a City-owned portion of land separating this infrastructure from the subject parcels.

West: To the west of these parcels is another City-owned lane and, further west, parcels with low scale, commercial and/or light-industrial uses.

South: To the south of the subject site is a multi-storey utility building owned by Telus Communications Inc. It is distinct in that it is, essentially, a windowless building.

East: To the east of the site, separating the subject parcels from 14 Street SW, is one lot with a one-storey commercial development located on it.

The subject site is approximately 3,202 square metres in size with approximate dimensions of 34.5 metres in depth by 90.0 metres in width. This also includes a strip of land that was purchased from the City of Calgary within the last year that is part of the parcel of land located at the rear (north) of the subject parcels and adjacent to the LRT guideway. Current development on this site includes single-storey, commercial uses, with access to these parcels off of 10 Avenue SW. The proposed access for any new development would be from the City-owned lane to the west of the subject site, with access points on the side (west) and rear (north) of the proposed podium to the underground and above-ground parkades. There would be a surface easement at the back of the subject parcels to allow for this access over City-owned lands.

As identified in Figure 1, the population within the community of Sunalta peaked in 2015. Since that time, there has been a slight decline in the number of residents living in Sunalta. This likely reflects the fact there has not been significant redevelopment within this community over the last few years, and changes in population numbers are indicative of natural migration of people in - and out of a community.

Policy Amendments and Land Use Amendment in Sunalta (Ward 8) at 1510, 1514, 1516, 1518, 1530 and 1534 - 10 Avenue SW and 983 - 14 Street SW, LOC2018-0116

Figure 1: Community Peak Population

Sunalta	
Peak Population Year	2015
Peak Population	3,454
2017 Current Population	3,192
Difference in Population (Number)	262
Difference in Population (Percent)	8.2%

Source: The City of Calgary 2017 Civic Census

Additional demographic and socio-economic information can be obtained online through the [Sunalta](#) community profile at Calgary.ca.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

In 2007, the City of Calgary approved the development of the West LRT line, and construction began in 2009. A portion of this line was developed as an above-grade guideway, rising up as the line extends west from the Downtown West - Kerby Station. It remains elevated through the Sunalta community, and then levels off along Bow Trail SW to be at grade at the Shaganappi Point Station.

Planning Considerations

Impacts of the LRT Elevated Guideway:

This guideway borders the back of the lots along the north side of 10 Avenue SW through Sunalta and, at approximately 15.0 metres to top of track on the west side of the site, is substantially above the existing grade. It extends approximately from 14 Street SW to 19 Street SW. Because of its development, the depths of these parcels along this 10 Avenue SW corridor have been substantially decreased. The average lot depth on the north side of 10 Avenue SW and west of 14 Street SW is approximately 30 metres, as compared to approximately 50 metres for lots on the north side of 10 Avenue SW but east of 14 Street SW. In addition, there are setback rules for any proposed development adjacent to this guideway: three metres must be maintained from the guideway and seven-and-a-half metres from the support columns, further reducing the developable footprint of these lots. This is the only corridor, to date, within the City that has this guideway condition and its resultant limitations.

In addition, as part of the West LRT line, the City built a station in Sunalta just west of 16 Street SW, along 10 Avenue SW. However, since that time, there has been no significant redevelopment along this corridor. This is the first significant development proposal in this area since the completion of the LRT line in 2012. Another factor to consider is that there are smaller, fragmented parcels along this corridor that would require consolidation in order to acquire a large enough parcel to build to the TOD intensification as anticipated within the *Sunalta ARP*.

Policy Amendments and Land Use Amendment in Sunalta (Ward 8) at 1510, 1514, 1516, 1518, 1530 and 1534 - 10 Avenue SW and 983 - 14 Street SW, LOC2018-0116

Land Use

The subject site is currently designated a DC District with a base of Centre City Mixed Use District (CC-X). The maximum FAR allowed in this district is 5.0, with the option to bonus to 7.0 FAR using the bonusing options as listed in this DC. There is a stated height limit of 56 metres. The front setback requirement is a minimum of 1.0 metre and a maximum depth of 4.0 metres.

The proposed DC District also uses a base of Centre City Mixed Use District (CC-X), but increases the base FAR to 9.0 when residential mixed-use is proposed. In the subject application, this would be met by ground floor frontage for commercial uses. The ARP provides direction as to treatment of at-grade commercial uses, encouraging, for example, small unit sizes with frontages between 7.5 and 12.0 metres. Multi-residential units are proposed in a tower format above. The bonusing options include development of affordable units, accessible units and allows for a contribution to the Sunalta Community Investment Fund. There are no height restrictions within this DC. This DC also does not require a front setback, but sets the maximum depth for a front setback at 4.0 metres.

This application proposes a significant increase in density and height from what the existing DC District permits and the *Sunalta ARP* suggests. This application proposes no height restriction and an overall FAR of 15.0. The applicant has stated that, in order to make development feasible, given the site constraints in this area, this is the total FAR required. No height restriction provides flexibility for development options.

The proposed DC District would also allow for three levels of above-grade parking (in addition to three levels of below-grade parking). The applicant confirmed the main reason why these above-grade parking levels are required is to ensure the residential component of the project is able to start above the LRT guideway and catenary, recognizing the area below the guideway does not provide ideal conditions for residential living. This rationale is supported by the City commissioned study that GEC Architecture completed in September 2011 for the purpose of modeling different development scenarios adjacent to the guideway. No scenarios included residential below the guideway, and several included above-grade parking levels, or a mix of office space and parking, with the intent of raising residential above the guideway.

The ARP also supports above-grade parking levels when there are challenges locating it below grade and includes criteria that should be followed, such as limiting it to two levels, providing screening from public streets with active uses and/or architectural treatment that makes the parking indistinguishable from the rest of the building. This application does request three levels of above-grade parking, but Administration is willing to support this as three levels allows the residential development to be located above the guideway and catenary, whereas two levels would not achieve this same result.

Administration has considered this proposal in regards to this additional density, no height restrictions and above-grade parking, and has determined there is rationale to support it, as the lots in question do have significant constraints, as has been outlined above. In addition, there has been no redevelopment along 10 Avenue SW over the past nine years since the start of construction on the West LRT line, which is indicative that the current densities are not

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appropriate for this area. When the *Sunalta ARP* was revised in 2009, Administration expected that revisions to it would likely be required with any proposed redevelopment to reflect the reality of developing in this location.

This DC District also includes a change in the bonusing options available from what is currently included in the existing DC and ARP. The applicant has requested that development of affordable units, accessible units and a contribution to the Sunalta Community Investment Fund, specifically ear-marked for the “community hub” project within the community, be included as specific bonusing options for this development.

Affordable housing is currently a bonusing option within the Beltline and accessible unit development is an option within the Commercial Residential District (CR20-C20/R20) bonusing structure for the downtown core. Section 3.3.4 (2) provides for the establishment of a Community Investment Fund (CIF) that would be funded by developers through the density bonus provisions of the ARP. The ARP sets out a range of public realm improvements that would be eligible to be funded through the Community Investment Fund (CIF) such as upgraded pedestrian and bicycle infrastructure, upgraded public plazas and implementation of a heritage grants program. As no development has occurred that would trigger the density bonus provisions, the CIF has yet to be formally established. Since the ARP was amended in 2009, a new community project has been conceptualized to enhance the existing Community Association building into a “community hub” that includes the participation of the United Way and other community groups (Attachment 6). Administration, with the support of the Sunalta Community and the applicant, is recommending that any density bonus contributions made through the subject application be specifically directed toward the realization of the community hub project.

Administration is able to support these bonusing options as proposed, as these are viable options that would provide enduring benefit to the community by directly supporting a redevelopment project within the community and providing alternate housing options for community members and people who may be wishing to move into the community but who are unable to afford to.

Transportation Networks

Pedestrian access to the site will be from 10 Avenue SW. Vehicular access to the below-ground and above ground parkades will be from the lane to the west of the site which allows for access to the side and rear of the parcel. The area is served by Calgary Transit bus service, with a stop located directly in front of the subject site providing service to the downtown core. The subject site is also approximately 200 metres away from the West LRT line, specifically the Sunalta Station. This site is also within a short walking distance (approximately 900 metres) to the Downtown West - Kerby Station which is part of the free-fare LRT zone through the downtown.

On-street parking along 10 Avenue SW is restricted, with no parking allowed directly in front of the subject site, only a timed loading zone, with maximum two hour parking during peak hours further along the street.

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A Transportation Impact Assessment report will be required at the time of development permit application to confirm the intersection capacity and requirements for a left turn lane at the adjacent intersection.

Utilities and Servicing

Water, storm and sanitary sewer mains are available to service the subject site.

However, due to the increased density of the proposed development, the existing 150 millimetre watermain along 10 Avenue SW will be required to be upgraded to a 250 millimetre watermain at the expense of the developer.

The applicant will also be required to provide a Sanitary Servicing Study to determine the ultimate flows generated by the proposed development.

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 was advertised online.

Summary of Comments Received

The Sunalta Community Association was circulated on this application. However, no correspondence was received from them at the time of writing of the CPC report.

There was one letter of support received from a member of the public. This person supported this application, citing that revitalization and growth within Sunalta is essential.

Applicant-Led Engagement

The Applicant conducted their own communications and engagement program pre- and post-submission which included:

- Community Association meetings
- Meetings with adjacent landowners
- Flyer drop in the community
- Signage advertising Open House
- Email newsletter blast from Open House
- Open House at the Sunalta Community Association on 2018 June 19.

The Applicant's Engagement Strategy is summarized in Attachment 4.

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Engagement Overview

The City-led engagement strategy was developed to facilitate multiple touch points and ensure inclusivity for all who wanted to provide input and learn about the project. Both in-person and online opportunities were offered for those who were interested in participating.

The Engage Spectrum level for this project was Listen & Learn which is defined as “We will listen to stakeholders and learn about their plans, views, issues, concerns, expectations and ideas.” Feedback collected through the City-led engagement program was used to help inform Administration’s detailed review of the application.

With other planning applications active in the area, the engage strategy included hosting a joint open house (with the applicant) for citizens to come and learn about two major land use and policy amendment applications in the *Sunalta ARP* area at the same time:

1. The subject application for Housing One LOC2018-0116; and
2. The application for mixed use development, by Arlington Street Investments, located at 14 Street and 17 Avenue SW.

Engagement results

- Open House held on June 26, 2018 at the Sunalta Community Association.
 - 59 people attended the Open House.
- Online survey at Calgary.ca/sunalta from 2018 June 25 – 2018 July 09.
- In total we received 20 comments and ideas.

What we heard

Citizens provided a diversity of comments and the main themes, ideas and concerns identified by citizens were as follows:

- Citizens were generally supportive of the application for the following reasons;
 - provides an opportunity for revitalization and to enhance 10 Avenue SW,
 - provides an opportunity for improved safety,
 - supportive of transit oriented development,
 - supportive of mixed-use/ ground floor commercial.
- Citizens shared concerns about potential of unlimited FAR and want to ensure there is appropriate community benefits in place through density bonusing.
- Citizens shared concerns about the potential impact of this development on traffic congestion in the area.

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What we did

Feedback collected through our engagement program was used by The City to inform the detailed review of the application. Recommendations were made by The City to the applicant as part of this review. The applicant and/or The City has provided a response to each of the issues identified, below.

Issue identified	Response and/or changes made to application
Citizens shared concerns about potential of increase in FAR and want to ensure there is appropriate community benefits in place through density bonusing.	The applicant has proposed density bonusing items that will directly benefit the Sunalta community
Citizens shared concerns about the potential impact of this development on traffic congestion in the area.	Transportation has requested that a Transportation Impact Assessment be provided at the development permit stage to confirm traffic flows in the area, intersection capacity and whether any changes will be required as a result of this development.

Communications overview

A communications plan was developed to inform the community about the project and the engagement opportunities. The tactics used to inform the public included:

- Project specific website (www.calgary.ca/sunalta) that shares information about the project and engagement opportunities.
- A project email newsletter, where interested parties can subscribe for project updates.

The following communications tactics were employed to promote participation in our various engagement opportunities:

- Facebook advertisement to area residents.
- Postcard mail outs to surrounding area residents and landowners.
- Road signs located at high-traffic intersections sharing event details.

Full engagement reports

The full engagement summary with verbatim comments can be found here:

- [Final Engagement Summary](#)

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Following Calgary Planning Commission, notifications for 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 (Statutory – 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.

Municipal Development Plan (Statutory – 2009)

The site is located within the Residential, Developed: Inner City area as identified on Map 1: Urban Structure of the *Municipal Development Plan* (MDP). Although the MDP makes no specific reference to the subject site, the land use proposal is consistent with MDP policies regarding Developed Residential Areas, neighbourhood infill and redevelopment and housing diversity and choice.

Sunalta Area Redevelopment Plan (Statutory – 1983)

The subject site is located within the Mixed Use area as identified on Map 2: Land Use Policies within this ARP. Objectives for this area include the creation of a high quality transit oriented development, a Neighbourhood High Street that is retail oriented and pedestrian friendly and to provide for a variety of housing types to serve a range of populations and incomes. The ARP outlines that there is significant redevelopment potential within this area and that higher densities are suitable to take advantage of the close proximity to major transportation links (i.e. the West LRT).

This application aligns well with these objectives and intent within the ARP, as it proposes high density, mixed-use development that has commercial units at grade, activating the street-level.

Transit Oriented Development Policy Guidelines (Statutory – 2004)

These guidelines provide direction around development proposed within 600 metres of a Transit station. Key policy objectives for TOD areas include provision of transit supportive land uses, densification around transit stations, pedestrian-oriented design and planning for the context of the local community. This application aligns with these policy objectives, as high-density development, with at-grade retail uses is proposed.

Social, Environmental, Economic (External)

This proposed high-density development is in close proximity to the downtown core and will provide additional housing stock in an attractive and convenient location. Affordable housing has been included as a bonusing option for this project, and if the applicant wishes to pursue

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development of affordable housing at the development permit stage, this will provide housing for some who may otherwise be unable to live in this location close to the downtown core or could provide an option for current residents to continue to live in the community.

A Phase II Environmental Site Assessment was required for this application. The conclusions of the study provide a range of recommendations to consider at the development permit stage. For example, a "Soil Management Plan" will be required at the development permit stage to address soil impacts identified in this report.

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 investment infrastructure and, therefore, there are no growth management concerns at this time.

Risk Assessment

This is the first redevelopment proposal along the 10 Avenue SW corridor that has been submitted since the development of the West LRT line and Sunalta train station. This development fulfills the goals of this mixed-use TOD area as identified within the *Sunalta ARP*, and will likely trigger future growth and development in this area. Therefore, there is a potential risk to consider if support cannot be given to this application.

REASON(S) FOR RECOMMENDATION(S):

Administration supports this application, as the City has invested in this area with the development of the LRT and Sunalta Station, but subsequent redevelopment has not followed this investment. This is the first redevelopment proposal along this corridor, on a constrained site with limitations to development. This application supports the vision for the area as outlined within the *Sunalta Area Redevelopment Plan* as amended, for example, proposing high density, mixed-use development in very close proximity to the LRT station. This is a strategic site, ready for redevelopment, and an ideal location for this higher density development.

ATTACHMENT(S)

1. Applicant Submission
2. Proposed Amendments to the Sunalta Area Redevelopment Plan
3. Proposed DC Direct Control District
4. Applicant's Engagement Strategy
5. Uses and Building Massing Schematic
6. Overview of Sunalta Community Hub Project
7. **Proposed Bylaw 73P2018**

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- 8. Proposed Bylaw 256D2018**
- 9. Distribution from the 2018 August 23 Regular Meeting of the Calgary Planning
Commission**
- 10. CPC Member Commentary**

Applicant Submission

This application is to re-designate lots 25-34 municipally described as 1510 10 Avenue SW. This site is presently zoned DC 64D2010 and we are seeking amend this DC to a new Direct Control District to respond to market demand and site constraints. The subject lands are located along the north side of 10 Avenue SW, west of 14 Street SW, east of 15 street SW and south of the CPR right of way and the West LRT elevated guide-way. The land area is 3,204 sq.m., 0.32 ha. (0.79 acres). The site consists of two older converted single family homes previous used as offices, two single story industrial buildings and a surface parking lot to the west. Our project envisions a podium parallel 10 Avenue with recessed retail at grade thereby creating a continuous pedestrian arcade, with three levels of above grade parking, and two residential towers above the podium.

This application responds to recommendations considered by the city which would utilize maximum density and development potential along the north side of 10 Avenue. These suggestions include:

1. Increase the allowable heights along the north side of 10th Avenue to provide opportunity to use available density and viability in building massing, while addressing the LRT interface to the north.
2. Encourage assembly of smaller parcel(s) for allowing additional height. This will enable a efficient parkade design and design flexibility along the north side of 10th Avenue SW.

In order to achieve larger scale developments along the north side of 10 Avenue, it will be necessary to assemble fragmented parcels, since most of the present sites are individually owned, in order to create parcels sizes large enough to be viable for development and enable the use of the density. Also, in order to achieve the densities envisioned along the corridor, it will be necessary to increase the height restrictions along the corridor to fulfill the proposed densities.

The proposed site, twelve lots (25-34) have been assembled to realize the vision for area and provide for a large comprehensive development located within 200 meters of the Sunalta LRT Station, thereby enabling the opportunity to activate development on this edge condition and meet the city's vision for the area. The proposed density is in line with the proposed densities for the corridor. The modifications to the existing DC 64D2010 address three key items in the existing DC, which are:

1. Increase the building height to allow for the envisioned density and interface issues;
2. Modify the tower distance separation above 36 metres to 18 metres vs 24 metres; and
3. Modify the base FAR from 5.0 to 11.0 for our specific site, Site 2a.

For this application we have included a draft of the proposed changes to the DC, as well as the proposed modifications to the existing Sunalta Area Redevelopment Plan to allow for the development. Further information can be supplied if requested by City Administration.

Proposed Amendments to the Sunalta Area Redevelopment Plan

1. The Sunalta Area Redevelopment Plan, being Bylaw 13P82, as amended, is hereby further amended as follows:
 - (a) Delete the existing Map 3 entitled “Maximum Building Heights” and replace with the revised Map 3 entitled “Maximum Building Heights”, as attached as Schedule A.
 - (b) At the end of Subsection 3.3.4.1, titled “Density”, add the following:

“d. To reflect the prominent location of the parcel as a gateway to the community of Sunalta and in close proximity to the Sunalta LRT station, development on parcels located at Lots 25-36, Block 208, Plan 5380V, shall not exceed the maximum base density of 9.0 FAR for mixed-use development. . This may be increased by up to 3.0 FAR when low occupancy uses, such as motor vehicle parking, are proposed above the first floor of a development to enable residential units to begin above the LRT guideway and catenary; and may be further increased by a maximum of 3.0 FAR in accordance with the density bonus provisions as outlined in (2) below, to a maximum total of 15.0 FAR.”
 - (c) At the end of Subsection 3.3.4.2, titled “Density Bonusing”, delete policy 3.3.4.2.c and replace with the following:

“c. Any of the following items, or a combination thereof, may be used to earn a density bonus:

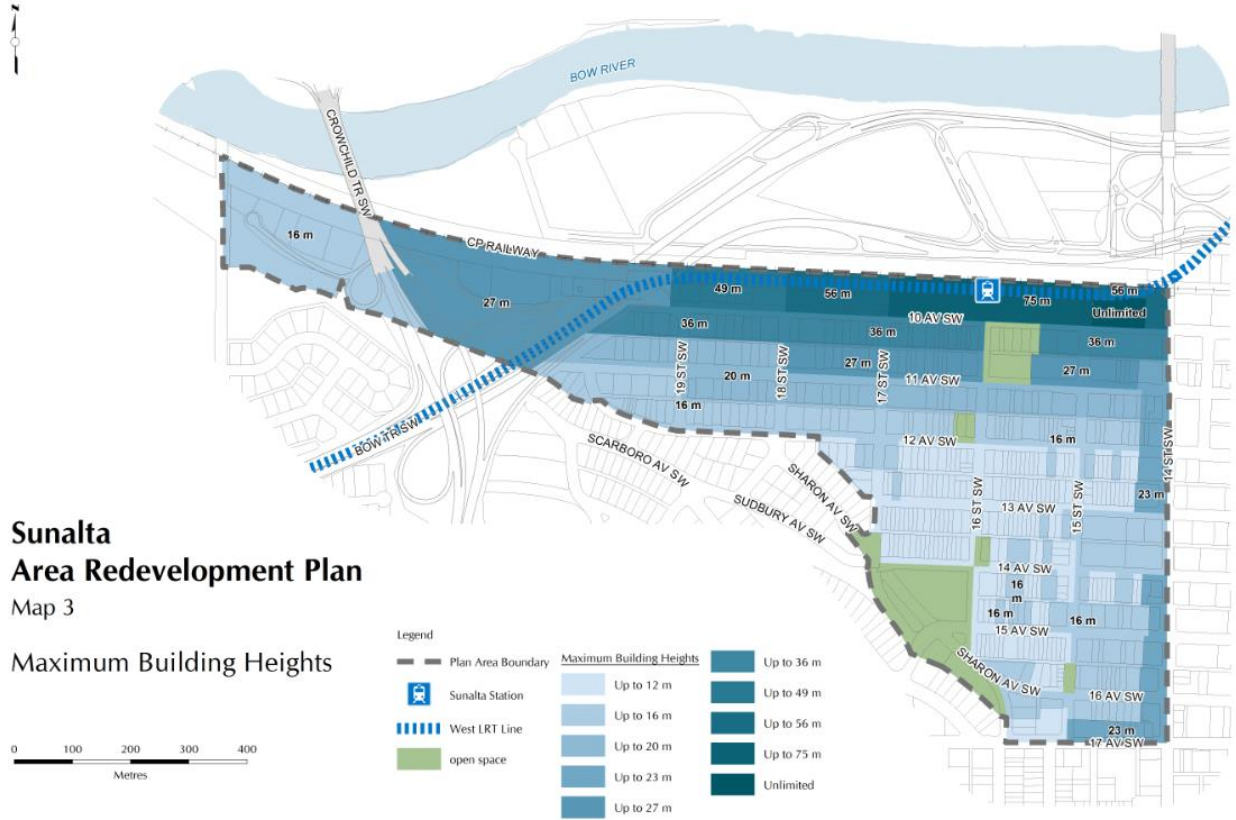
 - i. Provision of indoor community amenity space within the development.*
 - ii. Provision of publicly accessible private open space.*
 - iii. Contribution to a community investment fund (CIF) established by Council.*
 - iv. Contribution to a grants program for the rehabilitation of historic resources with a statutory historic resource designation.*
 - v. Provision of universally accessible units where not already required by an affordable housing provider.*
 - vi. Provision of affordable housing units by a housing provider approved by The City of Calgary to provide non-market housing.”*
 - (d) In Subsection 3.3.4.2 titled “Density Bonusing”, delete policy 3.3.4.2.d(vi) and replace with the following:

“vi Revitalization and upgrading of the Sunalta Community Association Building, and surrounding site, termed the Sunalta Community Hub Project.”
 - (e) At the end of Subsection 3.3.4.4, titled “Building Height”, add the following:

“e. New development located in a gateway area and in close proximity to the Sunalta LRT station, specifically parcels located at Lots 25-36, Block 208, Plan 5380V, do not have a maximum height limit.”

Proposed Amendments to the Sunalta Area Redevelopment Plan

Schedule A



Proposed DC Direct Control District

Purpose

- 1 This Direct Control District is intended to:
- (a) enable **development** on constrained sites **adjacent** to the West LRT guideway;
 - (b) add significant **density** in close proximity to the Sunalta **LRT station**;
 - (c) provide an increased base **density** for residential mixed-use **development** when **adjacent** to the LRT guideway;
 - (d) enable residential **units** to be developed above the LRT guideway and catenary; and
 - (e) add **density** in a gateway, transition area.

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.

General Definitions

- 4 In this Direct Control District,
- (a) “**affordable housing units**” means non-market housing **units** provided within a **development** owned and operated by the **City** or by a housing provider approved by the **City** to provide non-market housing;
 - (b) “**average land value**” shall be determined by the Director of Community Planning at the time of **development permit** application;
 - (c) “**community investment fund**” means a fund used for projects related to public realm improvements, including but not limited to streetscape design and improvements within **City** rights-of-way, implementation of urban design strategies and public art on public land;
 - (d) “**indoor community amenity space**” means floor area provided for community purposes, including, but not limited to offices, meeting rooms, assembly spaces, recreation facilities, educational facilities, cultural facilities, daycares and other social services, within the **development**, in perpetuity to the **City** and approved by the **Development Authority**;
 - (e) “**low occupancy uses**” means ancillary areas for storage, motor vehicle parking, bicycle storage facilities, vehicle loading areas, garbage loading and storage and mechanical and electrical equipment rooms;

Proposed DC Direct Control District

- (f) “**publicly accessible private open space**” means outdoor open space located on the **development parcel** that is made available to the public through a registered public access easement agreement, in a location, form, configuration and constructed in a manner approved by the **Development Authority**; and
- (g) “**universally accessible dwelling units**” means **units** that are not **affordable housing units** and that meet the following enhanced accessibility standards:
 - (i) a smooth, unobstructed floor space of a minimum dimension of 1.8 metres in length and 1.8 metres in width in each **kitchen**, bathroom and hallway to enable the turning of a wheelchair or mobility device;
 - (ii) hallways with no changes in floor level;
 - (iii) a bedroom, **kitchen** and a bathroom on the same floor as the entrance to the **unit**;
 - (iv) a step-free entrance to the **unit**; and
 - (v) an accessible **motor vehicle parking stall**, with a minimum width of 4.0 metres, associated with each **universally accessible dwelling unit**.

Permitted Uses

- 5 The **permitted uses** of the Centre City Mixed Use District (CC-X) of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

- 6 The **discretionary uses** of the Centre City Mixed Use District (CC-X) of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District with the exclusion of:

- (a) **Night Club.**

Bylaw 1P2007 District Rules

- 7 Unless otherwise specified, the rules of the Centre City Mixed Use District (CC-X) of Bylaw 1P2007 apply in this Direct Control District.

Floor Area Ratio

- 8 (1) The maximum **floor area ratio** is 5.0.
- (2) The maximum **floor area ratio** in subsection (1) may be increased by a **floor area ratio** of 4.0 when this additional floor area is used for **Assisted Living, Dwelling Unit, Live Work Unit, Multi-Residential Development** or **Hotel uses**.
- (3) The maximum **floor area ratio** in subsections (1) and (2) may be increased by a maximum of 3.0 when the following criteria are met:

Proposed DC Direct Control District

- (a) the **development** contains residential **uses** located above the highest geodetic elevation of the LRT catenary power lines **adjacent** to the lands contained in this Direct Control District; and
 - (b) the additional **floor area ratio** is used to construct **low occupancy uses** located on or above the second floor above **grade** but below the highest geodetic elevation of the LRT catenary power lines **adjacent** to the lands contained in this Direct Control District.
- (4) The maximum **floor area ratio** referenced in subsections (1), (2) and (3) may be increased in accordance with the bonus provisions set out in section 9 of this Direct Control District, to a maximum total of 15.0.

Bonus Floor Area Ratio Earning Items

9 Any of the following items or combination may be used to earn a **density** bonus up to 3.0 **floor area ratio**:

- (a) provision of **affordable housing units** within a **development**, where the allowable bonus floor area will be based on the total construction cost of the **units** to a standard acceptable to the **City**, such that:

Allowable bonus floor area = total construction cost / (**average land value** X 0.75) + **gross floor area** of **affordable housing units**;

- (b) provision of **universally accessible dwelling units**, where the allowable bonus floor area will be based on the total area provided for the **units**, such that:

Allowable bonus floor area = **gross floor area** of **universally accessible dwelling units**;

- (c) contribution to a **community investment fund**, as established by **Council**, where the allowable bonus floor area in square metres is equal to the contribution to the **community investment fund**, divided by the **average land value** per square metre of buildable floor area, such that:

Allowable bonus floor area = contribution / (**average land value**);

- (d) provision of **indoor community amenity space** within the **development**, where the allowable bonus floor area in square metres is equal to the total construction or restoration cost of the **indoor community amenity space**, divided by the **average land value** per square metre of buildable floor area multiplied by 0.75, such that:

Allowable bonus floor area = total construction cost / (**average land value** X 0.75); and

Proposed DC Direct Control District

- (e) provision of **publicly accessible private open space** where the allowable bonus floor area in square metres is equal to the total construction cost of the **publicly accessible private open space**, divided by the **average land value** per square metre of buildable floor area multiplied by 0.75, such that:

Allowable bonus floor area = total construction cost / (**average land value** X 0.75);

Floor Plate Restrictions

- 10** Each floor of a **building** located partially or wholly above 36.0 metres above **grade**, and containing:

- (a) **Dwelling Units, Hotel or Live Work Units** has a maximum:
- (i) **floor plate area** of 930.0 square metres; and
 - (ii) horizontal dimension of 44.0 metres; and
- (b) **Office** has a maximum:
- (i) **floor plate area** of 1300.0 square metres; and
 - (ii) horizontal dimension of 44.0 metres.

Front Setback Area

- 11** The **front setback area** has no minimum depth requirement and a maximum depth requirement of 4.0 metres.

Side Setback Area

- 12** There is no **side setback area** requirement.

Rear Setback Area

- 13** Where the **parcel** shares a **rear property line** with an **LRT corridor** or **freight rail corridor**, there is no requirement for a **rear setback area**.

Landscaping in Setback Areas

- 14** Where a **setback area** shares a **property line** with a **street**, the **setback area** must be a **hard surfaced landscaped area** that is level with the **adjacent** sidewalk.

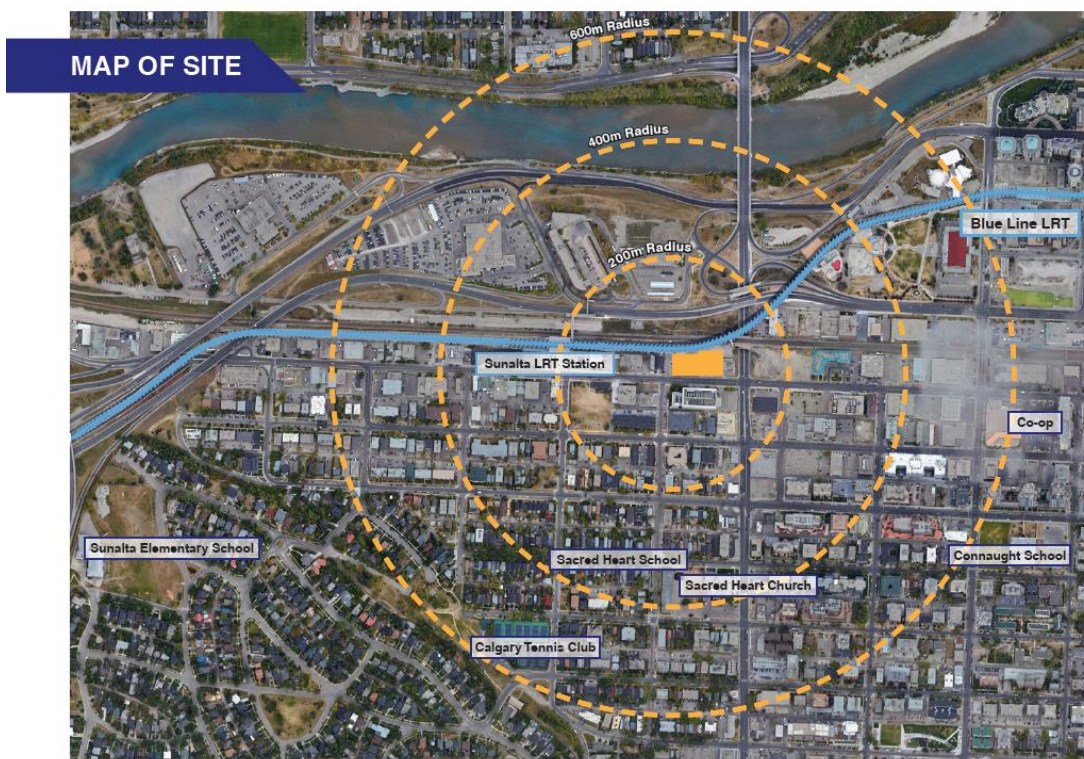
Building Height

- 15** There is no maximum **building height**.

Vehicular Access

- 16** Where a **parcel** shares a **rear property line** or **side property line** with a **lane**, all vehicle access to the **parcel** must be from a **lane**.

Applicant's Engagement Summary



Applicant's Engagement Summary

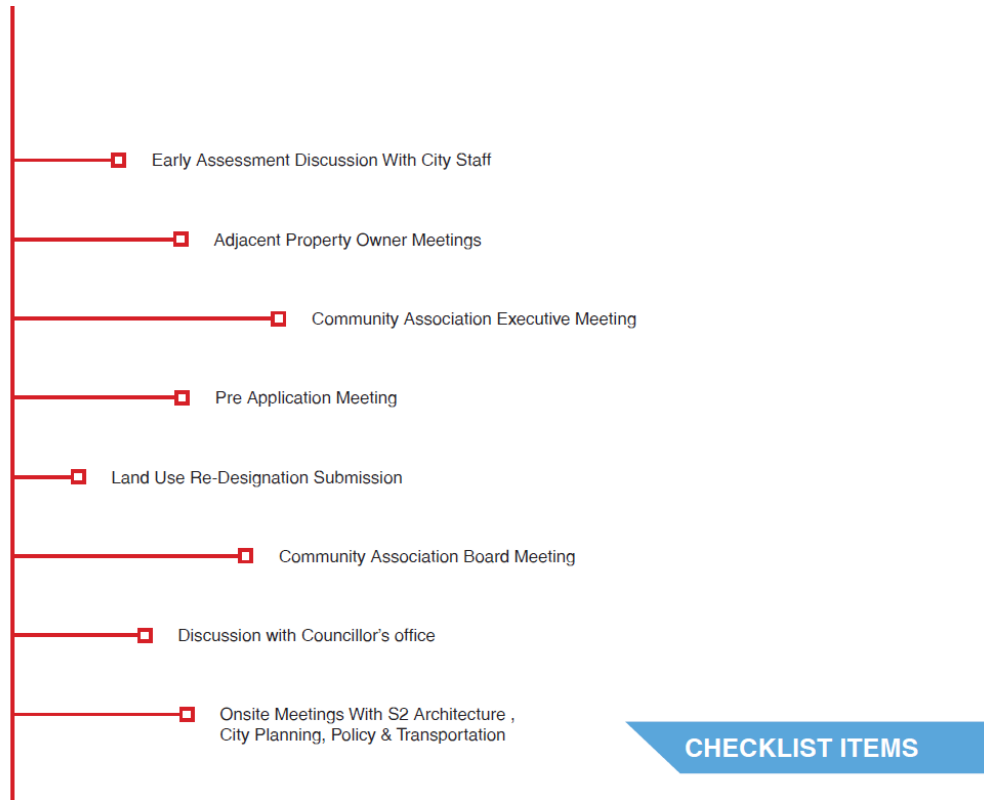
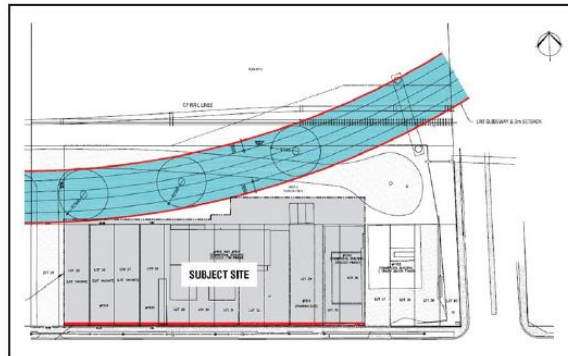


PHOTO TIMELINE

□ Presentation for Sunalta Community Association



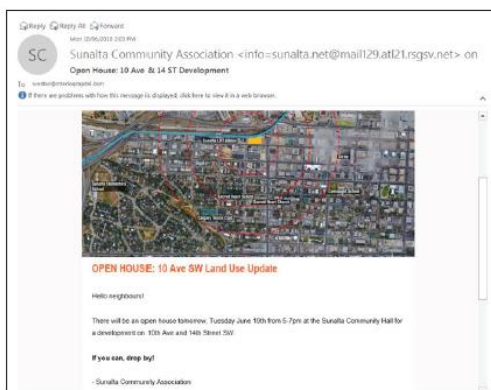
□ Open House Advertising Signage Posted

Applicant's Engagement Summary

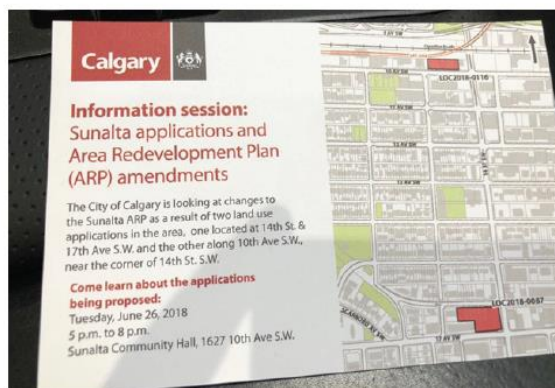
Land Use Re-designation Signage Posted



Open House Flyer Drop



Community Open House Email Blast



City Sponsored Open House Invites

Applicant's Engagement Summary

Community Open house



City Sponsored
Open House

WHAT WE HEARD

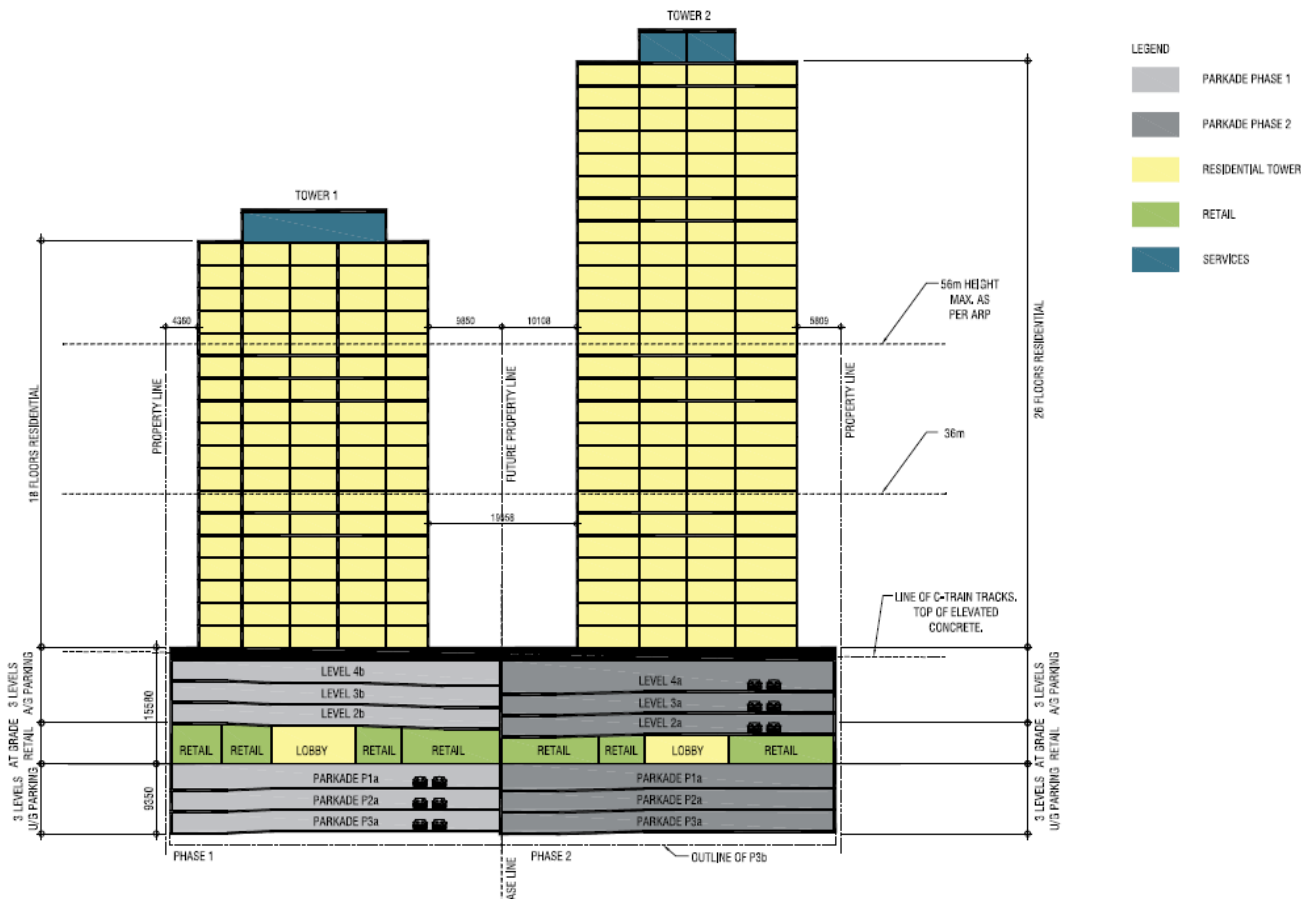
Comments:

Neat concept. Would love to see how things progress.
Would be an excellent addition to this community.
Really like concept 1.
-Sandy Hume

- Local Retail: we need more services for residents!
- Mixed use is great, finally something getting started along LRT
- Want a plaza or other pedestrian friendly area in front of retail
- Questions about elevation of parkade and interface with LRT
- Been waiting a long time to kick-start development on 10th Ave
- Could be a high street not commuter road



Uses and Building Massing Schematic



1 VIEW LOOKING NORTHWEST
SCALE: -

Overview of Sunalta Community Hub Project

imagine SUNALTA: PROJECT SUMMARY

April 2018

THE NEED

Sunalta is a neighbourhood where 1 in 4 residents are low income. It is also a neighbourhood where the Community Association is very active and working beyond capacity. Residents are in need of a new gathering space that is economically self-sustaining so that community members can access supports, events and activities, programming and social enterprise. Our vision is to remove social isolation, improve food security and create a neighbourhood living room, where all are welcome.

THE PLAN

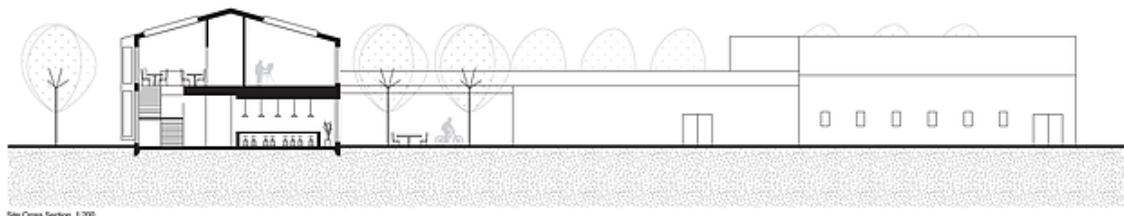
This project is already many years in the making. Data gathered to date from local residents clearly shows three high priority areas. Sunaltans would like to ensure any development is:

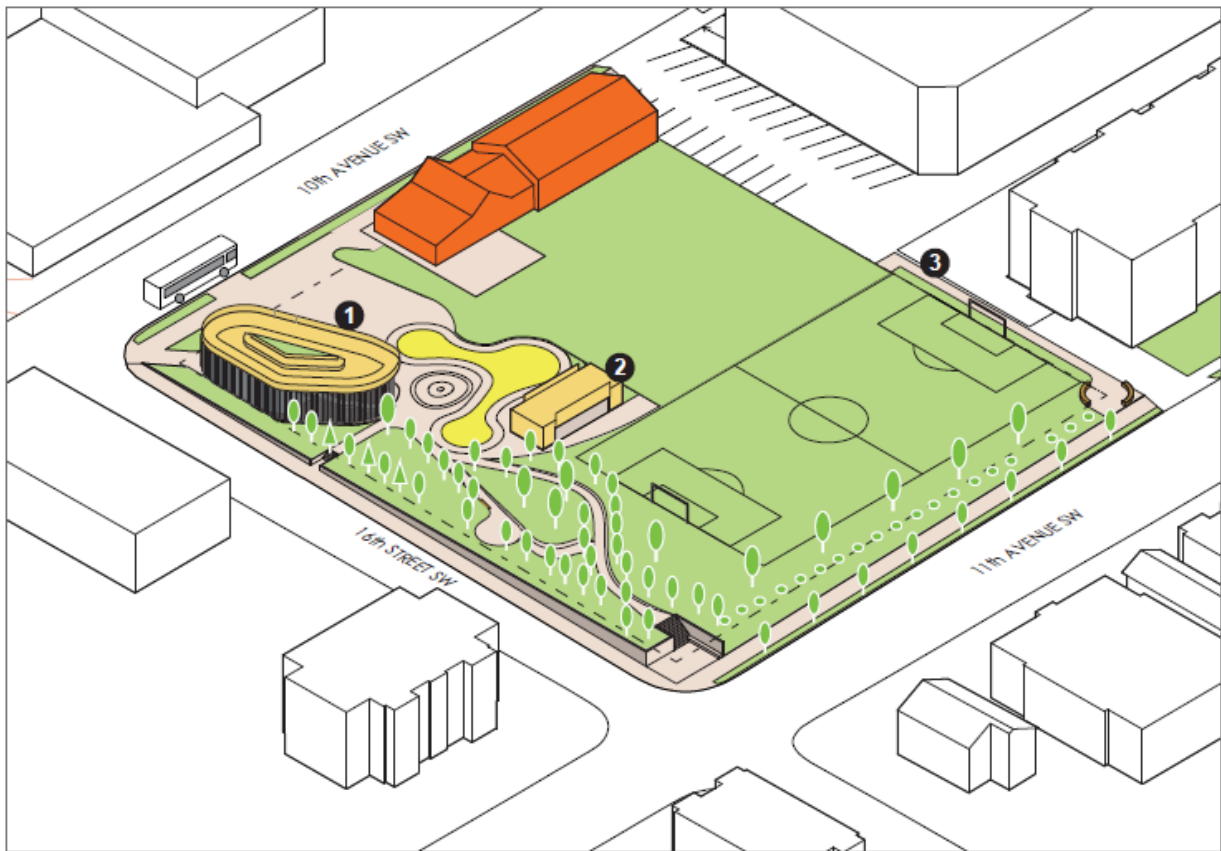
- economically self-sustaining;
- focused on creating opportunities for employment, training and the delivery of community services;
- inclusive, where all segments of the population are able to attend gatherings and forge social connection.

THE imagine SUNALTA PROJECT

Our next phase will include the construction of a new building adjacent the existing Hall. Here residents will find a community kitchen, a coffee kiosk, community spaces, office spaces, outdoor sport court and additional parking.

These spaces and the programs and services offered will serve as a 'community living room' to encourage social interaction, reduce barriers to isolation and ensure food security.





❶ A CAFE / KIOSK & GATHERING SPACE

❷ A FIELD HOUSE

❸ IMPROVED SITE CIRCULATION

PROPOSED

CPC2018-0990
ATTACHMENT 7

BYLAW NUMBER 73P2018

BEING A BYLAW OF THE CITY OF CALGARY TO AMEND THE SUNALTA AREA REDEVELOPMENT PLAN BYLAW 13P82

WHEREAS it is desirable to amend the Sunalta Area Redevelopment Plan Bylaw 13P82, as amended;

AND WHEREAS Council has held a public hearing as required by Section 692 of the Municipal Government Act, R.S.A. 2000, c.M-26, as amended:

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The Sunalta Area Redevelopment Plan attached to and forming part of Bylaw 13P82, as amended, is hereby further amended as follows:
 - (a) Delete the existing Map 3 entitled “Maximum Building Heights” and replace with the revised Map 3 entitled “Maximum Building Heights”, as attached as Schedule A.
 - (b) At the end of Subsection 3.3.4.1, titled “Density”, add the following:

“d. To reflect the prominent location of the parcel as a gateway to the community of Sunalta and in close proximity to the Sunalta LRT station, development on parcels located at Lots 25-36, Block 208, Plan 5380V, shall not exceed the maximum base density of 9.0 FAR for mixed-use development. This may be increased by up to 3.0 FAR when low occupancy uses, such as motor vehicle parking, are proposed above the first floor of a development to enable residential units to begin above the LRT guideway and catenary; and may be further increased by a maximum of 3.0 FAR in accordance with the density bonus provisions as outlined in (2) below, to a maximum total of 15.0 FAR.”
 - (c) At the end of Subsection 3.3.4.2, titled “Density Bonusing”, delete policy 3.3.4.2.c and replace with the following:

“c. Any of the following items, or a combination thereof, may be used to earn a density bonus:

 - i. Provision of indoor community amenity space within the development.*
 - ii. Provision of publicly accessible private open space.*
 - iii. Contribution to a community investment fund (CIF) established by Council.*
 - iv. Contribution to a grants program for the rehabilitation of historic resources with a statutory historic resource designation.*

PROPOSED

BYLAW NUMBER 73P2018

- v. *Provision of universally accessible units where not already required by an affordable housing provider.*
- vi. *Provision of affordable housing units by a housing provider approved by The City of Calgary to provide non-market housing.”*

- (d) In Subsection 3.3.4.2 titled “Density Bonusing”, delete policy 3.3.4.2.d(vi) and replace with the following:

“vi Revitalization and upgrading of the Sunalta Community Association Building, and surrounding site, termed the Sunalta Community Hub Project.”

- (e) At the end of Subsection 3.3.4.4, titled “Building Height”, add the following:

“e. New development located in a gateway area and in close proximity to the Sunalta LRT station, specifically parcels located at Lots 25-36, Block 208, Plan 5380V, do not have a maximum height limit.”

2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

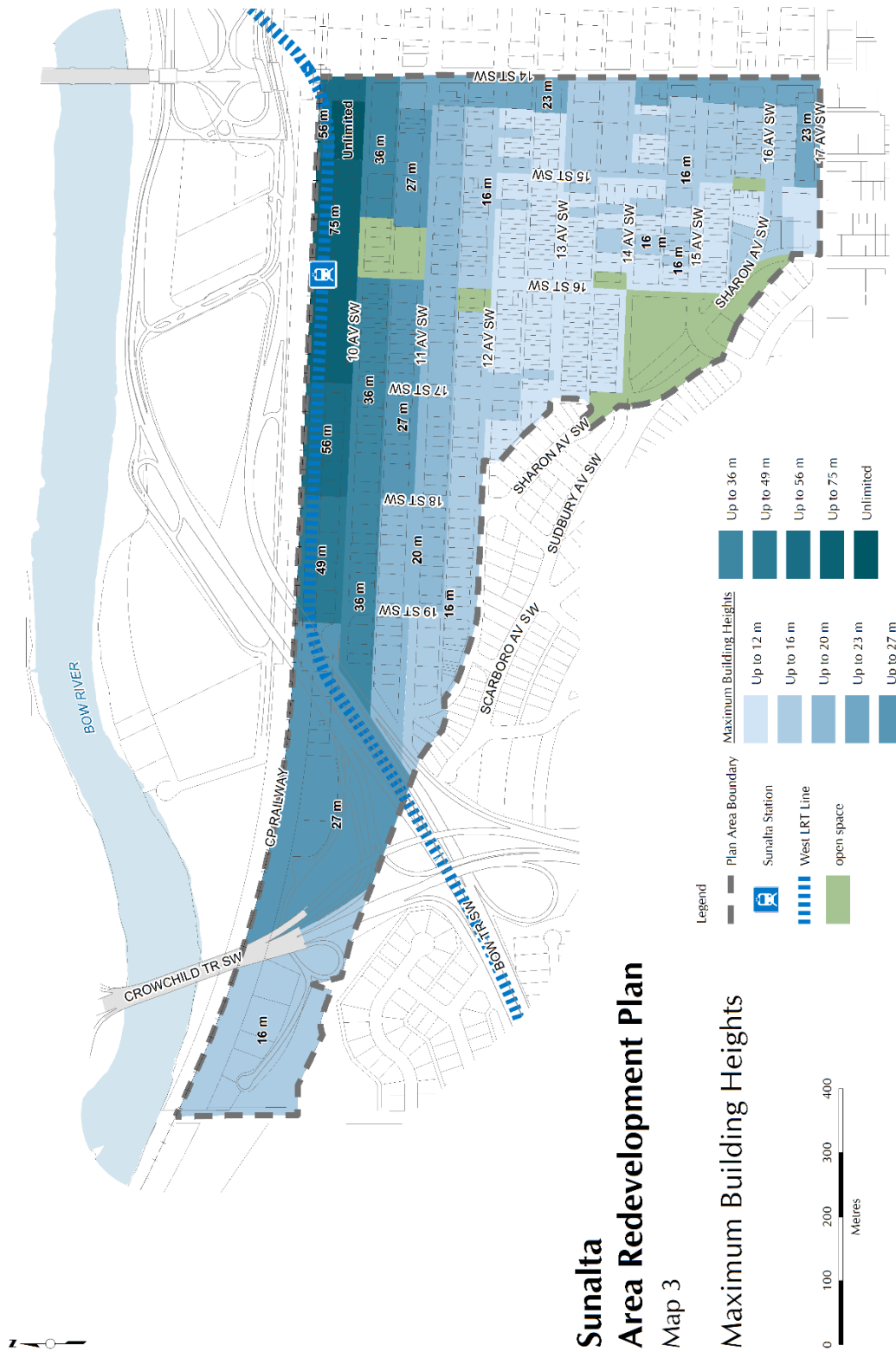
MAYOR

SIGNED ON _____

CITY CLERK

SIGNED ON _____

SCHEDULE A



This map is conceptual only. No measurements of distances or areas should be taken from this map.

PROPOSED

CPC2018-0990
ATTACHMENT 8

BYLAW NUMBER 256D2018

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2018-0116/CPC2018-0990)**

WHEREAS it is desirable to amend the Land Use Bylaw Number 1P2007 to change the land use designation of certain lands within the City of Calgary;

AND WHEREAS Council has held a public hearing as required by Section 692 of the Municipal Government Act, R.S.A. 2000, c.M-26 as amended;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, is hereby amended by deleting that portion of the Land Use District Map shown as shaded on Schedule "A" to this Bylaw and substituting therefor that portion of the Land Use District Map shown as shaded on Schedule "B" to this Bylaw, including any land use designation, or specific land uses and development guidelines contained in the said Schedule "B".
2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

CITY CLERK

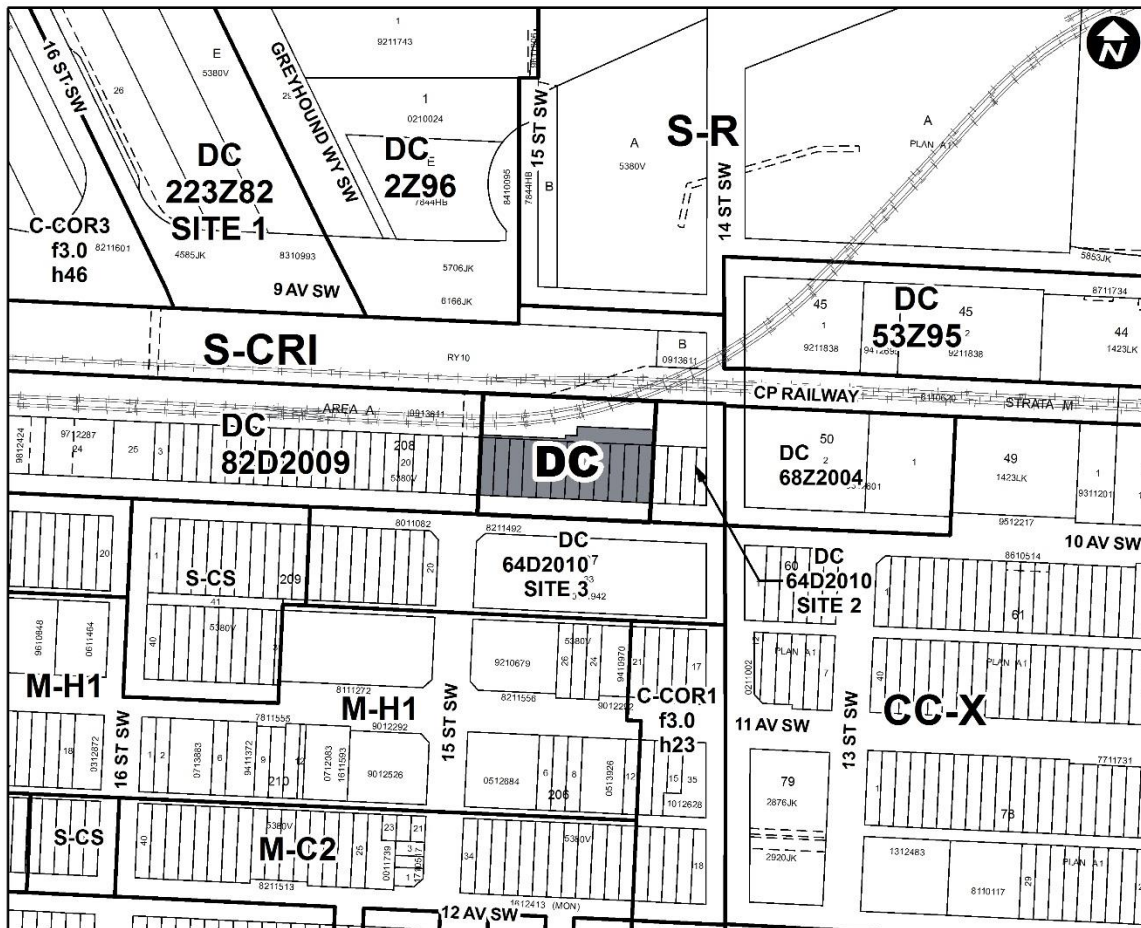
SIGNED ON _____

**AMENDMENT LOC2018-0116/CPC2018-0990
BYLAW NUMBER 256D2018**

PROPOSED

AMENDMENT LOC2018-0116/CPC2018-0990
BYLAW NUMBER 256D2018

SCHEDULE B



DIRECT CONTROL DISTRICT

Purpose

1 This Direct Control District is intended to:

- (a) enable **development** on constrained sites **adjacent** to the West LRT guideway;
- (b) add significant **density** in close proximity to the Sunalta **LRT station**;
- (c) provide an increased base **density** for residential mixed-use **development** when **adjacent** to the LRT guideway;
- (d) enable residential **units** to be developed above the LRT guideway and catenary; and

PROPOSED

AMENDMENT LOC2018-0116/CPC2018-0990
BYLAW NUMBER 256D2018

- (e) add **density** in a gateway, transition area.

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.

General Definitions

- 4 In this Direct Control District,

- (a) “**affordable housing units**” means non-market housing **units** provided within a **development** owned and operated by the **City** or by a housing provider approved by the **City** to provide non-market housing;
- (b) “**average land value**” shall be determined by the Director of Community Planning at the time of **development permit** application;
- (c) “**community investment fund**” means a fund used for projects related to public realm improvements, including but not limited to streetscape design and improvements within **City** rights-of-way, implementation of urban design strategies and public art on public land;
- (d) “**indoor community amenity space**” means floor area provided for community purposes, including, but not limited to offices, meeting rooms, assembly spaces, recreation facilities, educational facilities, cultural facilities, daycares and other social services, within the **development**, in perpetuity to the **City** and approved by the **Development Authority**;
- (e) “**low occupancy uses**” means ancillary areas for storage, motor vehicle parking, bicycle storage facilities, vehicle loading areas, garbage loading and storage and mechanical and electrical equipment rooms;
- (f) “**publicly accessible private open space**” means outdoor open space located on the **development parcel** that is made available to the public through a registered public access easement agreement, in a location, form, configuration and constructed in a manner approved by the **Development Authority**; and
- (g) “**universally accessible dwelling units**” means **units** that are not **affordable housing units** and that meet the following enhanced accessibility standards:
 - (i) a smooth, unobstructed floor space of a minimum dimension of 1.8 metres in length and 1.8 metres in width

PROPOSED

AMENDMENT LOC2018-0116/CPC2018-0990 BYLAW NUMBER 256D2018

in each **kitchen**, bathroom and hallway to enable the turning of a wheelchair or mobility device;

- (ii) hallways with no changes in floor level;
- (iii) a bedroom, **kitchen** and a bathroom on the same floor as the entrance to the **unit**;
- (iv) a step-free entrance to the **unit**, and
- (v) an accessible **motor vehicle parking stall**, with a minimum width of 4.0 metres, associated with each **universally accessible dwelling unit**.

Permitted Uses

5 The **permitted uses** of the Centre City Mixed Use District (CC-X) of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

6 The **discretionary uses** of the Centre City Mixed Use District (CC-X) of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District with the exclusion of:

- (a) **Night Club.**

Bylaw 1P2007 District Rules

7 Unless otherwise specified, the rules of the Centre City Mixed Use District (CC-X) of Bylaw 1P2007 apply in this Direct Control District.

Floor Area Ratio

- 8**
- (1) Unless specified below, the maximum **floor area ratio** is 5.0.
 - (2) The maximum **floor area ratio** in subsection (1) may be increased by a **floor area ratio** of 4.0 when this additional floor area is used for **Assisted Living, Dwelling Unit, Live Work Unit, Multi-Residential Development** or **Hotel uses**.
 - (3) The maximum **floor area ratio** in subsections (1) and (2) may be increased by a maximum of 3.0 when the following criteria are met:
 - (a) the **development** contains residential **uses** located above the highest geodetic elevation of the LRT catenary power lines **adjacent** to the lands contained in this Direct Control District; and
 - (b) the additional **floor area ratio** is used to construct **low occupancy uses** located on or above the second floor above **grade** but below the highest geodetic elevation of the LRT catenary power lines **adjacent** to the lands contained in this Direct Control District.

PROPOSED

AMENDMENT LOC2018-0116/CPC2018-0990 BYLAW NUMBER 256D2018

- (4) The maximum **floor area ratio** referenced in subsections (1), (2) and (3) may be increased in accordance with the bonus provisions set out in section 9 of this Direct Control District, to a maximum total of 15.0.

Bonus Floor Area Ratio Earning Items

- 9 Any of the following items or combination may be used to earn a **density** bonus up to 3.0 **floor area ratio**:

- (a) provision of **affordable housing units** within a **development**, where the allowable bonus floor area will be based on the total construction cost of the **units** to a standard acceptable to the **City**, such that:

Allowable bonus floor area = total construction cost / (**average land value** X 0.75) + **gross floor area** of **affordable housing units**;

- (b) provision of **universally accessible dwelling units**, where the allowable bonus floor area will be based on the total area provided for the **units**, such that:

Allowable bonus floor area = **gross floor area** of **universally accessible dwelling units**;

- (c) contribution to a **community investment fund**, as established by **Council**, where the allowable bonus floor area in square metres is equal to the contribution to the **community investment fund**, divided by the **average land value** per square metre of buildable floor area, such that:

Allowable bonus floor area = contribution / (**average land value**);

- (d) provision of **indoor community amenity space** within the **development**, where the allowable bonus floor area in square metres is equal to the total construction or restoration cost of the **indoor community amenity space**, divided by the **average land value** per square metre of buildable floor area multiplied by 0.75, such that:

Allowable bonus floor area = total construction cost / (**average land value** X 0.75); and

- (e) provision of **publicly accessible private open space** where the allowable bonus floor area in square metres is equal to the total construction cost of the **publicly accessible private open space**, divided by the **average land value** per square metre of buildable floor area multiplied by 0.75, such that:

Allowable bonus floor area = total construction cost / (**average land value** X 0.75);

PROPOSED

AMENDMENT LOC2018-0116/CPC2018-0990
BYLAW NUMBER 256D2018

Floor Plate Restrictions

10 Each floor of a **building** located partially or wholly above 36.0 metres above **grade**, and containing:

(a) **Dwelling Units, Hotel or Live Work Units** has a maximum:

- (i) **floor plate area** of 930.0 square metres; and
- (ii) horizontal dimension of 44.0 metres; and

(b) **Office** has a maximum:

- (i) **floor plate area** of 1300.0 square metres; and
- (ii) horizontal dimension of 44.0 metres.

Front Setback Area

11 The **front setback area** has no minimum depth requirement and a maximum depth requirement of 4.0 metres.

Side Setback Area

12 There is no **side setback area** requirement.

Rear Setback Area

13 Where the **parcel** shares a **rear property line** with an **LRT corridor** or **freight rail corridor**, there is no requirement for a **rear setback area**.

Landscaping in Setback Areas

14 Where a **setback area** shares a **property line** with a **street**, the **setback area** must be a **hard surfaced landscaped area** that is level with the **adjacent** sidewalk.

Building Height

15 There is no maximum **building height**.

Vehicular Access

16 Where a **parcel** shares a **rear property line** or **side property line** with a **lane**, all vehicle access to the **parcel** must be from a **lane**.



Sunalta Community Association
1627 – 10th Avenue S.W. • Calgary, Alberta • T3C 0J7
P: (403) 330.8594 • E: info@sunalta.net

Attn: Colleen Renne-Grivell.
Re: LOC2018-0116

The Sunalta Community Association (SCA) is providing this letter in response to Land Use Amendment Application LOC2018-0116.

The SCA has reviewed the circulation package provided. Based upon it, the information we have seen from the applicant and their consultants and what we have heard from members of our community we want to share both our excitement and concerns.

1. The SCA is not fundamentally opposed densification of the site and are excited to see redevelopment occur.
2. A mixed-use development, particularly if the commercial uses are community centric is seen as appropriate.
3. The SCA believes that the proximity of the site to the corner of 10th Ave and 14th St is an appropriate location for a significant, well designed, high quality building but is concerned that the quality of the final building may fall short of this. While there have been some reasonable buildings proposed and being developed along 10th and 11th to the west many of them are of poorly designed, of poor quality and will not stand the test of time. The SCA will be very vocal and active prior to and during the DP process advocating for a quality building and a quality pedestrian realm.
4. The proposed recessed retail at grade is of significant concern to the SCA. Neither the depth nor the height of the proposed recess is enough to create a viable and pleasant pedestrian arcade as proposed by the applicant. As wonderful as arcades can be, as proposed, it will make for an uncomfortable pedestrian realm; an interstitial zone that won't be used by a pedestrian and will not be deep enough or tall enough to be used actively by the commercial units.
5. The SCA is concerned with traffic generation along 14th ST and 10th Ave. 14th ST is significantly backed up much of the time and at rush hour is already a significant challenge. As one looks at how much density is appropriate on this site it is also essential to examine the traffic generation that will come when full buildout occurs along 10th and 14th. It is anticipated that the increased traffic will not only be terrible for motorists but will also have a negative impact on the quality of the pedestrian realm.
6. The SCA is concerned with the amount of density being proposed – from 5 to 11 FAR. This is not because of an overarching fear of density but because there was a thoughtful and considered approach to density taken when the ARP was redone and density was increased in the area at the time of the West LRT. At that time there was a strategy of allowing significant density adjacent to the Sunalta station and tapering it down as one got further from the station. The proposed land-use ignores that strategy. The SCA hopes that the Planning Department, CPC and Council will not disregard the time, energy and planning that was put into the ARP to create a thoughtful and considered approach to density when considering this application.

Please keep the Sunalta Community Association informed on the progress of this application.

Courtney Clarke
Sunalta Community Association

www.sunalta.net

McDougall, Libbey C.

From: Holberton, Kimberly
Sent: Monday, August 27, 2018 9:27 AM
To: Public Submissions
Subject: CPC2018-0990 Comments from the 2018 August 23 Meeting of CPC.

Follow Up Flag: Follow up
Flag Status: Completed

From: Lourdes Juan [mailto:lourdesjuan@me.com]
Sent: Sunday, August 26, 2018 7:13 PM
To: Holberton, Kimberly
Subject: [EXT] CPC Comments

7.2.8 - I support this application, the provision of affordable housing and the work around the community hub. Calgary sits at 3.6% for all affordable housing units, while the national average is at 6%. This development would contribute to bringing Calgary closer to the average.

Thanks!

Lourdes Juan
M.E.Des, BGS
403-619-6373

Planning & Development Report to
Calgary Planning Commission
2018 August 23

ISC: UNRESTRICTED
CPC2018-0981
Page 1 of 7

Land Use Amendment in Sunalta (Ward 8) at 1526 – 12 Avenue SW, LOC2018-0096

EXECUTIVE SUMMARY

This application was submitted by Ronald Maack, who is also the landowner of the subject land, on 2018 May 01. This proposed land use amendment is intended to allow for a limited range of commercial uses within an existing house on 12 Avenue SW in Sunalta. A DC Direct Control land use district based on the Multi-Residential – Contextual Medium Profile (M-C2) District would allow for the following additional uses:

- Artist's Studio;
- Counselling Service;
- Medical Clinic;
- Office; and
- Service Organization.

The proposed DC District aligns with the *Municipal Development Plan* (MDP) and with *Sunalta Area Redevelopment Plan* (ARP) policies regarding adaptive reuse of older character homes.

ADMINISTRATION RECOMMENDATION:

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

1. ADOPT, by bylaw, the proposed redesignation of 0.03 hectares \pm (0.08 acres \pm) located at 1526 - 12 Avenue SW (Plan 5380V, Block 206; Lot 31) from Multi-Residential – Contextual Medium Profile (M-C2) District to DC Direct Control District to accommodate a limited range of commercial uses within an existing house, with guidelines; and
2. Give three readings to the proposed bylaw.

RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, DATED 2018 AUGUST 23:

That Council:

1. **Hold a public hearing during a 2018 October Public Hearing of Council;**
2. Adopt, by Bylaw, the proposed redesignation of 0.03 hectares \pm (0.08 acres \pm) located at 1526 - 12 Avenue SW (Plan 5380V, Block 206; Lot 31) from Multi-Residential – Contextual Medium Profile (M-C2) District to DC Direct Control District to accommodate a limited range of commercial uses within an existing house, with guidelines; and
3. Give three readings to the proposed **Bylaw 258D2018**.

**Planning & Development Report to
Calgary Planning Commission
2018 August 23**

**ISC: UNRESTRICTED
CPC2018-0981
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Land Use Amendment in Sunalta (Ward 8) at 1526 - 12 Avenue SW, LOC2018-0096

PREVIOUS COUNCIL DIRECTION / POLICY

None.

BACKGROUND

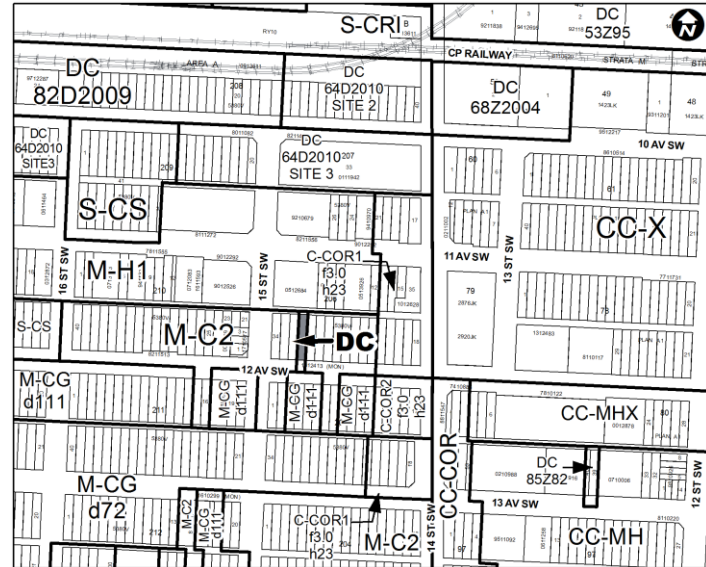
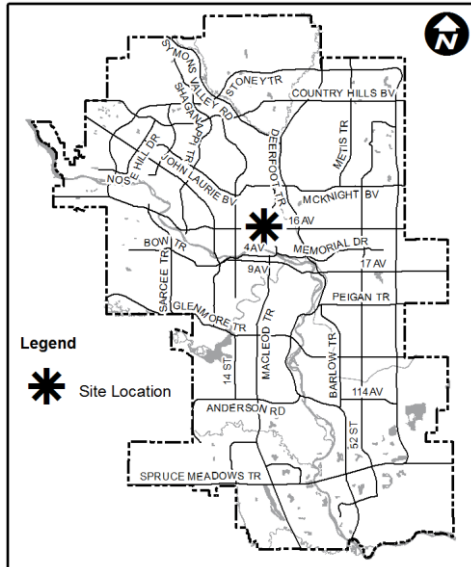
This application was submitted by Ronald Maack, who is also the landowner of the subject land, on 2018 May 01. As indicated in the Applicant's Submission (Attachment 1) this land use proposal is to allow for adaptive reuse of this existing home, which will require a change of use development permit application in the future.

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Calgary Planning Commission
2018 August 23

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Land Use Amendment in Sunalta (Ward 8) at 1526 - 12 Avenue SW, LOC2018-0096

Location Maps



Land Use Amendment in Sunalta (Ward 8) at 1526 - 12 Avenue SW, LOC2018-0096

Site Context

The subject site is currently home to a single detached dwelling that has been subdivided into multiple apartment units. The existing house was built in 1912. The subject site is on the north side of 12 Avenue SW, midblock between 14 and 15 Streets SW.

The site remains home to the original house and has not seen any redevelopment. At some point, the existing house was converted into apartment units. The most recent nearby developments are the four storey multi-residential building to the north (2005), a three unit rowhouse development on the northwest corner of 12 Avenue at 15 Street SW (2015), and a commercial (retail and office) development on the northwest corner of 11 Avenue at 14 Street SW (2017).

To the north, across an alley, is a four storey multi-residential building completed in 2005. To the east, immediately adjacent, is a four storey multi-residential building (1977). To the west, immediately adjacent to the subject site, is a similar single detached dwelling (1912). To the south, across 12 Avenue SW, are a mix of similar single and semi-detached dwellings constructed between 1910 and 1912 and a multi-residential building (1960). Since its peak in 2015, the population of Sunalta has declined by approximately eight per cent.

Figure 1: Community Peak Population

Sunalta	
Peak Population Year	2015
Peak Population	3,454
2017 Current Population	3,192
Difference in Population (Number)	-262
Difference in Population (Percent)	-8%

Source: The City of Calgary 2017 Civic Census

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The proposed application was reviewed by the Corporate Planning Applications Group. The review focused on the potential impacts of the proposed land use, which were deemed to be minimal given the applicant's desire to work within the existing building. Administration reviewed similar cases elsewhere in Sunalta and Lower Mount-Royal and identified considerations relative to parking that will require resolution at the development permit stage. Given the age of the existing building, heritage was also a consideration. The subject site is not on the heritage inventory nor is it a designated heritage resource. The proposed redesignation is seen as advantageous however in terms of providing additional economic options for a century home.

Land Use Amendment in Sunalta (Ward 8) at 1526 - 12 Avenue SW, LOC2018-0096

Planning Considerations

Land Use

The proposed Direct Control (DC) guidelines provide for a limited range of commercial uses as discretionary uses with an existing building and are based on the Multi-Residential – Contextual Medium Profile (M-C2) district. These uses include:

- Artist's Studio;
- Counselling Service;
- Medical Clinic;
- Office; and
- Service Organization.

The proposed DC guidelines also allow for a maximum of one Class A sign for the building, with a maximum sign area of 1.0 square metres.

Development and Site Design

This proposal will allow for adaptive reuse of the existing home.

Transportation Networks

Given the small scale of the proposed land use amendment, a Transportation Impact Assessment was not required for this application. The subject site is a 350 metre walk from the Sunalta LRT station and even closer to frequent transit service on 14 Street SW.

At the development permit stage the number of required parking stalls will be determined based on the proposed use and site context, including but not limited to the proximity to the Sunalta LRT station.

Utilities and Servicing

Water, sanitary and storm sewer mains are available and can accommodate the potential redevelopment of the subject site without the need for off-site improvements at this time. Individual servicing connections as well as appropriate stormwater management will be considered and reviewed at development permit stage.

No environmental issues were identified through the proposed application. An Environmental Site Assessment may be required through the development permit process.

Stakeholder Engagement, Research and Communication

In keeping with Administration's standard practices, this application was circulated to relevant stakeholders (the Sunalta Community Association) and notice posted on-site. Notification letters were sent to adjacent land owners and the application was advertised online. One

Land Use Amendment in Sunalta (Ward 8) at 1526 - 12 Avenue SW, LOC2018-0096

telephone inquiry was received and no comments were received by the CPC Report submission date.

Following Calgary Planning Commission, notifications for 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 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 and proposes a change and minor increase in development intensity on this site within an adequately serviced and appropriately planned urban mixed use neighbourhood.

Municipal Development Plan (Statutory – 2009)

The subject site falls within the Residential – Developed – Inner City land use category in the MDP and the base land use district (M-C2) aligns well with that.

In relation to the proposed addition of commercial uses within the existing character residential building, the proposed land use amendment aligns with the following MDP policies:

- 2.3.3b- the proposed application for additional uses within the existing building is informed by the desire to enable additional economically viable options for a character residential building.
- 2.3.3d- the proposed land use amendment provides a mechanism for encouraging the retention and enhancement of an older character residential building.
- 2.3.3e- the proposed land use amendment is a flexible way to encourage retention of an older character residential building without the complexity and process of full statutory designation.

Sunalta Area Redevelopment Plan (Statutory – 1983)

The subject site falls within the Medium Density Residential policy area, which does not allow for non-residential uses. However, the proposed land use amendment aligns with several of the heritage implementation actions outlined in section 6.3 of the *Sunalta ARP*.

In particular, the proposal enables a number of additional economically viable options for retaining and avoiding the demolition of a property with historic character (6.3.3) and acts as an incentive to encourage the reuse of an existing building (6.3.5).

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Land Use Amendment in Sunalta (Ward 8) at 1526 - 12 Avenue SW, LOC2018-0096

Social, Environmental, Economic (External)

The proposed amendment aligns well with *Municipal Development Plan* (MDP) and *Sunalta ARP* policies regarding adaptive reuse of older character homes. By limiting the scale of the proposed non-residential uses, the proposed approach promotes compatibility with the context of the site and provides additional economic flexibility to support the retention of a 106-year-old house.

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.

REASON(S) FOR RECOMMENDATION(S):

The proposed amendment aligns well with *Municipal Development Plan* (MDP) and *Sunalta ARP* policies regarding adaptive reuse of older character homes. By limiting the scale of the proposed non-residential uses, the proposed approach promotes compatibility with the context of the site and provides additional economic flexibility to support the retention of a 106-year-old house.

ATTACHMENT(S)

1. Applicant Submission
2. Proposed DC Direct Control District Guidelines
3. **Proposed Bylaw 258D2018**

Applicant's Submission



Land Use Redesignation Applicant's Submission Not Including Secondary Suites

PL 1263 (R2017-09)

This form is to be filled out by the applicant and provided to The City of Calgary at the time of submission. These comments are included in a report which is presented to the Calgary Planning Commission and a Public Hearing of City Council. Your comments must be limited to the area designated on this form to ensure it will fit the space requirements of the report. Supplementary information can be provided separately in your application if required.

To Mayor and Council,

The reason for my applying for a direct control designation is to extend the usefulness of this tired but beautiful older building, 1526 12 Ave SW. The property has gone from a single family 1654 sq ft. residence built in 1912 to being converted to a rooming house in the early 80's zoned presently as M-C2. We are now asking for the zoning to be re-designated to (DC) Direct control to allow office uses in the existing structure. This zoning re-designation would provide modestly priced, small business office space while preserving this character building in a sustainable financial manner. The property itself is structurally sound but the present zoning is restrictive in relation to the stage or life cycle of the building. It is felt the buildings' use will need to be changed to stay viable in the Calgary market.

I am bringing this request before you for the above reasons but also due to the following event having occurred. The previously neglected 1960's built situated on the corner to the west was purchased in 2017 and is now being revitalized quashing any thought that the entire space including the two 1912 buildings would, in the near term, be redeveloped into a multi family M-C2 complex. Due to the above-mentioned corner building's sale and revitalization, I feel my building's use will need to be changed in order that the structure remain sustainable and not to detract from the community. Detraction is what I forecast if the zoning remains M-C2 - in this case a rooming house irrespective of who owns the property. This outcome would be due to the unrealistic amount of money required for investment relative to return notwithstanding the specialized management needed for the proper operation of a rooming house. The alternative is to create an empty lot and wait for the adjacent (sister) buildings' viability to end and then the transitioning to an alternate use or new structure/redevelopment.

The property referenced above as the adjacent (sister) building has functioned without complaint or incident as a multi-discipline Counselling and Consulting office as if zoned (DC). There has been no person residing there since its acquisition and conversion which occurred 8 plus years ago in 2008.

What I am asking for is to be able to use the subject property with the new designation of (DC) Direct control allowing for office uses in the existing structure, until the circumstances arise that this buildings' usefulness naturally ends or transitions to redevelopment. The distance to the Sunalta LRT is approximately 325 meters and to a bus stop on 14th Street is approximately 85 meters away. Parking is felt to be more than adequate; there are 6 on site parking spots. Additionally, 12th Avenue parking is available and very under used mainly because parking is restricted and not allowed between 3 to 6 pm. Also 15th Street, 23 meters to the west is also available.

Thank you for your time and consideration

Proposed DC Direct Control District Guidelines

Purpose

- 1 This Direct Control District is intended to:
- (a) provide for a limited range of commercial **uses** as **discretionary uses** within an existing **building**.

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 Multi-Residential – Contextual Medium Profile (M-C2) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

- 5 (1) The **discretionary uses** of the Multi-Residential – Contextual Medium Profile (M-C2) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District.
- (2) The following **uses** are **discretionary uses** in this Direct Control District if they are located within the existing **building** on the **parcel** at the time of the effective date of this Bylaw:
- (a) **Artist's Studio;**
 - (b) **Counselling Service;**
 - (c) **Medical Clinic;**
 - (d) **Office; and**
 - (e) **Service Organization.**

Bylaw 1P2007 District Rules

- 6 Unless otherwise specified, the rules of the Multi-Residential – Contextual Medium Profile (M-C2) District of Bylaw 1P2007 apply in this Direct Control District.

Signage

- 7 A maximum of one **Sign – Class A** per **building**, with a maximum **sign area** of 1.0 square metres is allowed.

PROPOSED

CPC2018-0981
ATTACHMENT 3

BYLAW NUMBER 258D2018

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2018-0096/CPC2018-0981)**

WHEREAS it is desirable to amend the Land Use Bylaw Number 1P2007 to change the land use designation of certain lands within the City of Calgary;

AND WHEREAS Council has held a public hearing as required by Section 692 of the Municipal Government Act, R.S.A. 2000, c.M-26 as amended;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, is hereby amended by deleting that portion of the Land Use District Map shown as shaded on Schedule "A" to this Bylaw and substituting therefor that portion of the Land Use District Map shown as shaded on Schedule "B" to this Bylaw, including any land use designation, or specific land uses and development guidelines contained in the said Schedule "B".
2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

CITY CLERK

SIGNED ON _____

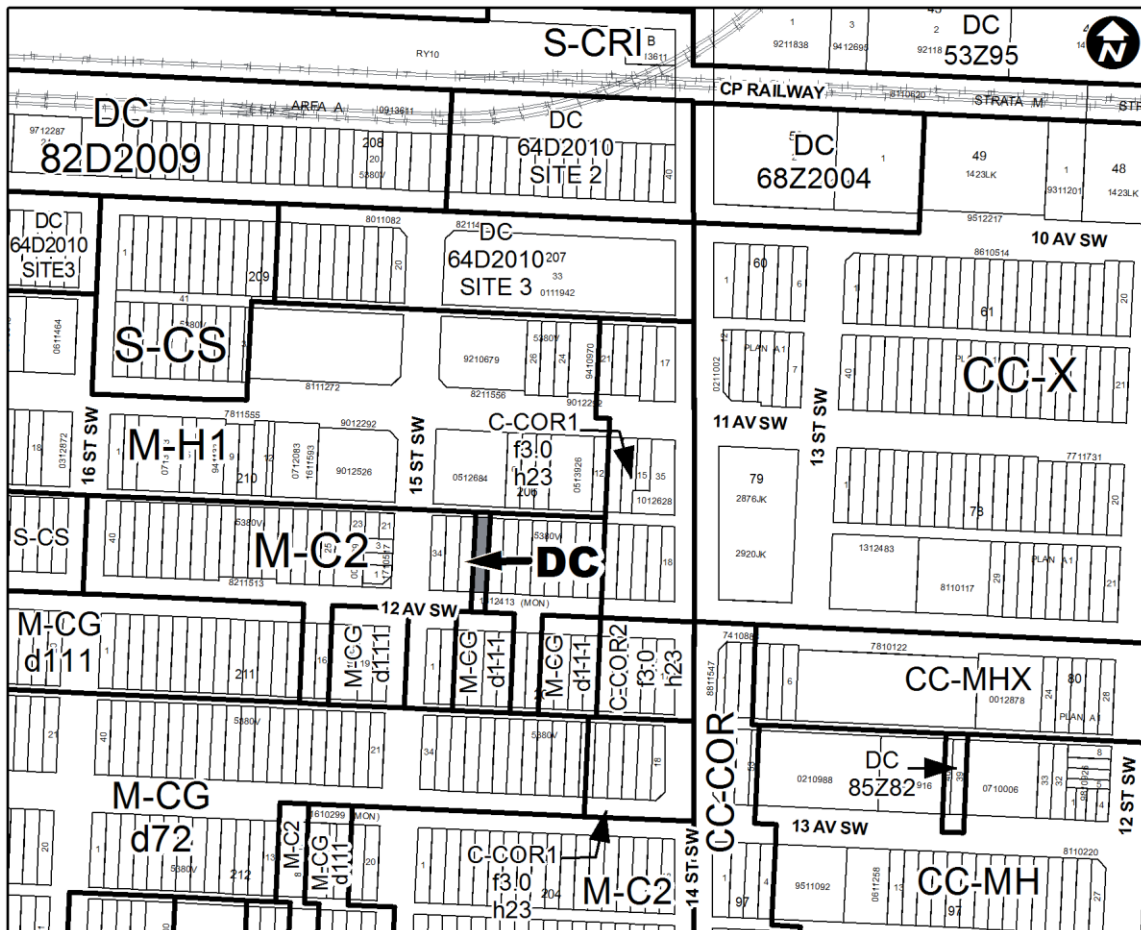
AMENDMENT 258D2018
BYLAW NUMBER LOC2018-0096/CPC2018-0981

[illegible]

PROPOSED

AMENDMENT 258D2018
BYLAW NUMBER LOC2018-0096/CPC2018-0981

SCHEDULE B



DIRECT CONTROL DISTRICT

Purpose

1 This Direct Control District is intended to:

- (a) provide for a limited range of commercial **uses** as **discretionary uses** within an existing **building**.

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.

PROPOSED

AMENDMENT 258D2018 BYLAW NUMBER LOC2018-0096/CPC2018-0981

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 Multi-Residential – Contextual Medium Profile (M-C2) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

- 5 (1) The **discretionary uses** of the Multi-Residential – Contextual Medium Profile (M-C2) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District.
- (2) The following **uses** are **discretionary uses** in this Direct Control District if they are located within the existing **building** on the **parcel** at the time of the effective date of this Bylaw:
- (a) **Artist's Studio;**
 - (b) **Counselling Service;**
 - (c) **Medical Clinic;**
 - (d) **Office; and**
 - (e) **Service Organization.**

Bylaw 1P2007 District Rules

- 6 Unless otherwise specified, the rules of the Multi-Residential – Contextual Medium Profile (M-C2) District of Bylaw 1P2007 apply in this Direct Control District.

Signage

- 7 A maximum of one **Sign – Class A** per **building**, with a maximum **sign area** of 1.0 square metres is allowed.

**Policy Amendment, Road Closure and Land Use Amendment in Richmond
(Ward 8) at 2232, 2236, and 2240 - 33 Avenue SW, LOC2017-0391**

EXECUTIVE SUMMARY

This land use amendment application was submitted 2017 December 15 by CivicWorks Planning + Design on behalf of Gateway 33 Ltd. This amendment application proposes to redesignate the subject site from the Multi-Residential – Contextual Low Profile (M-C1) District to a DC Direct Control District. The application includes a minor text amendment to the *Marda Loop Area Redevelopment Plan* (ARP) to allow for greater building height, as well as a Road Closure for a portion of the road right-of-way adjacent to 2232 - 33 Avenue SW.

The proposed DC Direct Control District is based on the Mixed Use – Active Frontage (MU-2) District, with the additional permitted uses of Permitted Development and Specialty Beer and Wine Merchant.

The proposed Permitted Development includes simplified development plans (Schedule C of the DC district in Attachment 6) which provides a ‘tied-to-plans’ mechanism to allow for:

1. higher density (a floor area ratio (FAR) of 4.0 instead of 2.5); and
2. greater height (22.0 metres instead of 16.0 metres).

The proposed Specialty Beer and Wine Merchant use is included to allow for a niche retail experience at courtyard level with reduced street presence relative to the standard liquor store use. The proposed Direct Control District removes the standard liquor store use from the discretionary uses available on the subject site.

Administration recommends approval of this application as it enables a unique and architecturally innovative development at a high-profile gateway site at the link between Marda Loop and Garrison Woods. Ultimately, the proposed form of development represents a big design move intended to create a new public space in the form of a grand staircase and courtyard, add a range of different commercial space opportunities to an existing business district, and create additional housing in proximity to the primary transit network, Mount-Royal University, and Currie Barracks.

The proposed DC permitted use approach would allow for a proposal that conforms with the simplified development plans included in Schedule C of the DC to proceed as a permitted use. This mitigates the risk that equivalent height and/or density would be contemplated beyond the scope of this specific high quality design and provides greater certainty with respect to achieving a prominent, high quality form of development.

This land use amendment and road closure application is accompanied by a concurrent development permit application (DP2018-0091) submitted 2018 January 09. An overview of the development permit plans, which align with the simplified development plans included in Schedule of the proposed DC Direct Control District, is available in Attachment 6.

Policy Amendment, Road Closure and Land Use Amendment in Richmond (Ward 8) at 2232, 2236, and 2240 - 33 Avenue SW, LOC2017-0391

ADMINISTRATION RECOMMENDATION:

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

1. ADOPT by bylaw the proposed amendments to the Marda Loop Area Redevelopment Plan (Attachment 5); and
2. Give three readings to the proposed bylaw.
3. ADOPT, by bylaw, the proposed closure of 0.003 hectares \pm (0.008 acres \pm) of road (Plan 7710312) adjacent to 2232 - 33 Avenue SW, with conditions (Attachment 2); and
4. Give three readings to the proposed closure bylaw.
5. ADOPT, by bylaw, the proposed redesignation of 0.18 hectares \pm (0.43 acres \pm) located at 2232, 2236, and 2240 - 33 Avenue SW (Plan 4479P, Block 56, Lots 15 to 20; Plan 7710312) from Multi-Residential – Contextual Low Profile (M-C1) District and Undesignated Road Right-of-Way to DC Direct Control District based on the Mixed Use – Active Frontage (MU-2) District to accommodate opportunities for mixed-use multi-residential development with commercial uses with Guidelines (Attachment 6); and
6. Give three readings to the proposed bylaw.

RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, DATED 2018 AUGUST 23:

That Council:

1. **Hold a public hearing during a 2018 October Public Hearing of Council;**
2. **Adopt, by Bylaw, the proposed amendments to the Marda Loop Area Redevelopment Plan;**
3. Give three readings to the proposed **74P2018Bylaw**;
4. **Adopt, by Bylaw, the proposed closure of 0.003 hectares \pm (0.008 acres \pm) of road (Plan 7710312) adjacent to 2232 - 33 Avenue SW, with conditions;**
5. Give three readings to the proposed closure **Bylaw 10C2018**.
6. **Adopt, by Bylaw, the proposed redesignation of 0.18 hectares \pm (0.43 acres \pm) located at 2232, 2236, and 2240 - 33 Avenue SW (Plan 4479P, Block 56, Lots 15 to 20; Plan 7710312) from Multi-Residential – Contextual Low Profile (M-C1) District and Undesignated Road Right-of-Way to DC Direct Control District based on the Mixed Use – Active Frontage (MU-2) District to accommodate opportunities for mixed-use multi-residential development with commercial uses with Guidelines; and**
7. Give three readings to the proposed **Bylaw 257D2018**.

**Planning & Development Report to
Calgary Planning Commission
2018 August 23**

**ISC: UNRESTRICTED
CPC2018-0812
Page 3 of 16**

Policy Amendment, Road Closure and Land Use Amendment in Richmond (Ward 8) at 2232, 2236, and 2240 - 33 Avenue SW, LOC2017-0391

Excerpt from the Minutes of the Regular Meeting of the Calgary Planning Commission, held 2018 August 23:

“And further, that the commentary provided by Commissioner Palmiere, Commissioner Friesen and Commissioner Juan with respect to Report CPC2018-0812 be attached to the Report prior to being forwarded to Council.”

PREVIOUS COUNCIL DIRECTION / POLICY

None.

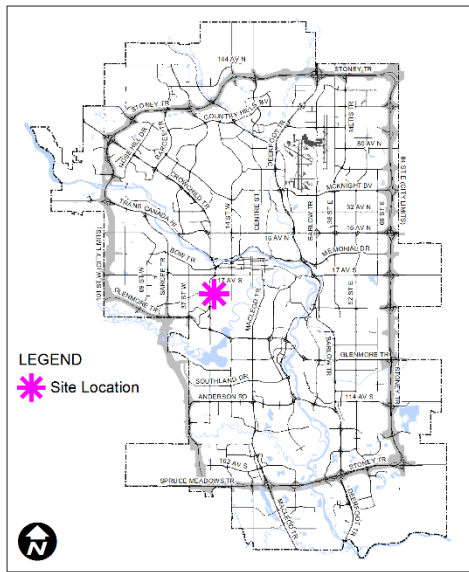
BACKGROUND

This land use amendment application has been submitted to The City of Calgary by CivicWorks Planning + Design, on behalf of Gateway 33 Ltd. on 2017 December 15. As identified above, a concurrent development permit application has been submitted by 4568796 architecture and CivicWorks Planning + Design on behalf of Gateway 33 Ltd. on 2018 January 09 (Attachment 7). The applicant's rationale for the proposal is included in Attachment 1.

The subject site is located in the Richmond community and is within the boundaries of the *Marda Loop Area Redevelopment Plan*, which was adopted by Council in 2014.

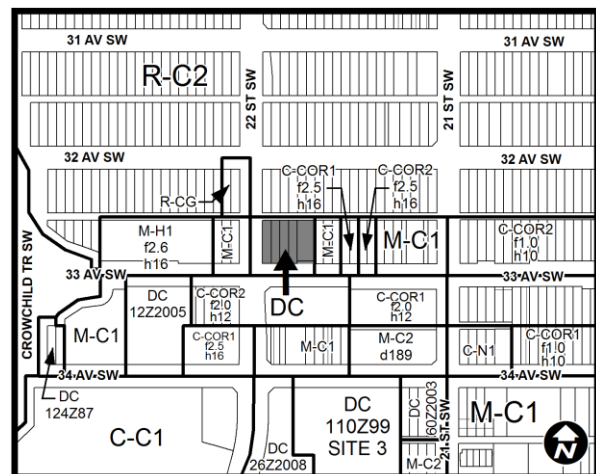
Policy Amendment, Road Closure and Land Use Amendment in Richmond (Ward 8) at 2232, 2236, and 2240 - 33 Avenue SW, LOC2017-0391

Location Maps



Road Closure Map

Proposed Land Use Map



Policy Amendment, Road Closure and Land Use Amendment in Richmond (Ward 8) at 2232, 2236, and 2240 - 33 Avenue SW, LOC2017-0391

Site Context

The subject site is located at the northeast corner of 22 Street SW and 33 Avenue SW.

To the north, across a 6.1 metre alley, are predominantly recent single and semi-detached dwellings that sit on lots that gradually slope upwards from the alley. These lots are under consideration for City-initiated redesignation to allow for a greater range of ground-oriented housing forms through the Main Streets program underway in Marda Loop.

To the west, across 22 Street SW is a three storey apartment building built in 1961 and an under-construction multi-residential development named ML33. To the south, across 33 Avenue SW is a Petro-Canada gas bar. To the east, immediately adjacent to the subject site, is a three storey apartment building built in 1973.

The subject site contains two single-detached homes built in 1949 and 1953 respectively, and a four-unit multi-residential development built in 1976, as well as associated garages and landscaping. The current land use designation is Multi-Residential Contextual Low Profile (M-C1) district. The *Marda Loop ARP* calls for mixed-use development in this area, which is not accommodated by the existing Multi-Residential – Contextual Low Profile (M-C1) District, therefore this land use amendment complies with the overall intent of the local area plan.

Recent applications in Marda Loop have included a five storey residential development on 33 Avenue just east of Crowchild Trail SW ('ML33'), a six storey retail/multi-residential ('Marda') development at 34 Avenue SW and 20 Street SW, a four storey multi-residential development at 33 Avenue SW and 15 Street SW.

Although a significant number of new single and semi-detached dwellings have been constructed nearby, the population of Richmond remains nearly six percent below its 1968 peak, as identified in *Figure 1* below.

Figure 1: Community Peak Population

Richmond	
Peak Population Year	1968
Peak Population	5,080
2017 Current Population	4,781
Difference in Population (Number)	-299
Difference in Population (Percent)	-5.9%

Source: *The City of Calgary 2017 Civic Census*

Additional demographic and socio-economic information may be obtained online through the [Richmond](#) community profile.

Policy Amendment, Road Closure and Land Use Amendment in Richmond (Ward 8) at 2232, 2236, and 2240 - 33 Avenue SW, LOC2017-0391

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Planning Considerations

Road Closure

The proposed road closure of a small portion of surplus road right-of-way on 33 Avenue SW adjacent to 2232 – 33 Avenue SW harmonizes the eastern third of the subject site with the remaining western two thirds. Taken together with the proposed land use redesignation and concurrent development permit application, adequate space remains post-closure to provide an appropriate public realm along the north side of 33 Avenue SW across the subject site. The proposal, including the road closure, been reviewed by the Marda Loop Streetscape Master Plan design team and found acceptable.

Land Use

The proposed land use amendment would redesignate the subject site from Multi-Residential – Contextual Low Profile (M-C1) District and undesignated surplus road right-of-way to a DC Direct Control District based on MU-2 with a floor area ratio of 2.5 and maximum height of 16.0 metres. The proposed land use district is a Direct Control District that is based on the Mixed Use – Active Frontage (MU-2) District which also includes two additional uses described below. Where a permitted use multi-residential development is proposed in conformance with plans attached as Schedule C to the proposed DC district, the floor area ratio may be increased to 22.0 metres.

Permitted Development

Permitted Development is included as a defined use in the proposed DC Direct Control District in order to allow for reference to a set of development plans (included in the proposed DC Direct Control District as Schedule C). A development permit application in alignment with Schedule C would be allowed up to 4.0 FAR and a building height of 22.0 metres (approximately six storeys), whereas any other development permit applications would be limited to 2.5 FAR and 16.0 metres (approximately four storeys). The purpose of the simplified development plans is to identify the scope of development that provides certainty for the configuration of uses, density, and height within the building form.

A concurrent development permit application (DP2018-0091) has been reviewed in conjunction with this land use application and informs the simplified development plans proposed as Schedule C of the proposed DC Direct Control District. This reflects the substantial commitment to a creative design that would enhance the public realm in Marda Loop, while ensuring certainty for all stakeholders and allowing for a specific outcome that utilizes the concurrent application process.

Administration is supportive of the Permitted Development approach as it provides an incentive for the applicant to commit to excellence in urban design, offers certainty to the community in

Policy Amendment, Road Closure and Land Use Amendment in Richmond (Ward 8) at 2232, 2236, and 2240 - 33 Avenue SW, LOC2017-0391

terms of design and end result, and affords Administration the ability to more meaningfully connect the land use and development permit processes and their outcomes.

Specialty Beer and Wine Merchant

The proposed Specialty Beer and Wine Merchant will occupy a commercial-retail unit (CRU) at second storey courtyard level and provide an experience and range of products distinct from the standard liquor store use as defined in *Land Use Bylaw 1P2007*. The proposed DC Direct Control District removes the standard liquor store use from the permitted and discretionary uses available on the subject site. Note that a standard liquor store would not be approved in this location due to proximity to other liquor stores on 33 Avenue SW and 22 Street SW.

Administration supports this use as it has the potential to contribute positively to the small-scale retail experience envisaged in the *Marda Loop ARP* and by the Marda Loop BIA, and also the potential to serve as a generator of walking and activity in the upper level courtyard while avoiding the negative impacts associated with the standard liquor store use at street level. This approach has been used successfully in the 'Lido' development in Kensington.

In particular, due to the unique courtyard design of this building, the proposed Specialty Beer and Wine Merchant use has the potential to be a positive element that contributes to the overall success of the development and its publicly-accessible private open space, while avoiding some of the downside risks associated with proliferation of more conventional street-oriented liquor stores.

Development and Site Design

The proposed form of development (set out in plans attached as a schedule to the proposed DC District) is a six storey mixed-use development with 1,530 square metres of commercial space (retail, restaurant) at street (and alley) and second floor courtyard levels, seven live-work units at courtyard level, and 56 apartment homes on the third through sixth levels, as well as 87 vehicle parking stalls (including 10 residential visitor stalls and 12 commercial stalls).

The concurrent development permit application (DP2018-0091) was reviewed by the City's Urban Design Review Panel (UDRP) prior to official submission and prior to the first Detailed Team Review. Administration's City Wide Urban Design team also provided comment on the application. In addition, the project's design received an honorable mention at the 2017 Mayor's Urban Design Awards.

These reviews were supportive and informed the proposed form of development relative to courtyard design and programming, streetscape and arcade design along 33 Avenue and 22 Street SW, as well as ground level setback and upper level step backs from the alley to the north. In particular, the UDRP:

- cited the project as an important precedent for Marda Loop;
- did not deem additional shadowing to the north from the proposed height to dramatically adversely affect the adjacent property;

Policy Amendment, Road Closure and Land Use Amendment in Richmond (Ward 8) at 2232, 2236, and 2240 - 33 Avenue SW, LOC2017-0391

- supported the inclusion of micro-retail along the alley to the north;
- highlighted the potential for creating an extension of the public realm; and
- noted that careful curation of the retail spaces at courtyard level would be required.

Transportation Networks

A Transportation Impact Assessment found that the proposed development was well-situated in terms of walking, cycling, and transit infrastructure and service and would add approximately 66 peak hour vehicle trips and not have a significant impact on the surrounding transportation network.

- **Walking and cycling:** The site's Walk Score (a quantitative measure of proximity to services and amenities) is 82 ("very walkable"), with schools, a commercial corridor, and parks within walking distance. A City-led Streetscape Master Plan aimed at improving comfort and safety for people walking on 33 Avenue SW in Marda Loop is underway.
- **Transit:** The site is within a five minute walk of the number 7 and 107 (limited stop) bus routes that connect South Calgary with the downtown core and within a five minute walk of the 33 Avenue SW station for the future Southwest Bus Rapid Transit service that will link Marda Loop with the downtown core as well as Currie Barracks, Mount-Royal University, and the Rockyview General Hospital. Both of these services (on Crowchild Trail SW and 33 Avenue SW) are part of the Primary Transit Network identified in the Calgary Transportation Plan, which calls for better than 15 minute frequencies, 15 hours per day.
- **Vehicle access:** Vehicle access is proposed from the alley to the north of 33 Avenue SW. An existing concrete curb extension and barrier that prevents northbound vehicle travel on 22 Street SW north of 33 Avenue SW is currently being relocated to the north side of the alley in conjunction with a nearby multi-residential development and will reduce spillover traffic from this development further north into the Richmond neighbourhood. The proposed development is anticipated to add approximately 66 new peak hour trips to the local network.
- **Parking:** The proposed form of development includes 65 resident stalls, 10 residential visitor stalls and 12 commercial stalls and 42 secure bicycle stalls (class one) and complies with the requirements of the Mixed Use – Active Frontage (MU-2) land use district that is the base of the proposed DC Direct Control land use district. On-street parking adjacent to the site is currently unrestricted, though portions of 33 Avenue SW do have time limits. Marda Loop is not currently a Residential Parking Permit Zone. Through the Streetscape Master Plan process, a parking study is underway which may include

Policy Amendment, Road Closure and Land Use Amendment in Richmond (Ward 8) at 2232, 2236, and 2240 - 33 Avenue SW, LOC2017-0391

recommendations for improving the management of parking across Marda Loop.

Utilities and Servicing

Water, sanitary and storm sewer mains are available and can accommodate the potential redevelopment of the subject site without the need for off-site improvements at this time. Individual servicing connections as well as appropriate stormwater management have been considered and reviewed through the concurrent development permit process as part of DP2018-0091 and found to be satisfactory.

A phase II environmental site assessment submitted by the applicant was reviewed by Administration and deemed acceptable. The applicant has provided an appropriate risk management plan in response to the recommendations made in the environmental site assessment.

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 was advertised online.

Further and more comprehensive engagement on these concurrent land use amendment, road closure, and development permit applications was led by the applicant and included detailed and large-format on-site signage, a dedicated project website and email address (launched in August 2017), three separate postcard maildrops to over 2,000 residents and local businesses, a digital newsletter, content published in community newsletters, presence at the 2017 Marda Gras street festival (2017 August 13), an open house/barbecue hosted by the applicant (and attended by Administration) at the Richmond Knob Hill Community Association (2017 September 22) and two separate stakeholder meetings attended by Administration as well as representatives of the Richmond Knob Hill Community Association, Marda Loop Community Association, and Marda Loop Business Improvement Area (2018 January 24 and 2018 May 17). A more detailed applicant-provided engagement overview is available in Attachment 4.

The last stakeholder meeting (2018 May 17) was also attended by Administration and focused on the Permitted Development mechanism and the proposed DC Direct Control District and afforded the two community associations and the business improvement association the opportunity to ask questions and provide feedback on that aspect of the project.

Key themes that emerged from engagement included the following items:

- Building height: Some participants expressed concern regarding the height of the proposed form of development and the departure from the *Marda Loop ARP*. Administration requested and reviewed shadow analysis to assess the magnitude of impact of changed shadow-casting on private land (the proposal does

Policy Amendment, Road Closure and Land Use Amendment in Richmond (Ward 8) at 2232, 2236, and 2240 - 33 Avenue SW, LOC2017-0391

not cast shadows on any public spaces) and considered the gateway location, rear façade step-backs, and the design of balconies, glazing, and screening on all façades. Front façade step-backs and the ratio of building height to street width was also considered both by Administration and the Urban Design Review Panel.

- **Density:** Some participants expressed concern regarding the impacts of increased density on the Marda Loop area more broadly. Administration has noted that the site falls within a Neighbourhood Main Street identified by the MDP and in close proximity to the Primary Transit Network and that density in this location may help provide additional local support for businesses in the Marda Loop BIA.
- **Vehicle traffic and loading:** Some participants expressed concern regarding the potential for increased traffic volumes and congestion as a result of the development. A TIA found that approximately 80 additional vehicle trips would be generated by the proposed development. In particular, the TIA recommended supporting the relocation of the northbound diverter on 22 Street SW to the north side of the alley, implementing two hour time limits on street parking adjacent to the site on 22 Street and 33 Avenue SW, and creating a 20 metre no stopping zone on westbound 33 Avenue SW in front of the site in order to mitigate the impact of vehicle queueing for southbound left turns at the intersection with 22 Street SW.
- **Design and architecture:** Participants expressed a wide range of views regarding the design and architecture of the proposed development and identified concerns regarding shadows and privacy which helped to inform Administration's review of the application particularly with respect to glazing, balconies, and screening on the north (rear) façade. Setback from the alley to the north, upper-storey stepbacks, and detailed placement of screening and glazing were adjusted in order to reduce shadow and privacy impacts.
- **Public realm:** Participants also expressed a range of views regarding the proposed publicly-accessible grand staircase and courtyard, with some enthusiastic for the addition of features to the public realm and others concerned about safety and long-term operations of the courtyard space in particular. Administration was able to address these concerns through detailed design review (including commentary from the Urban Design Review Panel), an appropriate mix of uses and interfaces between

Policy Amendment, Road Closure and Land Use Amendment in Richmond (Ward 8) at 2232, 2236, and 2240 - 33 Avenue SW, LOC2017-0391

commercial space and the courtyard, and a strategy to ensure appropriate and distinct legal conditions for the grand staircase and courtyard will be in place to allow for sustainable operations, maintenance, and security.

Comments from the Richmond Knob Hill Community Association, the Marda Loop Communities Association, and the Marda Loop Business Improvement Association are included in Attachment 3. The Richmond Knob Hill Community Association and Marda Loop Communities Association are not supportive of the application, while the Marda Loop Business Improvement Association is supportive.

The Richmond Knob Hill Community Association (RKHCA) objected to the departure from the *Marda Loop ARP*, the height and density of the proposed development, challenges related to vehicle access from 22 Street SW, and the lack of a more generous setback from 33 Avenue SW, while supporting the proposed mix of uses.

The Marda Loop Communities Association (MLCA) recognized the effort invested in engagement, as well as an innovative and high quality design at a gateway location. Correspondence from the MLCA also expressed concerns regarding the departure from the *Marda Loop ARP* and reservations around establishing a six storey height precedent.

The Marda Loop Business Improvement Association (MLBIA) was supportive, highlighting the unique commercial and public space opportunities offered by the proposed form of development, welcoming the additional residential units, and approving of the interface between the building and the sidewalk.

Following Calgary Planning Commission, notifications for 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 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 and proposes an increase in development intensity on this site within an adequately serviced and appropriately planned urban mixed use neighbourhood main street.

Municipal Development Plan (Statutory – 2009)

The subject site is located within the "Neighbourhood Main Street" area as identified on Map 1 of the *Municipal Development Plan (MDP)*.

Policy Amendment, Road Closure and Land Use Amendment in Richmond (Ward 8) at 2232, 2236, and 2240 - 33 Avenue SW, LOC2017-0391

The proposed land use amendment enables development in alignment with the following MDP policies:

- 2.1.1a, b, c relating to housing choice and community diversity, overall housing affordability (supply), and housing choice in relation to the primary transit network.
- 2.1.4a and d relating to optimal use of existing infrastructure.
- 2.2.1a and c relating to directing a greater share of growth and medium/higher density housing forms into identified corridor/Main Street areas.
- 2.2.2a and b relating to transit-supportive density and use.
- 2.2.4 relating to complete communities.
- 2.2.5b and c relating to housing choice and higher densities in proximity to primary transit.
- 2.3.1a relating to housing diversity and choice.
- 3.4.2e relating to encouragement of a mix of apartments, mixed-use developments and ground oriented housing.

Marda Loop Area Redevelopment Plan (Statutory – 2014)

This section identifies where the proposed land use amendment and road closure aligns with or departs from the guiding principles and specific policy sections of the *Marda Loop Area Redevelopment Plan* (ARP). In general, the proposal meets the intent of the ARP, however there are a small number of departures, one of which will require a minor text amendment to allow greater building height.

The proposed development aligns well with the ARP's guiding principles (section 2.0):

- **Community character:** the proposed form of development includes an architecturally distinctive southwest corner and publicly accessible grand staircase and courtyard, which have the potential to promote sense of place. The proposed form of development appropriately minimizes shadowing by pulling the massing away from the alley from the fifth storey upwards, and provide screening to reduce overlook across the alley.
- **Livability:** the proposed form of development encourages activity and provides for natural surveillance of the sidewalks, grand staircase, courtyard, and alley.
- **Mixed-Use:** the proposed land use amendment and form of development provide for a mix of compatible land uses.
- **Walkability:** the proposed form of development includes an arcade feature and publicly-accessible staircase that will add to the public realm along 33 Avenue SW, lines sidewalks, alley, and courtyard with active land uses, and makes use of the alley for vehicle access.

Policy Amendment, Road Closure and Land Use Amendment in Richmond (Ward 8) at 2232, 2236, and 2240 - 33 Avenue SW, LOC2017-0391

- Streetscape design: the applicant has worked closely with Urban Strategy to ensure that streetscape design along 22 Street SW and 33 Avenue SW are compatible with the priorities and principles identified through the streetscape master plan design work that is underway.
- Street frontage: the proposed land use amendment and form of development create a continuous street wall and provide for doors and windows to establish a human-scale rhythm at street level.

The following comments identify where the proposed land use amendment and road closure aligns with or departs from specific policy sections of the *Marda Loop ARP*. Where a section or policy is not listed, it is deemed not applicable to this site or proposal.

- Section 3: The proposed land use amendment does not specifically require larger unit sizes and this site does not lend itself to ground-oriented housing and thus does not align with this policy.

The proposed land use amendment and form of development meet the objective of encouraging a mix of active and pedestrian-friendly ground-floor retail (including small-scale spaces) and a mix of upper floor land uses for all development projects.

- Section 4.1.1: The proposed form of development provides an improved public realm street edge along 22 Street SW and 33 Avenue SW as well as the alley to the north. The proposed form of development does depart from the minimum building setback set out in the ARP but uses an arcade and the provision of a publicly-accessible grand staircase and courtyard to achieve the objectives of these policies.

The proposed land use amendment and form of development minimize disruptions to the pedestrian network and provide for vehicle access from the alley to the north. The applicant has worked closely with the Urban Strategy Department to ensure that the 22 Street SW and 33 Avenue SW frontages are compatible with the priorities and principles identified through the streetscape master plan design work.

The proposed form of development includes a grand staircase and courtyard that will be publicly-accessible and provide for social interaction, solar access, and passive recreation and (together with the architecturally distinctive southwest corner of the building) create a sense of arrival from the west into Marda Loop. Although the proposed form of development provides opportunities for public art within the courtyard space, it does not align with the objective to integrate these into the larger streetscape, nor does it explicitly incorporate any local history interpretive elements.

Policy Amendment, Road Closure and Land Use Amendment in Richmond (Ward 8) at 2232, 2236, and 2240 - 33 Avenue SW, LOC2017-0391

- Section 4.1.3: The proposed land use amendment reinforces the direction in this section of the *Marda Loop ARP* and the proposed form of development aligns with the objectives of managing and designing parking to encourage and support walking, cycling, and transit use and reduce the impact of vehicle access on 33 Avenue SW.
- Section 4.1.4: The proposed land use amendment reinforces the direction in this section of the *Marda Loop ARP* and the proposed form of development aligns with the objectives of integrating building, public realm, and landscape.
- Section 4.2: The proposed form of development includes well-articulated frontages, an arcade feature, and step-backs at levels five and six. A 3.6 metre setback from the alley provides a total of 9.7 metres of separation from the properties to the north. Although this is 1.4 metres less than the ARP requirement which would add up to a total of 11.1 metres, it supports the inclusion of micro-retail and live-work units along the alley.

The proposed form of development aligns well with the *Marda Loop ARP*'s objectives regarding building character, corner conditions, and entry/access.

A minor amendment to the *Marda Loop ARP* to allow greater building height at the northeast corner of 22 Street SW and 33 Avenue SW is required in order to allow this application to proceed. The text of the proposed amendment is included in Attachment 5.

Social, Environmental, Economic (External)

Development enabled by this application has the potential to allow more Calgarians the freedom to choose to live, work, and meet their day-to-day needs in a location well served by existing infrastructure close to services and transit. Increased development of the subject site has the potential to allow for population and employment growth with comparatively lower vehicle use relative to other sites elsewhere in Calgary and support the economic health of the Marda Loop business area.

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

Policy Amendment, Road Closure and Land Use Amendment in Richmond (Ward 8) at 2232, 2236, and 2240 - 33 Avenue SW, LOC2017-0391

Risk Assessment

The intent of this land use approach is to allow for a specific development outcome on this property as contained in Schedule C of the proposed DC Direct Control District. If significant building design changes occur between Council's potential approval of this land use amendment and a future building permit application, it would render the concurrent development permit to be non-compliant with this DC Direct Control District.

Historically, land use amendment applications that were "tied to plans" provided little to no flexibility with respect development outcomes. However, with this land use proposal, if the contemplated development is not realised in the future, the proposed DC Direct Control District is designed to also allow for all of the other uses allowed under the proposed base Mixed Use – Active Frontage (M-U2) District, but with reduced floor area ratio and height modifiers.

REASON(S) FOR RECOMMENDATION(S):

Administration recommends approval of this application as it enables a unique and architecturally innovative development at a high-profile gateway site at the link between Marda Loop and Garrison Woods. Ultimately the proposed form of development represents a big design move intended to create a new public space in the form of a grand staircase and courtyard, add a range of different commercial space opportunities to a thriving business district, and create housing in proximity to the primary transit network, Mount-Royal University, and Currie Barracks.

The proposed DC permitted use approach would allow for a proposal that conforms with the simplified development plans included in Schedule C of the DC to proceed as a permitted use. This mitigates the risk that equivalent height and/or density would be contemplated beyond the scope of this specific high quality design and provides greater certainty with respect to achieving a prominent, high quality form of development.

Development following from this application has the potential to allow more Calgarians the freedom to choose to live, work, and meet their day-to-day needs in a location well served by existing infrastructure, services, and employment.

Planning & Development Report to
Calgary Planning Commission
2018 August 23

ISC: UNRESTRICTED
CPC2018-0812
Page 16 of 16

Policy Amendment, Road Closure and Land Use Amendment in Richmond (Ward 8) at 2232, 2236, and 2240 - 33 Avenue SW, LOC2017-0391

ATTACHMENT(S)

1. Applicant Submission
2. Proposed Road Closure Conditions
3. Letters from the Richmond Knob Hill Community Association, Marda Loop Communities Association, and the Marda Loop Business Improvement Association
4. Vision Brief 5.0
5. Proposed Amendments to the Marda Loop Area Redevelopment Plan
6. Proposed Direct Control Guidelines
7. Development Permit (DP2018-0091) Summary
8. **Proposed Bylaw 74P2018**
9. **Proposed Bylaw 10C2018**
10. **Proposed Bylaw 257D2018**
11. **CPC Member Commentary**
12. **Public Submissions**

Applicant Submission



Suite 460, 5119 Elbow Drive SW
Calgary, Alberta T2V 1H2

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APPLICANT SUBMISSION STATEMENT (Updated June 26, 2018)

RE: Land Use Redesignation - **FROM** Multi-Residential – Contextual Low Profile (M-C1) District **TO** Direct Control (DC) District based on the Mixed Use – Active Frontage (MU-2) District, with the additional Permitted Uses of Multi-Residential Development and Specialty Beer and Wine Merchant.

Marda Loop's Main Street, 33 Avenue SW, is an MDP-identified Neighbourhood Main Street described as: active corridors that attract Calgarians to socialize, work, live, and shop, and that are also well-suited for long-term growth and intensification. The assembled lands (2240, 2236, 2232 - 33 AVE SW) are located at the primary gateway to this Main Street, and are uniquely positioned to take advantage of the locational attributes of this eclectic and evolving inner-city mixed-use corridor. Benefits of the site's location include a pedestrian friendly public realm, varied mix of local amenities, proximity to Downtown, and easy access to transit thanks to the site's location along Calgary's Primary Transit Network, and a future Bus Rapid Transit service within short walking distance.

Careful analysis and consideration has led to a development proposal that will meet and exceed the vision and intent of the Marda Loop Area Redevelopment Plan (MLARP). This is inclusive of the MLARP's guiding principles of: Community Character, Livability, Mixed-Use, Walkability, Streetscape Design, and Street Fronting Buildings. Generally described, the proposal by RNDSQL will bring a mix of sixty-three (63) new dwelling units, a shared outdoor space open to the public, and over 16,000 square feet of retail to the neighbourhood. While we acknowledge an MLARP amendment to the maximum allowable building height (from 16m to 22m) is required, Courtyard 33 represents our professional best-practice solution to balancing intensification objectives with sensitive transitions to adjacent residential development. The proposed 6-storey mid-rise built form demonstrates minimal net urban design impacts to neighbouring properties and is contextually appropriate in scale for a developing Main Street.

Due to its strategic gateway location, the site has the opportunity to become a high-profile community asset and compels exceptional architecture and urban design consideration. What gets developed on this corner will need to set a strong standard of design excellence for the continued evolution and success of this key corridor. Acknowledging this opportunity—and in response to expressed stakeholder interest in the certainty of a high quality outcome, we have amended the application to reflect a proposed land use change to a Direct Control District. This gives greater certainty with respect to the ultimate built form and ensures our high quality development vision—the one which was honoured with a 2017 Mayor's Urban Design Award—is the one that actually gets built.

The RNDSQL project team is committed to being good neighbours and engaging with the communities where we build. The Courtyard 33 engagement process was designed to provide multiple opportunities for stakeholders to learn about the vision for the site early on and to share their thoughts—all with the intent of maintaining a respectful and transparent conversation. The Vision Brief—the most fulsome reflection of the Courtyard 33 vision—includes a full summary of our engagement process from pre-application back in July of 2017 through to May 2018.



CIVICWORKS.CA

Applicant Submission



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08 December 2017

APPLICANT ROAD CLOSURE SUPPORT STATEMENT

2240, 2236, 2232 33 Avenue SW

Land Use Redesignation, New Road Plan, and Road Closure

FROM Multi-Residential – Contextual Low Profile (M-C1) District **TO** Mixed Use-Active Frontage with a floor area ratio modifier of 4.0 and building height modifier of 22.0 (MU-2f.40h22.0) affecting properties within the Calgary community of Richmond Knob Hill at:

Plan 10013238, Block 56, Lots 16 and 15 (2232 33 Avenue SW)

The proposed Road Closure is for a 1976 Road Widening Plan, deemed surplus, located on the north boundary of the 33 Avenue SW road right-of-way, immediately adjacent to the southern boundary shared with 2232 33 Avenue SW. The Road Widening Plan is isolated along 33 Avenue SW, and no subsequent widenings have been taken. The proposed Road Closure is 15.2 meters in width and 2.1 meters in length, and is a total area of +/-30 square meters in size.

The Land Use Redesignation Application subject property is comprised of three (3) contiguous parcels approximately 0.174 hectares in total size (inclusive of the proposed Road Closure area). Currently the portion of the Subject Property that represents the Road Closure area is utilized as a grassed front lawn area, located north of the 33 Avenue SW road right-of-way.

It is the Applicant's understanding, through pre-application dialogue with both City Transportation and Corporate Properties, that the widening is not required to grow the right-of-way of 33 Avenue SW in the future and the lands have already been deemed surplus. Given this, the Applicant is of the opinion that a Road Closure is appropriate, and seeks to close the road with the purpose of it being privately acquired and incorporated into the Subject Property for PE2017-00986.



CIVICWORKS.CA

Applicant Submission

COURTYARD 33

March 21, 2018

OVERVIEW

Municipal Address

2240, 2236, 2232 - 33 Avenue SW

Developer

RNDSQR

Community

Richmond Knob Hill

Applications

(LOC2017-0391/DP2018-0091)

From Multi-Residential - Contextual Low Profile (M-C1)

To Direct Control District based on Mixed Use-Active Frontage (MU-2 f.40/h22) District.



DIRECT CONTROL APPLICANT RATIONALE

Genuine Concurrent Applications

Concurrent Land Use and Development Permit applications have become a prominent topic in the arena of Developed Area's change. A variety of stakeholders, including Council, have considered the concurrent stream to be an extra layer of protection when evaluating land use, giving greater certainty to the overall development outcome. Stakeholders would like to see developers 'walk the talk' and deliver on projects that reflect their land use 'ask'. With recent precedents, however, themes of process, alignment, and timing have arisen, blurring understanding of its original intent and prompting the question 'what constitutes a concurrent process?'. Courtyard 33's proposed Direct Control (DC) District addresses this confusion with a next generation 'tied-to-plans' approach. It offers genuine certainty at all stages of decision making whereby the Development Permit is permitted if substantially compliant with plans attached to the DC bylaw, and discretionary if a new design is required.

World Class Architecture & Urban Design

The subject site is a very important and strategic location in the community. It functions as the 'Primary Gateway' along Marda Loop's main commercial corridor, 33 Avenue, and as a 'Hinge Site' connecting the commercial node along Garrison Gate. With the opportunity to become a high-profile community asset, the site compels exceptional architecture and urban design consideration. RNDSQR and team are committed to achieving this with a 'tied-to-plans' DC. The Courtyard 33 Development Permit is of outstanding architectural quality incorporating progressive design and special public space provisions. In fact, the design won a 2017 Mayor's Urban Design Award for Conceptual / Theoretical Urban Design Project. In recognition that this development pushes the boundaries of what was originally contemplated in the current ARP, and asks for greater height and FAR, a DC 'tied-to-plans' approach would mitigate the risk that this a precedent that can be achieved without high design merit, as demonstrated by the Courtyard 33 DP. This is an approach that a number of key stakeholders have advocated for, and it is cited in a letter provided by the Marda Loop Business Improvement Area dated February 14, 2018 (see attached). The BIA notes the project is a unique progressive design of high architectural quality that meets the needs of this strategic location, but that ideally the application would be "tied-to-plans to mitigate the risk [...] We would be concerned, for example, if a land use with this height was approved, but the project did not proceed, and another project went ahead without the high quality public contributions and architecture that mark this application."

Flexibility for a Specialized Use

The proposed DC District would also facilitate a specialized neighbourhood-scale specialty beer retailer (The Brewer's Apprentice). This would be the second retail location for Brewer's Apprentice, a Calgary retailer of specialty craft beers on-tap selling mainly specialized 'to go' bottles known as 'growlers' and a very limited selection of specialty alternatives. Secondary to The Brewer's Apprentice's sales focus, the retailer offers in-house beer tastings, and beer education courses hosted by local cicerones, brewers and industry experts.

Applicant Submission

COURTYARD 33

The Brewer's Apprentice does not engage in the sales of standard domestic or macro beers otherwise available in large variety liquor stores. Standard Bylaw use definitions for liquor stores unfortunately do not consider store specialization, which would give Council the discretion required to achieve this modern format. The 300-metre separation distance, which intends to better manage proliferation and clustering issues, inadvertently restricts The Brewer's Apprentice from operating at this location. The rationale for an exception is further bolstered by the fact that the 300-metre separation rule is intended to limit the pedestrian and driver experience of repeatedly viewing liquor stores while traveling along a commercial corridor. The Brewer's Apprentice will be located in Courtyard 33's 2nd storey courtyard space—similar to their East Village laneway/mews location, and away from direct public view. Related concepts have been successfully implemented in Kensington and the aforementioned East Village location, meaning the proposal is not uncharted territory for The City.



The Brewer's Apprentice - Specialty beer retailer



The Brewer's Apprentice East Village Laneway Location

SUMMARY OF KEY RULES AND REGULATIONS

Allow the Development Permit (DP2018-0091) as a permitted use.

A simplified set of DP drawings will be provided and attached to the DC bylaw. The DP will be a permitted use if they are substantially compliant with the plans attached to the DC bylaw.

Allow the defined use of 'Specialized Beer & Wine Merchant' as a permitted use.

The Brewer's Apprentice's retail operations will be a defined use particular to their unique operations model and included as a Permit Use in this Direct Control District.

Proposed Road Closure Conditions

1. All costs associated with the road closure will be borne by the applicant.
2. Protection and/or relocation of any utilities will be at the applicant's expense and to the appropriate standards as per the utility company (e.g. Enmax, Atco Gas, etc) with all appropriate easements provided.
3. If applicable, any utility right-of-ways, easements or access agreements are to be registered concurrent with the closure.
4. That the closed road right-of-way be consolidated with the adjacent lands located at 2232 – 33 Avenue SW.

Letters from the Richmond Knob Hill Community Association, Marda Loop Communities Association, and Marda Loop Business Improvement Association




Tue 8/7/2018 1:36 PM

Doug Roberts <development@richmondknobhill.ca>

[EXT] Updated Community Association (RKHCA) Comments on LOC2017-0391 -- 2232/36/40 33 AV SW (Courtyard33)

To: Bliek, Desmond

Cc: Lauren Makar; Bob van Wegen; Dennis Cant; Dana Hill; Nancy Miller; Nicholas Milliken; Shamir Charania; Chris Harris; President RKHCA

 You replied to this message on 8/7/2018 3:03 PM.

Mr. Bliek

Further to our February 14, 2018 email to you regarding the captioned land use redesignation application (the "Application"), we understand that it is no longer seeking to redesignate the subject parcels from the existing M-C1 land use district to an MU-2 f4.0 h22 land use district, but is now asking instead for a special Direct Control district to be applied to the subject parcels which is based on MU-2 with the following differences:

- 1) the permitted uses are revised to exclude Liquor Store and include the following newly created uses, being:
 - (a) Permitted Development, being a use that conforms with plans attached to the Direct Control bylaw as Schedule "C", which plans are a simplified version of the applicant's development permit plans for a 6-storey mixed-use building; and
 - (b) Specialized Beer & Wine Merchant, being a licensed retailer of beer, wine and related products, for consumption off-premises;
- 2) the discretionary uses are revised to exclude Liquor Store;
- 3) the maximum floor area ratio for a Permitted Development is 4.0, but for all other purposes is 2.5; and
- 4) the maximum building height for a Permitted Development is 22.0m, but for all other purposes is 16.0m. (the "Revised Application").

The Development Committee for the Richmond/Knob Hill Community Association (the "Association") has reviewed the Revised Application and provides the following updated comments at this time.

The Association is generally supportive of the subject parcels being redeveloped as a medium density mixed-use (retail/commercial at grade with residential above) development, as:

- 1) the subject parcels are located within the boundaries of the Marda Loop Business Improvement Area, and the recently approved Marda Loop Area Redevelopment Plan (the "MLARP") contemplates such development on these parcels;
- 2) the subject parcels' current M-C1 land use designation already allows for medium density multi-residential development, and that land use designation has been in place for many years;
- 3) the subject parcels are currently occupied by a trio of older low density dwellings, which the Association does not consider to be an appropriate use for the subject parcels given their location along this busy stretch of 33 Avenue SW and within the Marda Loop Business Improvement Area;
- 4) a medium density mixed-use development in this location would be of benefit to both the Marda Loop Business Improvement Area and Richmond/Knob Hill, as it would add to the mix of shops, add prospective customers, and help to increase the diversity of available housing options in the area by providing dwelling units that are both:
 - (a) more affordable for first-time homebuyers; and
 - (b) more suitable for seniors and other homebuyers looking to downsize,than the 2- and 3-storey single detached and semi-detached dwelling units that comprise the bulk of the redevelopment that has taken place to date in our community.

However, the Association sees a number of issues that must be addressed, some of which relate specifically to the Revised Application and others of which would relate to any medium density mixed-use development on this block face. These issues include the following:

- 1) Direct Control — Section 20 of Land Use Bylaw 1P2007 ("LUB") provides, among other things, that Direct Control Districts:
 - (a) must only be used for the purpose of providing for developments that, due to their unique characteristics, innovative ideas or unusual site constraints, require specific regulation unavailable in other land use districts; and
 - (b) must not be used:
 - (i) in substitution of any other land use district in this Bylaw that could be used to achieve the same result either with or without relaxations of this Bylaw; or
 - (ii) to regulate matters that are regulated by subdivision or development permit approval conditions.The Revised Application is asking for a Direct Control district to be applied in circumstances that do not satisfy the requirements of Section 20 LUB, as there is nothing unique about the proposed development or the site that could not be accommodated within the MU-2 land use district including, if considered appropriate, a relaxation of the 300m separation rule for Liquor Store uses.
- 2) Permitted Use — Liquor Store is not currently included as a permitted use in the MU-2 land use district, so we do not understand why the proposed Direct Control bylaw purports to exclude it as a permitted use. We also do not understand why it would be considered appropriate for either a 6-storey mixed-use building or the sale of beer and wine to be appropriate uses to be designated as permitted uses, rather than as discretionary uses, for the subject parcels, given that:
 - (a) the only type of building that is currently listed as a permitted use under the MU-2 land use district is an Accessory Residential Building (ie. a garage); and
 - (b) alcohol retailing in any form is not currently a permitted use under the MU-2 land use district, or for that matter under any of the LUB's Commercial land use districts.

Letters from the Richmond Knob Hill Community Association, Marda Loop Communities Association, and Marda Loop Business Improvement Association

We would also point out that the proposed Direct Control bylaw doesn't contain any of the restrictions that we would expect to see applied to a "Specialized Beer & Wine Merchant" use, such as a location rule (ie. not on the ground floor) or separation rules (eg. from liquor stores, cannabis stores, schools, etc.). Speaking of separation rules, wouldn't creating a new "Specialized Beer & Wine Merchant" use require that all existing LUB uses that contain separation rules from Liquor Store uses, such as cannabis stores, be amended to require similar minimum distances from this "Specialized Beer & Wine Merchant" use? Finally, it is difficult to foresee how a "Specialized Beer & Wine Merchant" use would particularly benefit from being located off an outdoor amenity space such as a courtyard, given that the beer and wine sold cannot be consumed on-site (except as a special event in a private hospitality area, which presumably does not include a courtyard with public access).

3) Height — At 6 storeys/22m the proposed height limit for a Permitted Development exceeds the 4 storey/16m height limit provided for in the MLARP for this location by 50%/37%, and in the Association's view is excessive for parcels that back onto low density residential developments. Based on the verbatim comments the applicant received at the Community BBQ (being comments 61 to 114 on Page 69 of the applicant's Vision Brief 5.0), half of which expressed concerns about the proposed development's 6 storey/22m height, it is clear that a significant portion of the community feels the same way.

4) Floor Area Ratio (FAR) — The proposed FAR limit of 4.0 exceeds the 2.5 FAR contemplated in the MLARP for this location by 60%, and in the Association's view is excessive for parcels that back onto low density residential developments.

5) Shadowing — Shadow studies prepared by the Association suggest that a 22m high building with the rear setback/stepbacks provided for in Schedule "C" to the Direct Control bylaw will potentially block mid-day sun (ie. when the sun is at its highest point in the sky, and shadow lengths are at a minimum) from reaching the south-facing main floor windows of the homes across the rear lane for approximately 1/3 of the year, from late October to late February, which the Association considers to be excessive.

6) Impact on Area Traffic & Parking — In advance of any further higher density/higher intensity development being approved along this portion of 33 AV SW the Association would like to see a comprehensive transportation plan developed that addresses, among other things:

- (a) vehicle access from 33 Avenue SW;
- (b) traffic calming, including along 21 Street and 22 Street SW;
- (c) parking, including along and to the north of 33 Avenue SW; and
- (d) transit service.

7) Impact on Other Infrastructure — In advance of any further higher density/higher intensity development being approved in this area the Association would like to receive assurances that the water, waste, gas, electricity and stormwater infrastructure in the area has sufficient capacity to handle the additional load of not only this proposed development, but of all development contemplated for this area, or that it will be upgraded in a timely fashion to provide such capacity.

8) Need for Public Realm Improvements/Proposed Road Closure — Any higher density/higher intensity development on this block face will need to be accompanied by significant public realm improvements to be more people-friendly, including to the pedestrian realm along 33 Avenue SW, which is currently quite poor — the City sidewalk is narrow with little "buffer" between pedestrians and the adjacent vehicle traffic, and few public boulevard trees are present. In this regard the Association questions the rationale behind the proposed road closure that accompanies the Revised Application, in which 2.13m of City-owned boulevard across the front of the 2232 parcel is proposed to be consolidated with that parcel. Currently, the City-owned boulevard in front of the 2232 parcel is 5.75m wide, which would allow virtually the entire 6m wide public realm mandated by the MLARP to be accommodated on City-owned land. However, approval of the proposed road closure would only leave 3.62m of City-owned land, making it much less likely that the MLARP's vision for a pedestrian-friendly public realm will be achieved. It would seem to us to make more sense in these circumstances to require the applicant to transfer ownership of the front 2.13m of the 2236 and 2240 parcels to the City, to create a consistent front property line and City-owned public realm that substantially achieves the MLARP's vision.

Thank you.

Doug Roberts
Chair, Development Committee
Richmond/Knob Hill Community Association
403-252-8924
development@richmondknobhill.ca

Letters from the Richmond Knob Hill Community Association, Marda Loop Communities Association, and Marda Loop Business Improvement Association



3130 16 Street SW
Calgary, AB, T2T 4G7

February 6, 2018

Circulation Control
Planning & Development #8201
PO Box 2100 Station M
Calgary, AB, T2P 2M5
Email: CPAG.Circ@calgary.ca

Attn: Desmond Bliek desmond.bliek@calgary.ca

SENT BY EMAIL

Dear Mr. Bliek;

RE: Community Association Feedback for LOC2017-0391 (MU-2f4.0h22.0)

Thank you for allowing us the opportunity to provide comments on this application that reflect the vision of the Marda Loop Communities Association (MLCA). The following comments have been written with extensive consideration towards what is best for our communities and our city.

The applicant has, to the best of our knowledge, advertised this project extensively to the communities and given residents an opportunity to provide feedback through their project website as well as in person at the Marda Gras Festival and a Community Engagement BBQ. To-date, the MLCA has taken part in the following engagement with RNDSQL, CivicWorks, and 5468796 Architecture:

- Community Engagement BBQ on September 22, 2017.
- Meeting with the MLCA, Richmond Knob Hill Community Association, Marda Loop BIA, Madeleine Krizan with the City of Calgary, and Brienne Biblow from Councillor Evan Woolley's Office on January 24, 2018.
- Project email updates from CivicWorks throughout the process.

The MLCA recognizes the amount of effort the applicant has put into a design that is innovative, of high quality, and endeavours to be a landmark feature at the gateway to our communities. We appreciate the design facets that could benefit the communities by way of engaging the public through their courtyard space, the "arcade" feature, and a showcase staircase, as well as attempting to activate the lane way via the micro-retail units.

Marda Loop Communities Association Vision:
An evolving, vibrant, urban community that is engaged, connected, and desirable.

Letters from the Richmond Knob Hill Community Association, Marda Loop Communities Association, and Marda Loop Business Improvement Association

Community Association Feedback for LOC2017-0391
Page 2 of 2

Despite the above efforts, the MLCA has concerns with the misalignment of this proposal with the Marda Loop ARP. The proposed six storey (22 metre) building is a significant departure from the Marda Loop ARP, which identifies the maximum height at this location to be four storeys in 16 metres. As the Marda Loop ARP was created just four years ago it is not evident to the MLCA what has changed so drastically during this time period to warrant consideration of such an increase in height. Many MLCA volunteer hours and a considerable amount of our community members' time went into the development of the Marda Loop ARP. We also anticipate contributing a substantial amount of resources to engagement on the Main Streets Initiative in the coming months. If our communities are to continue to actively participate and provide input into our redevelopment, we feel that disregarding this thoughtfully developed plan discourages future engagement.

With the Main Streets Initiative for 33rd Avenue SW currently underway, and an anticipated timeline of redesignations occurring by mid-2018, it is our opinion that approval of this application would be detrimental to the process. Approval would set the precedent for six story heights along the north side of 33rd Avenue SW without the benefit of the comprehensive review of 33rd Avenue SW and the surrounding streets and avenues that we expect the Main Streets Initiative will provide. The communities should be given the opportunity to take a proactive role in re-envisioning our Main Street rather than view the process as predetermined by a stand-alone application.

Based on the above, the Marda Loop Communities Association does not support this land use redesignation application. To-date the MLCA has not received any feedback from the residents of our communities. If you have any questions regarding these comments, please contact Lauren Makar at your convenience. Thank you in advance for considering these comments when assessing the merits of this application.

Respectfully,



Lauren Makar
Director – Planning & Development
Marda Loop Communities Association
development@mardaloop.com



Doug Fraser
President
Marda Loop Communities Association
president@mardaloop.com

cc: Councillor Evan Woolley, Ward 8 Councillor, evan.woolley@calgary.ca

Marda Loop Communities Association Vision:
An evolving, vibrant, urban community that is engaged, connected, and desirable.

**Letters from the Richmond Knob Hill Community Association, Marda Loop
Communities Association, and Marda Loop Business Improvement Association**



February 14, 2018

**REGARDING: LOC 2017-0391
DP 2018-0091**

CPAG Circulation Controller CPAG.Circ@calgary.ca
File Manager Desmond Bliek Desmond.Bliek@calgary.ca

Development Circulation Controller DP.Circ@calgary.ca
File Manager Madeleine Krizan Madeleine.Krizan@calgary.ca

The Marda Loop Business Improvement Area board is generally supportive of the Courtyard 33 applications.

Importance of the site

This is a very strategic site in Marda Loop. It is both a high-profile western gateway to the Marda Loop business district (a Primary Gateway as defined in the ARP), and a "hinge" site connecting the commercial node along Garrison Gate/22nd Street and the main Marda Loop high street along 33rd Avenue. Our other commercial node is centred at 33rd Avenue and 20th Street; at present, the distance between the two main nodes of the Marda Loop business district is a bit gap-toothed, with mostly low-density residential uses on the north side of 33rd Avenue, and a large gas station on the south side of 33rd directly across from the subject site. Development of a continuous, walkable, commercial streetscape on the western portion of 33rd Avenue is desirable and indicated in the ARP.

In this context, the BIA desires a prominent, high quality development on the subject site that provides that gateway/hinge function, and encourages new development to fill in the commercial gaps along 33rd Avenue. In our view, this application meets that need, and MU-2 land use is reasonable for the location.

Commercial contribution

The building has a strong commercial base with some interesting twists. As a BIA we strive to have variety and retain local, independent businesses. Redevelopment can be a challenge in this regard, sometimes displacing less expensive spaces. In this case, the building adds commercial where there was none, and the micro-retail at the corner of the lane provides unusual, lower-cost space that might draw different retailers and consumers to Marda Loop. The courtyard commercial space is also unusual opportunity. The BIA welcomes interesting spaces for unusual or unique businesses and operators.

Letters from the Richmond Knob Hill Community Association, Marda Loop Communities Association, and Marda Loop Business Improvement Association



Residential contribution

We also support the residential component. More residents in the area helps to keep Marda Loop vibrant, supports local business and institutions, and provides local living alternatives for long-time residents who want to downsize from a house. For the BIA, more residents means more customers, and more people who can walk to shop and to work. The unusual design of the building also adds variety to the housing options available in the area.

Parking

We are pleased that the project meets/exceeds parking requirements, for both residential and commercial. This will reduce pressure on on-street parking in the business district, which is important for short term visitors who arrive by car.

Courtyard and Stairway

The interior courtyard, with a mix of commercial and residential use, is another experiment – in the local context at least. This unusual space, and the broad steps from 33rd Avenue leading to it could make this building a feature of Marda Loop and a destination for and local and visiting shoppers. We can not be certain that this elevated interior space will be successful as public and commercial space, but we acknowledge that it is the developer/owner and the future tenants who are taking the most risk to make it work. The applicant offers a public access easement to secure this as public space, and we ask that the easement be a requirement of City approvals, as the courtyard is so integral to the project and the argument of extra height. More on this below.

Sidewalk area

In terms of the sidewalk, and the “Public Realm Zone” defined in the ARP, the arcade created by the overhang of the building is high, open and welcoming, providing some protection to pedestrians from the weather and creating visual interest at street level. The broad steps leading up to the courtyard extend into the public realm, inviting entry to the courtyard and helping to foster it as public space. The stairs themselves are a kind of public furniture. While the arcade and the stairs do not meet the letter of the ARP, they enhance and improve public realm. Our main concern (satisfied, we believe) is that there be room for mature trees on both frontages, and adequate passage for pedestrians and those with access issues.

Letters from the Richmond Knob Hill Community Association, Marda Loop Communities Association, and Marda Loop Business Improvement Association



Infrastructure for public realm animation

The BIA has an interest in decorating and animating the public realm, through Christmas lights, performances, pop-up events, etc. To help facilitate this please include exterior electrical outlets proximate to the trees, the courtyard steps and elsewhere as appropriate. In 2017 we found the electrical outlets at the new Odeon building to be a great asset for our public programming during Marda Pride and Light up the Loop. Elsewhere, we found the lack of outlets was an impediment. Electrical outlets in the public street lights would also be desirable for the same reason.

Height

In terms of height, the building is higher than the ARP recommends at this site. We recognize this is a consequence of the "big design move" – the interior courtyard. In our view the height is acceptable at this location if it is tied to the provision of the public space, and we ask that this be made as explicit as possible in the land use and the ARP amendment. Ideally, the application would be "tied to plans" to mitigate the risk. We would be concerned, for example, if a land use with this height was approved, but the project did not proceed, and another project went ahead without the high quality public contributions and architecture that mark this application.

Furthermore regarding height: a) we recognize there is precedent for this height at other sites in Marda Loop, and hope that this project will set a precedent for high quality architecture instead; b) being on the north side of the avenue, the building does not shadow commercial sidewalks; c) the site as a gateway/hinge site makes it an appropriate location for a prominent building; and d) the provision of public space and other qualities of the building contribute to the case for additional height, as noted.

Step back / Façade articulation

Regarding the ARP requirement for taller buildings to step-back somewhere below the fourth floor to minimize massing - we accept the applicant's architectural solution (punch-and-pull façade articulation, etc.) as part of the overall scheme of the building, and note that sidewalk shadowing impacts are not an issue at this location. However, we note the ARP requirement still has value for projects of this size.

**Letters from the Richmond Knob Hill Community Association, Marda Loop
Communities Association, and Marda Loop Business Improvement Association**



Conclusion

The Courtyard 33 proposal is architecturally of high quality; its design is unique and progressive, and will be an asset to the Marda Loop area. While it does push the boundaries of what is defined in the current ARP, and the boundaries of what we might expect, the project is of high merit and meets the needs of this strategic location.

In terms of process, it would be preferable if considerations around height, land use, etc. were more broadly addressed in the community through the upcoming Main Streets process, as we expect they will, but we also appreciate the requirements of an active application which may also be instructive in this regard.

The Marda Loop BIA may have further comments as the process develops.

Thank you to the applicant for reaching out to us and the neighbouring community associations on this project. And to the City, thank you for the opportunity to comment.

Sincerely,

Bob van Wegen
Executive Director

Cc: Area community associations

**Letters from the Richmond Knob Hill Community Association, Marda Loop
Communities Association, and Marda Loop Business Improvement Association**



April 30, 2018

To: David White
Principal, CivicWorks

Re. RNDSQL's Courtyard 33

Dear Dave,

Thank you for your update regarding the Courtyard 33 project.

We would certainly support a Direct Control for the site, as we alluded to in our February 14 letter. This would provide assurance that the quality of what will be built relates to the land use and policy changes being asked for in your application.

Regarding the "Specialized Beer and Wine Merchant" use, for the Brewer's Apprentice opportunity, I haven't had a chance to run it past my full Board but I agree with your rationale and think that such tenant would be a positive addition to Marda Loop. I don't think it would contribute negatively (clustering/proliferation), but rather would be supportive of other offerings in the area. This specialty use would be an interesting evolution of the bylaws like the evolution around craft brewing. Given issues around proximity, I understand you are reaching out to existing liquor stores nearby and I would encourage that.

Sincerely,

Bob van Wegen
Executive Director

Marda Loop Business Improvement Area 1638 - 30th Ave SW Calgary, AB T2T 1P4

403.685.5667 | www.visitmardaloop.com

Vision Brief

The applicant's final Vision Brief 5.0, including an overview of key themes that emerged from public engagement, is available through the link below:

<https://drive.google.com/file/d/1ggm-E25XbCibT3KT-hrKZd1zxeRRgGgn/view>

<https://www.dropbox.com/s/hli5357y3g7I7pu/Courtyard%20Vision%20Brief%205.0.pdf?dl=0>



Proposed Amendments to the Marda Loop Area Redevelopment Plan

1. The Marda Loop Area Redevelopment Plan attached to and forming part of Bylaw 3P2014, as amended, is hereby further amended as follows:

- (a) In Part 4.0 (~~Built Form and Site Design~~), Section 4.2 (~~Building Height~~), Subsection 4.2.1 (~~Building Height~~), insert:

“8. For corner sites on the north side of 33 Avenue SW and adjacent to 22 Street SW, the Development Authority may consider an increase in the maximum building height to a maximum height of 22 metres.”

Proposed Direct Control Guidelines

Purpose

- 1 This Direct Control District is intended to:
- (a) provide for the **development** of a six storey mixed-use **building** of architectural significance and high urban design merit that aligns with the plans in Schedule “C” as a **permitted use**; and
 - (b) diversify the types of businesses operating in the neighbourhood by accommodating a neighbourhood-scale specialized beer and wine store concept.

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.

Defined Uses

- 4 In this Direct Control District:
- (a) **“Permitted Development”** means a **use**:
 - (i) that conforms with the plans attached to this Direct Control District as Schedule “C”.
 - (b) **“Specialized Beer & Wine Merchant”** means a **use**:
 - (i) where beer and wine are sold for consumption off the retail outlet premises that has been licensed by the Alberta Gaming and Liquor Commission;
 - (ii) may include the sale of beer, table wine, fortified wine (appetizer, dessert, port and sherry), sparkling wine, crackling wine, bubbling wine, champagne, wine coolers, ciders and related accessories; and
 - (iii) that may have a private hospitality area where retail products are provided to private groups for tasting and consumption as a special event.

Permitted Uses

- 5 (1) The **permitted uses** of the Mixed Use – Active Frontage (MU-2) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.
- (2) The following **uses** are the **permitted uses** in this Direct Control District provided the **development** conforms with the plans attached to Schedule “C” of this Direct Control District:
- (a) **Permitted Development**; and
 - (b) **Specialized Beer & Wine Merchant**.

Proposed Direct Control Guidelines

Discretionary Uses

6 The ***discretionary uses*** of the Mixed Use – Active Frontage (MU-2) District of Bylaw 1P2007 are the ***discretionary uses*** in this Direct Control District with the exclusion of:

- (a) **Liquor Store.**

Bylaw 1P2007 District Rules

7 Unless otherwise specified, the rules of the Mixed Use – Active Frontage (MU-2) District of Bylaw 1P2007 apply in this Direct Control District.

Floor Area Ratio

- 8 (1) The maximum ***floor area ratio*** is 2.5.
- (2) For a **Permitted Development** that conforms with the plans attached to this Direct Control District as Schedule “C”, the maximum ***floor area ratio*** is 4.0.

Building Height

- 9 (1) The maximum ***building height*** is 16.0 metres.
- (2) For a **Permitted Development** that conforms with the plans attached to this Direct Control District as Schedule “C”, the maximum ***building height*** is 22.0 metres.

Development Plans for Permitted Development

- 10 Comprehensive plans must be submitted to the ***Development Authority*** as part of a ***development permit*** application for **Permitted Development**. In considering such an application, the ***Development Authority*** must ensure the ***development*** plans conform with the plans attached to this Direct Control District as Schedule “C”.

Proposed Direct Control Guidelines

Schedule C: Development Plans for Permitted Development

20.06.2018
2240, 2236, 2232 - 33 AVENUE SW
SCHEDULE C: SIMPLIFIED PLANS

Proposed Direct Control Guidelines

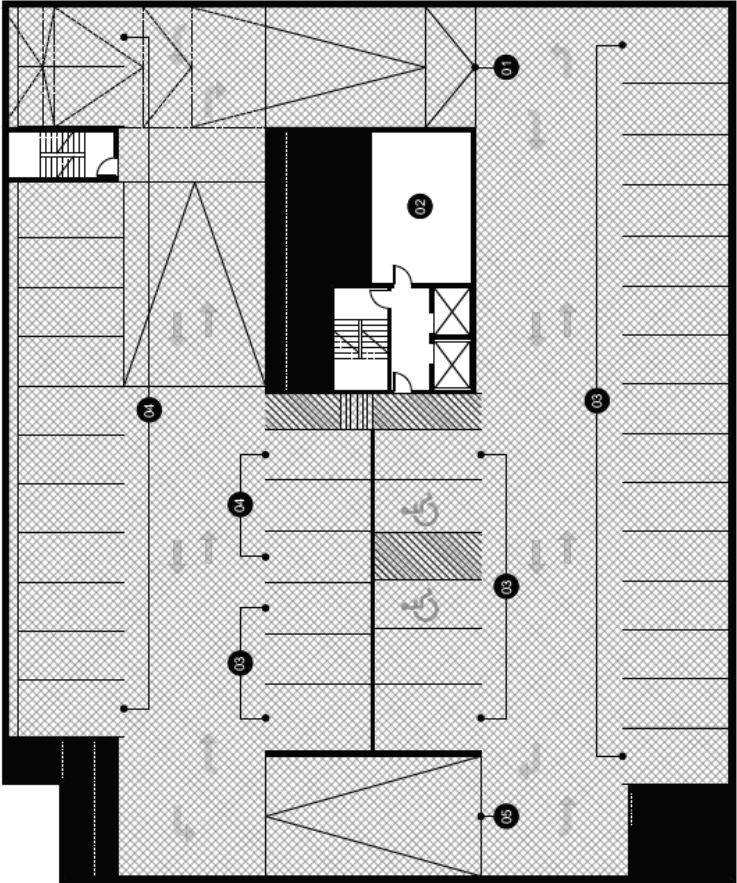
PARKADE ANNOTATIONS

- 01 UNDERGROUND PARKADE EXIT RAMP
- 02 CLASS II BICYCLE STORAGE & REPAIR ROOM
- 03 COMMERCIAL & VISITOR PARKING STALLS
- 04 RESIDENTIAL PARKING STALLS
- 05 PARKADE RAMP

LEGEND

- COMMERCIAL RETAIL UNIT
- LIVABLE UNIT AND/OR DWELLING UNIT
- DWELLING UNIT
- PARKING AREA
- BUILDING SERVICE SPACE
- WASTE & RECYCLING
- MECHANICAL/ELECTRICAL ROOM

DISCLAIMER: INTERNAL DIMENSION WALLS AND STAIR ACCESS, PRESENTED FOR INFORMATION ONLY. THESE ARE CONCEPTUAL LANDSCAPING AND PUBLIC AMENITY AREA DETAILS. AND WINDOW GLAZING / BALCONY CONFIGURATIONS ARE CONCEPTUAL IN NATURE AND ARE TO BE TREATED AS FLEXIBLE COMPONENTS OF THE DESIGN. DIMENSIONS AND MATERIALS OF THESE INDIVIDUAL BUILDING ELEMENTS SHALL BE IN GENERAL CONFORMANCE WITH THIS DRAWING PACKAGE.



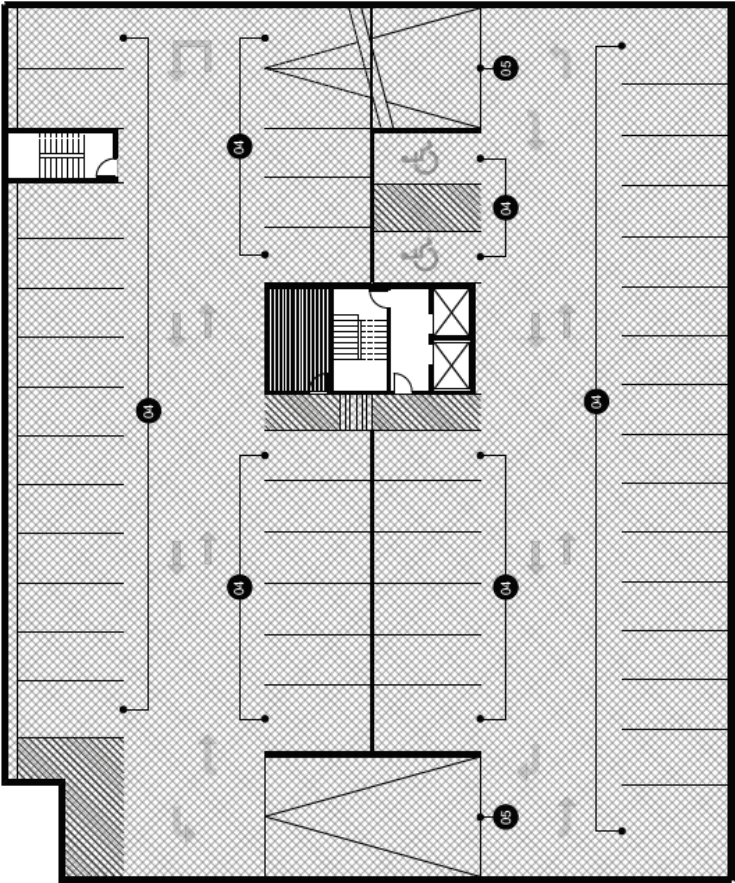
P01 PLAN

Proposed Direct Control Guidelines

- PARKADE ANNOTATIONS**
- 01 UNDERGROUND PARKADE EXIT RAMP
 - 02 CLASS II BICYCLE STORAGE & REPAIR ROOM
 - 03 COMMERCIAL & VISITOR PARKING STALLS
 - 04 RESIDENTIAL PARKING STALLS
 - 05 PARKADE RAMP

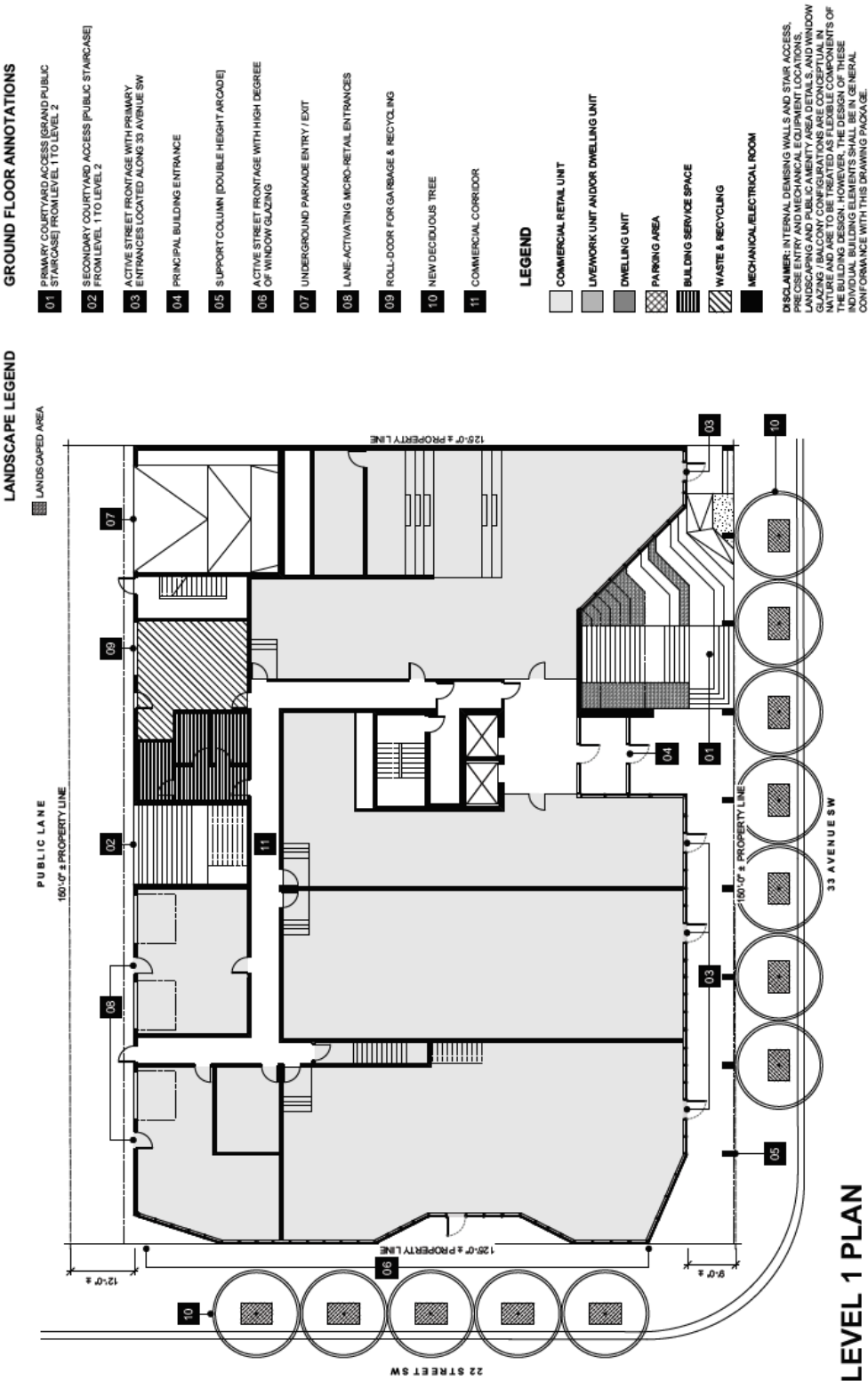
- LEGEND**
- COMMERCIAL RETAIL UNIT
 - LIVE/WORK UNIT AND/OR DWELLING UNIT
 - DWELLING UNIT
 - PARKING AREA
 - BUILDING SERVICE SPACE
 - WASTE & RECYCLING
 - MECHANICAL/ELECTRICAL ROOM

DISCLAIMER: INTERNAL DEMISING WALLS AND STAIR ACCESS, PER SE INTERNAL MECHANICAL EQUIPMENT LOCATIONS, GLAZING / BALCONY CONFIGURATIONS ARE CONCEPTUAL IN NATURE AND ARE TO BE TREATED AS FLEXIBLE COMPONENTS OF THE BUILDING DESIGN. HOWEVER, THE DESIGN OF THESE INFORMATION IS BASED ON THE BUILDING DESIGN PACKAGE CONFORMANCE WITH THIS DRAWING PACKAGE.

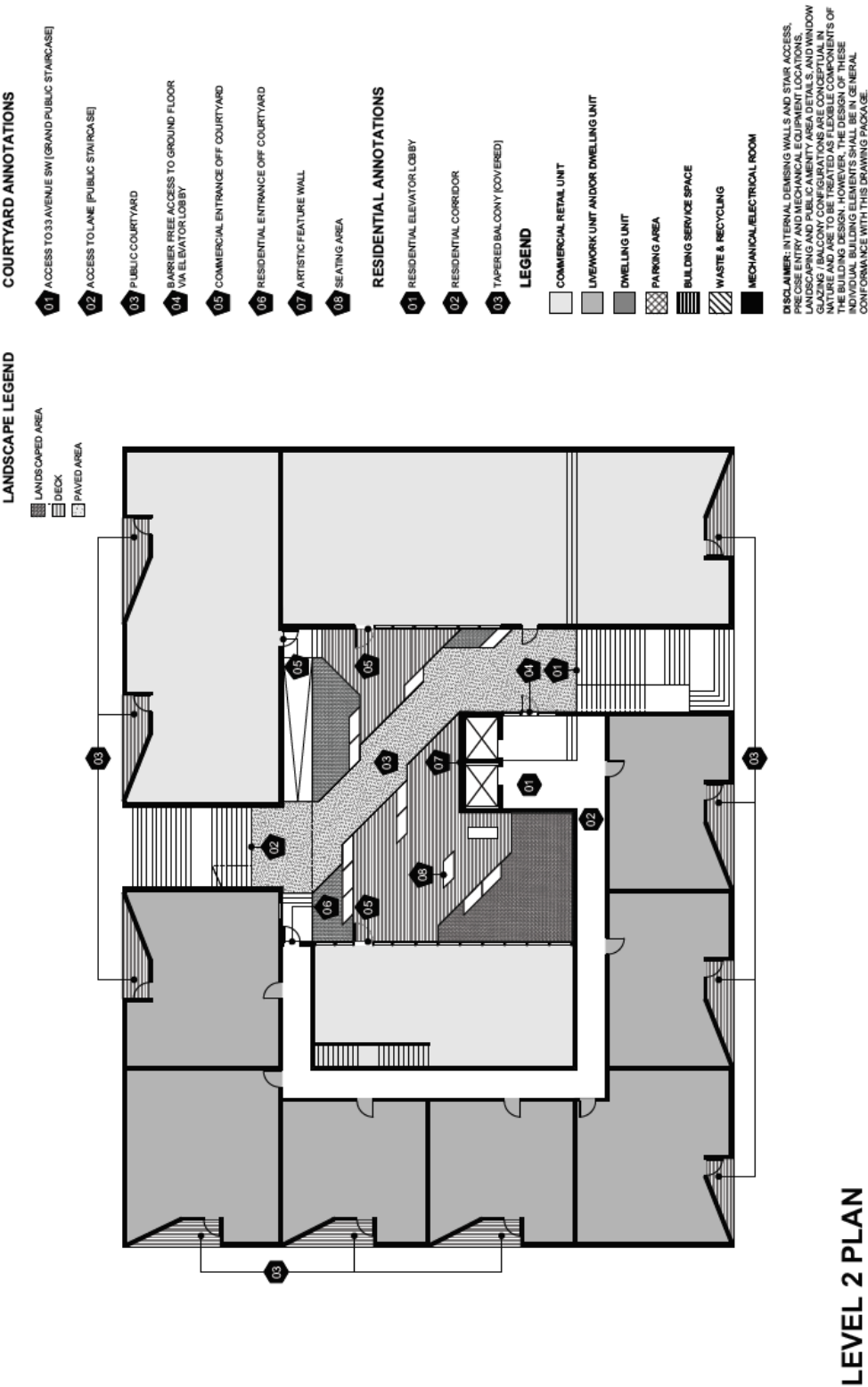


P02 PLAN

Proposed Direct Control Guidelines



Proposed Direct Control Guidelines



Proposed Direct Control Guidelines

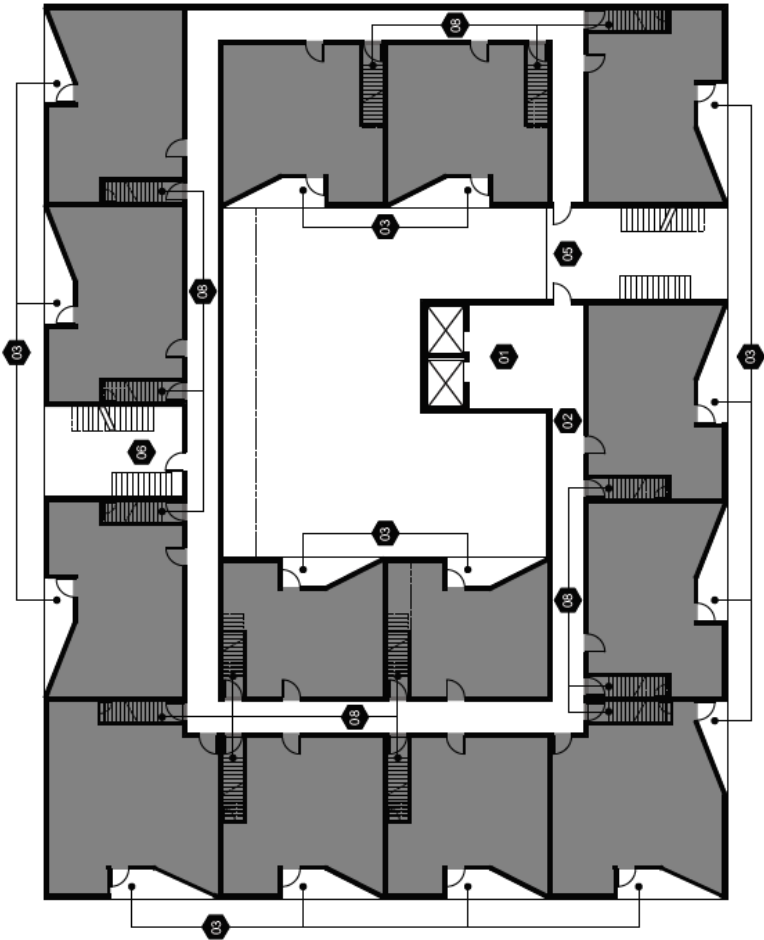
RESIDENTIAL ANNOTATIONS

- 01 RESIDENTIAL ELEVATOR LOBBY
- 02 RESIDENTIAL CORRIDOR
- 03 TAPERED BALCONY (COVERED)
- 04 TAPERED BALCONY (OPEN AIR)
- 05 EXTERIOR EXIT STAIR (ACCESS TO 33 AVENUE SW)
- 06 EXTERIOR EXIT STAIR (ACCESS TO LAKE)
- 07 SCREENED MECHANICAL EQUIPMENT
- 08 STAIR ACCESS TO UNIT ABOVE (SKIP STOP CORRIDOR)
- 09 STAIR ACCESS TO CORRIDOR BELOW (SKIP STOP CORRIDOR)

LEGEND

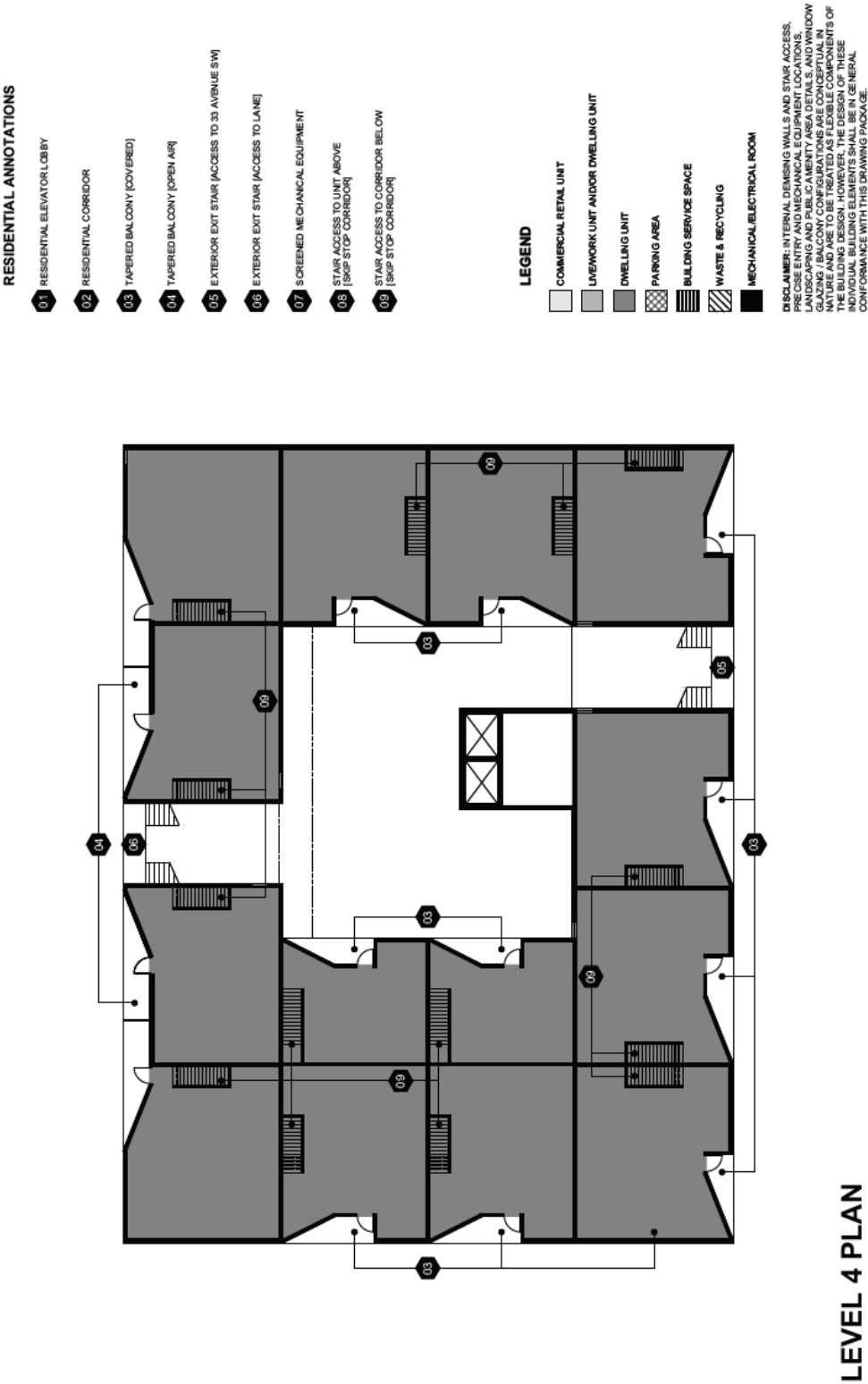
- COMMERCIAL RETAIL UNIT
- LIVESTOCK UNIT AND/OR DWELLING UNIT
- DWELLING UNIT
- PARKING AREA
- BUILDING SERVICE SPACE
- WASTE & RECYCLING
- MECHANICAL/ELECTRICAL ROOM

DISCLAIMER: INTERNAL DIMENSIONING WALLS AND STAIR ACCESS, STAIRS, ELEVATOR LOBBY, CORRIDORS, AND PUBLIC AMENITY AREAS, LANDSCAPING AND PUBLIC AMENITY AREA DETAILS, AND WINDOW GLAZING / BALCONY CONFIGURATIONS ARE CONCEPTUAL IN NATURE AND ARE TO BE TREATED AS FLEXIBLE COMPONENTS OF THE DESIGN. DIMENSIONS AND CONFIGURATIONS OF THESE INDIVIDUAL BUILDING ELEMENTS SHALL BE IN GENERAL CONFORMANCE WITH THIS DRAWING PACKAGE.

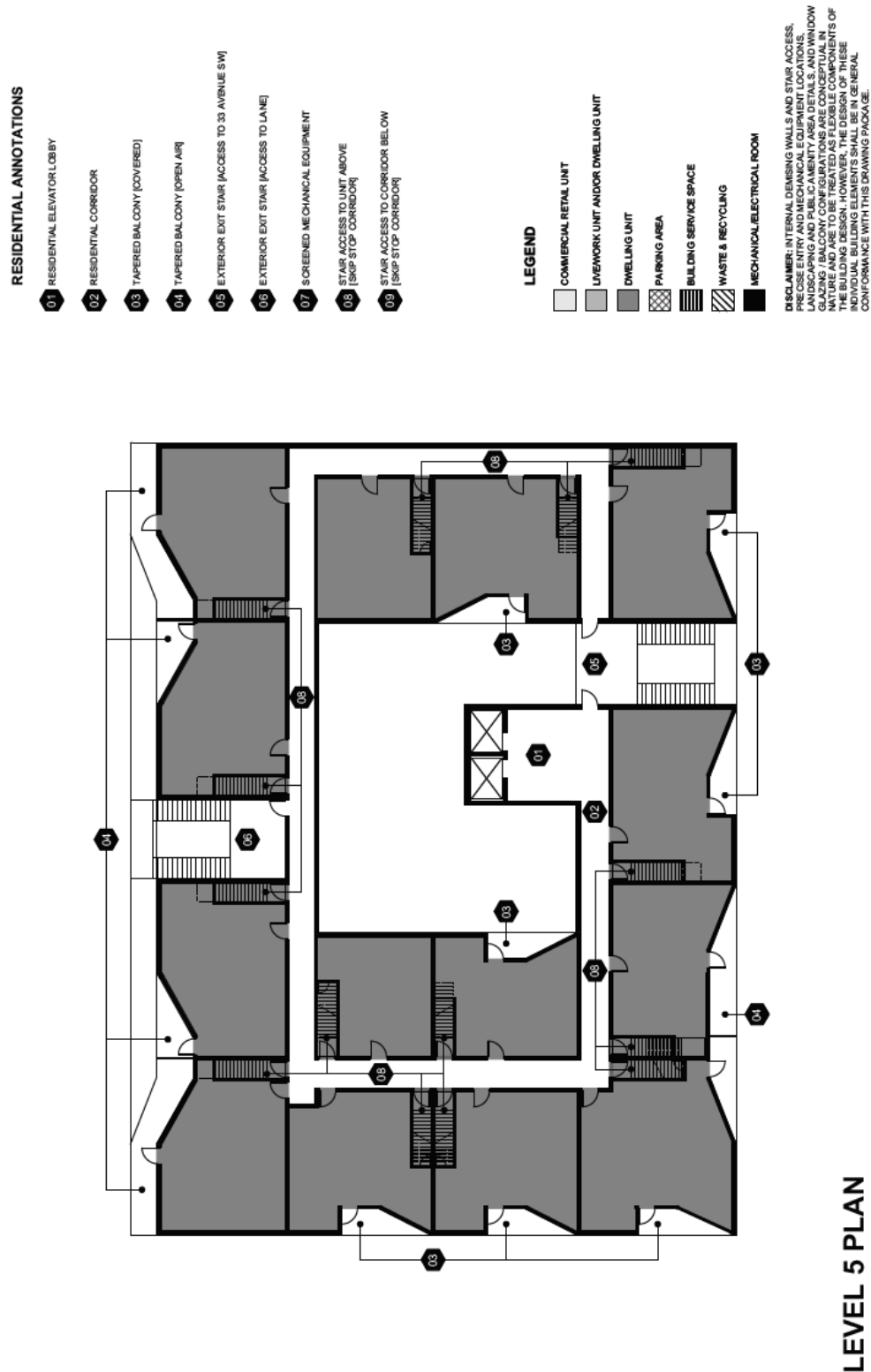


LEVEL 3 PLAN

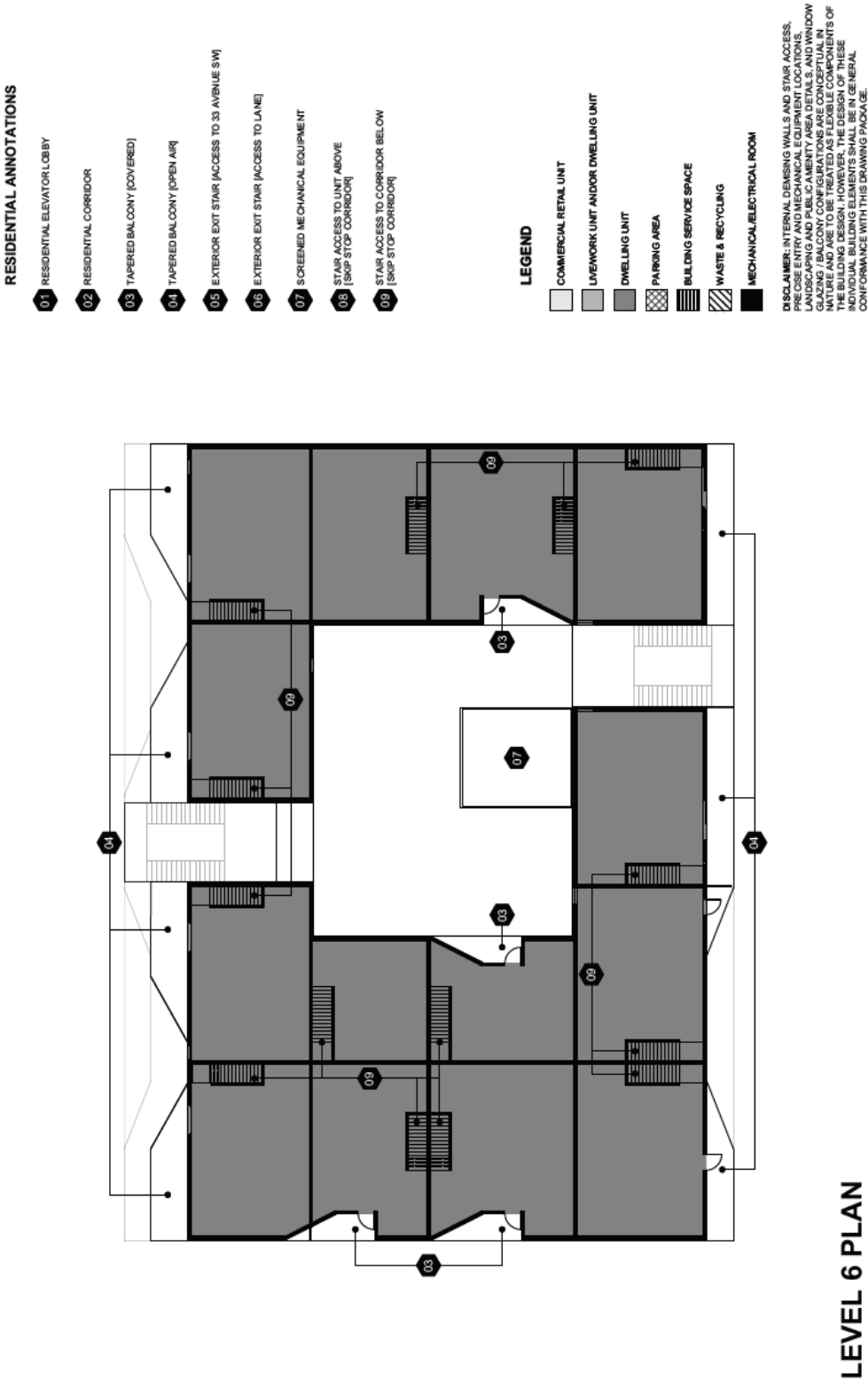
Proposed Direct Control Guidelines



Proposed Direct Control Guidelines



Proposed Direct Control Guidelines



Proposed Direct Control Guidelines

RESIDENTIAL ANNOTATIONS

01

RESIDENTIAL ELEVATOR LOBBY

02

RESIDENTIAL CORRIDOR

03

TAPERED BALCONY (COVERED)

04

TAPERED BALCONY (OPEN AIR)

05

EXTERIOR EXIT STAIR (ACCESS TO 33 AVENUE SW)

06

EXTERIOR EXIT STAIR (ACCESS TO LAKE)

07

SCREENED MECHANICAL EQUIPMENT

08

STAIR ACCESS TO UNIT ABOVE (SKIP STOP CORRIDOR)

09

STAIR ACCESS TO CORRIDOR BELOW (SKIP STOP CORRIDOR)

LEGEND

COMMERCIAL RETAIL UNIT

LIVESTOCK UNIT AND/OR DWELLING UNIT

DWELLING UNIT

PARKING AREA

BUILDING SERVICE SPACE

WASTE & RECYCLING

MECHANICAL/ELECTRICAL ROOM

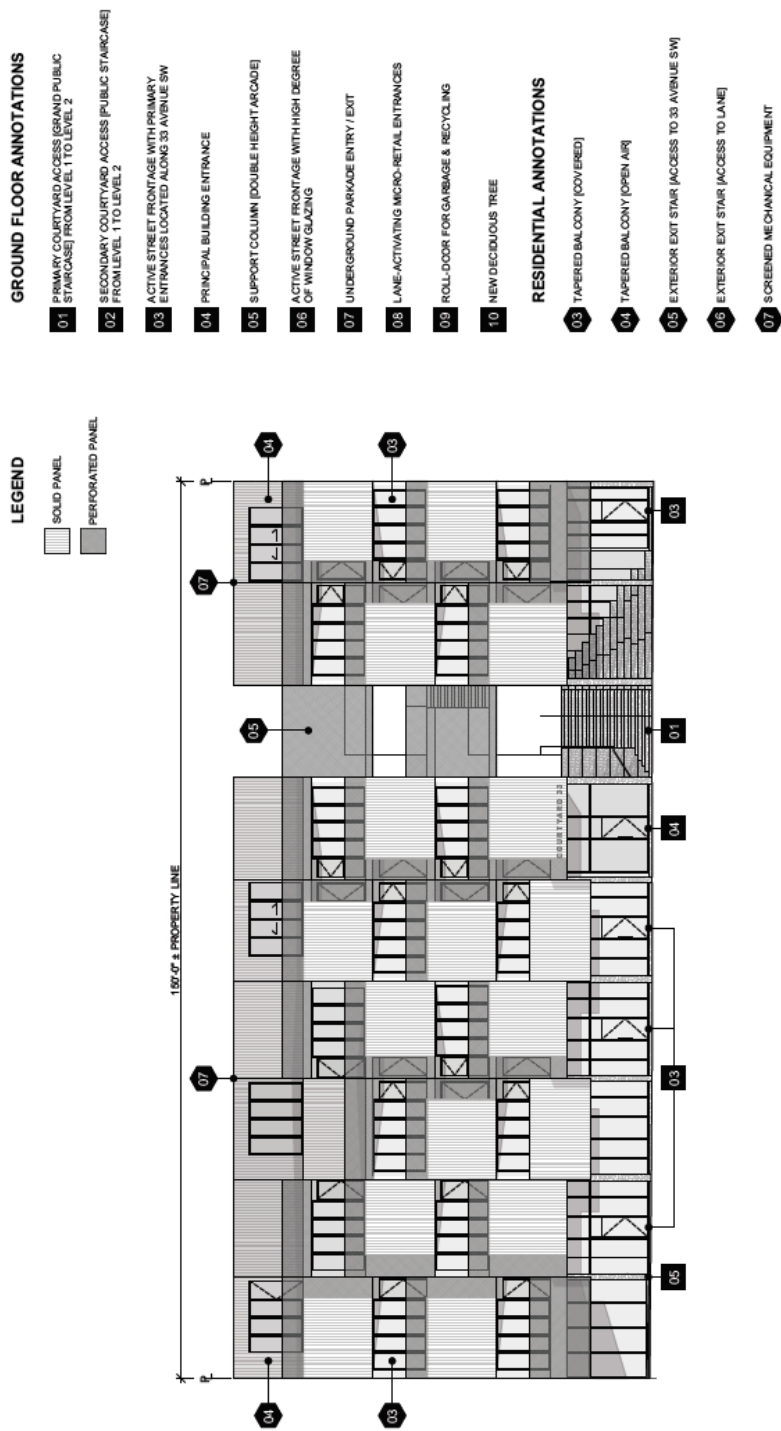
DISCLAIMER: INTERNAL DIMENSIONING WALLS AND STAIR ACCESS, STAIRS, ELEVATOR LOBBIES, AND PUBLIC AMENITY AREAS ARE CONCEPTUAL AND NOT TO BE CONSIDERED AS FINAL. LANDSCAPING AND PUBLIC AMENITY AREA DETAILS, AND WINDOW GLAZING / BALCONY CONFIGURATIONS ARE CONCEPTUAL IN NATURE AND ARE TO BE TREATED AS FLEXIBLE COMPONENTS OF THE DESIGN. DIMENSIONS AND DETAILS OF THESE ELEMENTS WILL BE DETERMINED BY THE ARCHITECT AND SHALL BE IN GENERAL CONFORMANCE WITH THIS DRAWING PACKAGE.

ROOF PLAN

CPC2018-0812- Attach 6
ISC: UNRESTRICTED

Page 12 of 17

Proposed Direct Control Guidelines

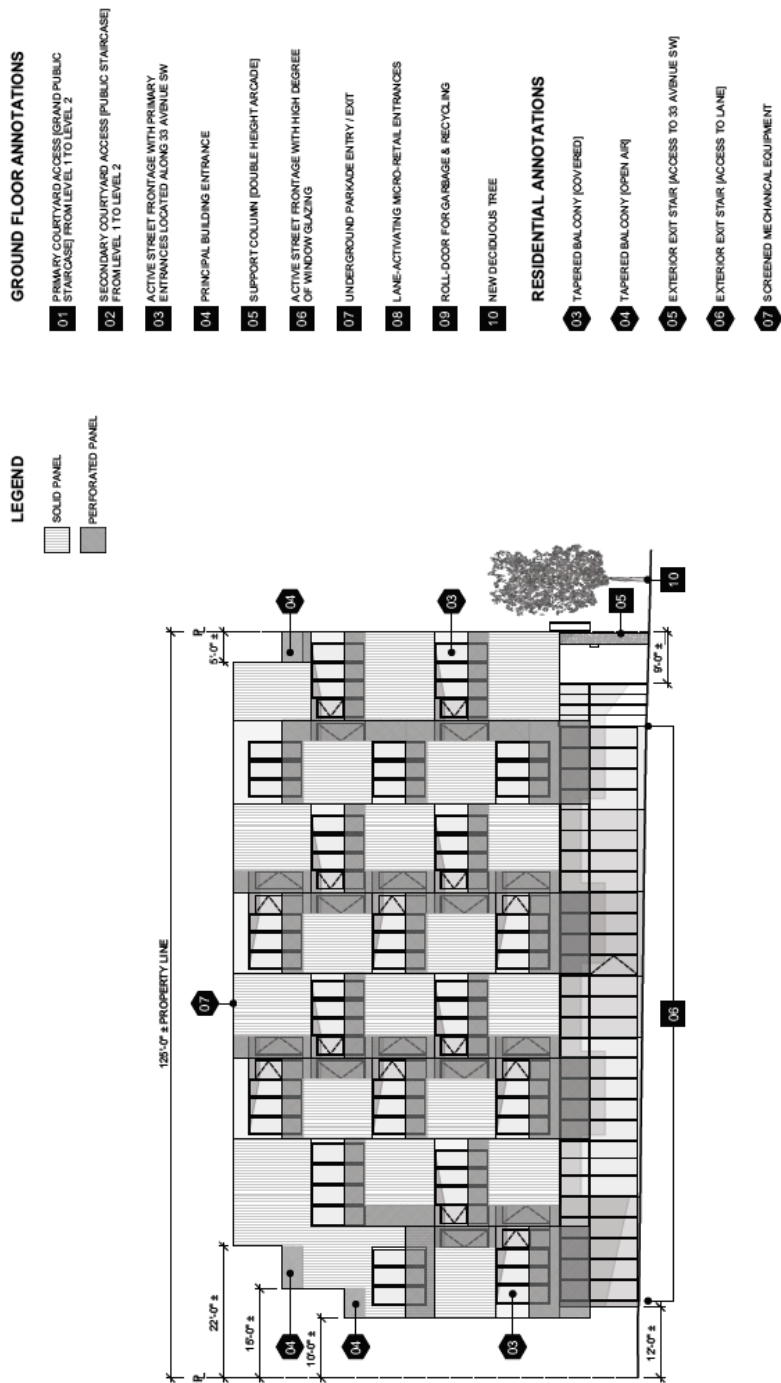


DISCLAIMER: INTERNAL DEMISING WALLS AND STAIR ACCESS, PERSE ENTRY AND MECHANICAL EQUIPMENT LOCATIONS, GLAZING / BALCONY CONFIGURATIONS ARE CONCEPTUAL IN NATURE AND ARE TO BE TREATED AS FLEXIBLE COMPONENTS OF THE BUILDING DESIGN. HOWEVER, THE DESIGN OF THESE INFORMATION MUST BE USED TO ACHIEVE GENERAL CONFORMANCE WITH THIS DRAWING PACKAGE.

* EXTERIOR CLADDING TO CONSIST OF HIGH QUALITY RAINSCREEN SYSTEM

SOUTH ELEVATION

Proposed Direct Control Guidelines

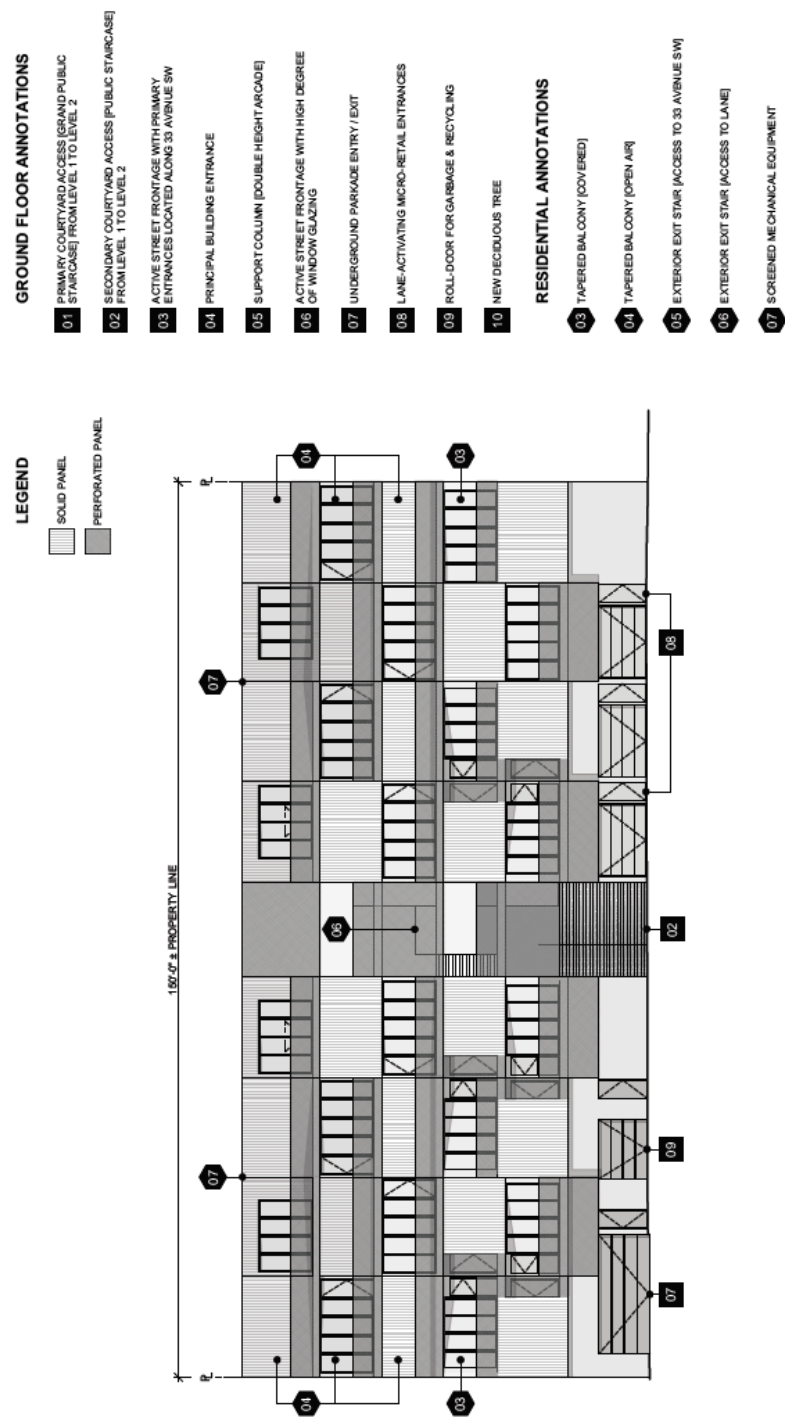


DISCLAIMER: INTERNAL DIMENSIONS WALLS AND STAIR ACCESS, EXTERIOR CLADDING TO CONSIST OF HIGH QUALITY RAINSCREEN SYSTEM, GLAZING / BALCONY CONFIGURATIONS ARE CONCEPTUAL IN NATURE AND ARE TO BE TREATED AS FLEXIBLE COMPONENTS OF THE BUILDING DESIGN. HOWEVER, THE DIMENSIONS OF THESE ANNOTATIONS ARE INTENDED TO BE USED IN GENERAL CONFORMANCE WITH THIS DRAWING PACKAGE.

* EXTERIOR CLADDING TO CONSIST OF HIGH QUALITY RAINSCREEN SYSTEM

WEST ELEVATION

Proposed Direct Control Guidelines



* EXTERIOR CLADDING TO CONSIST OF HIGH-QUALITY RAINSCREEN SYSTEM

NORTH ELEVATION

Proposed Direct Control Guidelines

- LEGEND

SOLID PANEL

PERFORATED PANEL
- GROUND FLOOR ANNOTATIONS

01 PRIMARY COURTYARD ACCESS [GRAND PUBLIC STAIRCASE] [FRONT LEVEL 1 TO LEVEL 2]

02 SECONDARY COURTYARD ACCESS [PUBLIC STAIRCASE] [FRONT LEVEL 1 TO LEVEL 2]

03 ACTIVE STREET FRONTAGE WITH PRIMARY ENTRANCES LOCATED ALONG 33 AVENUE SW

04 PRINCIPAL BUILDING ENTRANCE

05 SUPPORT COLUMN [DOUBLE HEIGHT ARCADE]

06 ACTIVE STREET FRONTAGE WITH HIGH DEGREE OF WINDOW GLAZING

07 UNDERGROUND PARKADE ENTRY / EXIT

08 LANE-ACTIVATING MICRO-RETAIL ENTRANCES

09 ROLL-DOOR FOR GARBAGE & RECYCLING

10 NEW DECIDUOUS TREE
- RESIDENTIAL ANNOTATIONS

03 TAPERED BALCONY [COVERED]

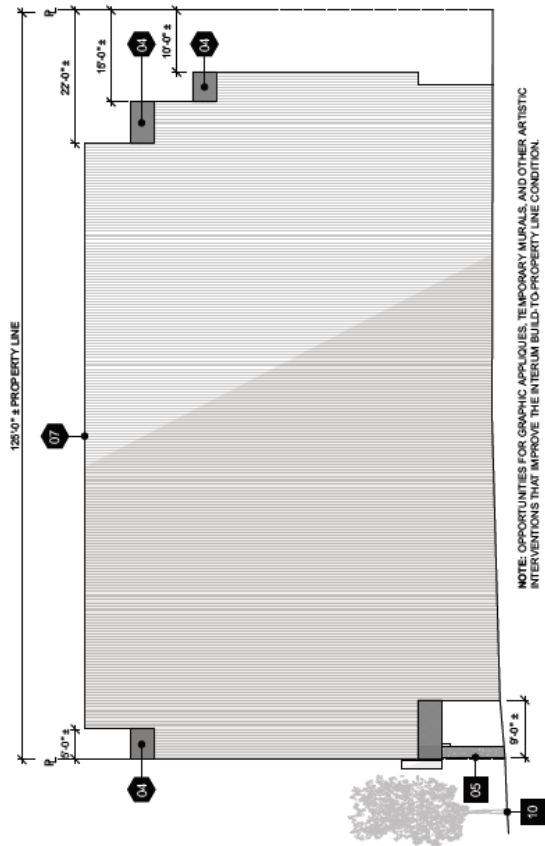
04 TAPERED BALCONY [OPEN AIR]

05 EXTERIOR EXIT STAIR [ACCESS TO 33 AVENUE SW]

06 EXTERIOR EXIT STAIR [ACCESS TO LANE]

07 SCREENED MECHANICAL EQUIPMENT

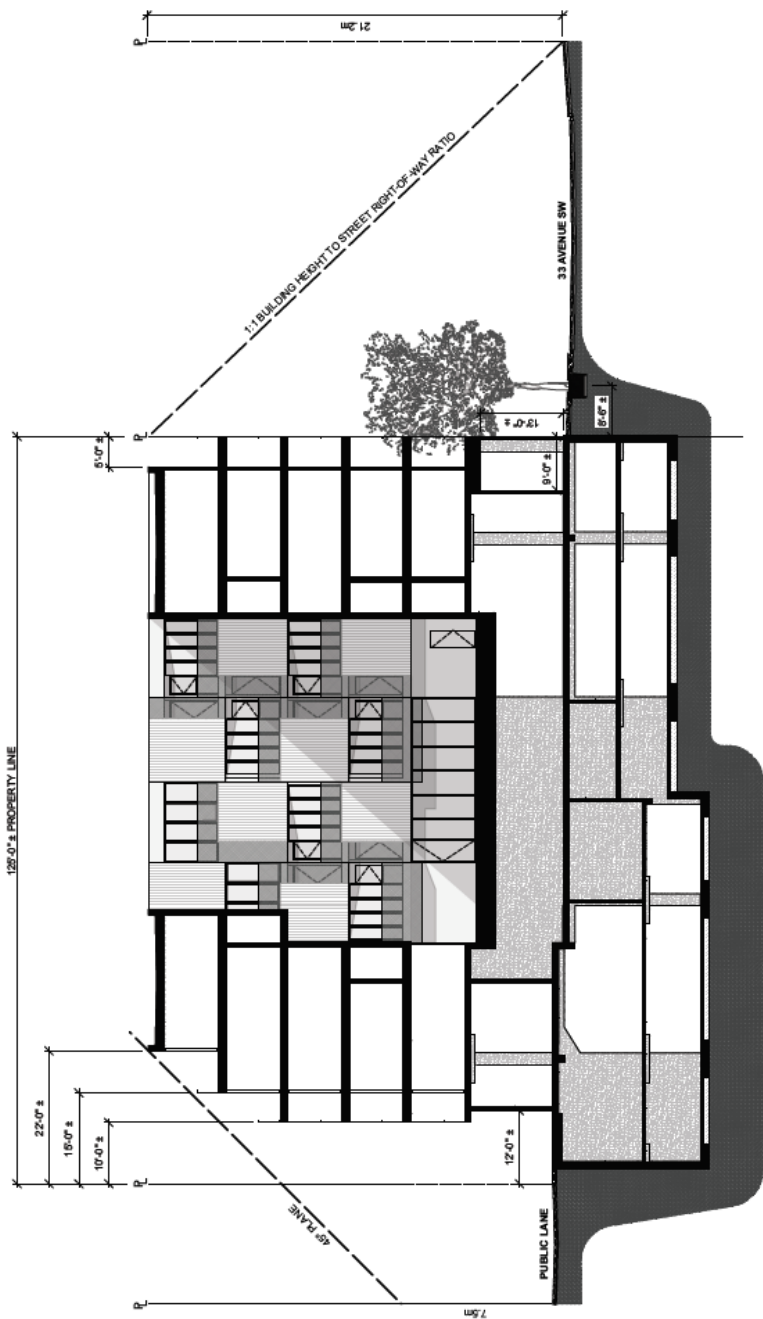
DISCLAIMER: INTERNAL DIMENSIONING WALLS AND STAIR ACCESS, PRECISE ENTRY AND MECHANICAL EQUIPMENT LOCATIONS, WINDOW AND DOOR SIZES, AND BALCONY CONFIGURATIONS ARE CONCEPTUAL IN NATURE AND ARE TO BE TREATED AS FLEXIBLE COMPONENTS OF THE BUILDING DESIGN. HOWEVER, THE DESIGN OF THESE ELEMENTS MUST BE IN FULL COMPLIANCE WITH ALL APPLICABLE INTERNAL CONFORMANCE WITH THIS DRAWING PACKAGE.



NOTE: OPPORTUNITIES FOR GRAPHIC APPLIQUES, TEMPORARY MURALS, AND OTHER ARTISTIC INTERVENTIONS THAT IMPROVE THE INTERIM BUILD-TO-PROPERTY LINE CONDITION.

* EXTERIOR CLADDING TO CONSIST OF HIGH QUALITY RAINSCREEN SYSTEM
EAST ELEVATION

Proposed Direct Control Guidelines



DISCLAIMER: INTERNAL DIMENSION WALLS AND STAIR ACCESS, FLOOR FINISHES, INTERIOR PARTITION WALLS, CEILING, LANDSCAPING AND PUBLIC AMENITY AREA DETAILS, AND WINDOW GLAZING / BALCONY CONFIGURATIONS ARE CONCEPTUAL IN NATURE AND ARE TO BE TREATED AS FLEXIBLE COMPONENTS OF THE BUILDING DESIGN. HOWEVER, THE DESIGN OF THESE BUILDING ELEMENTS SHALL IN GENERAL CONFORM WITH THIS DRAWING PACKAGE.

SECTION

Development Permit (DP2018-0091) Summary

A development permit application (DP2018-0091) was submitted by 4568796 architecture and CivicWorks Planning + Design on 2018 January 9 on behalf of Gateway 33 Ltd. The development permit application is for a six-storey, mixed-use development with 1,530 square metres of commercial space, 56 apartment homes, as well as 87 vehicle parking stalls (including 10 residential visitor stalls and 12 commercial stalls). The following images from the development permit submission provide a general overview of the proposal and are included for information purposes only.



STREETSCAPE AND INTERFACE ALONG 33 AVENUE SW



INTERIOR COURTYARD

Development Permit (DP2018-0091) Summary



"GATEWAY" INTERFACE AT THE CORNER OF 22 STREET AND 33 AVENUE SW



COURTYARD TRANSITION ALONG 33 AVENUE SW

PROPOSED

CPC2018-0812
ATTACHMENT 8

BYLAW NUMBER 74P2018

BEING A BYLAW OF THE CITY OF CALGARY TO AMEND THE MARDAL LOOP AREA REDEVELOPMENT PLAN BYLAW 3P2014

WHEREAS it is desirable to amend the Marda Loop Area Redevelopment Plan Bylaw 3P2014, as amended;

AND WHEREAS Council has held a public hearing as required by Section 692 of the *Municipal Government Act*, R.S.A. 2000, c.M-26, as amended:

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The Marda Loop Area Redevelopment Plan attached to and forming part of Bylaw 3P2014, as amended, is hereby further amended as follows:
 - (a) In Part 4.0, Section 4.2, Subsection 4.2.1, insert:

“8. For corner sites on the north side of 33 Avenue SW and adjacent to 22 Street SW, the Development Authority may consider an increase in the maximum building height to a maximum height of 22 metres.”
2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

CITY CLERK

SIGNED ON _____

PROPOSED

CPC2018-0812
ATTACHMENT 9

BYLAW NUMBER 10C2018

**BEING A BYLAW OF THE CITY OF CALGARY
FOR A CLOSURE OF A ROAD
(PLAN 7710312)
(CLOSURE LOC2017-0391/CPC2018-0812)**

WHEREAS The City of Calgary has decided to close from public use as a public street and to sell or to hold those portions of street described below;

AND WHEREAS the provisions of Sections 22 and 606 of the Municipal Government Act, R.S.A. 2000, c.M-26 as amended, with respect to notice of intention of Council to pass such a Bylaw have been complied with;

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS
FOLLOWS:**

1. Immediately upon passage of this Bylaw, the following described street shall be closed from use as a public highway:

PLAN 7710312
EXCEPTING THEREOUT ALL MINES AND MINERALS

2. The proper officers of The City of Calgary are hereby authorized to execute such instruments as may be necessary to effect the purpose of the Bylaw.
3. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

CITY CLERK

SIGNED ON _____

PROPOSED

CPC2018-0812
ATTACHMENT 10

BYLAW NUMBER 257D2018

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2017-0096/CPC2018-0812)**

WHEREAS it is desirable to amend the Land Use Bylaw Number 1P2007 to change the land use designation of certain lands within the City of Calgary;

AND WHEREAS Council has held a public hearing as required by Section 692 of the Municipal Government Act, R.S.A. 2000, c.M-26 as amended;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, is hereby amended by deleting that portion of the Land Use District Map shown as shaded on Schedule "A" to this Bylaw and substituting therefor that portion of the Land Use District Map shown as shaded on Schedule "B" to this Bylaw, including any land use designation, or specific land uses and development guidelines contained in the said Schedule "B".
2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

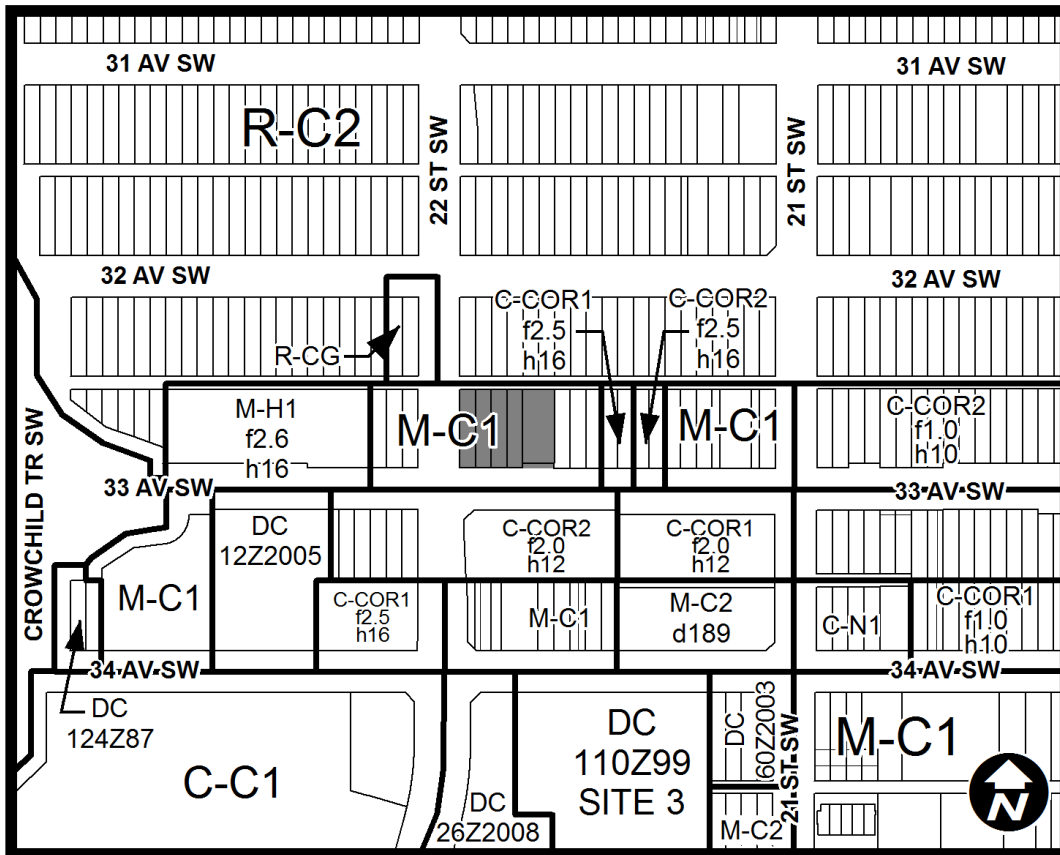
CITY CLERK

SIGNED ON _____

PROPOSED

AMENDMENT LOC2017-0096/CPC2018-0812
BYLAW NUMBER 257D2018

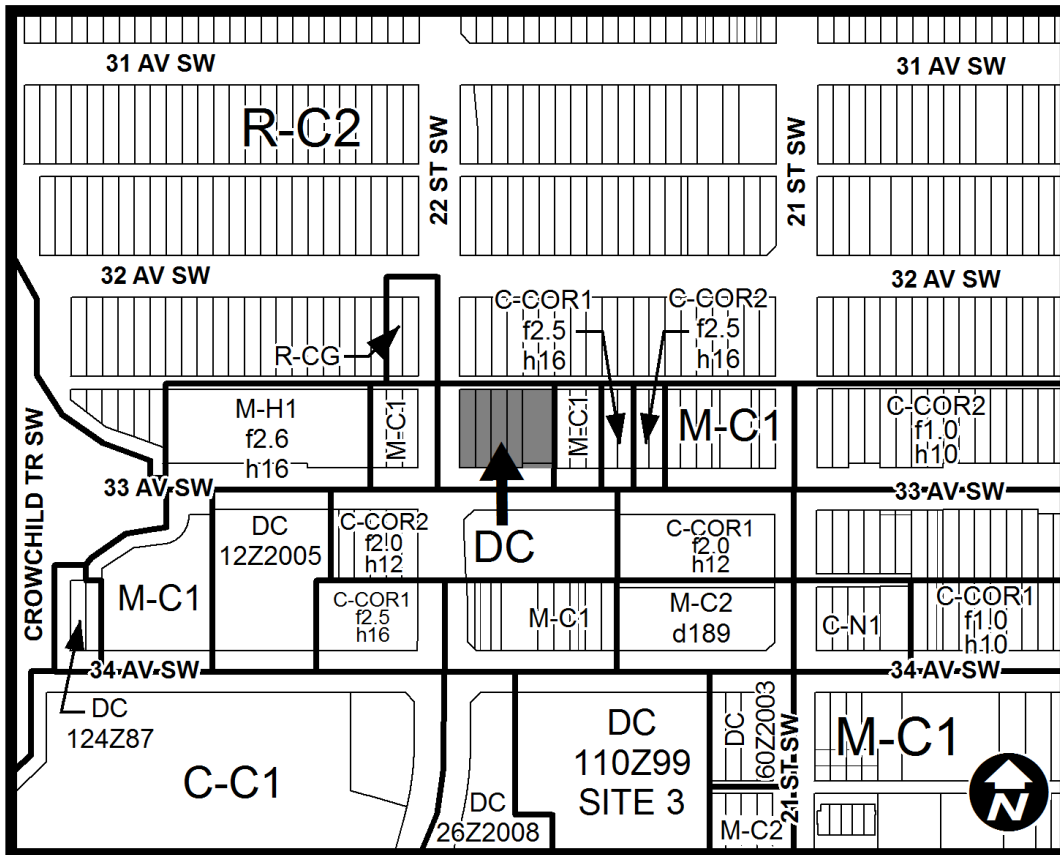
SCHEDULE A



PROPOSED

AMENDMENT LOC2017-0096/CPC2018-0812
BYLAW NUMBER 257D2018

SCHEDULE B



DIRECT CONTROL DISTRICT

Purpose

- 1 This Direct Control District is intended to:
 - (a) provide for the **development** of a six storey mixed-use **building** of architectural significance and high urban design merit that aligns with the plans in Schedule "C" as a **permitted use**; and
 - (b) diversify the types of businesses operating in the neighbourhood by accommodating a neighbourhood-scale specialized beer and wine store concept.

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.

PROPOSED

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BYLAW NUMBER 257D2018

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.

Defined Uses

- 4 In this Direct Control District:

- (a) **“Permitted Development”** means a *use*:
 - (i) that conforms with the plans attached to this Direct Control District as Schedule “C”.
- (b) **“Specialized Beer & Wine Merchant”** means a *use*:
 - (i) where beer and wine are sold for consumption off the retail outlet premises that has been licensed by the Alberta Gaming and Liquor Commission;
 - (ii) may include the sale of beer, table wine, fortified wine (appetizer, dessert, port and sherry), sparkling wine, crackling wine, bubbling wine, champagne, wine coolers, ciders and related accessories; and
 - (iii) that may have a private hospitality area where retail products are provided to private groups for tasting and consumption as a special event.

Permitted Uses

- 5 (1) The *permitted uses* of the Mixed Use – Active Frontage (MU-2) District of Bylaw 1P2007 are the *permitted uses* in this Direct Control District.
- (2) The following *uses* are the *permitted uses* in this Direct Control District provided the *development* conforms with the plans attached to Schedule “C” of this Direct Control District:
- (a) **Permitted Development**; and
 - (b) **Specialized Beer & Wine Merchant**.

Discretionary Uses

- 6 The *discretionary uses* of the Mixed Use – Active Frontage (MU-2) District of Bylaw 1P2007 are the *discretionary uses* in this Direct Control District with the exclusion of:
- (a) **Liquor Store**.

Bylaw 1P2007 District Rules

- 7 Unless otherwise specified, the rules of the Mixed Use – Active Frontage (MU-2) District of Bylaw 1P2007 apply in this Direct Control District.

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Floor Area Ratio

- 8 (1) Except as otherwise specified in subsection (2), the maximum ***floor area ratio*** is 2.5.
- (2) For a **Permitted Development** that conforms with the plans attached to this Direct Control District as Schedule “C”, the maximum ***floor area ratio*** is 4.0.

Building Height

- 9 (1) Except as otherwise specified in subsection (2), the maximum ***building height*** is 16.0 metres.
- (2) For a **Permitted Development** that conforms with the plans attached to this Direct Control District as Schedule “C”, the maximum ***building height*** is 22.0 metres.

Development Plans for Permitted Development

- 10 Comprehensive plans must be submitted to the ***Development Authority*** as part of a ***development permit*** application for **Permitted Development**. In considering such an application, the ***Development Authority*** must ensure the ***development*** plans conform with the plans attached to this Direct Control District as Schedule “C”.

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Schedule C: Development Plans for Permitted Development

20.06.2018
2240, 2236, 2232 - 33 AVENUE SW
SCHEDULE C: SIMPLIFIED PLANS

PROPOSED

AMENDMENT LOC2017-0096/CPC2018-0812
BYLAW NUMBER 257D2018

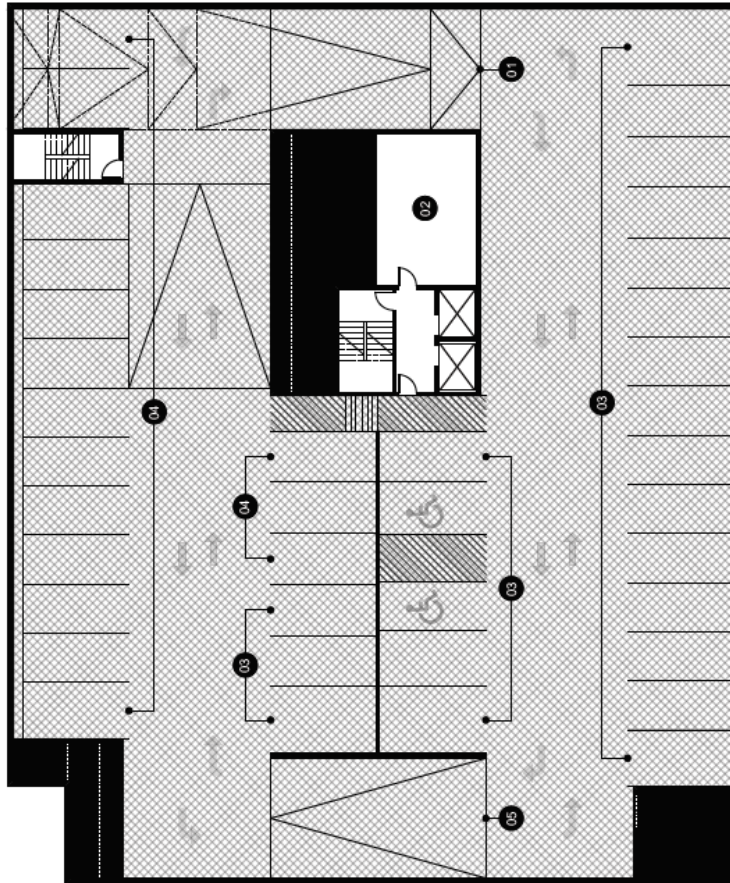
PARKADE ANNOTATIONS

- 01 UNDERGROUND PARKADE EXIT RAMP
- 02 CLASS II BICYCLE STORAGE & REPAIR ROOM
- 03 COMMERCIAL & VISITOR PARKING STALLS
- 04 RESIDENTIAL PARKING STALLS
- 05 PARKADE RAMP

LEGEND

- COMMERCIAL RETAIL UNIT
- LIVESTOCK UNIT AND/OR DWELLING UNIT
- DWELLING UNIT
- PARKING AREA
- BUILDING SERVICE SPACE
- WASTE & RECYCLING
- MECHANICAL/ELECTRICAL ROOM

DISCLAIMER: INTERNAL DIMENSIONING WALLS AND STAIR ACCESS, FLOORING, FINISHES, AND OTHER DETAILS ARE CONCEPTUAL. LANDSCAPING AND PUBLIC AMENITY AREA DETAILS, AND WINDOW GLAZING / BALCONY CONFIGURATIONS ARE CONCEPTUAL IN NATURE AND ARE TO BE TREATED AS FLEXIBLE COMPONENTS OF THE DESIGN. DIMENSIONS AND FINISHES OF THESE INDIVIDUAL BUILDING ELEMENTS SHALL BE IN GENERAL CONFORMANCE WITH THIS DRAWING PACKAGE.



P01 PLAN

PROPOSED

AMENDMENT LOC2017-0096/CPC2018-0812
BYLAW NUMBER 257D2018

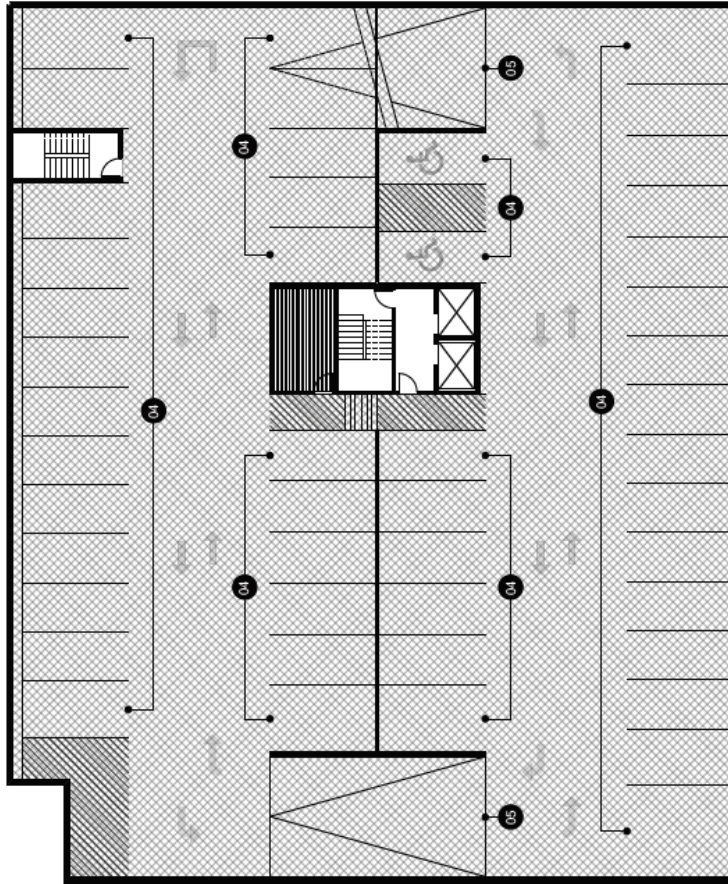
PARKADE ANNOTATIONS

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- 02 CLASS II BICYCLE STORAGE & REPAIR ROOM
- 03 COMMERCIAL & VISITOR PARKING STALLS
- 04 RESIDENTIAL PARKING STALLS
- 05 PARKADE RAMP

LEGEND

- COMMERCIAL RETAIL UNIT
- LIVE/WORK UNIT AND/OR DWELLING UNIT
- DWELLING UNIT
- PARKING AREA
- BUILDING SERVICE SPACE
- WASTE & RECYCLING
- MECHANICAL/ELECTRICAL ROOM

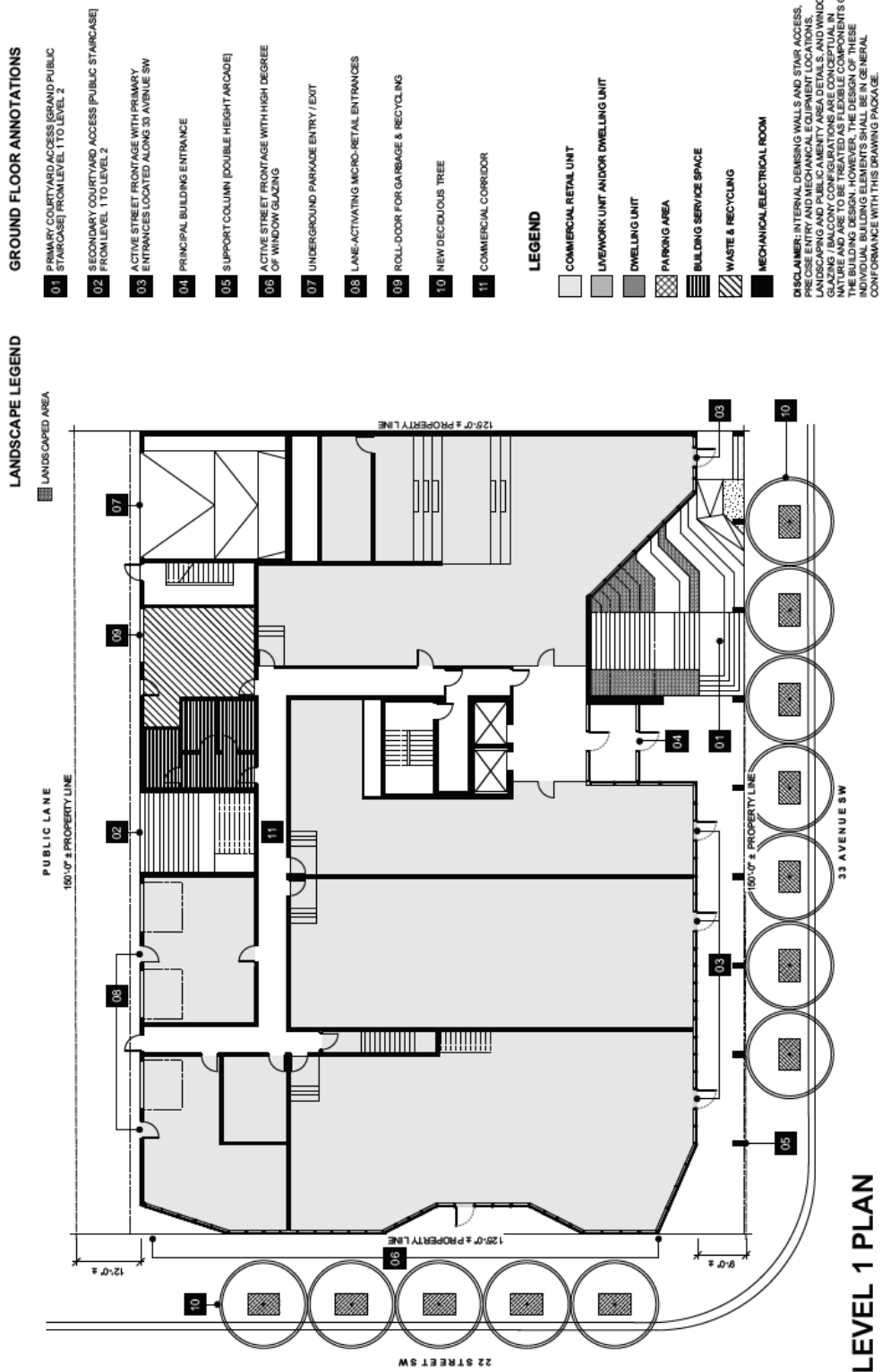
DISCLAIMER: INTERNAL DEMISING WALLS AND STAIR ACCESS, EXISTING AND PROPOSED MECHANICAL/ELECTRICAL ROOMS, LIVING AND DINING AREAS, KITCHENS, BATHS, AND WINDOW GLAZING / BALCONY CONFIGURATIONS ARE CONCEPTUAL IN NATURE AND ARE TO BE TREATED AS FLEXIBLE COMPONENTS OF THE BUILDING DESIGN. HOWEVER, THE DESIGN OF THESE INTERIORS SHALL BE SUBJECT TO THE GENERAL REQUIREMENTS OF THE BUILDING DEPARTMENT GENERAL CONFORMANCE WITH THIS DRAWING PACKAGE.



P02 PLAN

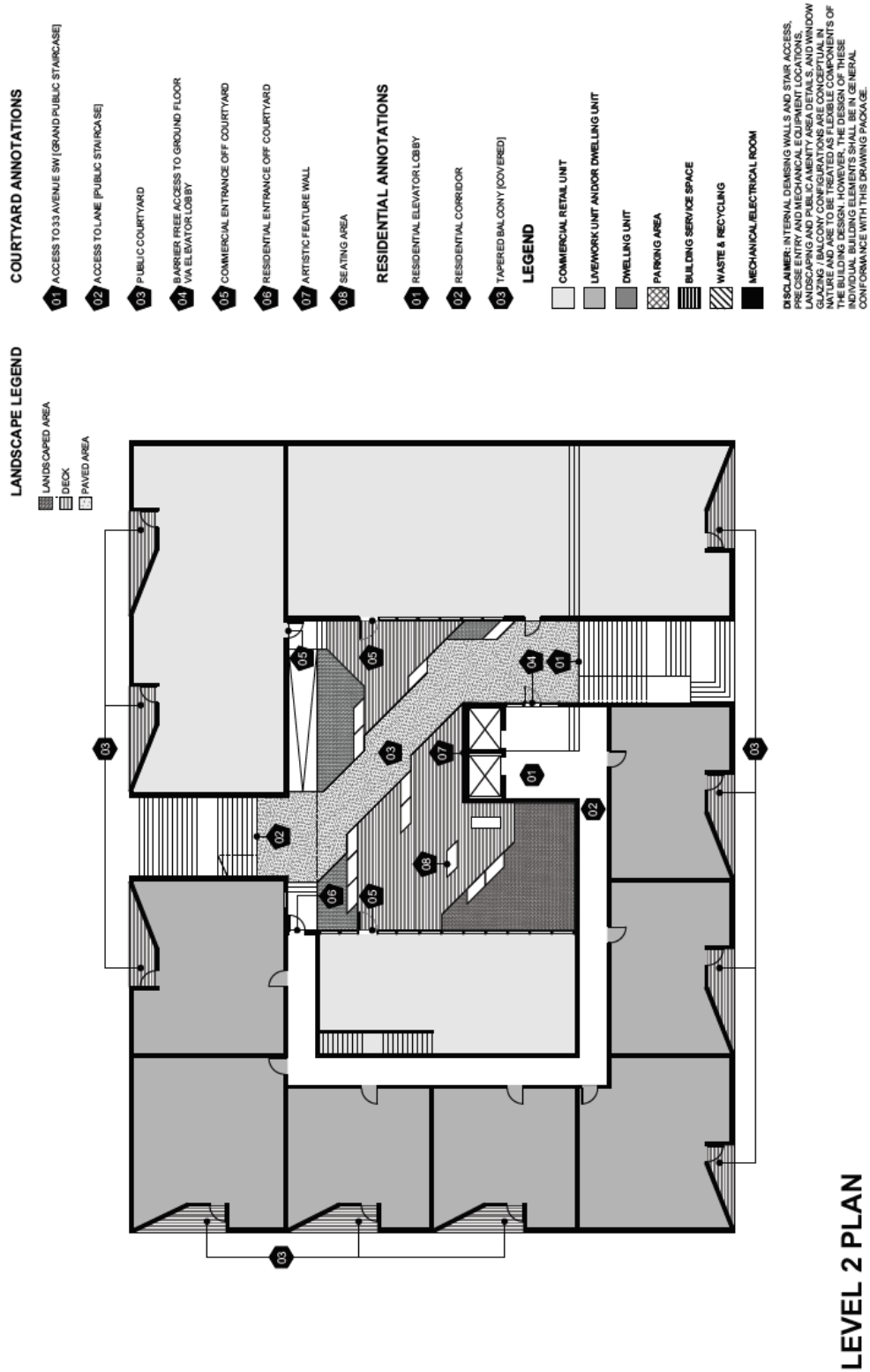
PROPOSED

AMENDMENT LOC2017-0096/CPC2018-0812
BYLAW NUMBER 257D2018



PROPOSED

AMENDMENT LOC2017-0096/CPC2018-0812
BYLAW NUMBER 257D2018



PROPOSED

AMENDMENT LOC2017-0096/CPC2018-0812
BYLAW NUMBER 257D2018

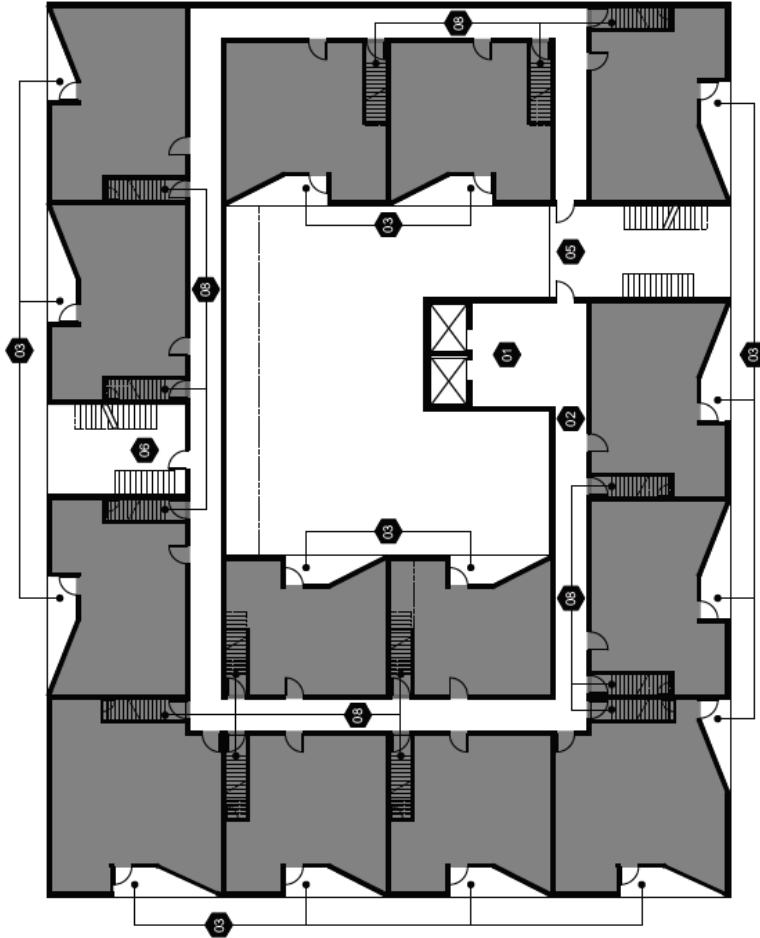
RESIDENTIAL ANNOTATIONS

- 01 RESIDENTIAL ELEVATOR LOBBY
- 02 RESIDENTIAL CORRIDOR
- 03 TAPERED BALCONY (COVERED)
- 04 TAPERED BALCONY (OPEN AIR)
- 05 EXTERIOR EXIT STAIR (ACCESS TO 33 AVENUE SW)
- 06 EXTERIOR EXIT STAIR (ACCESS TO LAKE)
- 07 SCREENED MECHANICAL EQUIPMENT
- 08 STAIR ACCESS TO UNIT ABOVE (SNIP STOP CORRIDOR)
- 09 STAIR ACCESS TO CORRIDOR BELOW (SNIP STOP CORRIDOR)

LEGEND

- COMMERCIAL RETAIL UNIT
- LIVE/WORK UNIT AND/OR DWELLING UNIT
- DWELLING UNIT
- PARKING AREA
- BUILDING SERVICE SPACE
- WASTE & RECYCLING
- MECHANICAL/ELECTRICAL ROOM

DISCLAIMER: INTERNAL DIMENSION WALLS AND STAIR ACCESS. THIS DRAWING IS A CONCEPTUAL REPRESENTATION OF THE PROPOSED DEVELOPMENT. IT IS NOT A FINAL DESIGN. THE ARCHITECT ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREIN. THE ARCHITECT ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREIN. THE ARCHITECT ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREIN.



LEVEL 3 PLAN

PROPOSED

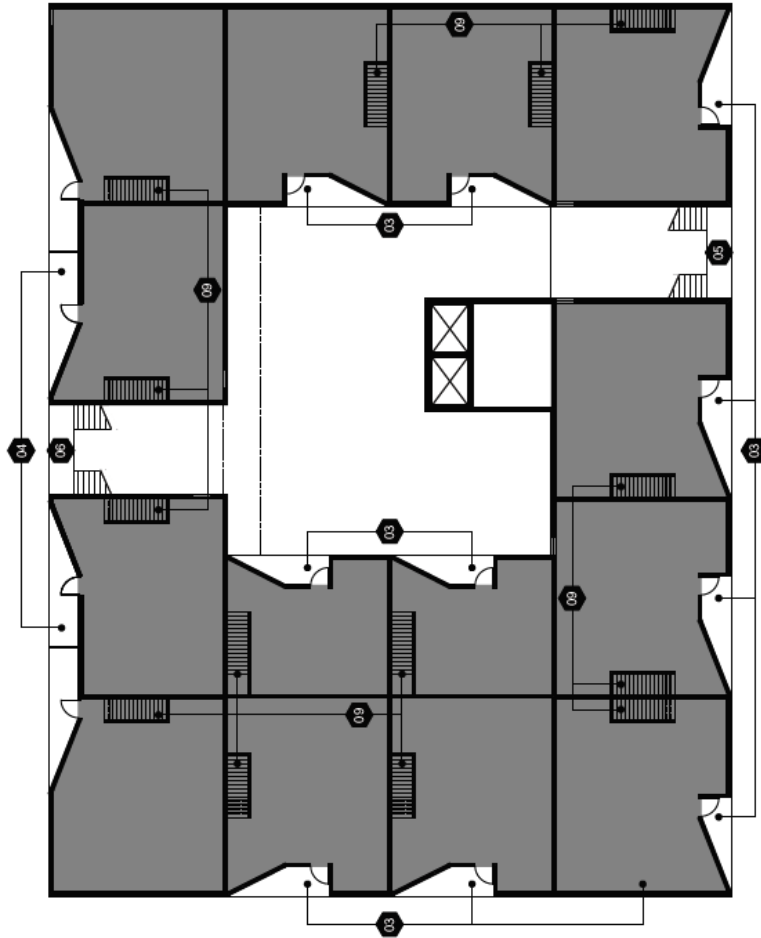
AMENDMENT LOC2017-0096/CPC2018-0812
BYLAW NUMBER 257D2018

RESIDENTIAL ANNOTATIONS

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- 06 EXTERIOR EXIT STAIR (ACCESS TO LAKE)
- 07 SCREENED MECHANICAL EQUIPMENT
- 08 STAIR ACCESS TO UNIT ABOVE (SKIP STOP CORRIDOR)
- 09 STAIR ACCESS TO CORRIDOR BELOW (SKIP STOP CORRIDOR)

LEGEND

- COMMERCIAL RETAIL UNIT
 - LIVE/WORK UNIT AND/OR DWELLING UNIT
 - DWELLING UNIT
 - PARKING AREA
 - BUILDING SERVICE SPACE
 - WASTE & RECYCLING
 - MECHANICAL/ELECTRICAL ROOM
- DISCLAIMER: INTERNAL DIMENSIONS, WALLS AND STAIR ACCESS, PRECISE ENTRY AND MECHANICAL EQUIPMENT LOCATIONS, LANDSCAPING AND PUBLIC AMENITY AREA DETAILS, AND WINDOW GLAZING / BALCONY CONFIGURATIONS ARE CONCEPTUAL IN NATURE AND ARE TO BE TREATED AS PRELIMINARY. THE FINAL BUILDING DESIGN SHALL BE IN GENERAL CONFORMANCE WITH THIS DRAWING PACKAGE.



LEVEL 4 PLAN

PROPOSED

AMENDMENT LOC2017-0096/CPC2018-0812
BYLAW NUMBER 257D2018

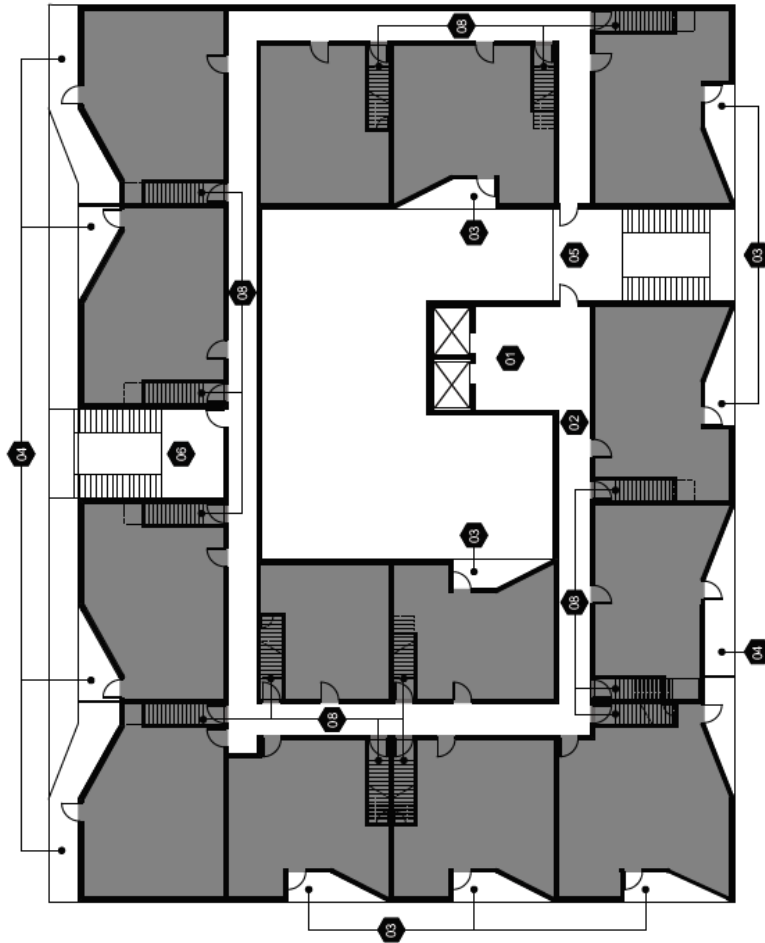
RESIDENTIAL ANNOTATIONS

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- 02 RESIDENTIAL CORRIDOR
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- 04 TAPERED BALCONY (OPEN AIR)
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- 06 EXTERIOR EXIT STAIR (ACCESS TO LAKE)
- 07 SCREENED MECHANICAL EQUIPMENT
- 08 STAIR ACCESS TO UNIT ABOVE (SKIP STOP CORRIDOR)
- 09 STAIR ACCESS TO CORRIDOR BELOW (SKIP STOP CORRIDOR)

LEGEND

- COMMERCIAL RETAIL UNIT
- LIVABLE UNIT AND/OR DWELLING UNIT
- DWELLING UNIT
- PARKING AREA
- BUILDING SERVICE SPACE
- WASTE & RECYCLING
- MECHANICAL/ELECTRICAL ROOM

DISCLAIMER: INTERNAL DESIGNING WALLS AND STAIR ACCESS, PROPOSED ENTRY AND MECHANICAL EQUIPMENT LOCATIONS, LANDSCAPING AND PUBLIC AMENITY AREA DETAILS, AND WINDOW GLAZING / BALCONY CONFIGURATIONS ARE CONCEPTUAL IN NATURE AND ARE TO BE TREATED AS FLEXIBLE COMPONENTS OF THE DESIGN. THE FINAL DESIGN SHALL BE DETERMINED BY THE INDIVIDUAL BUILDING ELEMENTS SHALL BE IN GENERAL CONFORMANCE WITH THIS DRAWING PACKAGE.



LEVEL 5 PLAN

PROPOSED

AMENDMENT LOC2017-0096/CPC2018-0812
BYLAW NUMBER 257D2018

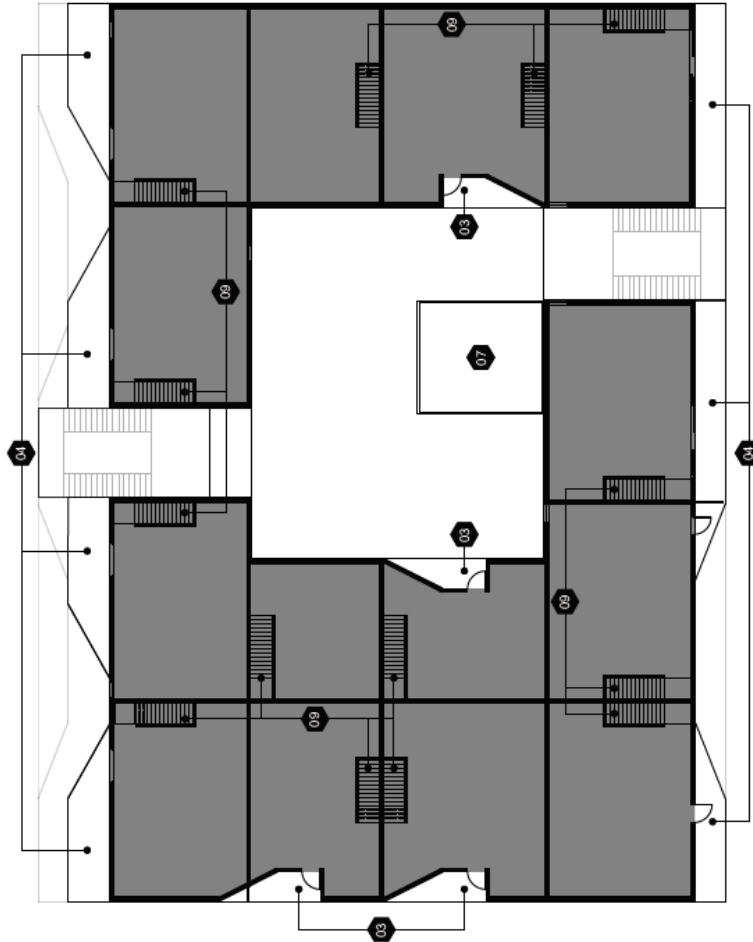
RESIDENTIAL ANNOTATIONS

- 01 RESIDENTIAL ELEVATOR LOBBY
- 02 RESIDENTIAL CORRIDOR
- 03 TAPERED BALCONY (COVERED)
- 04 TAPERED BALCONY (OPEN AIR)
- 05 EXTERIOR EXIT STAIR (ACCESS TO 33 AVENUE SW)
- 06 EXTERIOR EXIT STAIR (ACCESS TO LAKE)
- 07 SCREENED MECHANICAL EQUIPMENT
- 08 STAIR ACCESS TO UNIT ABOVE (SKIP STOP CORRIDOR)
- 09 STAIR ACCESS TO CORRIDOR BELOW (SKIP STOP CORRIDOR)

LEGEND

- COMMERCIAL RETAIL UNIT
- LIVESTOCK UNIT AND/OR DWELLING UNIT
- DWELLING UNIT
- PARKING AREA
- BUILDING SERVICE SPACE
- WASTE & RECYCLING
- MECHANICAL/ELECTRICAL ROOM

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LEVEL 6 PLAN

PROPOSED

AMENDMENT LOC2017-0096/CPC2018-0812
BYLAW NUMBER 257D2018

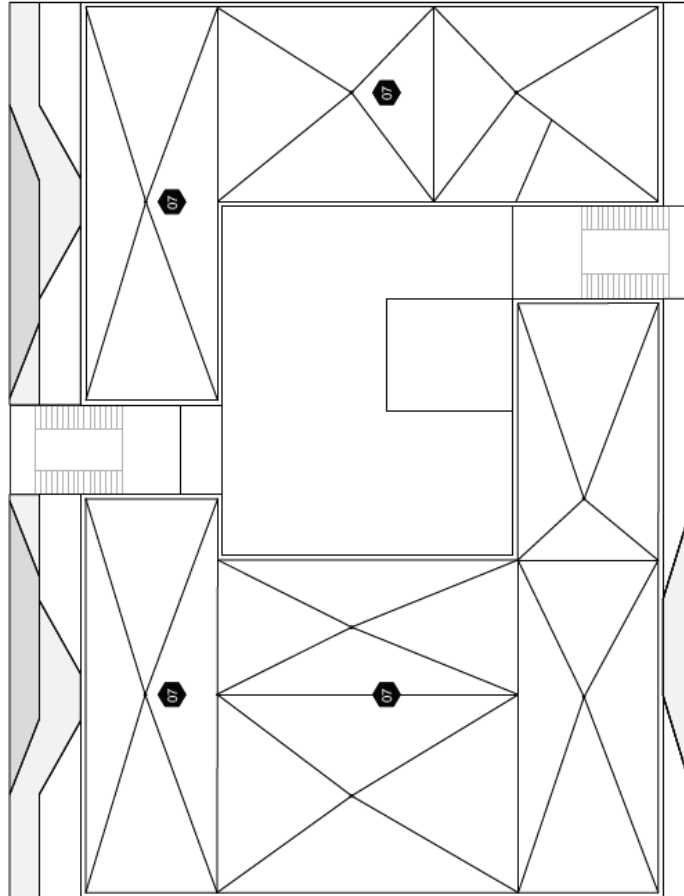
RESIDENTIAL ANNOTATIONS

- 01 RESIDENTIAL ELEVATOR LOBBY
- 02 RESIDENTIAL CORRIDOR
- 03 TAPERED BALCONY (COVERED)
- 04 TAPERED BALCONY (OPEN AIR)
- 05 EXTERIOR EXIT STAIR (ACCESS TO 33 AVENUE SW)
- 06 EXTERIOR EXIT STAIR (ACCESS TO LAKE)
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- 09 STAIR ACCESS TO CORRIDOR BELOW (SKIP STOP CORRIDOR)

LEGEND

- COMMERCIAL RETAIL UNIT
- LIVE/WORK UNIT AND/OR DWELLING UNIT
- DWELLING UNIT
- PARKING AREA
- BUILDING SERVICE SPACE
- WASTE & RECYCLING
- MECHANICAL/ELECTRICAL ROOM

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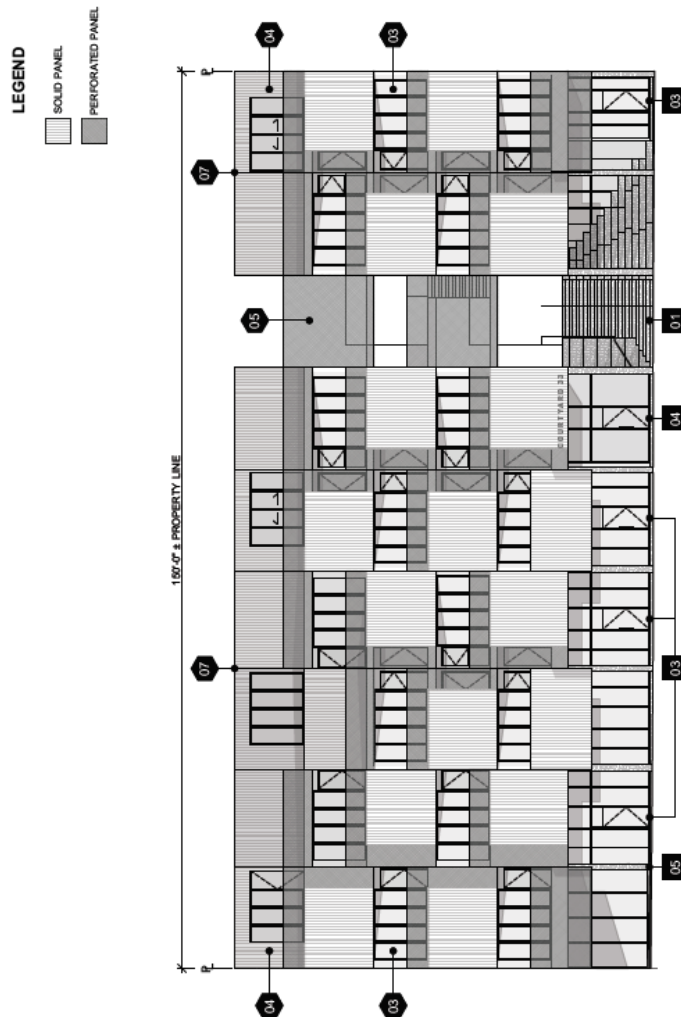
ROOF PLAN

PROPOSED

AMENDMENT LOC2017-0096/CPC2018-0812
BYLAW NUMBER 257D2018

- GROUND FLOOR ANNOTATIONS**
- 01 PRIMARY COURTYARD ACCESS (GRAND PUBLIC STAIRCASE) FROM LEVEL 11 TO LEVEL 2
 - 02 SECONDARY COURTYARD ACCESS (PUBLIC STAIRCASE) FROM LEVEL 11 TO LEVEL 2
 - 03 ACTIVE STREET FRONTAGE WITH PRIMARY ENTRANCES LOCATED ALONG 33 AVENUE SW
 - 04 PRINCIPAL BUILDING ENTRANCE
 - 05 SUPPORT COLUMN (DOUBLE HEIGHT ARCADE)
 - 06 ACTIVE STREET FRONTAGE WITH HIGH DEGREE OF WINDOW GLAZING
 - 07 UNDERGROUND PARKADE ENTRY / EXIT
 - 08 LANE-ACTIVATING MICRO-RETAIL ENTRANCES
 - 09 ROLL-DOOR FOR GARBAGE & RECYCLING
 - 10 NEW DECIDUOUS TREE
- RESIDENTIAL ANNOTATIONS**
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 - 06 EXTERIOR EXIT STAIR (ACCESS TO LANE)
 - 07 SCREENED MECHANICAL EQUIPMENT

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* EXTERIOR CLADDING TO CONSIST OF HIGH QUALITY RAINSCREEN SYSTEM

SOUTH ELEVATION

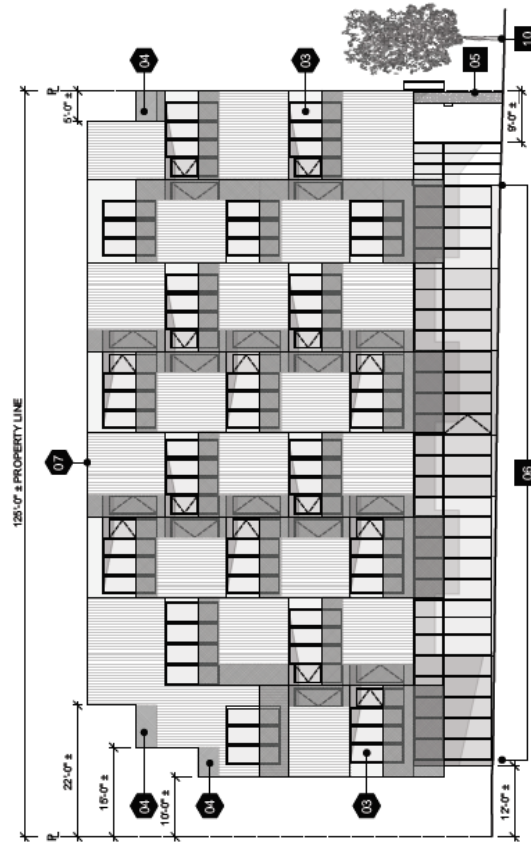
PROPOSED

AMENDMENT LOC2017-0096/CPC2018-0812
BYLAW NUMBER 257D2018

- GROUND FLOOR ANNOTATIONS**
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- RESIDENTIAL ANNOTATIONS**
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 - 06 EXTERIOR EXIT STAIR [ACCESS TO LANE]
 - 07 SCREENED MECHANICAL EQUIPMENT

DISCLAIMER: INTERNAL DIMENSION WALLS AND STAIR ACCESS, LANDSCAPE AND MECHANICAL EQUIPMENT, CURB, SIDEWALK, LANDSCAPING AND PUBLIC AMENITY DETAILS, AND WINDOW GLAZING / BALCONY CONFIGURATIONS ARE CONCEPTUAL IN NATURE AND ARE TO BE TREATED AS FLEXIBLE COMPONENTS OF THE BUILDING DESIGN. THE DESIGN TEAM HAS MADE THESE AND BUILDING ELEMENTS SHALL BE IN GENERAL CONFORMANCE WITH THIS DRAWING PACKAGE.

- LEGEND**
- SOLID PANEL
 - PERFORATED PANEL



* EXTERIOR CLADDING TO CONSIST OF HIGH QUALITY RAINSCREEN SYSTEM

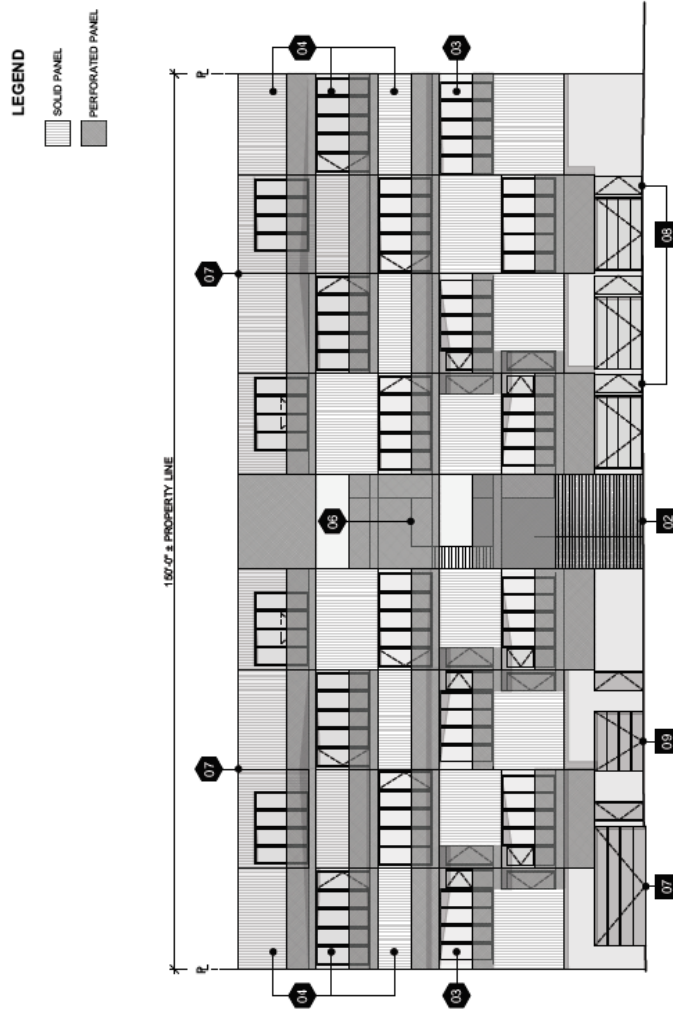
WEST ELEVATION

PROPOSED

AMENDMENT LOC2017-0096/CPC2018-0812
BYLAW NUMBER 257D2018

- GROUND FLOOR ANNOTATIONS**
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 - 10 NEW DECIDUOUS TREE
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* EXTERIOR CLADDING TO CONSIST OF HIGH QUALITY RAINSCREEN SYSTEM

NORTH ELEVATION

PROPOSED

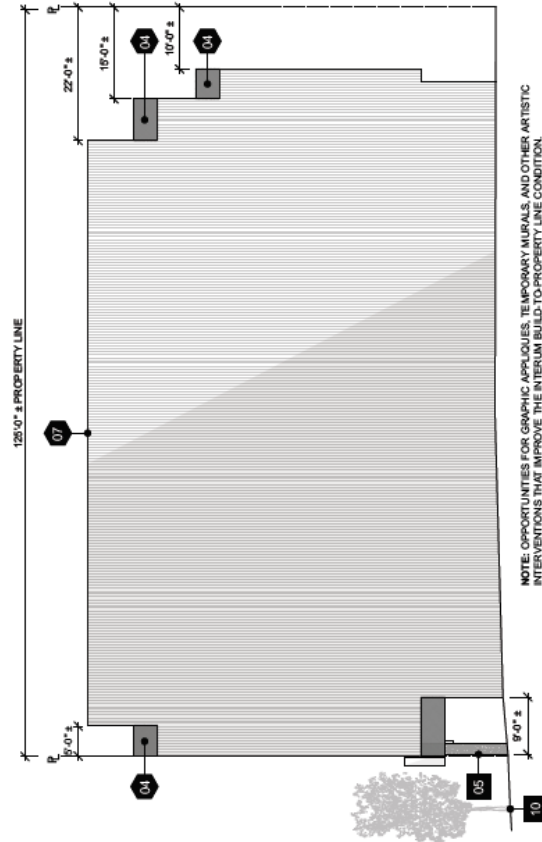
AMENDMENT LOC2017-0096/CPC2018-0812
BYLAW NUMBER 257D2018

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LEGEND

SOLID PANEL

PERFORATED PANEL



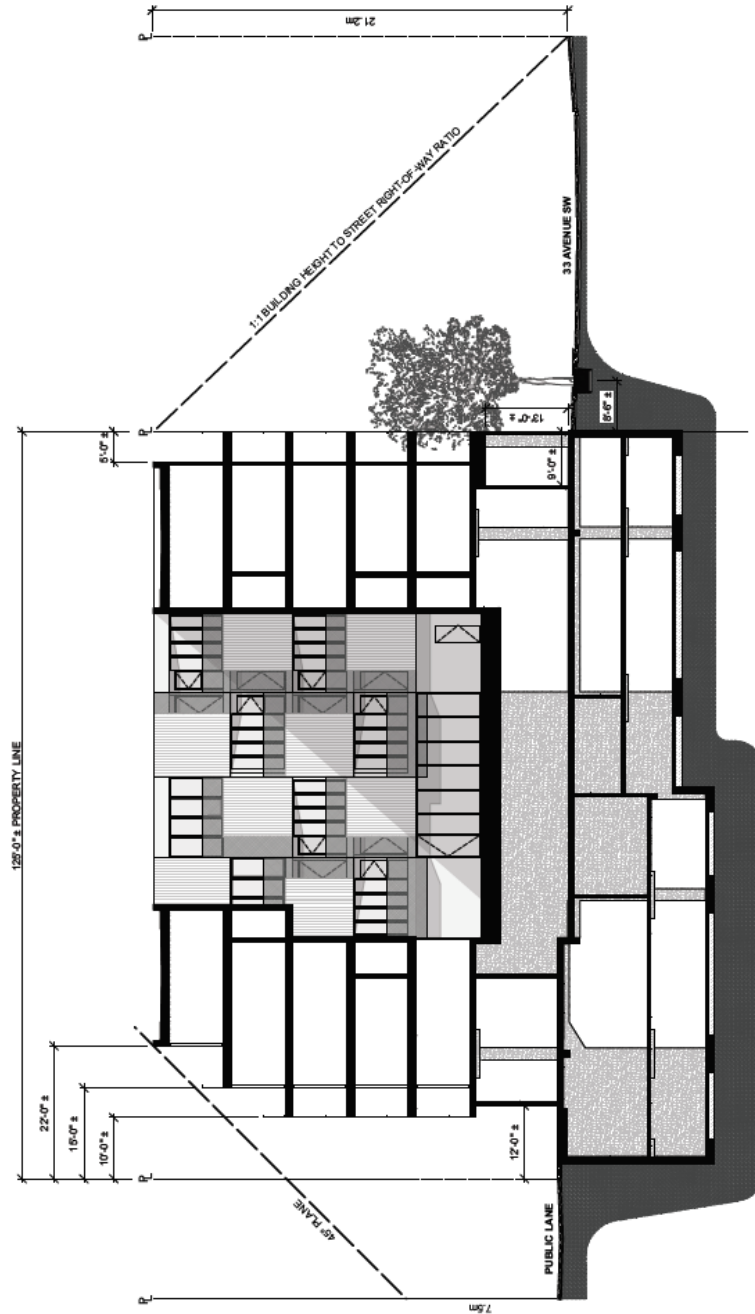
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* EXTERIOR CLADDING TO CONSIST OF HIGH QUALITY RAINSCREEN SYSTEM

EAST ELEVATION

PROPOSED

AMENDMENT LOC2017-0096/CPC2018-0812
BYLAW NUMBER 257D2018



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SECTION

McDougall, Libbey C.

From: Holberton, Kimberly
Sent: Monday, August 27, 2018 9:25 AM
To: Public Submissions
Subject: CPC2018-0812 Comments from the 2018 August 23 Meeting of CPC

Follow Up Flag: Follow up
Flag Status: Completed

From: Colin Friesen [mailto:cepfriesen@gmail.com]
Sent: Saturday, August 25, 2018 10:54 PM
To: Holberton, Kimberly
Subject: [EXT] CPC Comments - Colin Friesen

Kimberly,

Comments on issues from CPC August 23, 2018.

Item #7.2.9 – Policy and Land Use Amendment - Richmond

I am pleased to support and comment on this application and project for the following reasons. This Land Use Amendment is attached to a Development Permit which is primarily what I will be commenting on. So many of the project proposals we see are just acceptable in terms of design quality and don't meet the lofty goals for design that are principles and commitments listed in the Municipal Development Plan and in other City policy documents. I could describe these other projects with the most scathing and pointed criticism I can think of for an architectural project, they are simply boring.

This project is different and illustrates why mediocre design is quite unnecessary. It achieves a number of basic planning goals very well and also presents complex forms and a rich architectural environment that are very desirable qualities in a relatively small project like this. In addition the plans are fairly simple with unit sizes and shapes that are not unusual which illustrates that good design does not have to be radical and difficult to understand or build. The project achieves so much and appears to do it effortlessly, it stands as an example to measure other proposed designs against.

Colin

McDougall, Libbey C.

From: Holberton, Kimberly
Sent: Monday, August 27, 2018 9:28 AM
To: Public Submissions
Subject: CPC2018-0812 Comments from the 2018 August 23 Meeting of CPC.

Follow Up Flag: Follow up
Flag Status: Completed

From: Lourdes Juan [mailto:lourdesjuan@me.com]
Sent: Sunday, August 26, 2018 7:13 PM
To: Holberton, Kimberly
Subject: [EXT] CPC Comments

7.2.9 - This application is exceptional in design and innovation. It encourages street level animation, employment, local retailers, and creative spaces. The proposal compliments the current commercial activity and I believe will serve as an asset to the neighbourhood.

Thanks!

Lourdes Juan
M.E.Des, BGS
403-619-6373

From: [stacy miller](#)
To: [Public Submissions](#)
Cc: [Joshua Wong](#); [Judy Jamieson](#)
Subject: [EXT] Courtyard 33 PROPOSAL - Redesignation
Date: Monday, October 01, 2018 8:34:11 AM
Attachments: [Ben Bailey.pdf](#)

Stacy Miller 2235 32 Ave. S.W.

Joshua Wong 2235 32 Ave. S.W.

Judy Jamieson 2237 32 Ave. S.W.

There's a serious omission in the City of Calgary Land Use Bylaw in not addressing subsurface streams and high water tables in the Application for Development process. It's well known among long-term residents of South Calgary as well as Altadore that there are a number of subsurface streams and high water tables. And there is a subsurface stream that runs directly between the homes at 2235 and 2237 32 Ave. S.W. and directly into the land RNDsQR proposes to develop. And it runs directly under the entrance to their proposed parkade.

An example of one of many municipalities that address this essential consideration is Montreal Borough of Pierrefonds Roxboro. <http://ville.montreal.qc.ca/sel/sypre-consultation/afficherpdf?idDoc=21887&typeDoc=1>

Under 20. INFORMATION AND DOCUMENTS REQUIRED FOR APPROVAL OF AN APPLICATION it reads, "3. The drawings must include the following:... Low-flow (20-100 years) areas, high-flow areas (0-20 years), the natural line of high water and levels and the bank, as well as their respective elevations."

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Al Devani from RNDsQR later admitted that they hadn't done a study to build the 2 level parkade they would require but only a 1 level parkade so Bailey was clearly misrepresenting their findings. And now that the study has been completed it does show a High Water Table consistent with an underground stream at 4.5 m.

From the Royal Institute of Chartered Surveyors (RICS) in their online article **Residential: high local water tables and flooding - Causes, effects and solutions (October 14, 2015)**, "The most important aspect is to reduce the amount of additional hard surfaces introduced around a building, e.g. driveways, concrete hardstands and solid patios."
https://www.isurv.com/info/390/features/8775/residential_high_local_water_tables_and_flooding

My neighbors and I have years of experience with the underground stream and the sinkhole it's created in the alley. The City frequently fills and repairs this hole. RNDsQR's proposed Courtyard 33 will be surrounded by hard surfaces owned by the City on three sides with the proposed entrance to the parkade directly over the sinkhole. This is an undue risk to taxpayers.

After reading through The City of Calgary's Land Use Bylaw, another issue that jumps out is the City's legal obligation under the Municipal Government Act, "...to provide means whereby plans and related matters may be prepared and adopted...without infringing on the rights of individuals for any public interest except to the extent that is necessary for the overall greater public interest."

And furthermore as follows in the City of Calgary Land Use Bylaw.

"Section 640

(6) A land use bylaw may authorize a development authority to decide on an application for a development permit even though the proposed development does not comply with the land use bylaw or is a non-conforming building if, in the opinion of the development authority,

(a) the proposed development would not

1. (i) unduly interfere with the amenities of the neighbourhood, or
2. (ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,"

As we've repeatedly expressed to the City the current means for taxpayers to express their concerns are inadequate. You can refer back to our many submissions to the City detailing many examples. These include but are not limited to not answering stakeholder's concerns, holding Open Houses that only allow feedback on decisions that have already been made and not taking Facebook posts that show the true opposition of the community into consideration. The Facebook posts promoted by the City for Community Events are overwhelming against further development in Marda Loop especially due to traffic and density concerns yet these are hidden/censored from the Facebook page once the short-term promotion has ended. The sentiment of the community is in direct conflict with what RNSQR reports.

Because of the lack of confidence inspired by the above in the City's addressing of real concerns above, we have a lack of confidence in the City's required Traffic Studies that will predict a realistic outcome. It's reasonable to say that a densification of an established neighborhood like Marda Loop has never been undertaken by the City. The 5 Storey LYFE building will be rental properties and thus will undoubtedly have more cars than a building of property owners. The traffic and parking right now is disruptive to say the least and there will be more residents than there are construction workers. How can the City conduct an accurate Traffic Report before the effects of the LYFE residents are known?

Thirty second avenue southwest, 21 St. S.W. and now 22 St. S.W. are one lane roads that only allow cars to pass in one direction ninety percent of the time during the day. There is rarely parking available in front of our house. Our laneway will be turning into a street and will become an alternate route to 33 Ave. as it backs up with unmanageable traffic. We will not have parking in front of our houses and will not be able have reasonable access to our garages. A fact that RNSQR completely overlooks in their reports. In reference to Section 640 above, we will not only have reduced access to amenities but reduced access to the necessity of having access to our homes from either the front or the back.

Additionally, our properties will definitely be materially affected in value by the removal of these necessities as well as the completely unnecessary building of a proposed 6 storey building over a 4 storey building. A 6 storey building would impose on our properties and block our Sun which obviously interferes with the benefit of the South Facing sun that all of our properties on this side have been designed to enjoy.

Along with the City ignoring the community's real feedback, it's very frustrating that the City would allow RNSQR to ignore the ARP that we've paid for. To put it into context taxpayers entrust the City to plan for Community Development yet puts the finger on the balance in favour of Developers when making the decision to change zoning. RNSQR and their representatives are undoubtedly highly paid and well-versed in the Application Process yet here we are as Stakeholders spending many unpaid hours reminding the City of common-sense and widely known concerns. The balance needs to be tipped to a more fair and representative decision-making process.

We remain with all of our previous questions to RNSQR and the City unanswered. Especially the question of who's liable for any damage created by RNSQR? Going back to Bailey's comment that they will address "distressed" neighbors and follow-up with them, that has never been the case.

We are all opposed to the Redesignation as well as granting any landline change to RNSQR.

Signed,

Stacy Miller

Joshua Wong

Judy Jamieson

from: **CAWard8 - Brienne
Biblow** <caward8@calgary.ca>

date: Wed, Mar 7, 2018 at 11:44 AM

My apologies for the delay in responding to you concerning your questions about the water table/stream– I was out of the office for the past two weeks. I received the following email (below) from one of the project managers with the application and it appears that they will be or possibly already have been in touch with you to with further details pertaining to their Geotechnical Analysis and Environmental Site Assessment.

If you have any other questions or concerns please feel free to contact me.

Best,

Brienne Biblow

Senior Creative & Development Advisor

Ward 8 Councillor Evan Woolley | The City of Calgary

T [403-268-2504](tel:403-268-2504) | www.calgary.ca/ward8

Administration Building - 4th Floor, 313 – 7th Avenue SE

P.O. Box 2100, Station M, Calgary, AB Canada T2P 2M5

Want to keep informed? [Join the Ward 8 mailing list.](#)

From: Ben Bailey [mailto:ben@civicworks.ca] **Sent:** Thursday, February 22, 2018 10:34 AM **To:** CAWard8 - Brienne Biblow <caward8@calgary.ca> **Cc:** Dave White <david@civicworks.ca>; Boris Karn <boris@civicworks.ca> **Subject:** Re: [EXT] Re: Houses behind Courtyard33

Hi Brienne,

Thanks for sharing. To answer your questions, RNDsQR has completed a Geotechnical Analysis and Phase I and Phase Environmental Site Assessment. The Geotech study did note higher water tables, but no subsurface stream. Our geotechnical engineers have indicated to us that excavation and construction can be managed via standard dewatering techniques (nothing outside the norm).

I'll note that this particular stakeholder has contacted us via the www.engagecourtyard33.com email and we have responded to the best of our abilities. We have not been further contacted since our response on February 12th. However, reading this email we do appreciate that this neighbour is significantly distressed, and we are working with our geotech engineers accordingly to provide a plain language response that helps further address the concerns.

While it is a third-party platform outside our formal engagement process, for additional context I do encourage the Ward 8 office to read the email forum thread mentioned in the email (starting on page 5).

<https://skyrisecities.com/forum/threads/calgary-courtyard-33-22m-6s-rndsqr-5468796-architecture.27671/page-5>

Thanks again for notifying the team and we will work towards resolving this through the appropriate channels.

BEN BAILEY, BA, MPlan
PLANNER



From: [stacy miller](#)
To: [Public Submissions](#)
Cc: [Lisette Perreault](#); [Judy Jamieson](#); [Joshua Wong](#)
Subject: [EXT] Fwd: Courtyard 33 PROPOSAL - Redesignation
Date: Monday, October 01, 2018 8:53:25 AM
Attachments: [Ben Bailey.pdf](#)

Lisette Perreault & Garth Babcock from 3304 22 St SW would also like to be included in this submission.

Sent from my iPhone

Begin forwarded message:

From: stacy miller <moonshadowmacrame@gmail.com>
Date: October 1, 2018 at 8:29:19 AM MDT
To: PublicSubmissions@calgary.ca
Cc: Joshua Wong <joshwongjosh@gmail.com>, Judy Jamieson <jamieson.judy@gmail.com>
Subject: **Courtyard 33 PROPOSAL - Redesignation**

Stacy Miller 2235 32 Ave. S.W.

Joshua Wong 2235 32 Ave. S.W.

Judy Jamieson 2237 32 Ave. S.W.

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Thanks again for notifying the team and we will work towards resolving this through the appropriate channels.

BEN BAILEY, BA, MPlan
PLANNER

CIVICWORKS
PLANNING + DESIGN

From: [propertymanagement](#)
To: [Public Submissions](#)
Subject: [EXT] October 9, 2018 Public Hearing Item LOC2017-0391 CPC2018-0812
Date: Monday, October 01, 2018 1:51:20 AM

Shyfam Holdings Ltd.
2226 33 Ave SW Suite 12
Calgary AB T2T 1Z8
September 25, 2018
Office of the City Clerk
The City of Calgary
700 Macleod Trail SE
Calgary AB T2P 2M5

Dear Office of the City Clerk,

RE: October 9, 2018 Public Hearing Item LOC2017-0391 CPC2018-0812

Please inform the City of Calgary Mayor and the Councillors that as the owner of the property immediately adjacent to the subject site we are in favor of this project and support the application presented before you today.

Regards,

John Shykula

Shyfam Holdings Ltd.

propertymanagement@shaw.ca

_____ ESET Internet Security _____

This email was scanned, no threats were found.

Detection engine version: 18139 (20181001)

<http://www.eset.com>

From: [Brett McDermott](#)
To: [Public Submissions](#)
Cc: info@engagecourtyard33.com; [Emily Ferguson](#)
Subject: [EXT] RE: October 9 Public Hearing: LOC2017-0391
Date: Monday, October 01, 2018 12:00:01 PM

Hello,

This letter is to support the Courtyard 33 application (LOC2017-0391) taking place in Marda Loop. As a small, local business owner (Neighbour Coffee, Our Daily Brett Market + Cafe, Salon Fine Catering + Events) I believe this project holds benefits for both the community and the city. With features of large windows, inviting retail spaces, an architectural design that is both visually interesting and inviting to neighbours I feel this project will support positive, well thought out future growth in Marda Loop.

Courtyard 33 will help see Calgary and this community continue to grow, creating greater diversity of housing options and in achieving the objective of inner-city density, as laid out by the City of Calgary.

Our Daily Brett is moving to Marda Loop as well. We are expanding on our brand 4 blocks from our current location as we strongly believe in Marda Loop as a community. With this move, I am excited to see thoughtful projects like this come to life and bring much needed density to the inner city.

Thanks for your time.

Best,

Brett McDermott
403.973.7780
Good.Honest.Food
www.ourdailybrett.com

From: [Sebastian Sztabyb](#)
To: [Public Submissions](#)
Cc: info@engagecourtyard33.com
Subject: [EXT] October 9 Public Hearing: LOC2017-0391
Date: Monday, October 01, 2018 8:55:09 AM
Attachments: [rndsqr.pdf](#)

To City of Calgary Councillors and the Mayor,

Please see my attached letter of support for the Courtyard 33 application (LOC2017-0391).

Regards,
Sebastian Sztabyb

Sebastian Sztabyb // Co-founder
Phil & Sebastian Coffee Roasters
618 Confluence Way SE, Calgary, AB T2G 0G1
o.403.261.1885
m.403.612.2266
philsebastian.com
@philandseb

PHIL & SEBASTIAN COFFEE ROASTERS
618 CONFLUENCE WAY SE
CALGARY, AB T2G 0G1
T 403.261.1885
WWW.PHILSEBASTIAN.COM



To City of Calgary Councillors and the Mayor,

I am writing in support of the Courtyard 33 application (LOC2017-0391). After viewing the plans and renderings I feel this project will add to the growing vitality of the Marda Loop area. With no current multifamily projects on 33 Avenue which engage the public, Courtyard will reinforce the strong sense of community already present through it's large open courtyard and communal spaces, retail shops, and various dwelling units. The quality of the architectural design is uncommon in our city and will be a talking point for many visitors, and a unique welcome home for residents. It will aid in furthering growth, turning 33rd Avenue into a main street and a thriving pedestrian realm.

Phil & Sebastian was one of the first coffee shops in Marda Loop, prior to establishment, and has seen first-hand the evolution of this area. As a resident of the area and a neighbouring business, I am thrilled to see a project like this in the plans and hope that you will approve its application. Marda Loop and Calgary will benefit from a well thought out project that serves the people and additional businesses, backed by a developer looking to change our city for the better.

Regards,

A handwritten signature in black ink, appearing to read 'Sebastian Sztabzyb', written over a horizontal line.

Sebastian Sztabzyb
Co-Founder, Phil & Sebastian Coffee Roasters

From: [Sebastian Sztabyb](#)
To: [Public Submissions](#)
Cc: info@engagecourtyard33.com
Subject: [EXT] October 9 Public Hearing: LOC2017-0391
Date: Monday, September 24, 2018 12:10:57 PM

To City of Calgary Councillors and the Mayor,

I am writing in support of the Courtyard 33 application (LOC2017-0391). I have seen the plans and rendering and feel this project will add to the growing vitality of the Marda Loop area.

As a business neighbour and a resident of the area, I am thrilled to see a project like this in the plans and hope that you will approve its application.

Regards,
Sebastian Sztabyb

Sebastian Sztabyb // Co-founder
Phil & Sebastian Coffee Roasters
618 Confluence Way SE, Calgary, AB T2G 0G1
o.403.261.1885
m.403.612.2266
philsebastian.com
@philandseb

From: [Mike Ward](#)
To: [Public Submissions](#)
Cc: info@engagecourtyard33.com
Subject: [EXT] RE: October 9 Public Hearing: LOC2017-039
Date: Thursday, September 27, 2018 4:57:31 PM
Attachments: [LOC2017-0391 Letter of Support \(3\).pdf](#)

To City of Calgary Councilors and the Mayor,

Please see attached for my letter supporting the Courtyard 33 application (LOC2017-0391) scheduled for the October 9th public hearing.

Thanks,

Mike Ward

Co-founder

The Brewer's Apprentice Inc.

Residence and mailing address:

2104 52nd Ave SW

T3E 1K3

Calgary



The Brewer's Apprentice Inc.
448 3th Ave SE
Calgary, AB
403-804-4924

Office of the City Clerk
The City of Calgary
700 Macleod Trail SE
P.O Box 2100, Postal Station 'M'
Calgary, Alberta
T2P 2M5

VIA PublicSubmissions@calgary.ca

September 27, 2018

RE: October 9 Public Hearing: LOC2017-0391

To City of Calgary Councillors and the Mayor,

I am writing in support of the Courtyard 33 application (LOC2017-0391).

About us

The Brewer's Apprentice is a retail merchant of specialty beers in Calgary. Our mission is to simplify the craft beer experience by providing the best beers in the city and connecting the people of Calgary to our many great craft breweries - giving the breweries a chance to share their beer and their stories. With 48 brews on tap, we pride ourselves on creating incredible experiences for all craft beer lovers, from the long-time enthusiast to the new beer explorer. We're passionate about our industry and in an effort to share that appreciation, we offer a variety of educational events, including specialty tastings and brewery visits.

Courtyard 33 + The Brewer's Apprentice

As an owner of The Brewer's Apprentice, and a neighbouring community member, I am excited about the vision of Courtyard 33 - particularly its architectural design and community-inspired, mixed-use courtyard concept. At our East Village location, we have found success in what may be considered an unassuming alleyway. The alley's design offers a unique, visually appealing pedestrian pathway that contributes to the customer and community experience. I believe the courtyard, a hopeful second home, will create a similarly vibrant retail experience for Marda Loop patrons.

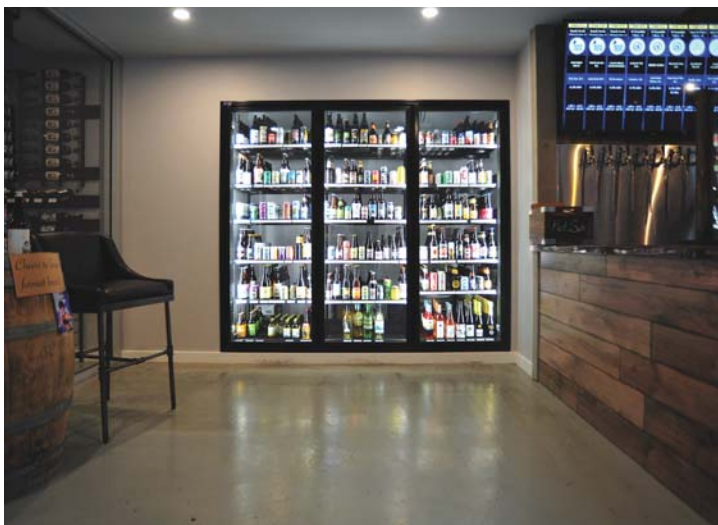
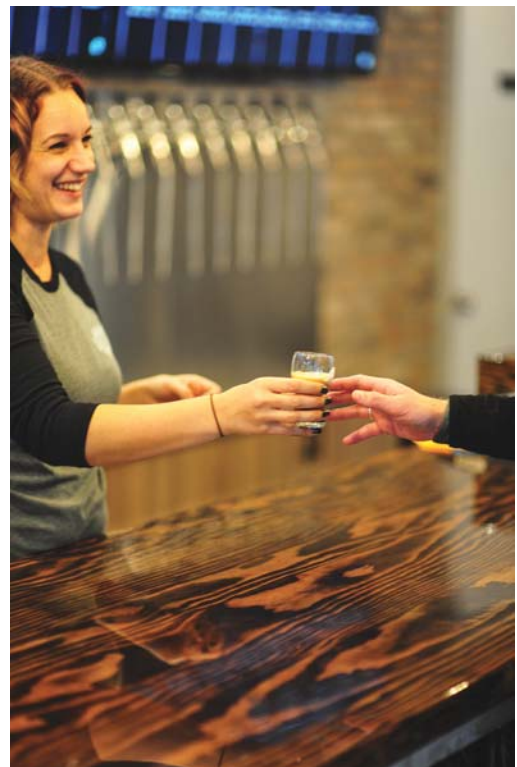
We are supportive of this venture and wish to express our interest in partnering with the project as a long-term retail tenant. For those who have not visited our East Village location, I have included some images of our space - indicative of the high-quality engaging atmosphere and specialty beer experience we aim to re-create in Marda Loop.

Sincerely,
The Brewer's Apprentice Inc.

Mike Ward
Co-founder



The Brewer's Apprentice Inc.
448 3th Ave SE
Calgary, AB
403-804-4924



From: celiarmeunier@gmail.com
To: [Public Submissions](#)
Subject: October 9, <web submission> LOC2017-0391
Date: Friday, September 28, 2018 2:10:12 PM

September 28, 2018

Application: LOC2017-0391

Submitted by: Celia Meunier

Contact Information

Address: 2620 25 Street SW

Phone:

Email: celiarmeunier@gmail.com

Feedback:

I am concerned regarding the height as well as the deficiency regarding the parking for this building. The have planned 63 units and 65 tenant parking stalls which includes visitor parking. The plan is for mixed commercial use. The neighbourhood is significantly lacking in adequate parking and often the employees and the patrons of a building of this magnitude are forced to park on the street. The on street parking is in high competition for the neighbouring high density units. The builders need to be forced to accommodate for the full building usage. The planned 2 levels of parking is meager and a bare minimum! If the developer cannot or is unwilling to prevent issues with the current neighbouring tenants the height or number of units must be decreased. Density can be an amazing thing for a neighbourhood as long as the usable (dwelling and commercial) encourages the new tenants to put down roots. The current buildings and developments are lacking the foresight for long term habitation. As soon as there is a life change whether it is the addition of a partner or family member the dwelling and parking space becomes limiting and the family unit leaves. The developers need to be forced to provide for the ease of use for the whole life of the building. The majority of households have 2 vehicles. Their current plan would force half of those vehicles on the street. If someone has a special event, there would be no more parking available. The flow of traffic in the area is significantly hindered due to the poor planning and foresight of the builders and developers. Since the proposal is on a corner lot they have to consider the flow of traffic of both streets impacted. Since the neighbouring LYFE building will be completed soon and there is no current solid traffic access for that building from NB 22 Ave SW (It is a one way street in the south bound direction) those tenants would be forced to head N on 21ST SW. Has there been consideration regarding how vital this intersection will become for both the 63 units of the current proposal as well as the residents of the LYFE building? The flow of traffic in this neighbourhood has been ignored by the development companies repeatedly over the last 6-8 years. This issue of maximum density without forethought is causing the current neighbouring residents a major amount of contention. The builders need to be held accountable for their creation long after they are gone and have been paid. The neighbourhood is attractive and dynamic because of the people who

live there. They are of the area and spend their time and effort to culture the space. If the developers are continuously allowed to maximize building size while minimizing thought for life in the future the tenants will change every few years. If they do not build for the dynamic people who live in the area and want to stay and spend time there. The culture and attractiveness of the area will wither and die. Density can be amazing as long as it is done in such a way to build connections with neighbours and encourage people to build a home and a neighbourhood instead of causing rifts and forcing people to leave because of a solvable issue created by a developer unwilling to think of the bigger picture. Thank you for your time regarding this matter,

From: [Chris Stevenson](#)
To: [Public Submissions](#)
Cc: info@engagecourtyard33.com
Subject: [EXT] RE: October 9 Public Hearing: LOC2017-0391
Date: Wednesday, September 26, 2018 1:03:05 PM
Attachments: [CRTYRD_Letter.pdf](#)

To City of Calgary Councillors and the Mayor,

I am writing in support of the Courtyard 33 application (LOC2017-0391). Please see attached for my letter of support.

Thanks!

Chris Stevenson

--

403 701 0175

Office of the City Clerk
The City of Calgary
700 Macleod Trail SE
P.O Box 2100, Postal Station 'M'
Calgary, Alberta
T2P 2M5

September 13, 2018

RE: Proposed Development @ 2240, 2236, 2232 - 33 Avenue SW (LOC2017-0391)

To City of Calgary Councillors and the Mayor,

The reason I'm writing this letter is to support and thank RNDSQR and their team for bringing some creativity and "intent" to Multi Family/Condo living in the Marda Loop area. I don't want to criticize previous projects but there are NO multifamily buildings on 33rd Ave that engage (welcome?) the public or incorporate a sense of community.

As a multifamily building owner/manager I have a good grasp of the effect that community has on a building. I worked hard at creating community in my buildings and when I got it right, the results were positive and long lasting. Less turn over, less confrontations, happier tenants and a waiting list to get into the building. One of the ways to nurture this effect was to provide communal areas. The communal area in Courtyard 33 is amazing and will not only create a desirable building but will add to the "attractions" of Marda Loop. Heck, visitors will show up in Marda Loop just to see the interesting architecture and lets face it, interesting architecture is hard to come by in this neck of the woods.

I'm sure the Community Association will be concerned with traffic but I welcome more traffic as this is the only way we will get traffic slowing measures on 21st and 22nd Street. (The request for speed-bumps on 21st Street was declined by the City as there was not "enough" traffic to warrant them).

In closing, I just want to acknowledge RNDSQR's courage and vision as it shows they are thinking further ahead than just how much profit per square foot it can produce. This project is bringing much needed creativity, urban culture and population to a grossly under-utilized section of 33rd Ave.

Sincerely,



Chris Stevenson
2203 30 Avenue SW
Calgary, Alberta
T2T 1R8

**Planning & Development Report to
Calgary Planning Commission
2018 August 23**

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CPC2018-0991
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**Policy Amendment and Land Use Amendment in Killarney/Glengarry (Ward 8) at
2840 - 35 Street SW, LOC2018-0134**

EXECUTIVE SUMMARY

This application was submitted by CivicWorks Planning + Design on 2018 June 12 on behalf of the landowners, Hazel M. Dort and Ralph S. Dort. The application proposes to change the designation of this property from DC Direct Control District to Residential – Grade-Oriented Infill (R-CG) District to allow for:

- rowhouses in addition to the uses already allowed (e.g. single detached, semi-detached, duplex homes, and secondary suites);
- a maximum building height of 11.0 metres (an increase from the current maximum of 10.0 metres);
- a maximum of four dwelling units (an increase from the current maximum of 2 dwelling units); and
- the uses listed in the proposed R-CG District.

The proposal is in keeping with applicable policies of the *Municipal Development Plan* (MDP). However, a minor map amendment to the *Killarney/Glengarry Area Redevelopment Plan* (ARP) is required to accommodate the proposed land use redesignation.

No development permit application has been submitted.

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**Policy Amendment and Land Use Amendment in Killarney/Glengarry (Ward 8) at
2840 - 35 Street SW, LOC2018-0134**

ADMINISTRATION RECOMMENDATION:

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

1. ADOPT, by bylaw, the proposed amendment to the Killarney/Glengarry Area Redevelopment Plan (Attachment 3); and
2. Give three readings to the proposed bylaw.
3. ADOPT, by bylaw, the proposed redesignation of 0.05 hectares \pm (0.14 acres \pm) located at 2840 – 35 Street SW (Plan 732GN; Block 11, Lot 1) from DC Direct Control District to Residential – Grade Oriented Infill (R-CG) District; and
4. Give three readings to the proposed bylaw.

RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, DATED 2018 AUGUST 23:

That Council:

1. **Hold a public hearing during a 2018 October Public Hearing of Council;**
2. **Adopt, by Bylaw, the proposed amendment to the Killarney/Glengarry Area Redevelopment Plan;**
3. Give three readings to the proposed **Bylaw 75P2018;**
4. Adopt, by Bylaw, the proposed redesignation of 0.05 hectares \pm (0.14 acres \pm) located at 2840 – 35 Street SW (Plan 732GN; Block 11, Lot 1) from DC Direct Control District to Residential – Grade Oriented Infill (R-CG) District; and
5. Give three readings to the proposed **Bylaw 259D2018.**

PREVIOUS COUNCIL DIRECTION / POLICY

None.

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**Policy Amendment and Land Use Amendment in Killarney/Glengarry (Ward 8) at
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BACKGROUND

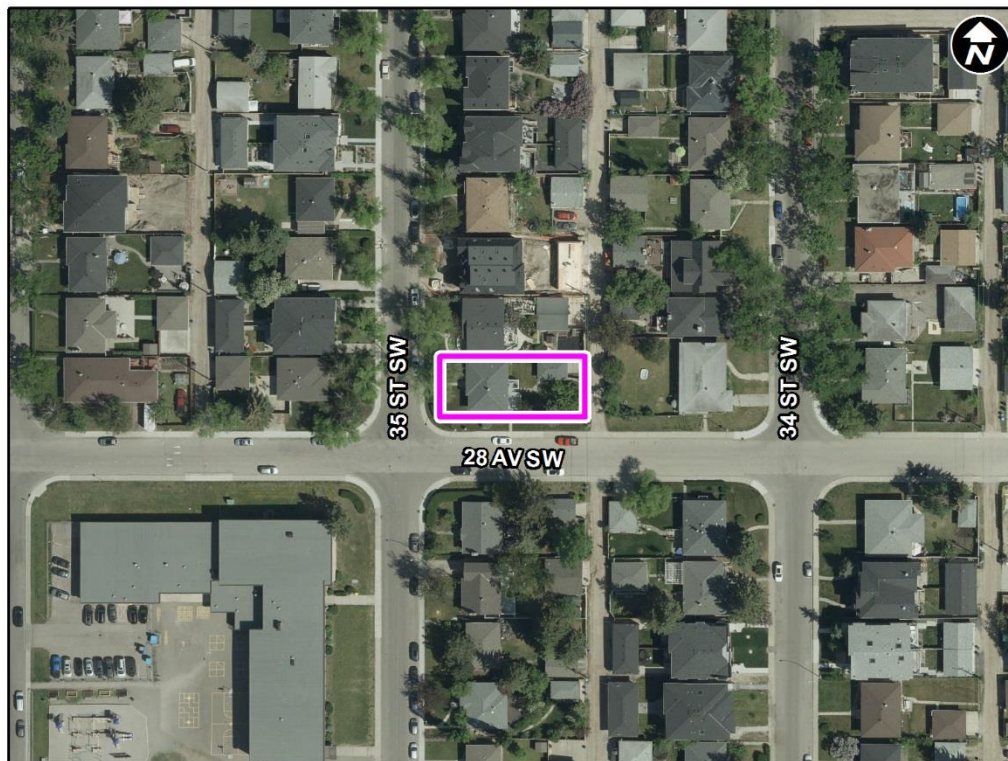
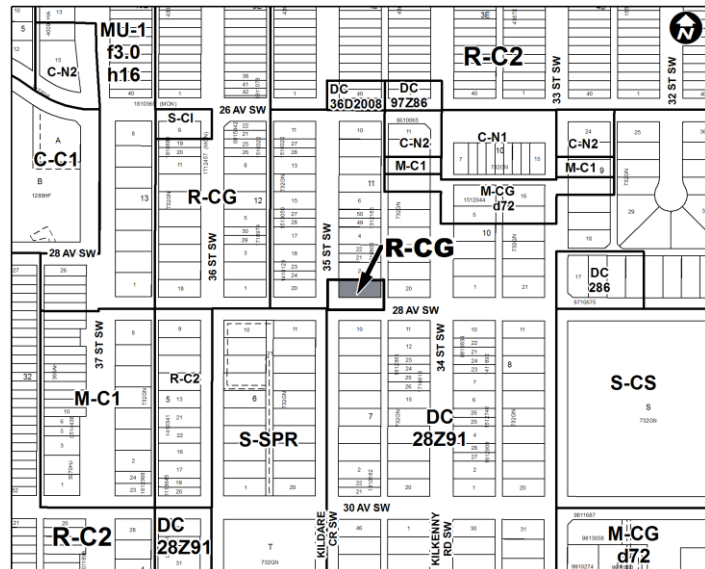
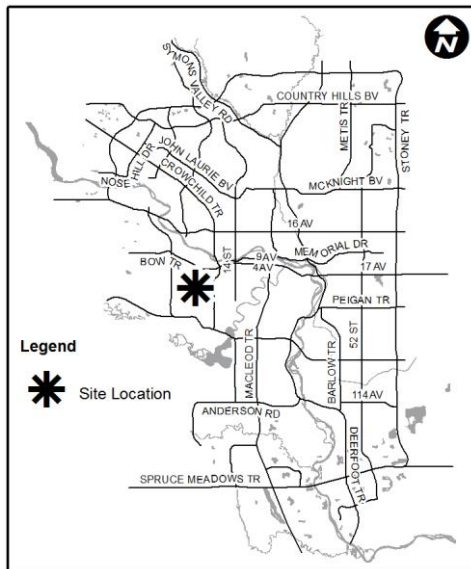
This land use amendment application has been submitted to The City of Calgary by CivicWorks, on behalf of the landowner Hazel M. Dort and Ralph S. Dort on 2018 June 12. No development permit has been submitted at this time. However, as noted in the Applicant's Submission (Attachment 1), the applicant is intending to develop a four-unit grade oriented development.

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**Policy Amendment and Land Use Amendment in Killarney/Glengarry (Ward 8) at
2840 - 35 Street SW, LOC2018-0134**

Location Maps



Policy Amendment and Land Use Amendment in Killarney/Glengarry (Ward 8) at 2840 - 35 Street SW, LOC2018-0134

Site Context

The subject site is located in the community of Killarney/Glengarry at the northeast corner of 28 Avenue SW and 35 Street SW. Surrounding development is characterized by a mix of single and semi-detached homes. The predominant surrounding land uses are low density districts, however to the north parcels are designated as Multi-Residential – Contextual Low Profile (M-C1) District, Commercial - Neighbourhood 1 (C-N1) District and Commercial - Neighbourhood 2 (C-N2) Districts.

The site is approximately 0.05 hectares in size with approximate dimensions of 15 metres by 36 metres. A rear lane exists along the eastern portion of the site. The property is currently developed with a one-storey single detached dwelling and a rear detached garage with parking pad accessed from 28 Avenue SW.

As identified in Figure 1, the community of Killarney/Glengarry has seen population growth over the last several years reaching its population peak in 2015. However, in the last two years, the community declined in population by 254 residents.

Figure 1: Community Peak Population

Killarney/Glengarry	
Peak Population Year	2015
Peak Population	7,677
2017 Current Population	7,423
Difference in Population (Number)	-254
Difference in Population (Percent)	-3%

Source: The City of Calgary 2017 Civic Census

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The proposal allows for a range of building types that have the ability to be compatible with the established building form of the existing neighbourhood. Though a minor amendment to the ARP is required, the proposal generally meets the objectives of applicable policies as discussed in the Strategic Alignment section of this report.

Planning Considerations

Land Use

The existing DC District (Bylaw 28Z91) contains the permitted and discretionary uses and rules of the R-2 Residential Low Density District (Bylaw 2P80), and the following specific guidelines:

- a minimum lot width of 11.0 metres for Single Detached Dwellings;

**Policy Amendment and Land Use Amendment in Killarney/Glengarry (Ward 8) at
2840 - 35 Street SW, LOC2018-0134**

- a minimum lot area of 348 square metres for Single Detached Dwellings; and
- comprehensive plans, including building design, site layout, exterior finishes and colour, landscaping, parking and access shall be submitted to the Approving Authorities as part of a development permit application.

The proposed R-CG District allows for two to three storey (11 metres maximum height) rowhouse development where one façade of each dwelling unit must directly face a public street. The maximum density of 75 units per hectare would allow for up to four dwelling units on the subject site. The R-CG District allows for a range of other low-density housing forms such as single detached, semi-detached, duplex dwellings and secondary suites.

Some modifications to the R-CG District rules have recently been endorsed by Calgary Planning Commission and will be included on the 2018 September 10 Council Agenda for decision. These modifications are relatively minor in nature but do include some discretion for secondary suites and associated parking requirements in rowhouse developments and greater consistency in determining maximum building height. These potential changes to the R-CG district rules do not impact the suitability of the site to accommodate R-CG development.

Development and Site Design

The rules of the proposed R-CG District will provide basic guidance for the future site development including appropriate uses, height and building massing, landscaping and parking. Given the specific context of this corner site, additional items that will be considered through the development permit process include, but are not limited to:

- ensuring an engaging built interface along both the 35 Street SW and 28 Avenue SW frontages;
- emphasizing individual at-grade entrances;
- the delineation of an appropriate front yard setback; and
- definition of front yard amenity space for individual units.

Transportation Networks

Pedestrian and vehicular access to the site is available from 28 Avenue SW and 35 Street SW and the rear lane. The area is served by several Calgary Transit bus routes. On 37 Street SW the number 306 BRT bus service which is approximately 1300 metres walking distance of the site. The site is approximately 180 metres from the number 6 transit stop which offers service to the Westbrook LRT station.

On-street parking adjacent to the site is not subject to the Calgary Parking Authority's residential parking permit system.

**Policy Amendment and Land Use Amendment in Killarney/Glengarry (Ward 8) at
2840 - 35 Street SW, LOC2018-0134**

Utilities and Servicing

Water, storm and sanitary sewer mains are available and can accommodate the potential redevelopment of the subject site without the need for off-site improvements at this time.

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 landowners and the application was advertised online.

Administration received comments from the Killarney/Glengarry Community Association on 2018 July 20 which are summarized below:

- concern with the current volume and pace at which applications for land use redesignations are being submitted within the community given the ongoing review of the ARP;
- concern that the densification options proposed may not align with the new plan for Killarney;
- would like to see a holistic vision for densification leading development, as opposed to decisions being made in a semi-isolated fashion, which in turn could ultimately influence the outcome of the ARP; and
- should the land use redesignation be approved, the applicant should ensure that future development is suitable for the character and context of neighbourhood.

Administration received sixteen letters in opposition to the application. Reasons stated for opposition are summarized below:

- lot is too small for four units;
- the proposal is out of keeping with the immediate area;
- increase in density should be in the form of duplexes and secondary suites;
- will impact the character and charm of the neighbourhood;
- future development will be monolithic, sun-blocking and will impact privacy;
- if proposal is approved, it will open floodgates to similar developments;
- increase in on-street parking and traffic;
- pedestrian safety issues given the proximity to a school;
- should not be random rezoning requests after the Main Streets initiative; and
- does not contribute to a positive outcome for the community as it is not part of a comprehensive planning approach.

Applicant-led communication with the public included the following:

- letters were sent to the Ward Councillor's office and Community Association;
- signage with information on the proposal (including a link to the project website) and contact information for questions and/or comments was placed on the subject site;

**Policy Amendment and Land Use Amendment in Killarney/Glengarry (Ward 8) at
2840 - 35 Street SW, LOC2018-0134**

- a project website (www.engagerndsqr.com) was created;
- postcards were hand-delivered to the surrounding neighbours to make them aware of the proposal; and
- attending a 2018 July 16 meeting with the Community Association's Development Committee.

Administration considered the relevant planning issues specific to the proposed redesignation and has determined the proposal to be appropriate. The design compatibility of a future development with respect to the surrounding neighbourhood and parking requirements will be reviewed at the development permit stage.

Following Calgary Planning Commission, notifications for 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 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.

Municipal Development Plan (Statutory – 2009)

The subject parcel is located within the Residential – Developed – Inner City area as identified on Map 1: Urban Structure in the MDP. The applicable MDP policies encourage redevelopment of inner-city communities that is similar in scale and built form to existing development, including a mix of housing such as townhouses and rowhousing.

The proposal is in keeping with relevant MDP policies as the rules of the R-CG District provide for a development form that may be sensitive to existing residential development in terms of height, built form and density.

Killarney/Glengarry Area Redevelopment Plan (Statutory – 1986)

The subject parcel is located within the 'Conservation/Infill' area as identified on Map 2: Land Use Policy in the *Killarney/Glengarry ARP*, which is intended for:

- low-density developments in the form of single detached, semi-detached and duplex dwellings.

In order to accommodate the proposed R-CG District, a minor amendment to *Map 2* is required to change the land use category of the subject site to 'Low Density Townhousing' (Attachment 3), which is intended for:

**Policy Amendment and Land Use Amendment in Killarney/Glengarry (Ward 8) at
2840 - 35 Street SW, LOC2018-0134**

- a built form that is compatible with the existing low density development;
- providing individual at-grade access to a substantial portion of the units; and
- a maximum density of 75 dwelling units per hectare (29 units per acre).

The *Killarney/Glengarry ARP* is currently undergoing a review and update, with the anticipated completion of this project occurring in Spring 2019. At this time, this subject application was reviewed under the current direction and policies as found within the existing *Killarney/Glengarry ARP*.

Location Criteria for Multi-Residential Infill (Non-statutory – 2014)

The location criteria guidelines are used in conjunction with other relevant planning policy, including the MDP or local area policy plans, to assist in determining the appropriateness of an application in the local context.

The subject parcel meets six of the eight criteria. This site is on a corner parcel, has direct lane access and is within 400 metres of a transit stop. It is also on a collector or higher standard roadway (28 Avenue SW), is in close proximity to an existing or planned corridor (36 Street SW Main Street) and is across from an existing open space, park or community amenity (Holy Name School and Killarney Elementary School).

The only two criteria the subject site does not meet is being adjacent to existing or planned non-residential development or multi-unit development and within 600 metres of an existing or planned primary transit stop.

Social, Environmental, Economic (External)

The recommended land use allows for a wider range of housing types than the existing DC District and as such, the proposed change may better accommodate the housing needs of different age groups, lifestyles and demographics.

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.

Risk Assessment

There are no significant risks associated with this proposal.

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**Policy Amendment and Land Use Amendment in Killarney/Glengarry (Ward 8) at
2840 - 35 Street SW, LOC2018-0134**

REASON(S) FOR RECOMMENDATION(S):

The proposal is in keeping with applicable policies of the *Municipal Development Plan*. The proposed R-CG District was designed to be implemented in proximity to or directly adjacent to low-density residential development. The proposal allows for a range of building types that have the ability to be compatible with the established building form of the existing neighbourhood and can better accommodate the housing needs of different age groups, lifestyles and demographics.

ATTACHMENT(S)

1. Applicant's Submission
2. Community Association's Submission
3. **Corrected** Proposed Amendment to the Killarney/Glengarry Area Redevelopment Plan
4. **Proposed Bylaw 75P2018**
5. **Proposed Bylaw 259D2018**
6. **Public Submissions**

Applicant's Submission

17.07.18

—

City of Calgary
Planning and Building
800 MacLeod Trail SW
Calgary AB T2P 2M5

RE: Applicant Submission Statement

The subject parcel is located in the community of Killarney/Glengarry and consists of 0.0542 ha of privately owned land. RNDSQL Inc. has retained CivicWorks Planning + Design Inc. to facilitate the construction a four-unit Rowhouse Building with front doors facing 28 Avenue and 35 Street SW, a four-bay garage structure and no provisions for secondary suites on site. The proposed use is well-suited to the site, given its surrounding context, lot characteristics and location. The site's current DC-28Z91 (Direct Control) District, which has the same Permitted and Discretionary uses of the R-2 Residential Low Density District, allows for residential development in the form of Single Detached Dwellings, Semi-detached Dwellings and Duplex Dwellings, and limits this parcel to two households regardless of configuration. In support of the proposed development, this application seeks to amend the existing DC-28Z91 (Direct Control) District to a R-CG (Residential – Grade-Oriented Infill) District. A supporting Minor ARP Amendment to the Killarney/Glengarry ARP will also be required.

Like R-2, the R-CG District is a Low Density Residential District intended to facilitate grade-oriented development. The intent of the R-CG District is to; accommodate grade-oriented development in the form of Rowhouse Buildings, Duplex Dwellings, Semi-detached Dwellings and Cottage Housing Clusters; allow Secondary Suites and Backyard Suites with new and existing residential development; provide flexible parcel dimensions and building setbacks that facilitate integration of a diversity of grade-oriented housing over time; and accommodate site and building designs that are adaptable to the functional requirements of evolving household needs. The subject lands fall within the boundaries of the Killarney/Glengarry Area Redevelopment Plan, a Local Area Plan approved in 1986, and are also governed by higher level, city-wide policy like the Municipal Development Plan (MDP) and Developed Areas Guidebook (DAG), which support greater housing choice and reinforce more complete and resilient residential neighbourhoods. The MDP identifies ground-oriented housing as a key component of complete communities and encourages growth and change in low density residential neighbourhoods through the addition of a diverse mix of ground-oriented housing options.

PLANNING RATIONALE

The subject site features numerous characteristics that make it especially appropriate for the proposed R-CG land use change, which will directly facilitate the development of new and innovative inner-city housing options for Calgarians:

Corner Lot: The subject site occupies a corner lot, allowing the proposed development to contribute to the neighbourhood streetscape by addressing both 28 Avenue and 27 Street SW with grade-oriented unit entrances.

Direct Lane Access: The subject site enjoys direct lane access, facilitating a development that orients vehicle access to the rear lane, creating an uninterrupted, pedestrian-friendly streetscape interface along 28 Avenue and 27 Street SW.

Applicant's Submission

Proximity To Transit: The subject site is less than 400m of a Primary Transit Hub located at 26 Avenue and 37 Street SW, and also within ~200m of the Primary Transit Network along the 37 Street SW corridor. Calgary's Primary Transit Network provides communities with daily reliable public transit service, with a frequency of every 10 minutes or less, 15 hours a day, 7 days a week.

Proximity To An Existing Open Space, Park or Community Amenity: The subject site allows future residents direct and easy access to a variety of community resources. The Ecole Holy Name School is directly kitty-corner to the site, the Killarney School and baseball diamond a short ~200m walk down the street, and the Carewest Health Centre a 15-minute walk away.

CITY-WIDE POLICY ALIGNMENT: This proposed land use redesignation and associated development vision is consistent with the city-wide goals and policies of the Municipal Development Plan, which encourage: the development of more innovative and affordable housing options in established communities; more efficient use of infrastructure; and more compact built forms in locations with direct and easy access to transit, shopping, schools and other community services.

COMMUNITY ENGAGEMENT: RNDSQR is committed to working with surrounding community members and stakeholders throughout the application process. As part of that commitment, RNDSQR and the project team have designed and undertaken a comprehensive community engagement process in support of this application and others like it to ensure a clear and transparent application process for all stakeholders. Stakeholders like the Community Association and Ward Councillor's office are actively invited to participate in our process, which focuses on informative and fact-based engagement and communications.

Community Association's Submission



July 20, 2018

File Manager
LOC2018-0134
City of Calgary
P.O. Box 2100 Station M
Calgary, Alberta
T2P 2M5
Attn: Jarred Friedman

Dear City Council,

I am writing on behalf of the Killarney Glengarry Community Association (KGCA) regarding LOC2018-0134, currently under review for a land use redesignation at 2840 35 Street SW. The KGCA is looking to ensure that Killarney-Glengarry is developed in a manner that aligns with our core values (safe, vibrant, and inclusive). As such, these items are front of mind when reviewing the proposals of project proponents.

As part of our Terms of Reference, a Land Use Change falls as a Level 3 for commentary. For Level 3 items we have considered the following 4 points:

1. Suggestions That Align to KGCA Values (safe, vibrant, inclusive)

Safe: The KGCA wants to ensure that the neighborhood is developed in a manner that creates a safe and walkable environment. The KGCA believes that having 'eyes on the street' helps make for a safer neighborhood and so hopes that RNDSQR will ensure to have units facing both 35th Street and 28th Ave in order to maximize this opportunity.

As this site is in close proximity to Holy Name School, in review of this application we hope that the City will look to identify any potential traffic or parking issues that may arise as result of increased densification in the pick-up zone. If material, the KGCA would like to see how these can be mitigated.

Vibrant: While the KGCA believes that new developments are a component of increasing the vibrancy of a neighborhood, simple or repetitive designs, or those that disregard the character of the community can significantly mute this opportunity. We hope that RNDSQR will be able to balance innovation with the existing character of Killarney-Glengarry, while utilizing intriguing landscaping to create an appealing streetscape. We would also like to see the developer ensure that an interesting and engaging façade and landscaping are applied to the development facing both 35th Street and 28th Ave.

Community Association's Submission



Additionally, while our information is anecdotal, the KGCA is of the understanding that the demographics of R-CG purchasers typically skews to singles and couples either with no children in the home. Given the proximity to Holy Name School, we believe this project presents an opportunity to increase housing stock in an area that promotes walkability for young children. As such, we would be interested to hear how RNDSQR believes this project can be developed and/or marketed to encourage more uptake by young families.

Inclusive: The KGCA believes that a range of housing diversity will help create an inclusive neighborhood. While the typical rowhouse offers a lower price point than the typical detached/semi-detached residence, the cost can still be unattainable for many individuals. We believe an opportunity exists in the R-CG space to create units of varying sizes, thereby offering a range of housing products. This may allow the developer to capture roughly the same revenue for the development as a whole, while offering the smaller residences for a price lower than traditional rowhouses. We hope that RNDSQR will consider doing so at 2840 35 Street SW, and other developments in the future.

2. Engagement Initiatives/Effort

The project proponent met with the KGCA to discuss the proposed development. Civicworks outlined their engagement strategy on behalf of RNDSQR, which included hand delivered post cards to surrounding neighbors, coupled with additional signage on the property both leading to a project specific website. The KGCA believes that this level of engagement is appropriate given the scope and scale of the proposal. We hope that RNDSQR will outline in their submission the volume and types of comments, both positive and negative, they received. The KGCA also would like to see, where possible, RNDSQR identify how they will attempt to mitigate any concerns residents may have with this project. RNDSQR has been receptive to meeting and working with the KGCA on the vision for their portfolio of developments in the community.

3. Identify Parties Affected

Mrs. Claire Agnew, owner of 2836 35 Street SW (the adjacent property to the North), has succinctly identified her concerns with the proposed development in her e-mail to the City. We understand that development of rowhomes to the South of Mrs. Agnew's property may create some shading issues on her backyard and impact the garden/foliage that currently exists there.

In our discussions with Civicworks, they have indicated that the developer is attempting to minimize impacts on the adjacent owner by limiting the development to two stories, and utilizing design techniques that will minimize

Community Association's Submission



shading. The KGCA has two recommendations to continue to address this problem:

- 1) The City and Developer consider relaxations to the current setbacks on the property. This would allow the building to be adjusted to a position that could further limit shading impacts on the backyard of Mrs. Agnew's property.
- 2) If dialogue has not already occurred, the Developer engage with Mrs. Agnew to better understand her concerns and discuss how, where reasonable, they could potentially be remedied.

4. Summarize Issues

The KGCA has concerns with the current volume and pace at which applications for land use redesignations are being submitted within the community, given the ongoing review of the ARP. We are concerned that the densification options being proposed by project proponents may not align with the new plan for Killarney. We would like to see a holistic vision for densification leading development, as opposed to decisions being made in a semi-isolated fashion, which in turn could ultimately influence the outcome of the ARP. As such, we would be interested in seeing how the City of Calgary planning department believes this risk can be mitigated, while still managing the needs of developers.

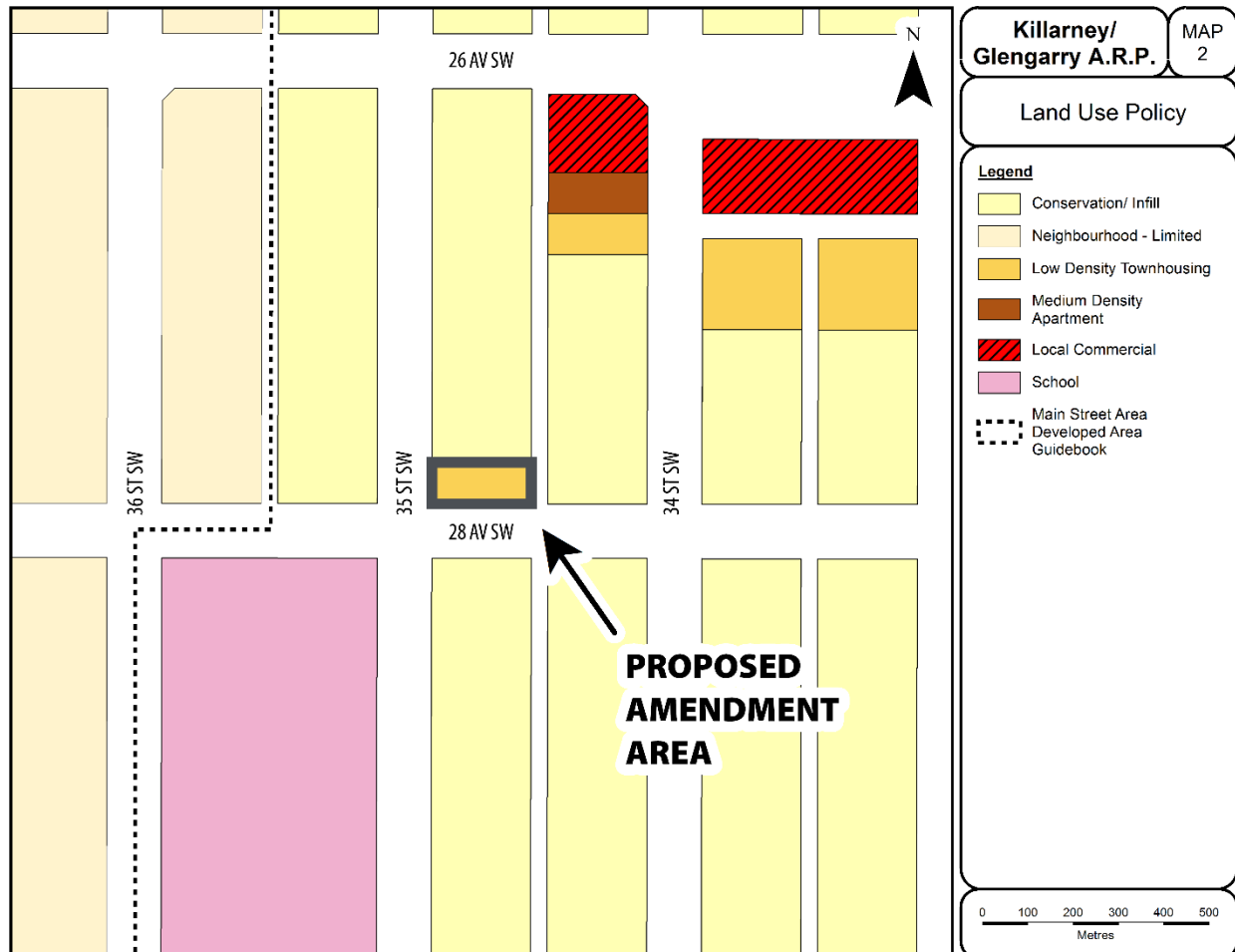
We would also recommend that the developer continue engagement efforts with residents to notify them of the proposed development and document concerns. Moving forward, should the land use redesignation be approved, the KGCA Development Committee would like to ensure the character and context of the build are suitable for the area of the neighborhood RNDsQR is looking to construct. As this portion of the neighborhood has seen less redevelopment, with bungalows making up a predominant portion of nearby residences, if approved we would hope to see RNDsQR take initiatives to ensure the development does not appear drastically out of context.

Sincerely,

Cale Runions
Director - Development
Killarney-Glengarry Community Association

Proposed Amendment to the Killarney/Glengarry Area Redevelopment Plan

1. The Killarney/Glengarry Area Redevelopment Plan, being Bylaw **16P85**, as amended, is hereby further amended as follows:
 - (a) Amend Map 2 entitled "Land Use Policy" by changing 0.05 hectares \pm (0.14 acres \pm) located at 2840 – 35 Street SW (Plan 732GN, Block 11, Lot 1) from 'Conservation/Infill' to 'Low Density Townhousing' as generally illustrated below:



PROPOSED

CPC2018-0991
ATTACHMENT 4

BYLAW NUMBER 75P2018

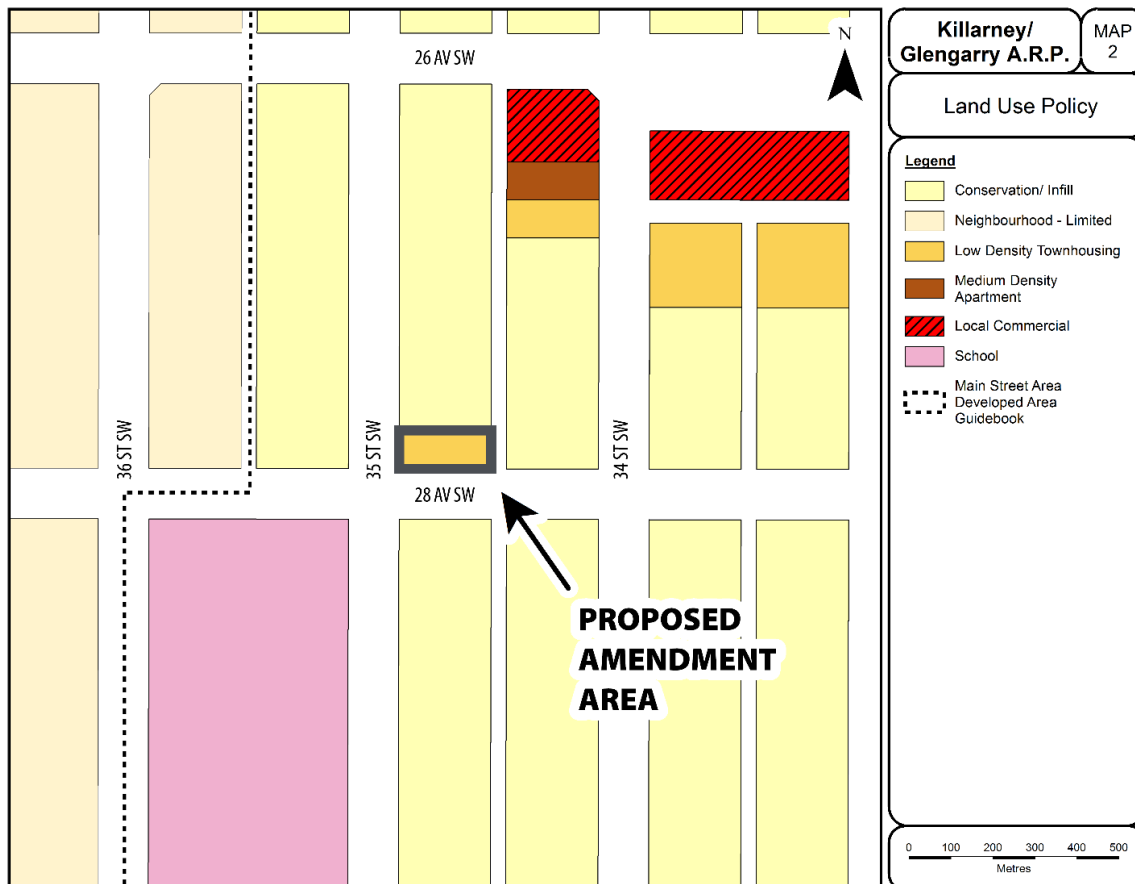
BEING A BYLAW OF THE CITY OF CALGARY TO AMEND THE KILLARNEY/GLENGARRY AREA REDEVELOPMENT PLAN BYLAW 16P85

WHEREAS it is desirable to amend the Killarney/Glengarry Area Redevelopment Plan Bylaw 16P85, as amended;

AND WHEREAS Council has held a public hearing as required by Section 692 of the *Municipal Government Act*, R.S.A. 2000, c.M-26, as amended:

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The Killarney/Glengarry Area Redevelopment Plan attached to and forming part of Bylaw 16P85, as amended, is hereby further amended as follows:
 - (a) Amend Map 2 entitled "Land Use Policy" by changing 0.05 hectares \pm (0.14 acres \pm) located at 2840 – 35 Street SW (Plan 732GN, Block 11, Lot 1) from 'Conservation/Infill' to 'Low Density Townhousing', as generally illustrated below:



PROPOSED

BYLAW NUMBER 75P2018

2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

CITY CLERK

SIGNED ON _____

PROPOSED

CPC2018-0991
ATTACHMENT 5

BYLAW NUMBER 259D2018

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2018-0134/CPC2018-0991)**

WHEREAS it is desirable to amend the Land Use Bylaw Number 1P2007 to change the land use designation of certain lands within the City of Calgary;

AND WHEREAS Council has held a public hearing as required by Section 692 of the Municipal Government Act, R.S.A. 2000, c.M-26 as amended;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, is hereby amended by deleting that portion of the Land Use District Map shown as shaded on Schedule "A" to this Bylaw and substituting therefor that portion of the Land Use District Map shown as shaded on Schedule "B" to this Bylaw, including any land use designation, or specific land uses and development guidelines contained in the said Schedule "B".
2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

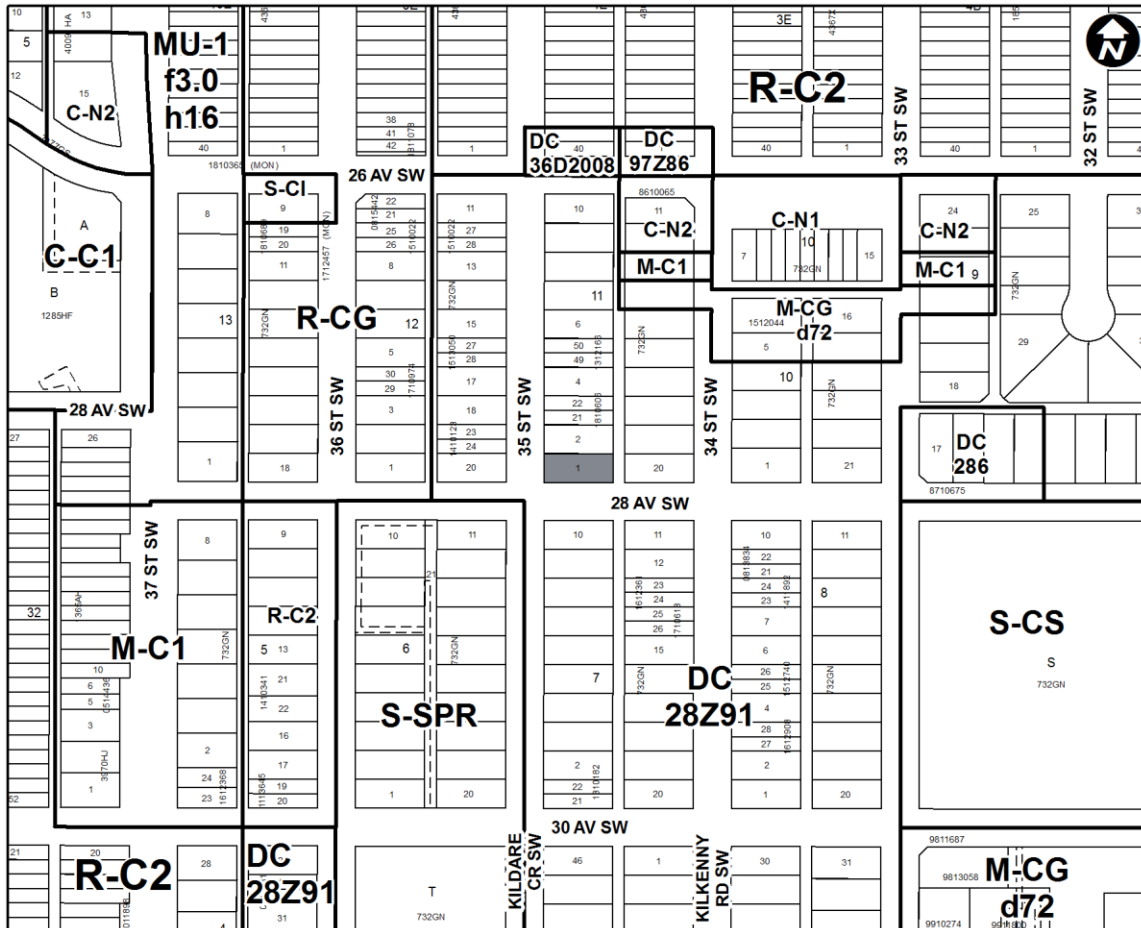
CITY CLERK

SIGNED ON _____

PROPOSED

AMENDMENT LOC2018-0134/CPC2018-0991
BYLAW NUMBER 259D2018

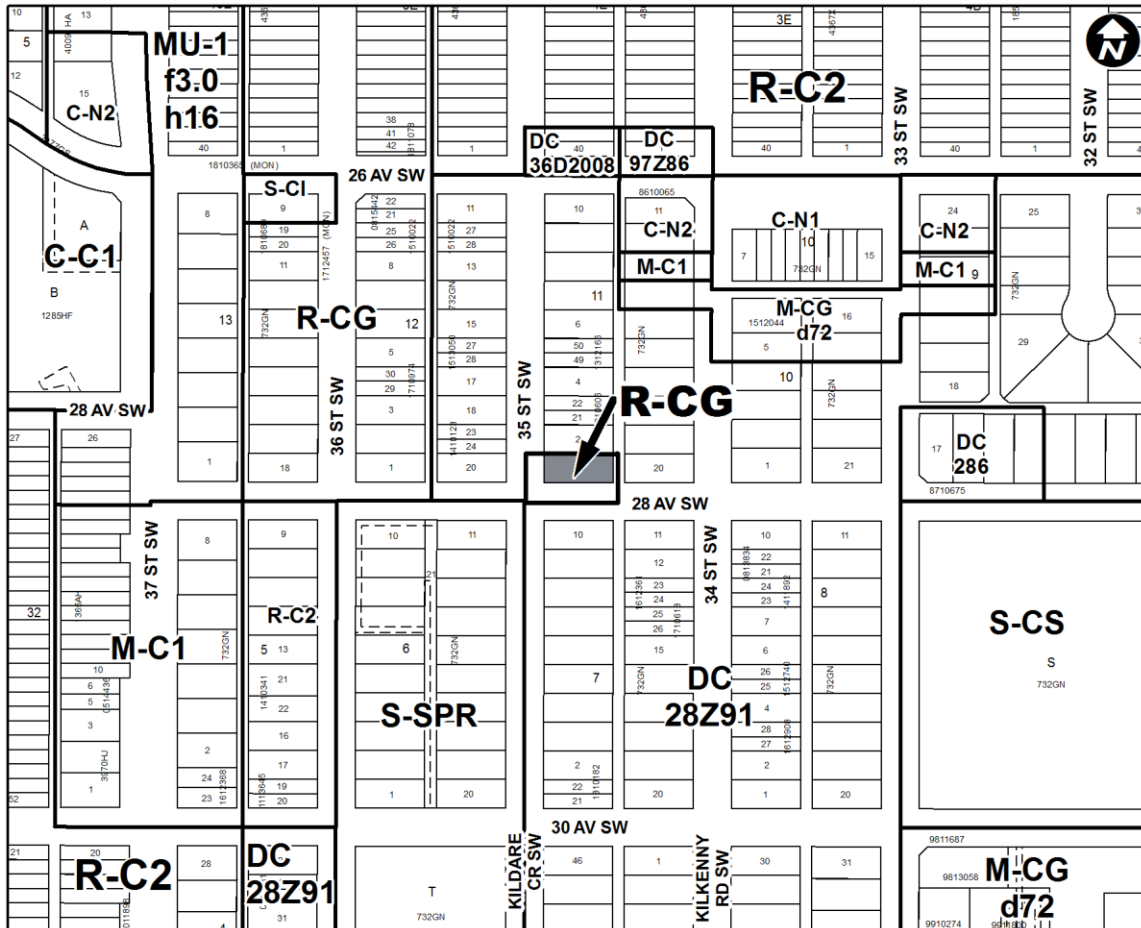
SCHEDULE A



PROPOSED

AMENDMENT LOC2018-0134/CPC2018-0991
BYLAW NUMBER 259D2018

SCHEDULE B



From: [UPC](#)
To: [Public Submissions](#)
Subject: [EXT] 2840 35 St. SW
Date: Sunday, September 23, 2018 11:31:49 AM
Attachments: [2840 35 St. SW.odt](#)

September 28, 2018

Office of the City Clerk
City of Calgary
700 Macleod Tr. SE
P.O. Box 2100 Stn M, Calgary T2P 2M5

BYLAW: 75P2017
2840 35 St. SW, Calgary
Conservation/Infill to Low Density Townhousing

Re: Opposition to approval

1. Killarney/Glengarry ARP – does the “City” know what it is? It was complied by the “City”, but do they ever refer to what is contained in this report???

An Area Redevelopment Plan (ARP) is intended to supplement Land Use Bylaw to guide the healthy future development of an individual community within the City. The Killarney/Glengarry ARP should form part of the considerations when deciding the applicability of development proposals which ignore the content of the ARP.

I do not feel this application complies with the Killarney/Glengarry ARP, nor the Infill Housing Guidelines for the area:

To reiterate what is in these guidelines:

KILLARNEY/GLENGARRY ARP

It states:

“RESIDENTIAL LAND USE “- “the R-2 designation of the majority of the community is retained” and that “new development compatible architecturally with the existing streetscape”

“GOALS” - “overall goal of the ARP is to IMPROVE the LIVING and working ENVIRONMENT”
- meet needs of FAMILIES with children, increasing number of senior citizens and their needs.

“OBJECTIVE - . . . PRESERVING the existing low density residential character of the neighbourhood.”.

POLICY 2.1.3.2 “Low Density SINGLE and TWO-FAMILY dwelling policy for development will CONTINUE TO BE APPLIED to the areas PRESENTLY DESIGNATED R-2”

STABILITY “important to maintain the low density policies”. How many of these 4plexes are owner occupied??

LAND USE ISSUES 3.2.1 “Killarney/Glengarry should remain a stable family oriented community with NO NEW DEVELOPMENT AND NO EXTENSION OF THE MULTI-UNIT . . . many objectives were raised to apartment development in the INTERIOR OF THE COMMUNITY”

I do not believe this application meets any of the above mention criteria.

2. INFILL HOUSING GUIDELINES

It states:

privacy for neighbouring property (4 doors staring down into neighbouring amenity space)
amenity/green space
side yard compliance
addressing the street (a blank at end of block)
city services i.e. garbage collection
parking (in front of neighbouring properties)
height up against neighbouring property (shadowing)
compatibility with existing streetscape

How would this application address these guidelines?

There is, in case it was over looked, RM-2, RM-3 districts within the community. This type of development should be built in those areas, and/or on the perimeter of the community, not just on every CORNER LOT!!!! Stupid idea. It appears to me the City is intent on ruining the inner city. Why??

I was involved with land use in Killarney/Glengarry, and also the partial rezoning from R-2 to DCR-2. At the time we had to have a very high percentage (90%+) of home owners agreeing to the change in land use designation. The reason given by the City, at that time, was that the City did not want "spot" rezoning. So, I ask, what is this application - in essence - spot rezoning!!!!

People purchase a property/home on existing land zoning, so where is the fairness in changing the rules partway through. A home is often a person's largest asset. This type of development, just anywhere in the community, sets a very NEGATIVE PRECEDENT. I would even argue it affects property values.

If anybody can rezone, build willy nilly, why, I ask, does the City even have land-use zoning. Make it a free for all!!!! A lot less work for the City – planning and building department wouldn't have much to do! Just let anything go ahead.

The city needs to get out of the pockets of the developers. They do not live in my community, could not care less – it's all about \$\$\$\$\$. I thought elected representatives were to represent their constituents, not the developers.

If this application is approved, then what role does the ARP play for communities? A useless piece of paper???

Ursul Pauls
3003 29 St. SW

From: [Kesagamoorthy, Ketheeswaran](#)
To: [Council Clerk](#)
Subject: FW: [EXT] LOC2018-0134, letter for hearing on Oct 9
Date: Tuesday, October 02, 2018 8:47:48 AM
Attachments: [LOC2018-0134 - 2840 35 St SW - KGCA Comments \(Oct 1, 2018\).pdf](#)

FYI

From: Friedman, Jarred B.
Sent: Tuesday, October 02, 2018 6:27 AM
To: 'pres@killarneyglengarry.com'
Cc: City Clerk
Subject: FW: [EXT] LOC2018-0134, letter for hearing on Oct 9
Thank you for your comments,
I have copied the City Clerk's Office who will forward them to Council.
Regards,

Jarred Friedman, RPP, MCIP
Planner - Centre West Team
Community Planning
Planning & Development
The City of Calgary
Floor 5, The Municipal Building, 800 Macleod Tr. S.E.
P.O. Box 2100, Station "M" (#8075)
Calgary, AB, T2P 2M5
T 403.268.5344 | F 403.268.2941 | www.calgary.ca
Jarred.Friedman@Calgary.ca

From: President KGCA [<mailto:pres@killarneyglengarry.com>]
Sent: October 1, 2018 8:36 PM
To: Friedman, Jarred B. <Jarred.Friedman@calgary.ca>
Cc: Dir.Development KGCA <landuse@killarneyglengarry.com>
Subject: [EXT] LOC2018-0134, letter for hearing on Oct 9

Jared,
Thank you for accepting the following submission for the October 9th hearing package. It pertains to LOC2018-0134.

Should you have any questions please do not hesitate to contact Cale Runions or myself.

Regards,
Carolyn Johnson

President, Killarney Glengarry Community Association
2828 28th Ave SW, Calgary AB T3E 2J3
pres@killarneyglengarry.com
403-604-8709

"Vision: Together let's help to build a safe, vibrant, and inclusive community"



October 1, 2018

City of Calgary
PO Box 2100 Station M
Calgary Alberta
T2P 2M5

Attn: Jarred Friedman
Ref: **LOC2018-0134**

Dear City Council,

I am writing on behalf of the Development and Planning sub-committee for the Killarney-Glengarry Community Association regarding LOC2018-0134 currently slated for the hearing on October 9, 2018.

Since our original submission of comments on July 20, 2018, we have been made aware of additional resident commentary and City Engagement planning changes we would like to address:

- **Lack of a coherent vision for development in Killarney.** The City of Calgary Mainstreet project recently engaged the Killarney residents on the upgraded densification of 37th and 36th street to support the 37th Streetscape master plan. At that time, there was no foreseen requirement from The City to upgrade 35th street and no desire from residents for its' inclusion. This application for rezoning is at odds with the community master plan; While allowing redesignation of isolated units throughout the community may address the City's densification goals for the inner city, it is at a detriment to the opportunity of implementing community goals and a character map while our Standardized Local Area plan (ARP) has been put on hold by The City. Further, it removes the opportunity for residents to participate in a holistic discussion of the type of neighborhood they would like to live in. In addition to the KGCA concerns on this front, we are aware of a resident petition being signed to oppose this on the same grounds.
- **Insufficient corridor review to support this densification.** In the absence of a current ARP or active ARP project for the area, we would like to see a corridor land-use study done on 28th avenue to show a regional context for how to best utilize and develop along this main connector in Killarney and determine whether densification to RCG is best suited at this site. This corridor supports 2 schools, 1 community recreation center, and 1 City tennis and sport recreation site so we would like to see engagement with the Residents, Community and the related School Boards to ensure the character of the street encourages safety and walkability. Without such a study, or active ARP project we find it difficult to support any further landuse changes to this corridor.

Sincerely,

Carolyn Johnson
President
Killarney-Glengarry Community Association
403-604-8709

Planning & Development Report to
Calgary Planning Commission
2018 August 23

ISC: UNRESTRICTED
CPC2018-0975
Page 1 of 8

Land Use Amendment in Renfrew (Ward 9) at 824 Edmonton Trail NE, LOC2018-0138

EXECUTIVE SUMMARY

This land use amendment application was submitted to The City of Calgary by Studio Inkognito on behalf of the landowner, 1985453 Alberta Ltd (Sung Hwang) on 2018 June 14. This application proposes to redesignate the subject parcel from DC Direct Control to Commercial – Neighbourhood 1 (C-N1) District to allow for:

- small scale commercial developments (e.g. one or two-storey buildings with commercial storefronts);
- a maximum building height of 10.0 metres (a decrease from the current maximum of 12.0 metres);
- a maximum floor area ratio (FAR) of 1.0; and
- the uses listed in the proposed C-N1 designation.

The proposal is in keeping with applicable policies of the *Municipal Development Plan* and the *Crescent Heights Area Redevelopment Plan*. A change of use development permit application (DP2018-1710) for a Cannabis Store use was submitted on 2018 April 24, and is under review.

ADMINISTRATION RECOMMENDATION:

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

1. ADOPT, by bylaw, the proposed redesignation of 0.06 hectares \pm (0.15 acres \pm) located at 824 Edmonton Trail NE (Plan 4031N; Block A; Lots 11 and 12) from DC Direct Control to Commercial – Neighbourhood 1 (C-N1) District; and
2. Give three readings to the proposed bylaw.

RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, DATED 2018 AUGUST 23:

That Council:

1. **Hold a public hearing during a 2018 October Public Hearing of Council;**
2. Adopt, by Bylaw, the proposed redesignation of 0.06 hectares \pm (0.15 acres \pm) located at 824 Edmonton Trail NE (Plan 4031N; Block A; Lots 11 and 12) from DC Direct Control to Commercial – Neighbourhood 1 (C-N1) District; and
3. Give three readings to the proposed **250D2018 Bylaw.**

PREVIOUS COUNCIL DIRECTION / POLICY

None.

**Planning & Development Report to
Calgary Planning Commission
2018 August 23**

**ISC: UNRESTRICTED
CPC2018-0975
Page 2 of 8**

**Land Use Amendment in Renfrew (Ward 9) at 824 Edmonton Trail NE,
LOC2018-0138**

BACKGROUND

This land use amendment application was submitted to The City of Calgary by Studio Inkognito on behalf of the landowner, 1985453 Alberta Ltd (Sung Hwang) on 2018 June 14. As noted in the Applicant's Submission (Attachment 1), the applicant is intending to accommodate a proposed Cannabis Store use.

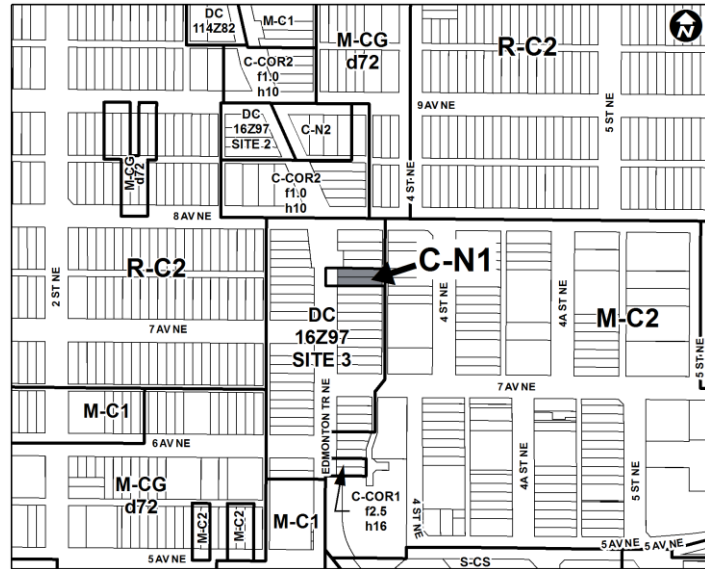
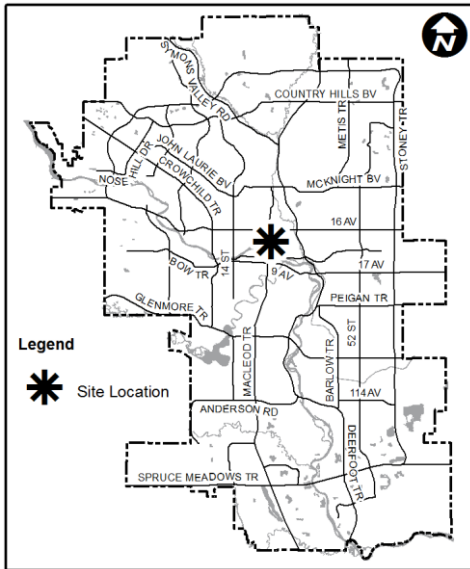
A change of use development permit application (DP2018-1710) for a Cannabis Store use was submitted on 2018 April 24, and is under review.

Planning & Development Report to
Calgary Planning Commission
2018 August 23

ISC: UNRESTRICTED
CPC2018-0975
Page 3 of 8

Land Use Amendment in Renfrew (Ward 9) at 824 Edmonton Trail NE,
LOC2018-0138

Location Maps



Land Use Amendment in Renfrew (Ward 9) at 824 Edmonton Trail NE, LOC2018-0138

Site Context

The subject site is located in the northeast community of Renfrew, on Edmonton Trail NE between 7 Avenue NE and 8 Avenue NE. Lands to the north, west, and south are designated under the same DC Direct Control District (Bylaw 16Z97) as the subject site, which is based on the C-2 General Commercial District of *Land Use Bylaw 2P80*. Multi-Residential – Contextual Medium Profile (M-C2) District sites exist to the east of the subject site.

The site's total area is approximately 0.06 hectares \pm (0.15 acres \pm). The subject site is developed with a two-storey mixed use building.

As identified in *Figure 1*, Renfrew's peak population was in 1968 with 8,019 residents.

Figure 1: Community Peak Population

Renfrew	
Peak Population Year	1968
Peak Population	8,019
2017 Current Population	6,397
Difference in Population (Number)	-1,622
Difference in Population (Percent)	-20%

Source: *The City of Calgary 2017 Civic Census*

Additional demographic and socio-economic information may be obtained online through the [Renfrew](#) community profile.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The proposal is to allow for the conversion to a Commercial District of *Land Use Bylaw 1P2007* that allows for a range of commercial uses, including the Cannabis Store use. The proposal is consistent with the applicable policies, as discussed in the Strategic Alignment section of this report.

Planning Considerations

Land Use

This application is to redesignate the site from the existing DC Direct Control District (Bylaw 16Z97), based on the C-2 General Commercial District of *Land Use Bylaw 2P80* to Commercial – Neighbourhood 1 (C-N1) District. The C-N1 District is intended to allow for small scale, street-oriented commercial development with potential for residential uses on upper floors at a compatible scale to nearby residential areas. The C-N1 District is intended to have vehicular access to the site from the rear lane. The C-N1 District allows for a maximum building height of 10 metres and a maximum floor area ratio of 1.0.

**Land Use Amendment in Renfrew (Ward 9) at 824 Edmonton Trail NE,
LOC2018-0138**

Alternative land use district options apart from C-N1 were explored by the applicant and Administration. The C-N1 District was considered the most appropriate district for the immediate purpose of allowing for a Cannabis Store use because it aligns with the relevant policies and allows the existing pattern of development to continue.

Development and Site Design

The built form of this area is small-scale street-oriented and pedestrian-oriented developments with building entrances that front onto Edmonton Trail NE. Parking is typically located at the rear of the building and vehicular access to the site is typically from the rear lane. No comprehensive redevelopment of the site is being contemplated at this time, however, the general pattern of development should be reflected in future development.

Transportation Networks

Edmonton Trail NE is classified as an Urban Boulevard street type. Vehicular access to the site is available via the rear lane. Calgary Transit bus stops for routes 5 and 69 northbound and routes 4 and 69 southbound are located on Edmonton Trail NE within 100 metres walking distance of the parcel. The planned 16 Avenue N Green Line Light Rail Transit station will be approximately 1.3 kilometres walking distance from the parcel. City Hall Light Rail Transit station is approximately 1.7 kilometres walking distance from the parcel. Bridgeland Light Rail Transit station is approximately 1.9 kilometres walking distance from the parcel.

A Transportation Impact Assessment (TIA) and a parking study were not required as part of this land use redesignation application.

Utilities and Servicing

Water, sanitary, and storm sewer mains are available and can accommodate the potential redevelopment of the subject site without the need for off-site improvements at this time.

Stakeholder Engagement, Research and Communication

Consistent with Administration's standard practices, this application was circulated to relevant stakeholders and notice posted on-site for three weeks. 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 in association with this application.

Letters in support of the proposed land use redesignation were received from both the Renfrew Community Association (Attachment 2) and the Crescent Heights Community Association (Attachment 3).

No comments were received from the public by the Calgary Planning Commission report submission date.

**Planning & Development Report to
Calgary Planning Commission
2018 August 23**

**ISC: UNRESTRICTED
CPC2018-0975
Page 6 of 8**

**Land Use Amendment in Renfrew (Ward 9) at 824 Edmonton Trail NE,
LOC2018-0138**

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

Strategic Alignment

South Saskatchewan Regional Plan (Statutory, 2014)

The site is located within the City, Town area of the 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.

Municipal Development Plan (Statutory, 2009)

The subject site is located within an Urban Main Street area, according to Urban Structure Map (Map 1) of the *Municipal Development Plan* (MDP).

Urban Main Streets are intended to provide for a high level of residential and employment intensification along an Urban Boulevard street type, as defined in the *Calgary Transportation Plan* (CTP). The Urban Boulevard is a multi-modal street with a strong focus on walking, cycling and transit, though it continues to accommodate moderately high traffic volume. Urban Main Streets emphasize a walkable pedestrian environment fronted by a mix of higher intensity residential and business uses. The listed uses of the C-N1 District include commercial and residential uses and rules that result in street-oriented and pedestrian-oriented building designs with vehicular access to the site from the rear lane.

While the MDP makes no specific reference to this site, the proposal is consistent with the applicable policies.

Crescent Heights Area Redevelopment Plan (Statutory, 1997)

The subject site is located within a Local Commercial area, according to the Land Use Policy Map (Map 2) of the *Crescent Heights Area Redevelopment Plan* (CHARP).

The purpose of the Local Commercial area is to encourage successful commercial development which will serve commuters and the local community, ensure a high standard of commercial development and minimize its impact on nearby housing. Development in the Local Commercial area is encouraged to improve the pedestrian environment along Centre Street NE and Edmonton Trail NE and support the transit corridor concept for the major roads by providing transit supportive designs, employment and residential uses. The listed uses of the C-N1 District include commercial uses that serve commuters and the local community and rules that result in street-oriented, pedestrian-oriented, and transit-oriented building designs with heights and setbacks that minimize impact on nearby housing.

Planning & Development Report to
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CPC2018-0975
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**Land Use Amendment in Renfrew (Ward 9) at 824 Edmonton Trail NE,
LOC2018-0138**

While the CHARP makes no specific reference to this site, the proposal is consistent with the applicable policies.

North Bow Special Study (Non-Statutory, 1979)

The subject site is located within a Commercial area, according to the Proposed Land Use Plan (Map 7) of the *North Bow Special Study* (NBSS). While the NBSS makes no specific reference to this site, the proposal is consistent with the applicable direction.

North Bow Design Brief (Non-Statutory, 1977)

The subject site is located within a Commercial area, according to the Generalized Land Use Concept Plan of the *North Bow Design Brief* (NBDB).

The NBDB provides direction for development in Commercial areas to regulate massing and be limited to 40 feet (12 metres ±) in height to minimize impacts on adjacent residential areas. The NBDB provides direction for development in the Commercial area to provide maximum sound attenuation with continuous building facades and landscaping. The NBDB discourages site access to commercial development via residential streets and lanes. The maximum height of the C-N1 District is 10.0 metres. The rules of the C-N1 District allow for continuous building facades. The rules of the C-N1 District allow for building designs with vehicular access to the site from the rear lane. While the NBDB makes no specific reference to this site, the proposal is consistent with the applicable direction.

Social, Environmental, Economic (External)

An environmental site assessment was not required for this application.

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.

Risk Assessment

There are no significant risks associated with this proposal.

Planning & Development Report to
Calgary Planning Commission
2018 August 23

ISC: UNRESTRICTED
CPC2018-0975
Page 8 of 8

**Land Use Amendment in Renfrew (Ward 9) at 824 Edmonton Trail NE,
LOC2018-0138**

REASON(S) FOR RECOMMENDATION(S):

The proposal is consistent with the applicable policies of the *Municipal Development Plan* and the *Crescent Heights Area Redevelopment Plan*, and is consistent with the intent of the Commercial – Neighbourhood 1 District of *Land Use Bylaw 1P2007*.

ATTACHMENT(S)

1. Applicant's Submission
2. Renfrew Community Association Letter
3. Crescent Heights Community Association Letter
4. **Proposed Bylaw 250D2018**

Applicant's Submission

0138



Land Use Redesignation Applicant's Submission

Not Including Secondary Suites

PL 1263 (R2017-09)

This form is to be filled out by the applicant and provided to The City of Calgary at the time of submission. These comments are included in a report which is presented to the Calgary Planning Commission and a Public Hearing of City Council. Your comments **must** be limited to the area designated on this form to ensure it will fit the space requirements of the report. Supplementary information can be provided separately in your application if required.

We propose that the existing Direct Control (Bylaw No. 16Z97) for 824 Edmonton Trail N.E. (Legal Address: Lots 11+12, Block A, Plan 4031 N) be amended to Commercial-Neighbourhood 1 (C-N1) district zoning of the Calgary Land Use Bylaw 1P2007.

Since the existing DC 16Z97 (listing permitted and discretionary uses of the C-2 General Commercial District of Bylaw 2P80) can not support Cannabis Store as a permitted or discretionary use, and we expect that Cannabis Store use will be included as a discretionary use under C-N1 district zoning, our proposal's chief aim is that this amendment make it possible for Cannabis Store discretionary use applications to be made at this location.

Through direct consultation with the Renfrew Community Association, a review of the Crescent Heights Area Redevelopment Plan (ARP), and careful consideration of the intent behind the existing Direct Control (DC), we conclude that the C-N1 district zoning would be the most appropriate Land Use Redesignation for this parcel. The following is a brief synopsis highlighting the logic behind this proposal:

C-N1 zoning will preserve the building height restrictions (set at a maximum height of 10m) of the existing DC; and C-N1's directive of storefront commercial buildings being orientated to the street will preserve the pedestrian amenity and desired welcoming character of Edmonton Trail NE.

C-N1 zoning will exclude certain uses that the existing DC and ARP consider undesirable for this area. In particular, the land uses specifically excluded in the existing DC are also excluded (permitted and discretionary) under the C-N1 district zoning. These are: amusement arcades; auto body and paint shops; automotive sales and rental; entertainment establishments; funeral homes; hotels and motels; and radio and television studios.

This proposed redesignation will allow the owners and tenants at 824 Edmonton Trail NE to better serve their community, while preserving the spirit of the ARP, and respecting the needs and concerns of community stakeholders.

ISC: Protected

Renfrew Community Association Letter

July 12, 2018

Hi Ezra,

Below are the Renfrew Planning Committee's comments on behalf of the Renfrew Community Association Board:

We support this update of the Land Use at 824 Edmonton Trail to reflect the current Land Use Bylaw. Generally, we support higher intensity commercial and residential uses along Edmonton Trail. We would support shifting to a higher intensity Land Use than C-N1, especially if it is possible to preserve the character building at 824A Edmonton Trail which was built in 1910. In summary, the proposed Land Use will be an acceptable, incremental step until the neighbourhood is able to participate in Main Streets' work in the next couple of years, which we expect will result in a mix of higher intensity commercial and residential uses on Edmonton Trail to produce a more complete community.

Thanks,

Nathan Hawryluk
Director, Planning
Renfrew Community Association

Crescent Heights Community Association Letter

June 20, 2018

Hello Ezra,

Thank you for inviting the Crescent Heights Planning committee to comment on this LOC.

We support this proposed change of land use.

We reviewed the many uses that pertain to C-N1 and do not have any reasons to oppose the change at this time.

Please do not hesitate to contact me by phone at 403-807-7257 or email.

Sincerely,

Dennis Marr, Director, Planning Committee, Crescent Heights, C.A.

PROPOSED

CPC2018-0975
ATTACHMENT 4

BYLAW NUMBER 250D2018

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2018-0138/CPC2018-0975)**

WHEREAS it is desirable to amend the Land Use Bylaw Number 1P2007 to change the land use designation of certain lands within the City of Calgary;

AND WHEREAS Council has held a public hearing as required by Section 692 of the *Municipal Government Act*, R.S.A. 2000, c.M-26 as amended;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, is hereby amended by deleting that portion of the Land Use District Map shown as shaded on Schedule "A" to this Bylaw and substituting therefor that portion of the Land Use District Map shown as shaded on Schedule "B" to this Bylaw, including any land use designation, or specific land uses and development guidelines contained in the said Schedule "B".
2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

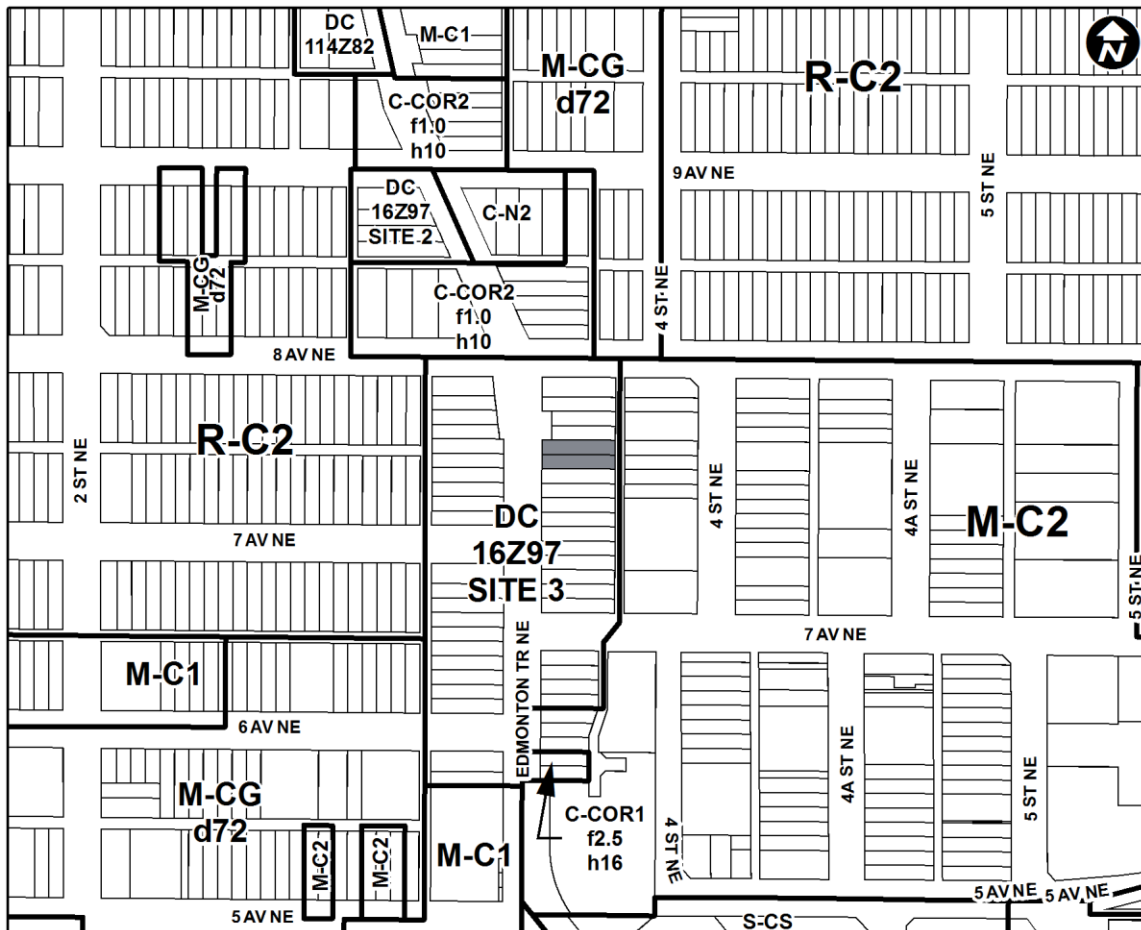
CITY CLERK

SIGNED ON _____

PROPOSED

AMENDMENT LOC2018-0138/CPC2018-0975
BYLAW NUMBER 250D2018

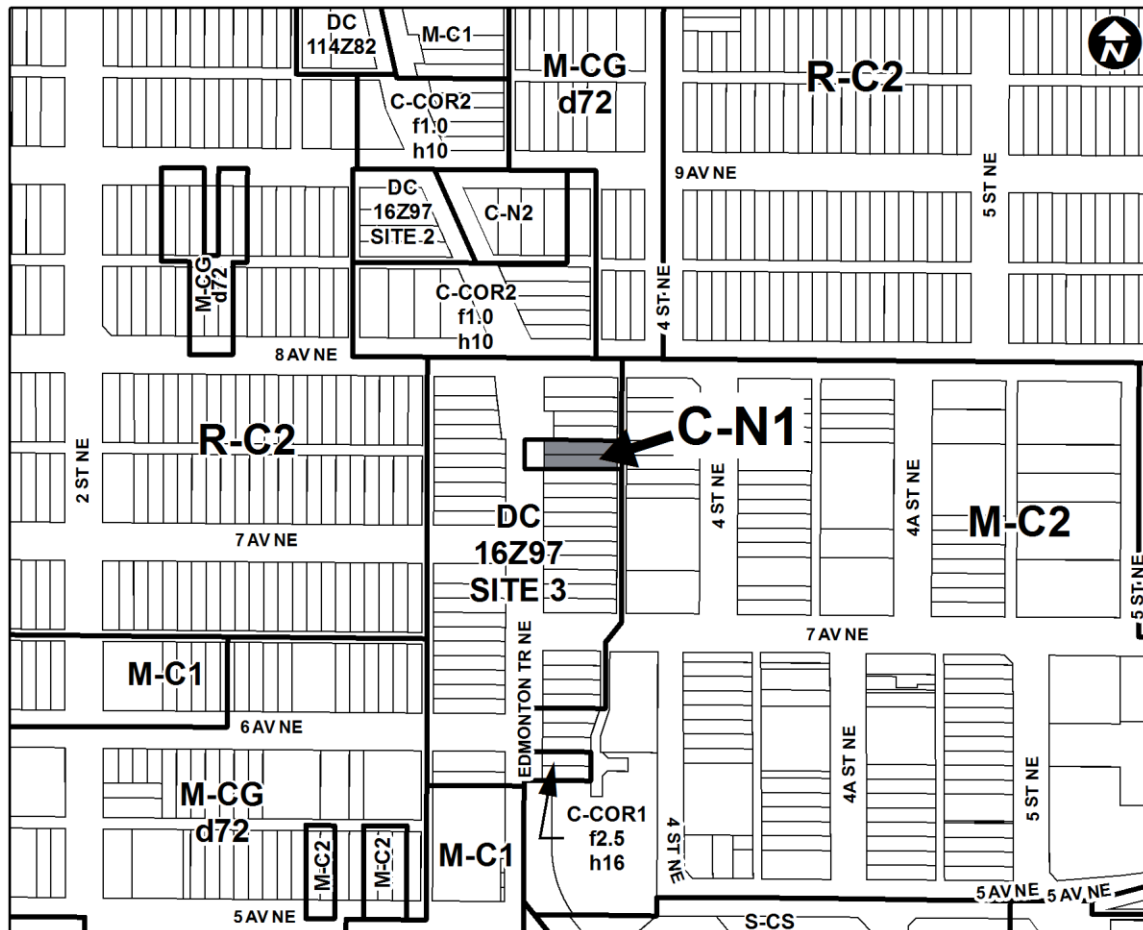
SCHEDULE A



PROPOSED

AMENDMENT LOC2018-0138/CPC2018-0975
BYLAW NUMBER 250D2018

SCHEDULE B



Planning & Development Report to
Calgary Planning Commission
2018 August 23

ISC: UNRESTRICTED
CPC2018-0863
Page 1 of 8

Policy Amendments – Southeast Industrial Area Structure Plan (Ward 12), M-2018-001

EXECUTIVE SUMMARY

This report proposes Administration-initiated amendments to the *Southeast Industrial Area Structure Plan* (ASP) to:

- remove the 400 metre setback from the decommissioned Phosphogypsum Stack Two; and
- add a 450 metre setback to the disposal area of operating hazardous waste management facilities.

The ASP amendment was initiated by Administration as a result of ongoing applications affected by the setbacks and to align with recent amendments to the *Municipal Government Act* (MGA).

ADMINISTRATION RECOMMENDATION(S):

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

1. ADOPT, by bylaw, the proposed amendments to the Southeast Industrial Area Structure Plan (Attachment 1);
2. Give three readings to the proposed bylaw; and
3. ADOPT, by resolution, the proposed revisions to the Supporting Information section of the Southeast Industrial Area Structure Plan that does not form part of Bylaw 6P96 (Attachment 2).

RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, DATED 2018 SEPTEMBER 06:

That Council:

1. **Hold a public hearing during a 2018 October Public Hearing of Council;**
2. **Adopt, by Bylaw, the proposed amendments to the Southeast Industrial Area Structure Plan;**
3. Give three readings to the proposed **Bylaw 63P2018**; and
4. Adopt, by resolution, the proposed revisions to the Supporting Information section of the Southeast Industrial Area Structure Plan that does not form part of Bylaw 6P96 (Attachment 2).

Planning & Development Report to
Calgary Planning Commission
2018 August 23

ISC: UNRESTRICTED
CPC2018-0863
Page 2 of 8

Policy Amendments - Southeast Industrial Area Structure Plan (Ward 12), M-2018-001

Excerpts from the Minutes of the Regular Meeting of the Calgary Planning Commission, held on 2018 September 06:

“7.2.1 Reconsideration of M-2018-001(CPC2018-0863) (Verbal Report), CPC2018-1026

Moved by Commissioner Palmiere

That the Calgary Planning Commission reconsider its decision as contained in the Minutes of the Regular Meeting of Calgary Planning Commission, held 2018 August 23, with respect to Report CPC2018-0863.

MOTION CARRIED

A Revised Attachment 1 with respect to Report CPC2018-0863 was distributed.

The following clerical corrections were noted to Report CPC2018-0863:

- Cover Report, Page 2 of 6, Background, second paragraph, by deleting the words "food establishments" immediately following the word "hospitals", and substituting with the words "child care facilities;
- Cover Report, Page 2 of 6, Phosphogypsum Stacks (drying ponds), second paragraph, by deleting the words "food establishments" immediately following the word "hospitals", and substituting with the words "child care facility".

Moved by Commissioner Palmiere

That with respect to **Corrected** Report CPC2018-0863, the following be approved, **after amendment**:

That the Calgary Planning Commission recommends that Council:

1. **Hold a public hearing during a 2018 October Public Hearing of Council;**
2. **Adopt, by Bylaw, the proposed amendments to the Southeast Industrial Area Structure Plan;**
3. Give three readings to the proposed Bylaw; and
4. **Adopt, by resolution, the proposed revisions to the Supporting Information section of the Southeast Industrial Area Structure Plan that does not form part of Bylaw 6P96.**

MOTION CARRIED”

Planning & Development Report to
Calgary Planning Commission
2018 August 23

ISC: UNRESTRICTED
CPC2018-0863
Page 3 of 8

Policy Amendments - Southeast Industrial Area Structure Plan (Ward 12), M-2018-001

Excerpts from the Minutes of the Regular Meeting of the Calgary Planning Commission, held 2018 August 23:

“7.2.3 Policy Amendments – Southeast Industrial Area Structure Plan (Ward 12), M-2018-001, CPC2018-0863

A clerical correction was noted to page 1 of 6 of Report CPC2018-0863, under the header "Phosphogypsum Stacks (drying ponds)", by deleting the last sentence in its entirety and replacing with the following "The site remains under operation by Viterro Inc. and under approval of Alberta Government".

Moved by Councillor Woolley

That with respect to **Corrected** Report CPC2018-0863, the following be approved, **after amendment**:

That the Calgary Planning Commission recommends that Council:

1. **Hold a public hearing during a 2018 October Public Hearing of Council;**
2. Adopt, by Bylaw, the proposed amendments to the Southeast Industrial Area Structure Plan (Attachment 1);
3. Give three readings to the proposed bylaw; and
4. Adopt, by resolution, the proposed revisions to the Supporting Information section of the Southeast Industrial Area Structure Plan that does not form part of Bylaw 6P96 (Attachment 2).

MOTION CARRIED”

PREVIOUS COUNCIL DIRECTION / POLICY

None.

Planning & Development Report to
Calgary Planning Commission
2018 August 23

ISC: UNRESTRICTED
CPC2018-0863
Page 4 of 8

Policy Amendments - Southeast Industrial Area Structure Plan (Ward 12), M-2018-001

BACKGROUND

On 2015 October 05, Council approved minor amendments to the *Southeast Industrial Area Structure Plan* to remove the 400 metre setback from the decommissioned Phosphogypsum Stack One (CPC2015-178).

The decommissioning of Phosphogypsum Stack One and removal of the 400 metre setback allowed for development of schools, hospitals, **child care facilities**, or residential uses within the previous 400 metre setback area.

Phosphogypsum Stacks (drying ponds)

In 2017, Viterra Inc completed decommissioning and capping of Phosphogypsum Stack Two. Similar to Stack One, a Risk Management Plan (RMP), has been accepted by Alberta Environment. **The Site remains under operation by Viterra Inc. and under approval of Alberta Environment.**

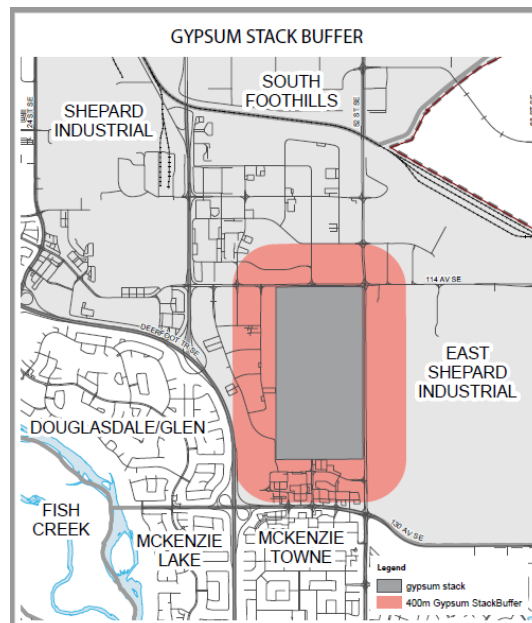
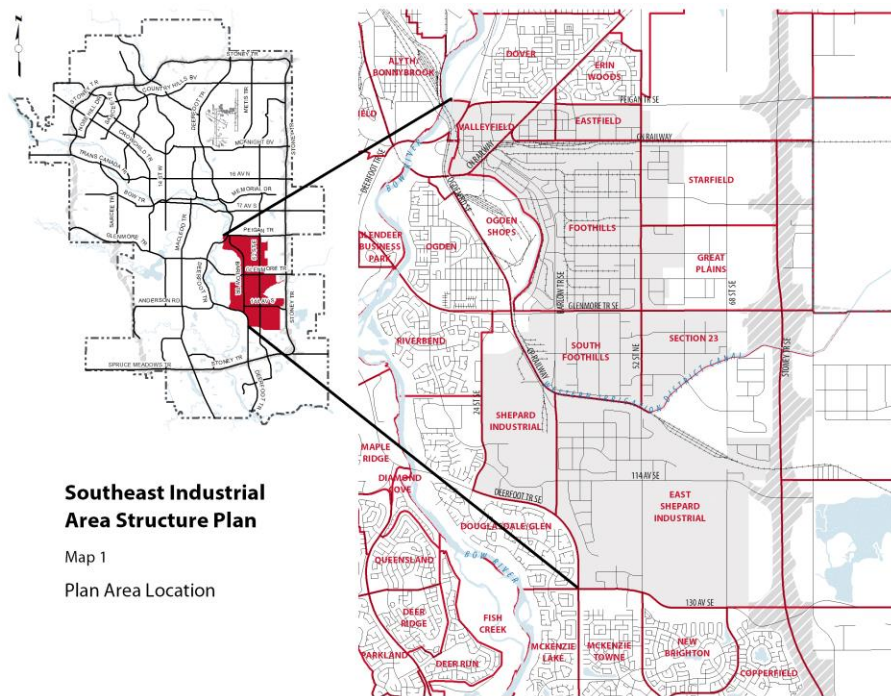
While operational, and throughout decommissioning and capping of the phosphogypsum stacks, a setback prohibited development of schools, hospitals, **child care facilities** and residential uses within 400 metres of the property line of the stacks. The setback is no longer required and the proposed amendments to the ASP will allow the previously restricted uses.

Hazardous Waste Management Facilities

Changes to the MGA in 2017 require a 450 metre setback from the disposal area of operating hazardous waste management facilities. The setback prohibits the development of schools, hospitals, food establishments and residential uses within the setback area. To align with amendments to the MGA, Administration is proposing amendments to the *Southeast Industrial ASP* to identify and delineate the setbacks. Refer to Schedule P of the *Southeast Industrial ASP* for Hazardous Waste Management Facility setback.

Policy Amendments - Southeast Industrial Area Structure Plan (Ward 12), M-2018-001

Location Maps



Policy Amendments - Southeast Industrial Area Structure Plan (Ward 12), M-2018-001

Site Context

The *Southeast Industrial ASP* covers a land area of approximately 3,763 hectares (9,299 acres) in size, comprising primarily industrial uses, with limited commercial uses. The Plan Area is bounded by Peigan Trail SE to the north, Deerfoot Trail SE to the west, Deerfoot Trail SE and 130 Avenue SE to the south and Stoney Trail SE to the east.

The decommissioned phosphogypsum stack site is located at 12525 – 52 Street SE, 12655 and 12655R - 52 Street SE and 12725 – 52 Street SE. The four parcels total approximately 130 hectares (320 acres) in size.

The hazardous waste management facilities are located at 9611 – 44 Street SE, 10905 – 48 Street SE, 7905 – 46 Street SE, 5366 – 55 Street SE and 10501 Barlow Trail SE.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The proposed amendments to the *Southeast Industrial ASP* would align the policy with MGA requirements and the recent decommissioning of the phosphogypsum stack and hazardous waste management facilities setback.

Infrastructure

Transportation Networks

Transportation networks in the ASP are not affected by the proposed amendments.

Utilities and Servicing

Utilities and servicing are not affected by the proposed amendments.

Stakeholder Engagement, Research and Communication

In keeping with Administration's standard practices, the ASP amendment to allow for additional uses within the 400 metre stack setback was circulated to adjacent landowners. A website on www.calgary.ca was created to inform the public of the amendment and included project information and an overview of the planning process.

Hazardous waste setbacks automatically apply around any hazardous waste management facility as regulated by the Subdivision and Development Regulation of the MGA. This setback is mandatory with or without the ASP therefore Administration did not send a letter to adjacent landowners.

Commission's recommendation and the date of the Public Hearing will be advertised.

Policy Amendments - Southeast Industrial Area Structure Plan (Ward 12), M-2018-001

Engagement

No citizen comments or comments from landowners circulated were received. No public meetings were held by Administration. There is no community association in the plan area.

Strategic Alignment

South Saskatchewan Regional Plan (Statutory, 2014)

The sites are 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 these sites, the proposal is consistent with policies on Land Use Patterns.

Municipal Development Plan (Statutory, 2009)

The sites, are located within the 'Standard Industrial Area of the *Municipal Development Plan* (MDP). The applicable MDP policies encourage a broad variety of industrial uses and intensities that support business in Calgary.

The proposed amendments to the ASP are in keeping with relevant MDP policies.

Municipal Government Act – Subdivision and Development Regulation (43/2002):

The Municipal Government Act – Subdivision and Development Regulation specifies that a Development Authority shall not approve an application for school, hospital, food establishment or residential use or building site proposed for a school, hospital, food establishment or residence within 450 metres of the disposal area of an operating or non-operating hazardous waste management facility.

Southeast Industrial Area Structure Plan (Statutory, 1996)

The current *Southeast Industrial ASP* identifies a setback within 400 metres of Phosphogypsum Stack Two. The proposed amendments to remove reference of the setback on stack two and all references to the phosphogypsum stack are supported by Administration.

The current policy of the *Southeast Industrial ASP* does not identify a setback of 450 metres to operating hazardous waste management facilities. The proposed amendment to add the setback to the identified parcels and references to hazardous waste management facilities in the plan area is supported by Administration.

Policy Amendments - Southeast Industrial Area Structure Plan (Ward 12), M-2018-001

Social, Environmental, Economic (External)

Phosphogypsum Stack Two has been decommissioned and Alberta Environment and Parks has accepted the Risk Management Plan, therefore the 400 metre setback can be removed.

Amendments to the *Municipal Government Act*, to include a setback from active hazardous waste management facilities, have been accepted by the Government of Alberta, therefore, the 450 metre setback to hazardous waste management facilities will be added.

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.

Risk Assessment

There are no significant risks associated with this proposal.

REASON(S) FOR RECOMMENDATION(S):

The proposed amendments to the *Southeast Industrial ASP* aligns the policy with the current status of Phosphogypsum Stack Two and recent changes to the *Municipal Government Act*.

ATTACHMENT(S)

1. **Revised** Proposed amendments to the Southeast Industrial Area Structure Plan
2. Proposed amendments to the Supporting information section of the Southeast Industrial Area Structure Plan.
3. **Proposed Bylaw 63P2018**

Proposed Amendments to the Southeast Industrial Area Structure Plan

1. The Southeast Industrial Area Structure Plan, attached to and forming part of Bylaw 6P96 as amended, is hereby further amended.
 - (a) In section 3.0 entitled "THE PLAN (Map 2)" delete second bullet point and paragraph.
 - (b) Delete the existing Map 1 entitled "Plan Area Location" and replace with revised Map 1 entitled "Plan Area Location", as attached as Schedule A.
 - (c) Delete the existing Map 2 entitled "Land Use and Transportation Plan" and replace with revised Map 2 entitled "Land Use and Transportation Plan", as attached as Schedule B.
 - (d) In the second paragraph of subsection 4.1.3 entitled "Heavy Industrial" delete "east of the *fertilizer complex* property" and replace with "south of the irrigation canal and east of Barlow Trail SE".
 - (e) Delete the existing Map 3 entitled "Regional Road Network" and replace with revised Map 3 entitled "Regional Road Network", as attached as Schedule C.
 - (f) Delete the Map 4 entitled "Dangerous Goods and Truck Routes" and replace with revised Map 4 entitled "Dangerous Goods and Truck Routes", as attached as Schedule D.
 - (g) Delete the existing Map 5 entitled "Water Supply" and replace with revised Map 5 entitled "Water Supply", as attached as Schedule E.
 - (h) Delete the existing Map 6 entitled "Sanitary Sewer System" and replace with revised Map 6 entitled "Sanitary Sewer System", as attached as Schedule F.
 - (i) Delete the existing Map 7 entitled "Storm Sewer System" and replace with revised Map 7 entitled "Storm Sewer System", as attached as Schedule G.
 - (j) Delete the existing Map 8 entitled "Electrical Service" and replace with revised Map 8 entitled "Electrical Service", as attached as Schedule H.
 - (k) Delete the existing Map 9 entitled "Natural Gas" and replace with revised Map 9 entitled "Natural Gas", as attached as Schedule I.
 - (l) Delete the existing Map 10 entitled "Telephone and Cable Services" and replace with revised Map 10 entitled "Telephone and Cable Services", as attached as Schedule J.
 - (m) In the first paragraph of subsection 4.6 "Development Constraint Areas" delete "and the fertilizer complex" and replace with "and the hazardous waste management facilities".

Proposed Amendments to the Southeast Industrial Area Structure Plan

- (n) In section 4.6 entitled “Development Constraints Areas” delete paragraphs four through six and replace with the following:

“A fertilizer manufacturing facility previously operated within the Plan Area. Constructed in 1965 the facility operated until 1987 when the production of anhydrous ammonia, ammonium nitrate, and ammonium phosphate ceased.

Between 1987 and 2005, the production facilities were decommissioned (including the acid plants and flare stack) and the majority of infrastructure was removed from the property. A remedial program to remove impacted soil from the production area and to decommission the phosphogypsum stacks (drying ponds) was also implemented.

When the Southeast Industrial ASP was approved in 1996, a setback was established preventing residential land use within 1,600 metres of the transfer terminal (flare stack). Subsequent environmental assessments resulted in a reduced 1,100 metre setback. In addition, it was determined that schools, hospitals, **child care facilities and** residential uses would be restricted within 400 metres of the phosphogypsum stacks (drying ponds).

In 2015, the setback for phosphogypsum Stack 1 was removed subsequent to final decommissioning and acceptance of the ongoing Risk Management Plan (RMP) by Alberta Environment and Parks (AEP). Similarly, in 2018 the setback for phosphogypsum Stack 2 was removed following complete decommissioning and acceptance of the RMP by AEP. A fertilizer and farm products distribution terminal currently operates at 11111 Barlow Trail SE.

Long term RMPs are in place for the former fertilizer manufacturing facility and the associated drying ponds. Future land uses with the potential to compromise the integrity of the engineered cover at phosphogypsum stack sites will not be allowed.

Hazardous Waste Management Facilities are a possible discretionary use in the Plan Area. Land use planning in proximity to Hazardous Waste Management Facilities are governed by the Subdivision and Development Regulation (SDR) under the Municipal Government Act (MGA).

AEP publishes a list of facilities in the Alberta and Environmental Protection and Enhancement Act (EPEA) to manage hazardous waste and/or hazardous recyclables.”

- (o) In section 4.6 “Development Constraint Areas” under Recommendation, (a) delete subsection (iii) “the fertilizer complex and phosphogypsum stack” and replace with “the hazardous waste management facilities”.
- (p) In section 4.6 “Development Constraint Areas” under “Recommendation” delete sections (b) through (g).

Proposed Amendments to the Southeast Industrial Area Structure Plan

- (q) Under section 4.8 “Environmental Considerations” insert the following before section 4.8.1:

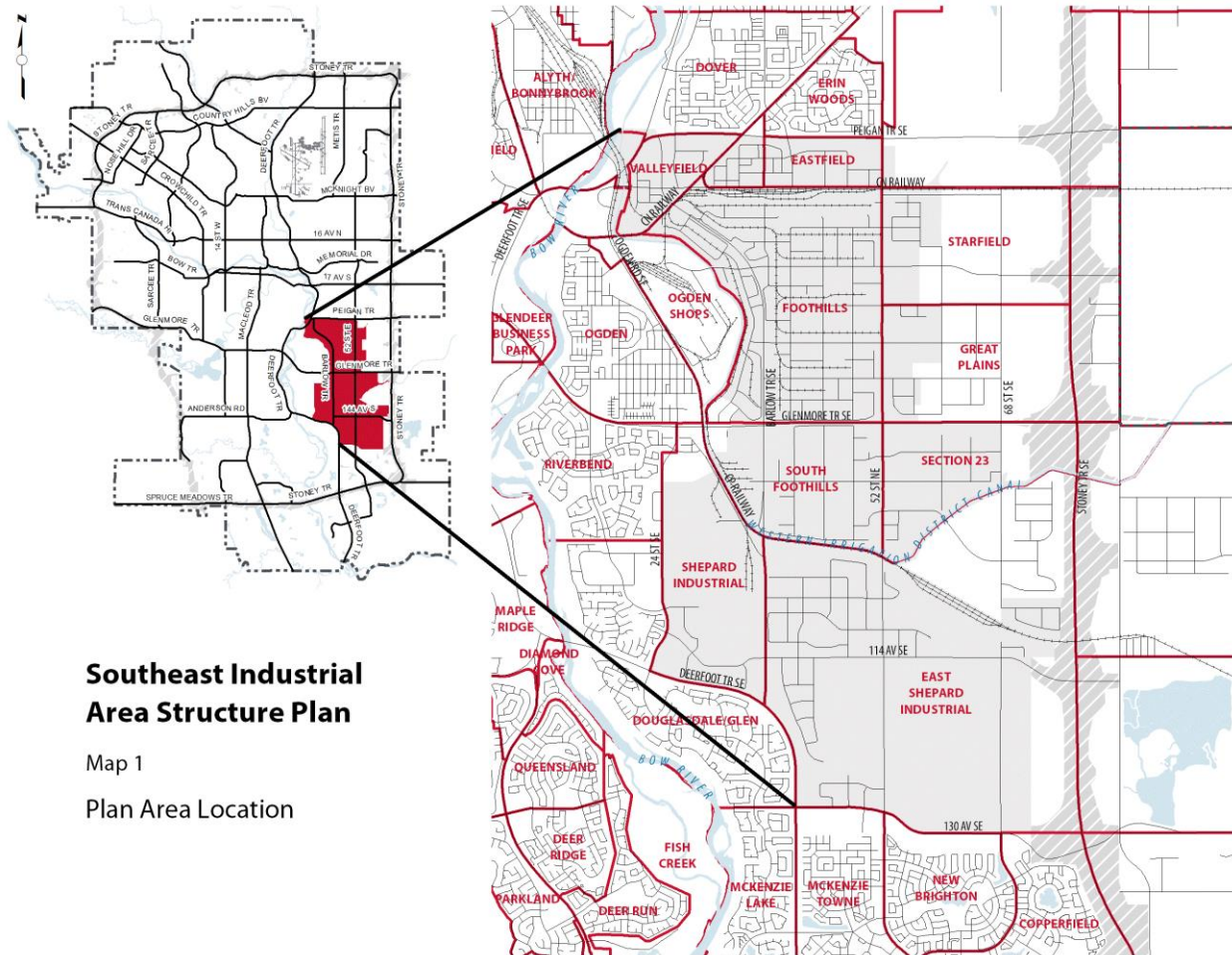
“Historically, the Southeast Industrial ASP saw considerable industrial development; as a result, there are potentially contaminated sites that may impact future development. With new development proposed for the area, it is important that a detailed environmental site assessment is completed to ensure a site is suitable for its intended use.

The environmental status of a site will be determined beginning at the Outline Plan/Land Use Amendment Stage. Pending the findings of the environmental assessment, remediation and/or risk management may be necessary. Where risk management is proposed, the Risk Management Plan (RMP) must be accepted by Alberta Environment and Parks (AEP) and Alberta Health Services (AHS) prior to the development proceeding. Even where The City has granted land use amendment for a site, the presence of contamination may make it unsuitable for the intended use.”

- (r) Delete subsection 4.8.1 entitled “Potential Soil and Groundwater Contamination” and replace with the following: 4.8.1 “Environmental Site Assessment”:

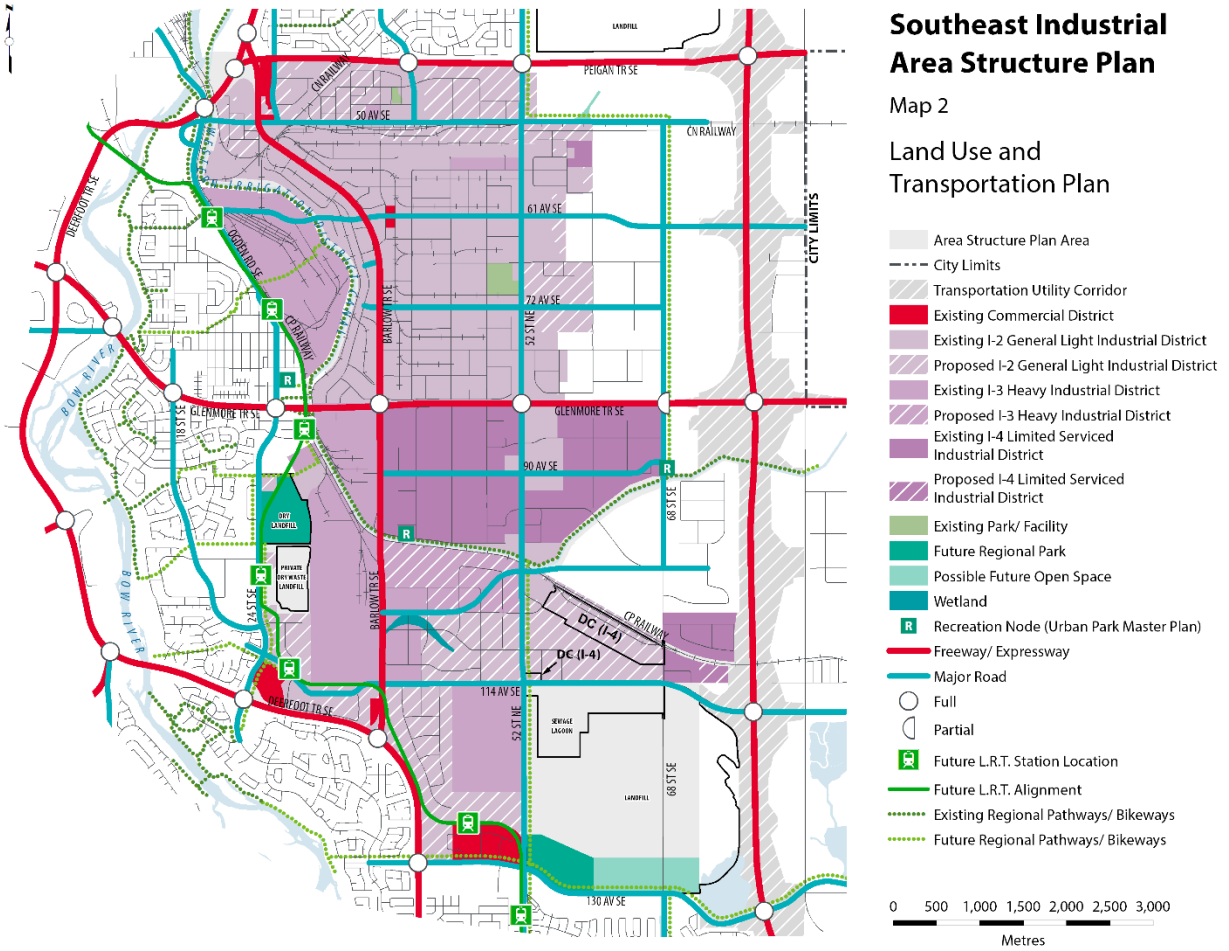
“The preceding section identified the main known features of the Plan Area. The purpose of these policies is to help ensure that any risks associated with past activities on specific sites are identified and addressed:

- a. In conjunction with an Outline Plan/Land Use Amendment application, a developer shall:
 - i. submit a current Phase I ESA, to the satisfaction of the Approving Authority, to identify any soil and groundwater contamination and identify actual or potential, on or off site human health impacts, to determine if the site is suitable for the intended use;
 - ii. if the Phase I ESA identifies any actual or potential or off-site contamination, submit a current Phase II ESA to the satisfaction of the Approving Authority to determine if there is a requirement for remediation or risk management on the site; and
 - iii. if the Phase II ESA determines a need for site remediation, or risk management, submit a Remedial Action Plan or Risk Management Plan to address the manner and extent that the site will be remediated or managed to render it suitable for the intended use.
- b. The ESA should refer to the more detailed guidelines contained in Appendix A.
- c. Environmental Background Studies must comply with City standards.”

Proposed Amendments to the Southeast Industrial Area Structure Plan**Schedule A**

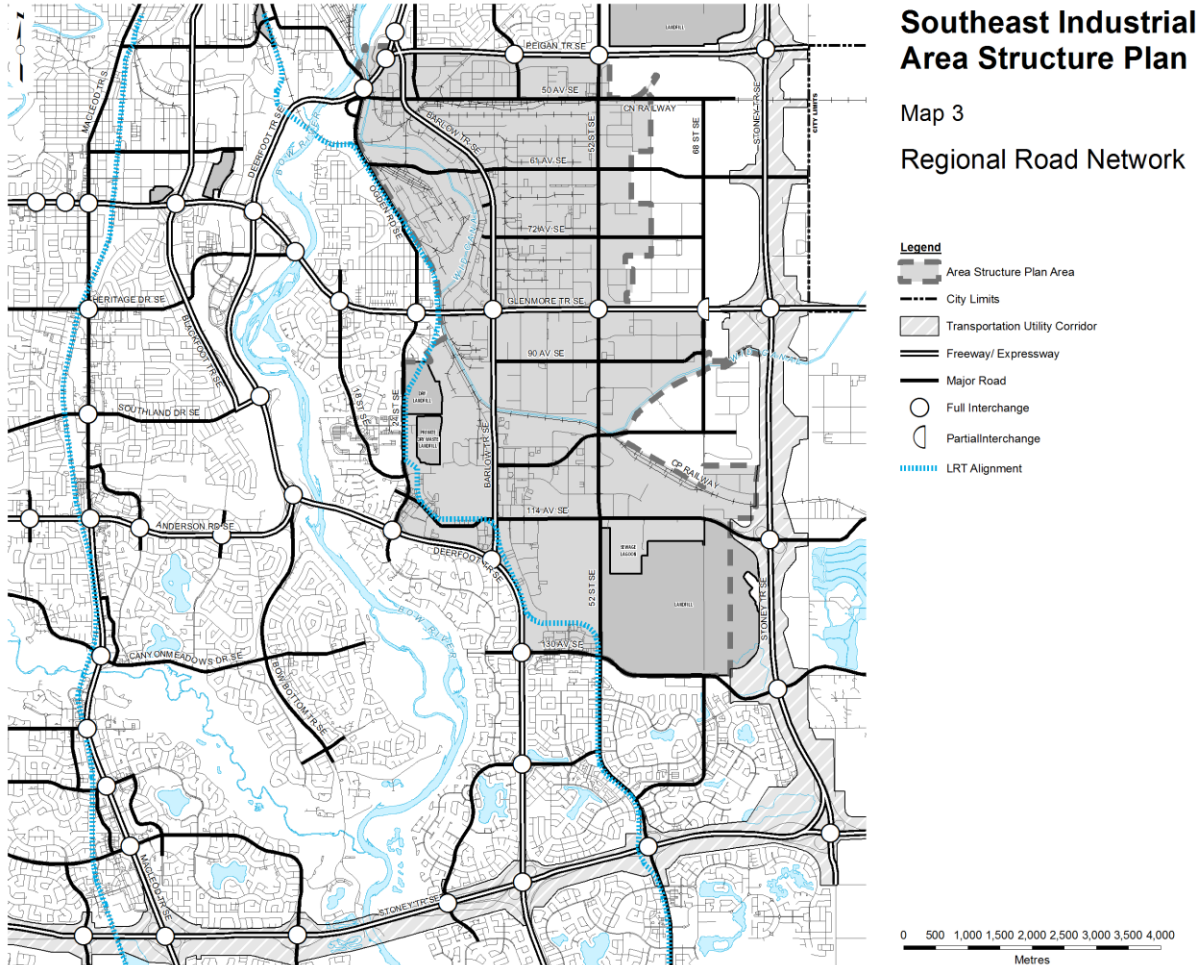
Proposed Amendments to the Southeast Industrial Area Structure Plan

Schedule B



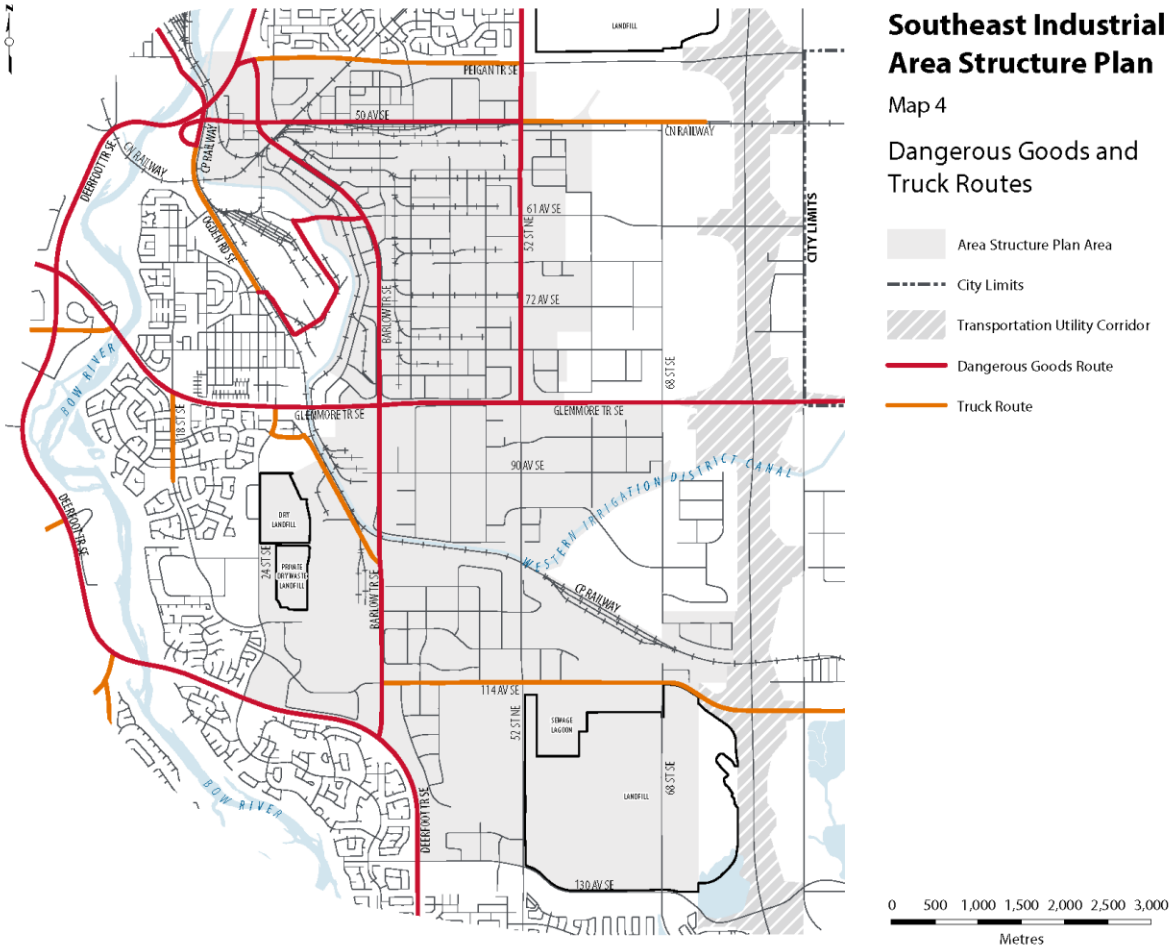
Proposed Amendments to the Southeast Industrial Area Structure Plan

Schedule C



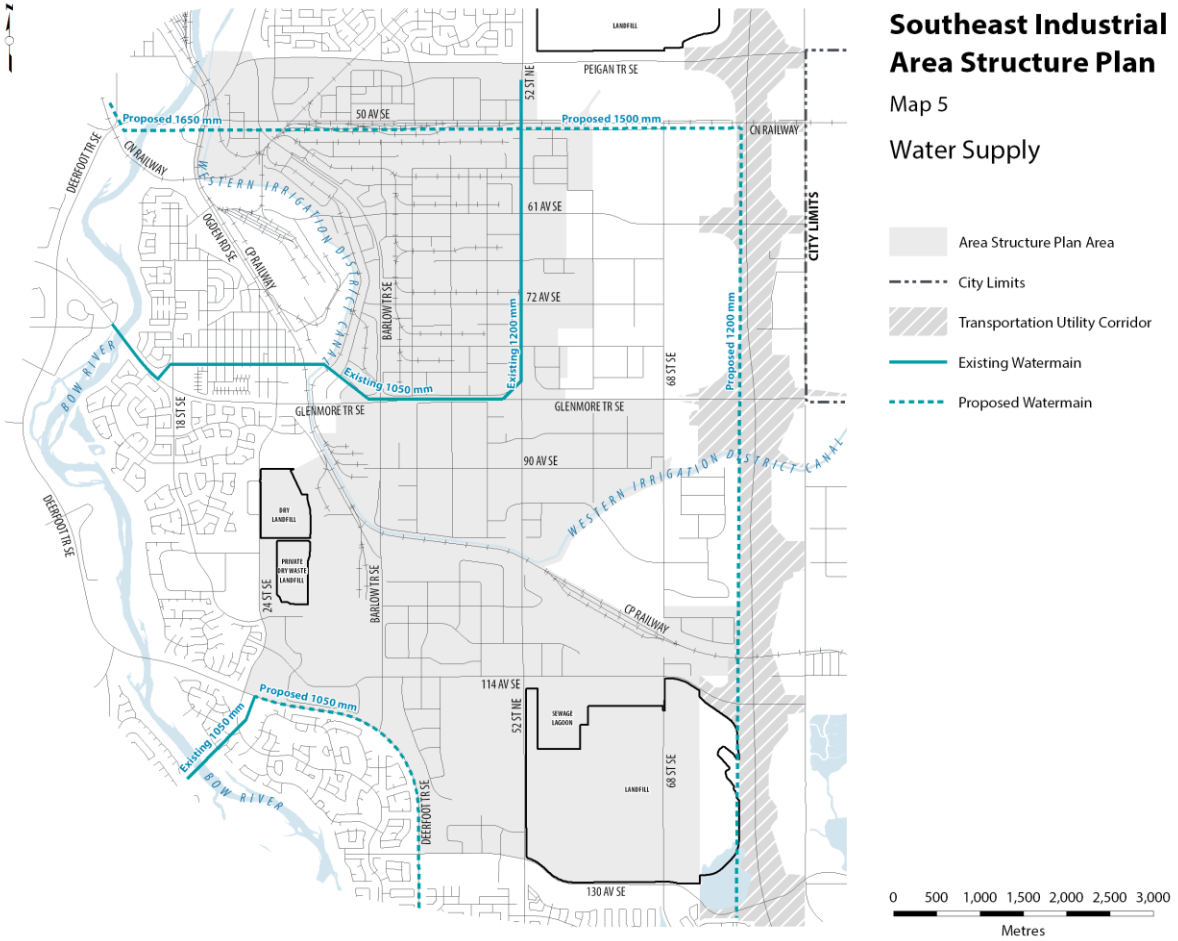
Proposed Amendments to the Southeast Industrial Area Structure Plan

Schedule D



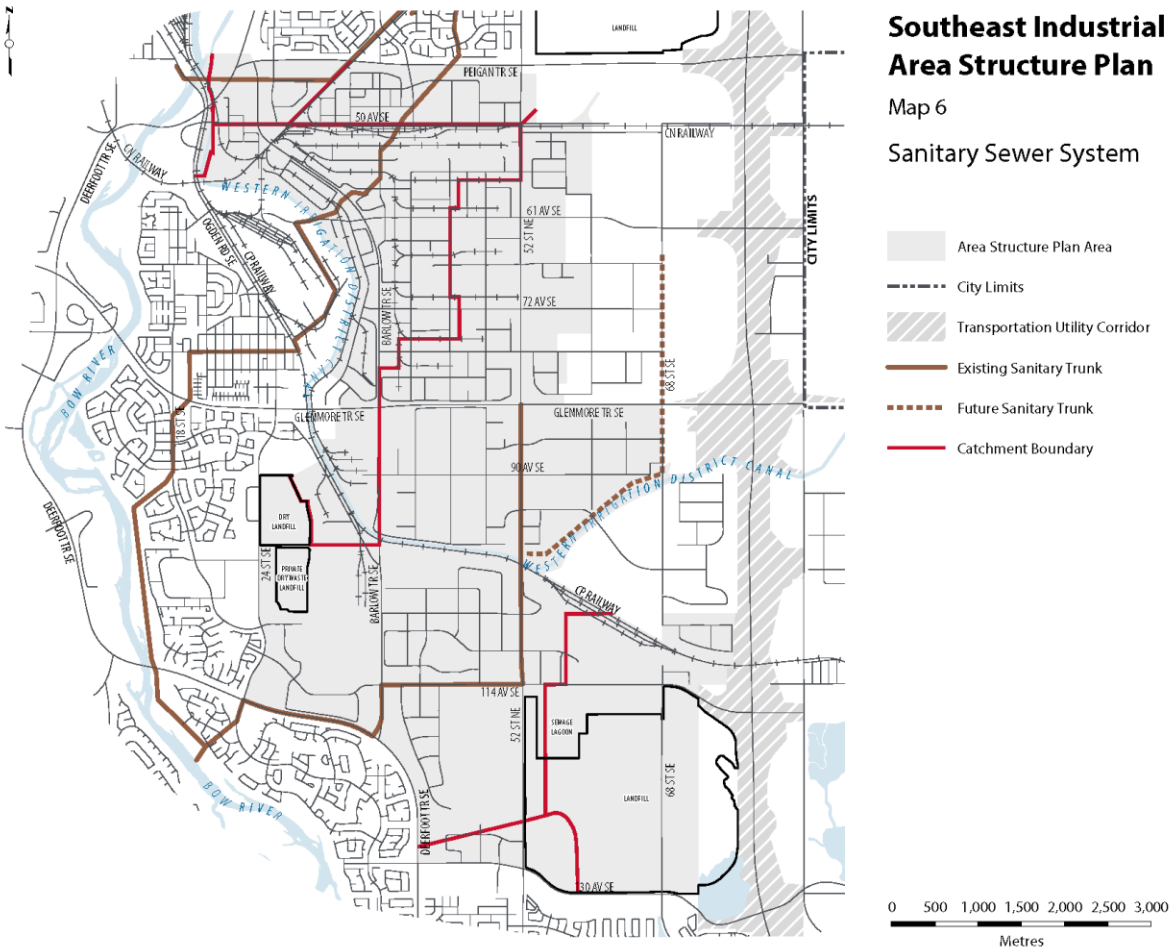
Proposed Amendments to the Southeast Industrial Area Structure Plan

Schedule E



Proposed Amendments to the Southeast Industrial Area Structure Plan

Schedule F

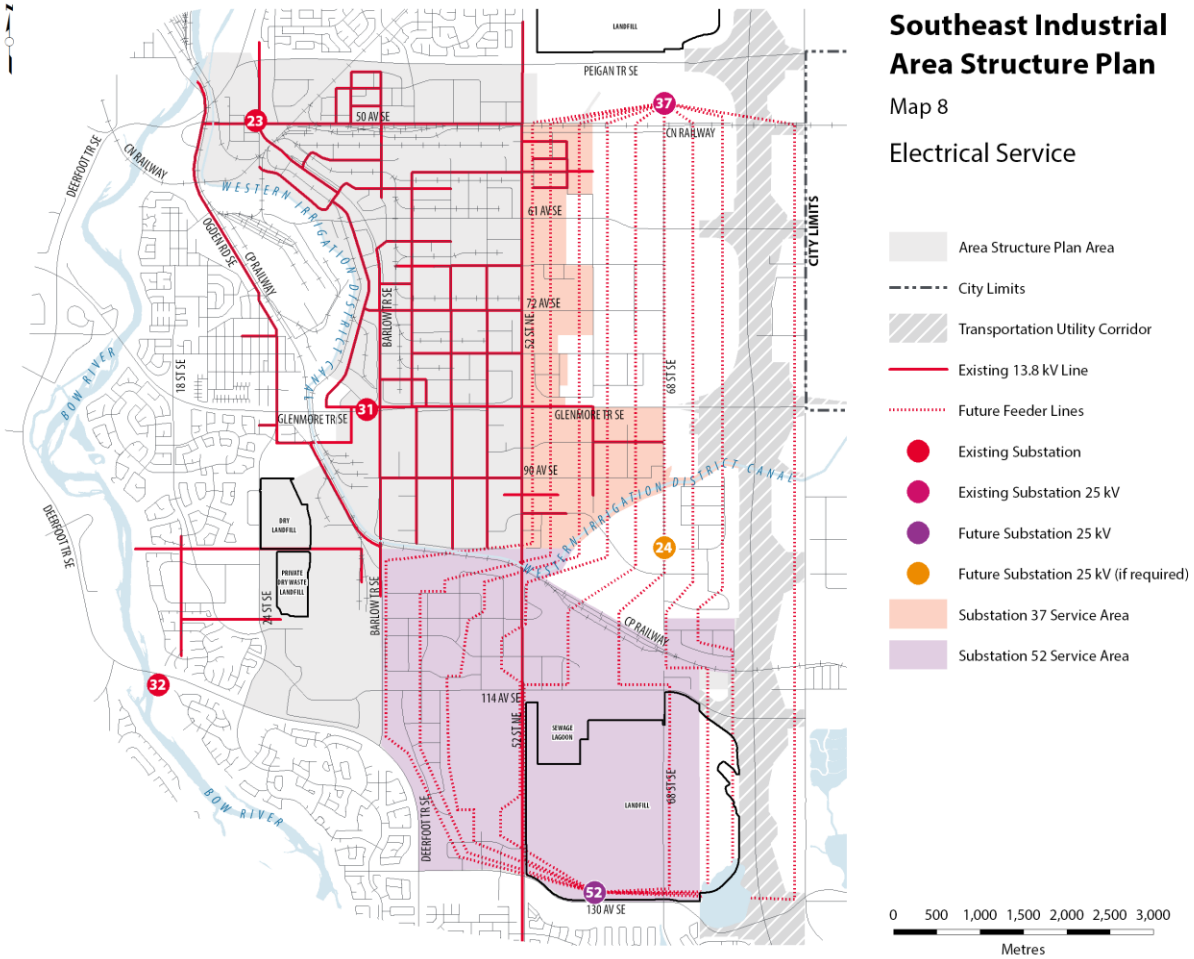


Schedule G



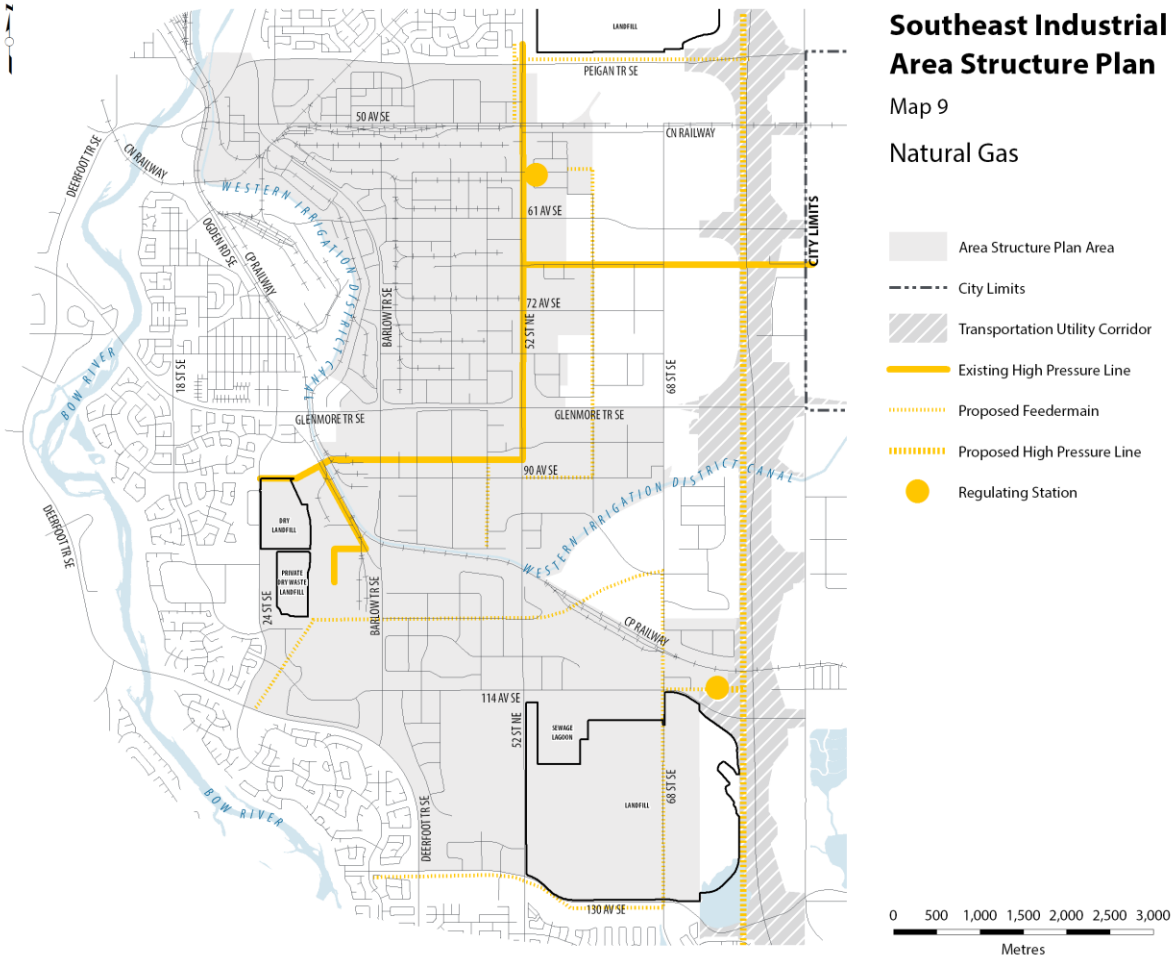
Proposed Amendments to the Southeast Industrial Area Structure Plan

Schedule H



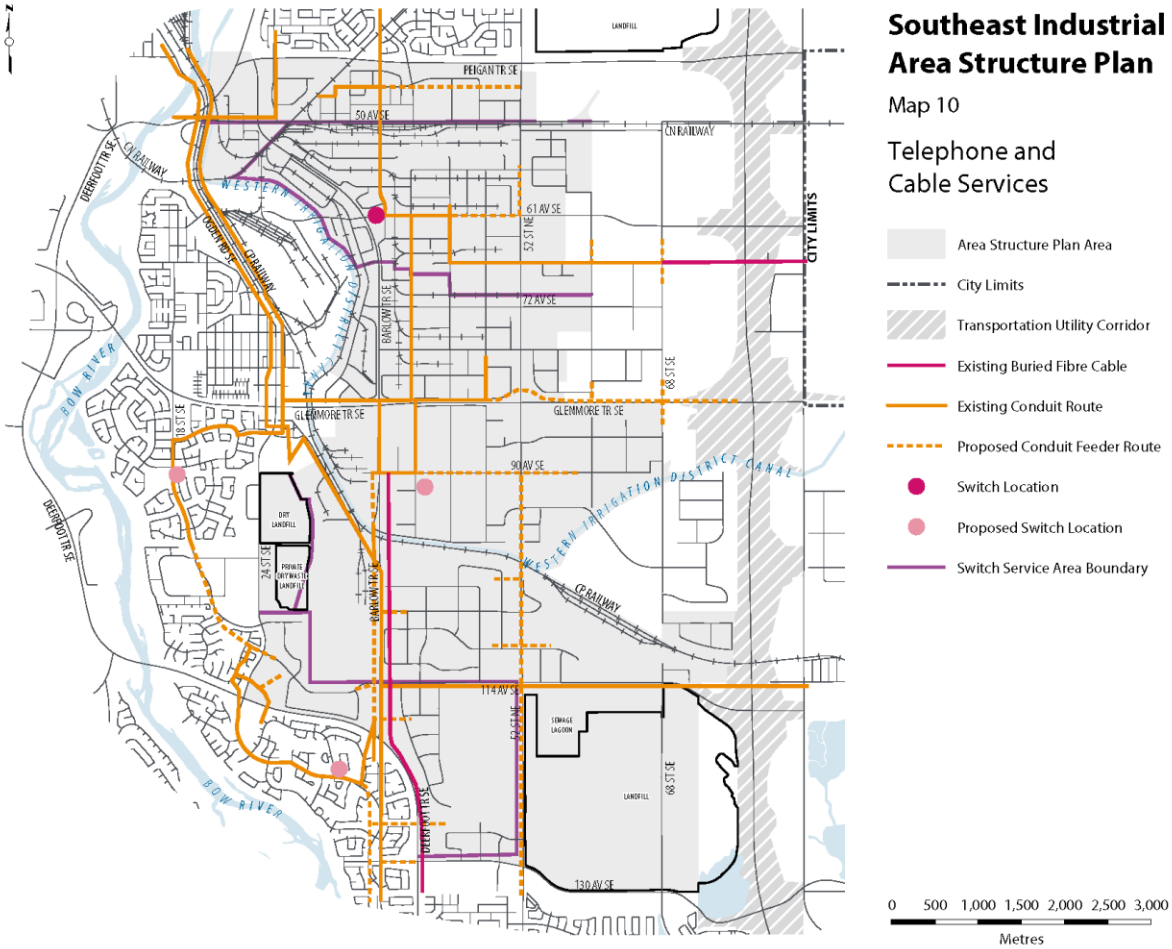
Proposed Amendments to the Southeast Industrial Area Structure Plan

Schedule I



Proposed Amendments to the Southeast Industrial Area Structure Plan

Schedule J

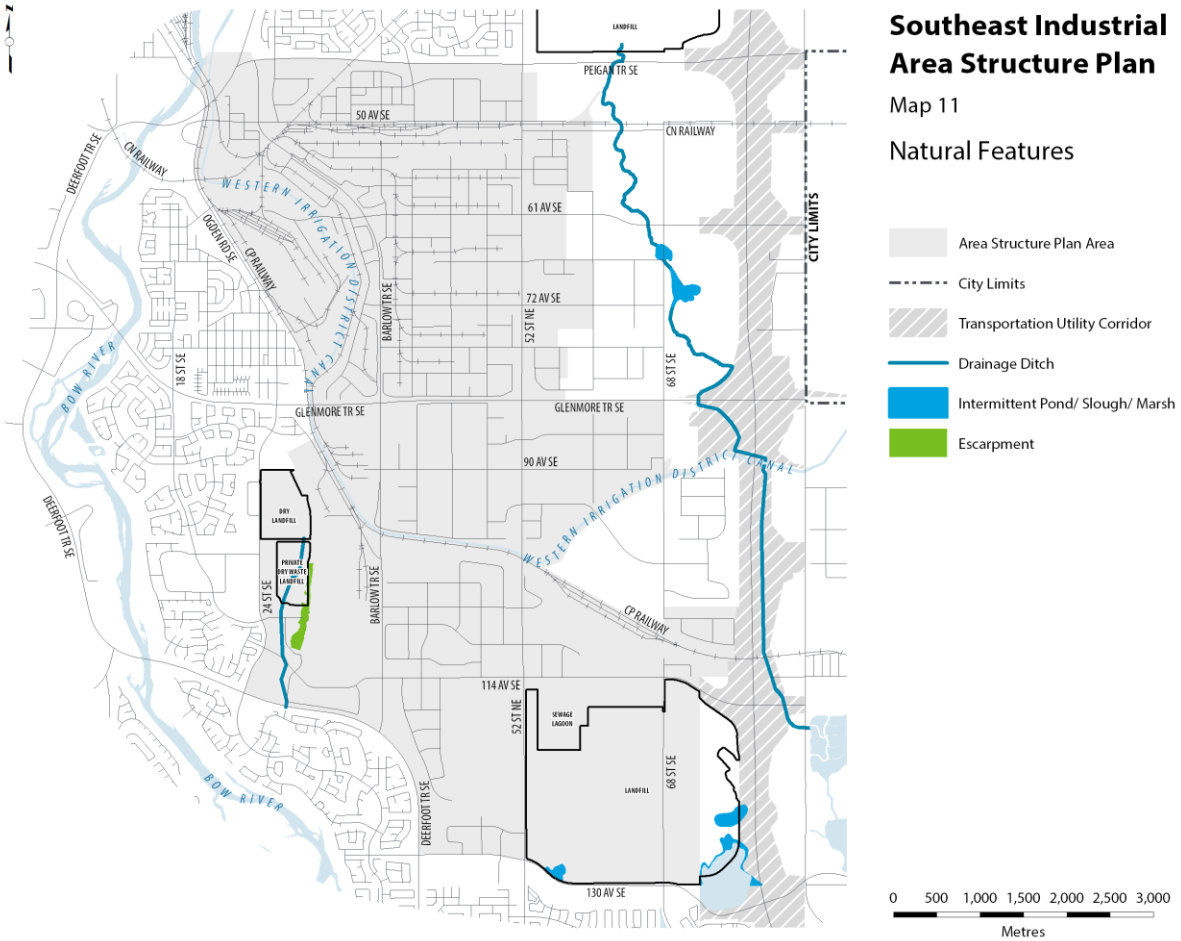


Proposed Amendments to the Southeast Industrial Area Structure Plan

1. The “Supporting Information” section of the Southeast Industrial Area Structure Plan that does not form part of Bylaw 6P96 as amended, is hereby revised as follows:
 - (a) In the Table of Contents and subsection 7.4.3 delete “Phosphogypsum Pond” and replace with “Hazardous Waste Management Facilities”;
 - (b) Delete the existing Map 11 entitled “Natural Features” and replace with revised Map 11 “Natural Features”, as attached as Schedule A;
 - (c) Delete the existing Map 12 entitled “Land Ownership (Major Land Owners)” and replace with revised Map 12 entitled “Land Ownership (Major Land Owners)”, as attached as Schedule B;
 - (d) In the first paragraph of section 5.3 entitled “Existing Land Use (Map 13)” delete “(e.g., fertilizer plant and associated phosphogypsum stack)”;
 - (e) Delete the existing Map 13 entitled “Existing Land Use” and replace with revised Map 13 entitled “Existing Land Use”, as attached as Schedule C;
 - (f) Delete the existing Map 14 entitled “Policy Context” and replace with revised Map 14 entitled “Policy Context”, as attached as Schedule D;
 - (g) Delete the existing Map 15 entitled “Tri-Party Agreement” and replace with revised Map 15 entitled “Tri-Party Agreement”, as attached as Schedule E;
 - (h) In the first paragraph of section 7.0 entitled “Development Constraint Areas (Map 16)” delete “the Western Co-operative Fertilizers Limited’s fertilizer complex” and replace with “Hazardous Waste Management Facilities”;
 - (i) Delete the existing Map 16 entitled “Development Constraints” and replace with revised Map 16 entitled “Development Constraints”, as attached as Schedule F;
 - (j) Under section 7.4.1 delete “Landfill and Sewage Lagoon Sites” and replace with “Landfill, Sewage Lagoon and Hazardous Waste Management Facility Sites”;
 - (k) Delete subsection 7.4.3 entitled “Phosphogypsum Pond” in its entirety; and
 - (l) Delete Section 8.0 entitled “Environmental Considerations” in its entirety.

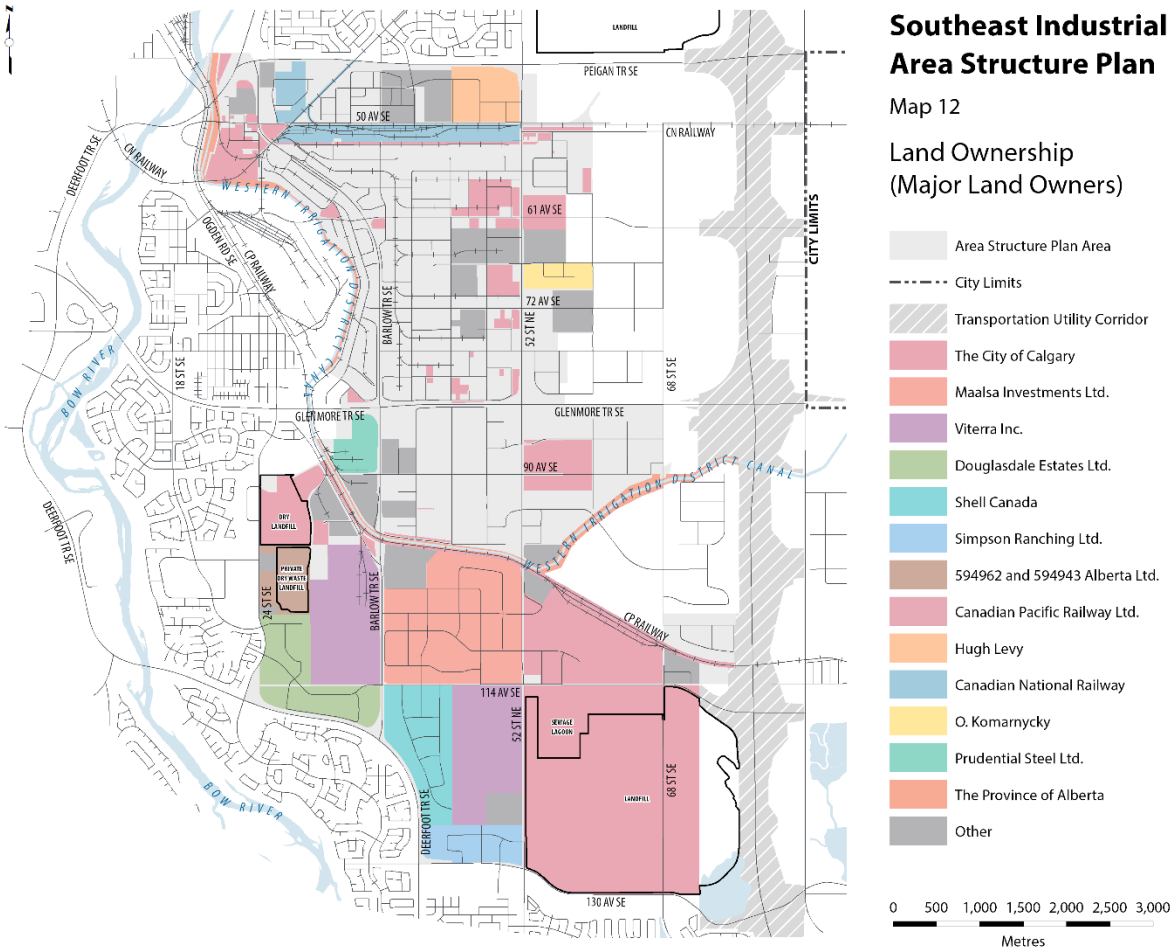
Proposed Amendments to the Southeast Industrial Area Structure Plan

Schedule A



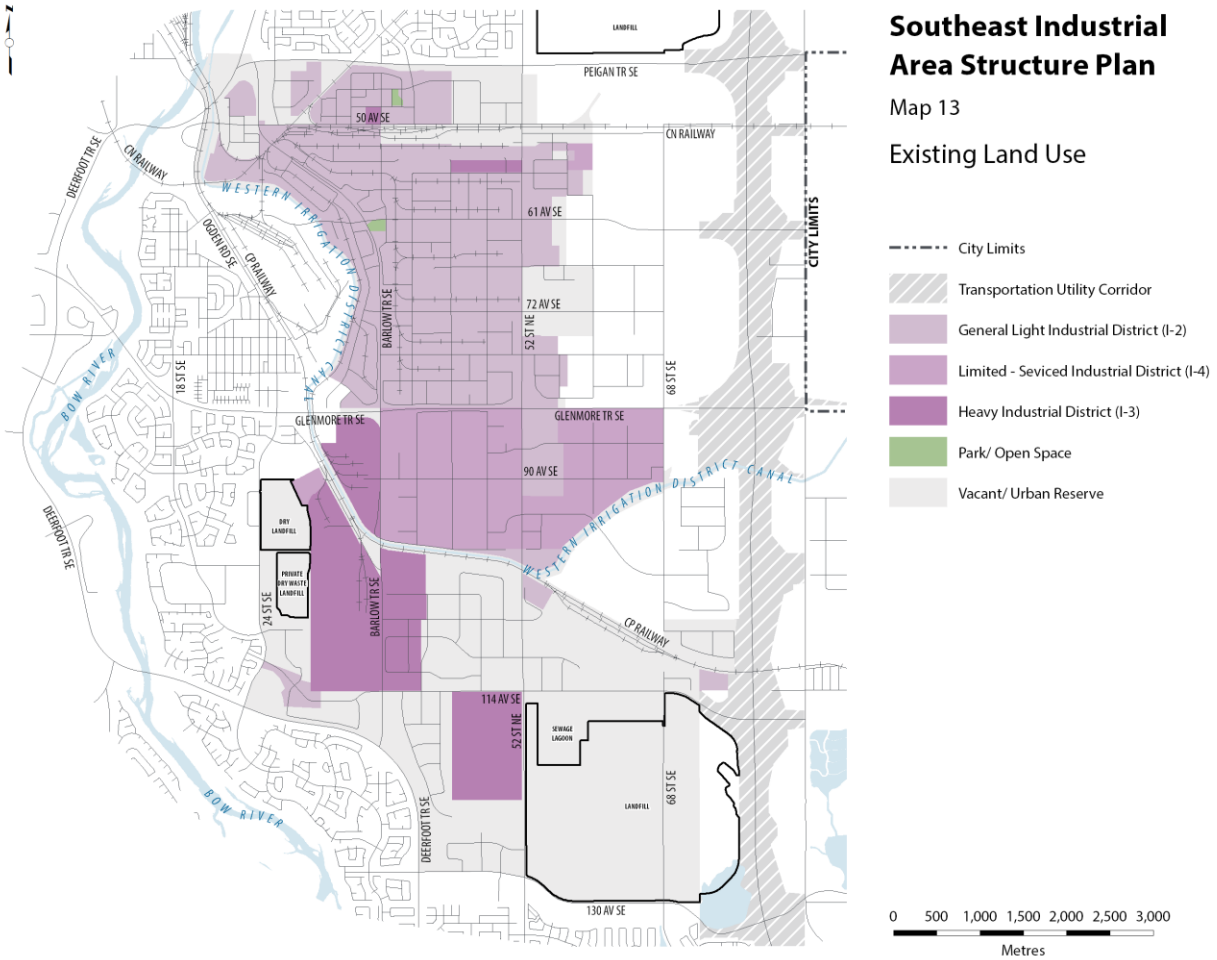
Proposed Amendments to the Southeast Industrial Area Structure Plan

Schedule B



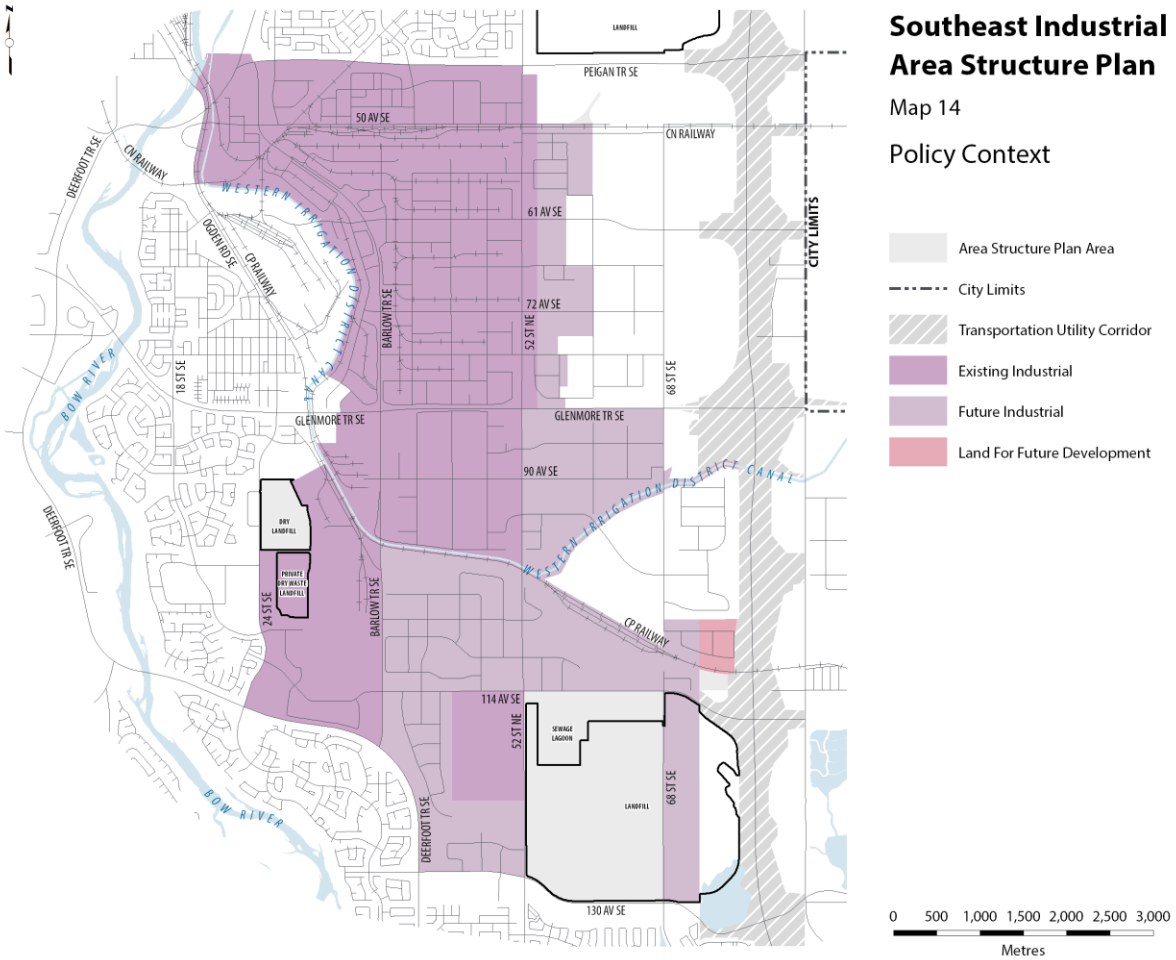
Proposed Amendments to the Southeast Industrial Area Structure Plan

Schedule C



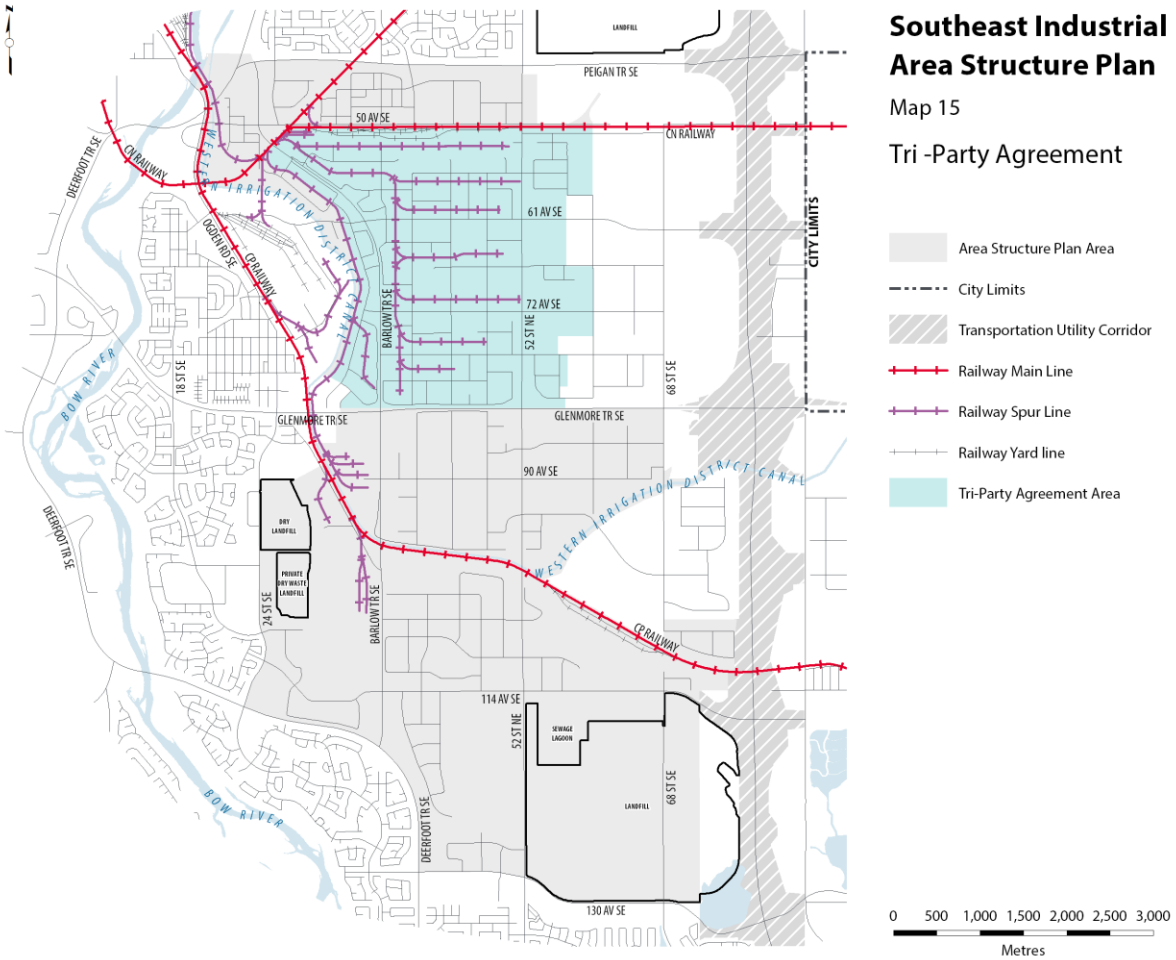
Proposed Amendments to the Southeast Industrial Area Structure Plan

Schedule D



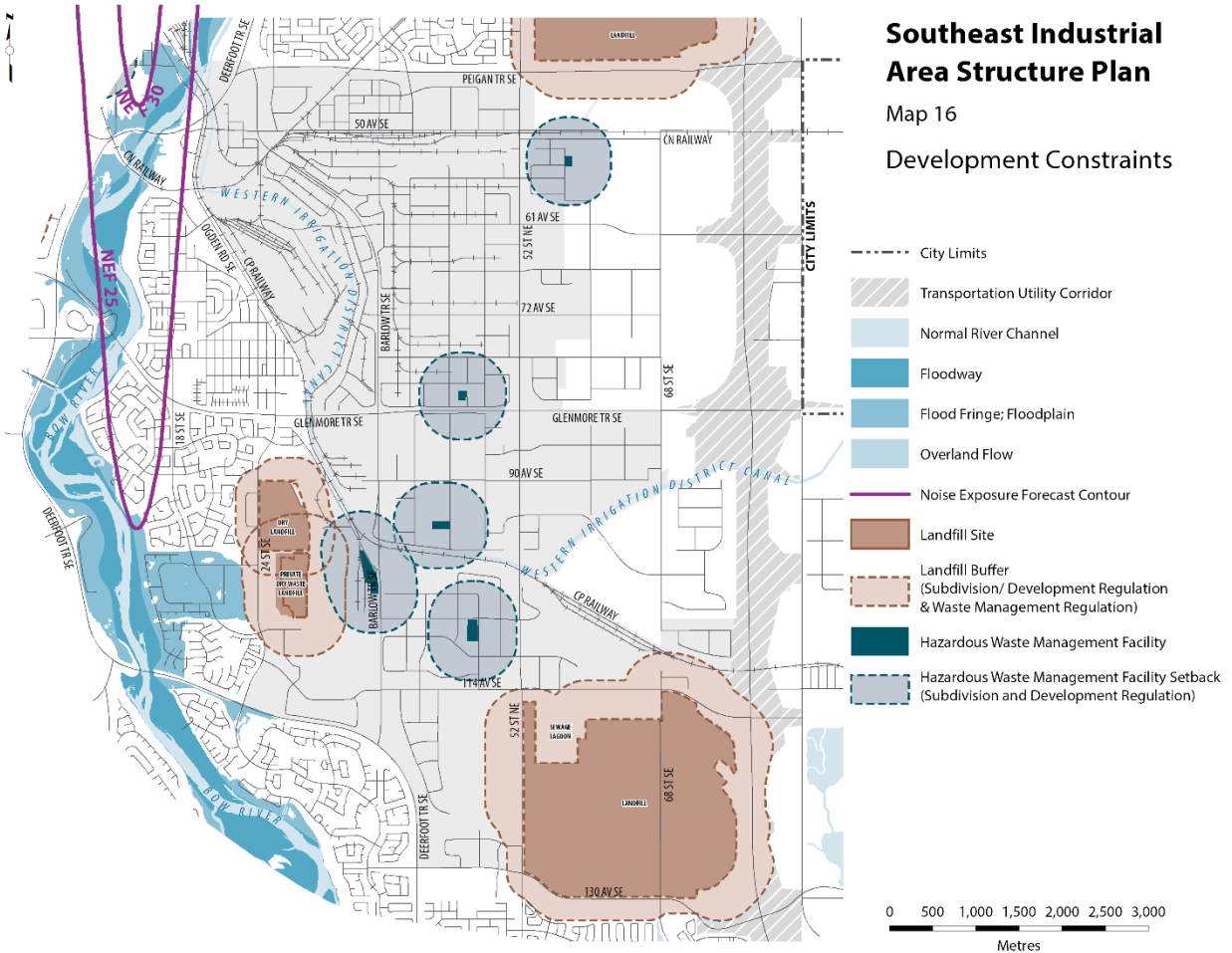
Proposed Amendments to the Southeast Industrial Area Structure Plan

Schedule E



Proposed Amendments to the Southeast Industrial Area Structure Plan

Schedule F



PROPOSED

CPC2018-0863
ATTACHMENT 3

BYLAW NUMBER 63P2018

BEING A BYLAW OF THE CITY OF CALGARY TO AMEND THE SOUTHEAST INDUSTRIAL AREA STRUCTURE PLAN BYLAW 6P96

WHEREAS it is desirable to amend the Southeast Industrial Area Structure Plan Bylaw 6P96, as amended;

AND WHEREAS Council has held a public hearing as required by Section 692 of the *Municipal Government Act*, R.S.A. 2000, c.M-26, as amended:

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The Southeast Industrial Area Structure Plan attached to and forming part of Bylaw 6P96, as amended, is hereby further amended as follows:
 - (a) In section 3.0 entitled "THE PLAN (Map 2)" delete second bullet point and paragraph.
 - (b) Delete the existing Map 1 entitled "Plan Area Location" and replace with revised Map 1 entitled "Plan Area Location", as attached as Schedule A.
 - (c) Delete the existing Map 2 entitled "Land Use and Transportation Plan" and replace with revised Map 2 entitled "Land Use and Transportation Plan", as attached as Schedule B.
 - (d) In the second paragraph of subsection 4.1.3 entitled "Heavy Industrial" delete "east of the *fertilizer complex* property" and replace with "south of the irrigation canal and east of Barlow Trail SE".
 - (e) Delete the existing Map 3 entitled "Regional Road Network" and replace with revised Map 3 entitled "Regional Road Network", as attached as Schedule C.
 - (f) Delete the Map 4 entitled "Dangerous Goods and Truck Routes" and replace with revised Map 4 entitled "Dangerous Goods and Truck Routes", as attached as Schedule D.
 - (g) Delete the existing Map 5 entitled "Water Supply" and replace with revised Map 5 entitled "Water Supply", as attached as Schedule E.
 - (h) Delete the existing Map 6 entitled "Sanitary Sewer System" and replace with revised Map 6 entitled "Sanitary Sewer System", as attached as Schedule F.
 - (i) Delete the existing Map 7 entitled "Storm Sewer System" and replace with revised Map 7 entitled "Storm Sewer System", as attached as Schedule G.

PROPOSED

BYLAW NUMBER 63P2018

- (j) Delete the existing Map 8 entitled “Electrical Service” and replace with revised Map 8 entitled “Electrical Service”, as attached as Schedule H.
- (k) Delete the existing Map 9 entitled “Natural Gas” and replace with revised Map 9 entitled “Natural Gas”, as attached as Schedule I.
- (l) Delete the existing Map 10 entitled “Telephone and Cable Services” and replace with revised Map 10 entitled “Telephone and Cable Services”, as attached as Schedule J.
- (m) In the first paragraph of subsection 4.6 “Development Constraint Areas” delete “and the fertilizer complex” and replace with “and the hazardous waste management facilities”.
- (n) In section 4.6 entitled “Development Constraints Areas” delete paragraphs four through six and replace with the following:

“A fertilizer manufacturing facility previously operated within the Plan Area. Constructed in 1965 the facility operated until 1987 when the production of anhydrous ammonia, ammonium nitrate, and ammonium phosphate ceased.

Between 1987 and 2005, the production facilities were decommissioned (including the acid plants and flare stack) and the majority of infrastructure was removed from the property. A remedial program to remove impacted soil from the production area and to decommission the phosphogypsum stacks (drying ponds) was also implemented.

When the Southeast Industrial ASP was approved in 1996, a setback was established preventing residential land use within 1,600 metres of the transfer terminal (flare stack). Subsequent environmental assessments resulted in a reduced 1,100 metre setback. In addition, it was determined that schools, hospitals, child care facilities and residential uses would be restricted within 400 metres of the phosphogypsum stacks (drying ponds).

In 2015, the setback for phosphogypsum Stack 1 was removed subsequent to final decommissioning and acceptance of the ongoing Risk Management Plan (RMP) by Alberta Environment and Parks (AEP). Similarly, in 2018 the setback for phosphogypsum Stack 2 was removed following complete decommissioning and acceptance of the RMP by AEP. A fertilizer and farm products distribution terminal currently operates at 11111 Barlow Trail SE.

Long term RMPs are in place for the former fertilizer manufacturing facility and the associated drying ponds. Future land uses with the potential to compromise the integrity of the engineered cover at phosphogypsum stack sites will not be allowed.

Hazardous Waste Management Facilities are a possible discretionary use in the Plan Area. Land use planning in proximity to Hazardous Waste Management Facilities are governed by the Subdivision and Development Regulation (SDR) under the Municipal Government Act (MGA).

PROPOSED

BYLAW NUMBER 63P2018

AEP publishes a list of facilities in the Alberta and Environmental Protection and Enhancement Act (EPEA) to manage hazardous waste and/or hazardous recyclables.”

- (o) In section 4.6 “Development Constraint Areas” under Recommendation, (a) delete subsection (iii) “the fertilizer complex and phosphogypsum stack” and replace with “the hazardous waste management facilities”.
- (p) In section 4.6 “Development Constraint Areas” under “Recommendation” delete sections (b) through (g).
- (q) Under section 4.8 “Environmental Considerations” insert the following before section 4.8.1:

“Historically, the Southeast Industrial ASP saw considerable industrial development; as a result, there are potentially contaminated sites that may impact future development. With new development proposed for the area, it is important that a detailed environmental site assessment is completed to ensure a site is suitable for its intended use.

The environmental status of a site will be determined beginning at the Outline Plan/Land Use Amendment Stage. Pending the findings of the environmental assessment, remediation and/or risk management may be necessary. Where risk management is proposed, the Risk Management Plan (RMP) must be accepted by Alberta Environment and Parks (AEP) and Alberta Health Services (AHS) prior to the development proceeding. Even where The City has granted land use amendment for a site, the presence of contamination may make it unsuitable for the intended use.”

- (r) Delete subsection 4.8.1 entitled “Potential Soil and Groundwater Contamination” and replace with the following: 4.8.1 “Environmental Site Assessment”:

“The preceding section identified the main known features of the Plan Area. The purpose of these policies is to help ensure that any risks associated with past activities on specific sites are identified and addressed:

- a. In conjunction with an Outline Plan/Land Use Amendment application, a developer shall:
 - i. submit a current Phase I ESA, to the satisfaction of the Approving Authority, to identify any soil and groundwater contamination and identify actual or potential, on or off site human health impacts, to determine if the site is suitable for the intended use;
 - ii. if the Phase I ESA identifies any actual or potential or off-site contamination, submit a current Phase II ESA to the satisfaction of the Approving Authority to determine if there is a requirement for remediation or risk management on the site; and
 - iii. if the Phase II ESA determines a need for site remediation, or risk management, submit a Remedial Action Plan or Risk Management Plan to address the manner and extent that the site will be remediated or managed to render it suitable for the intended use.

PROPOSED

BYLAW NUMBER 63P2018

- b. The ESA should refer to the more detailed guidelines contained in Appendix A.
- c. Environmental Background Studies must comply with City standards.”

2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

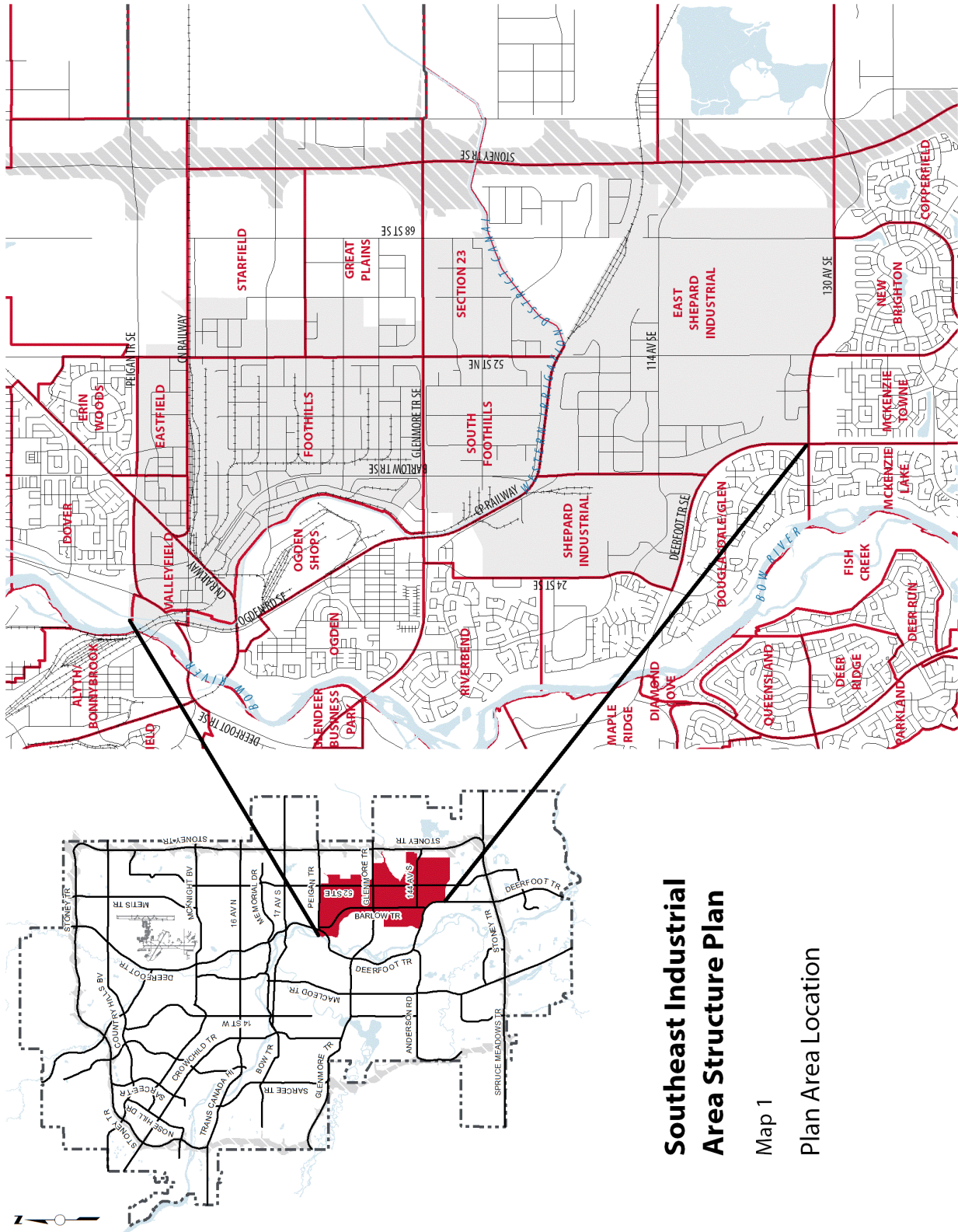
CITY CLERK

SIGNED ON _____

PROPOSED

BYLAW NUMBER 63P2018

SCHEDULE A



Southeast Industrial Area Structure Plan

Map 1

Plan Area Location

PROPOSED

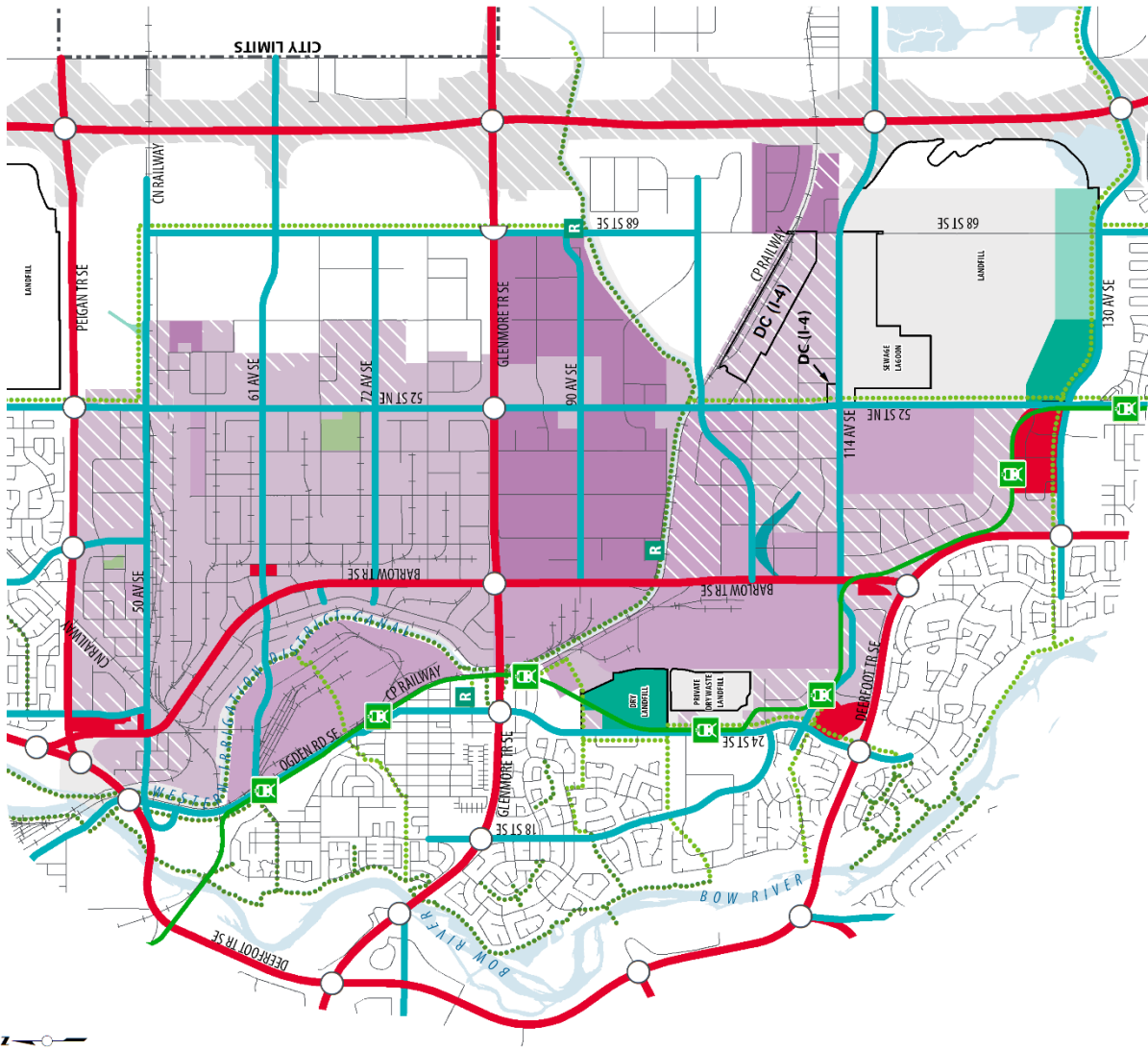
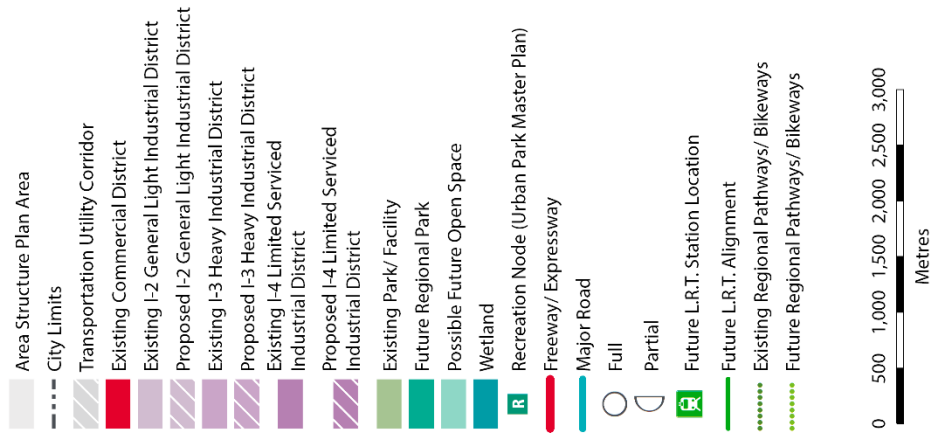
BYLAW NUMBER 63P2018

SCHEDULE B

Southeast Industrial Area Structure Plan

Map 2

Land Use and Transportation Plan



PROPOSED

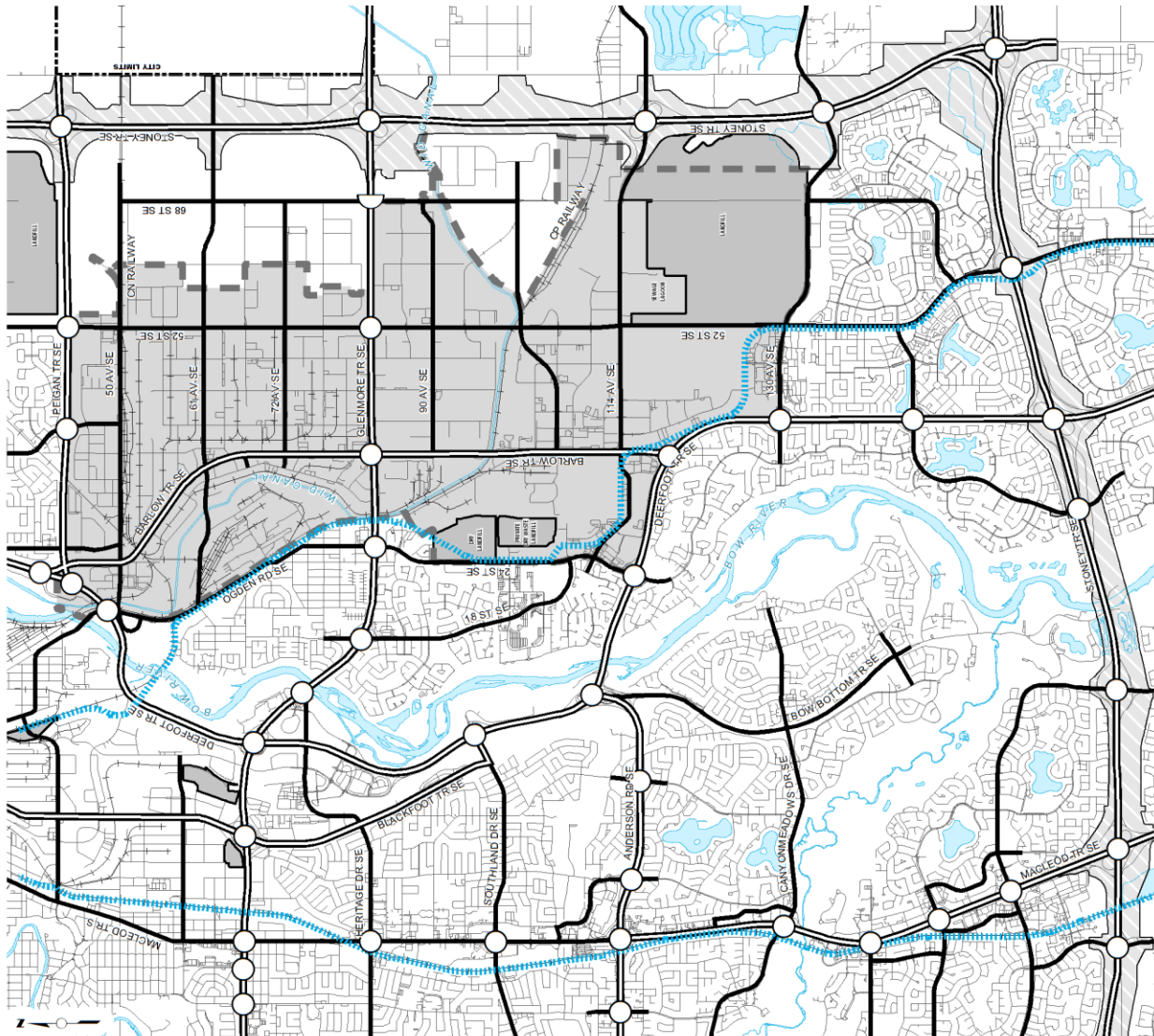
BYLAW NUMBER 63P2018

SCHEDULE C

Southeast Industrial Area Structure Plan

Map 3

Regional Road Network



PROPOSED

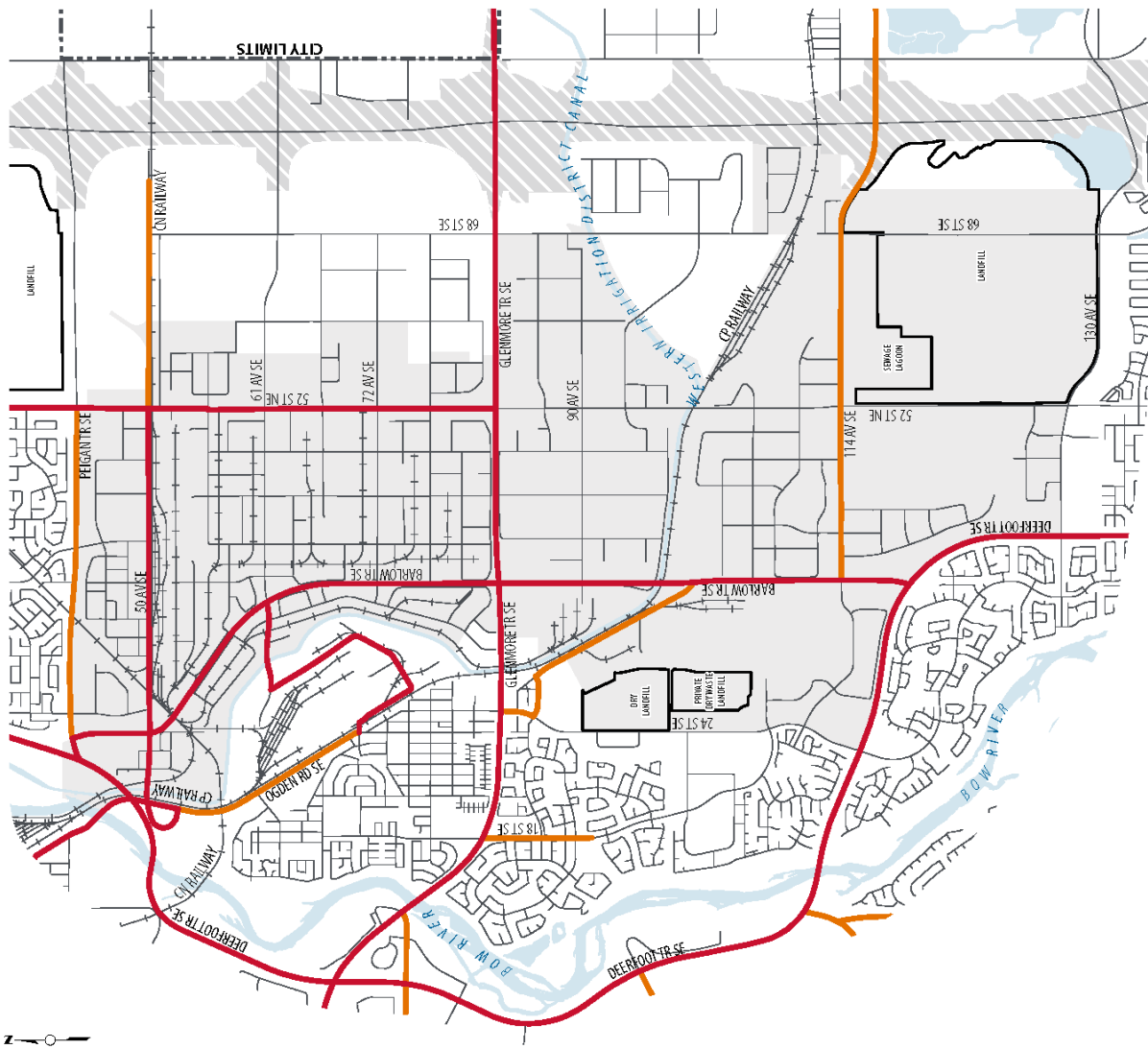
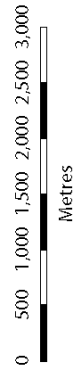
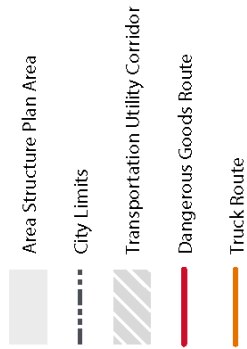
BYLAW NUMBER 63P2018

SCHEDULE D

Southeast Industrial Area Structure Plan

Map 4

Dangerous Goods and Truck Routes



PROPOSED

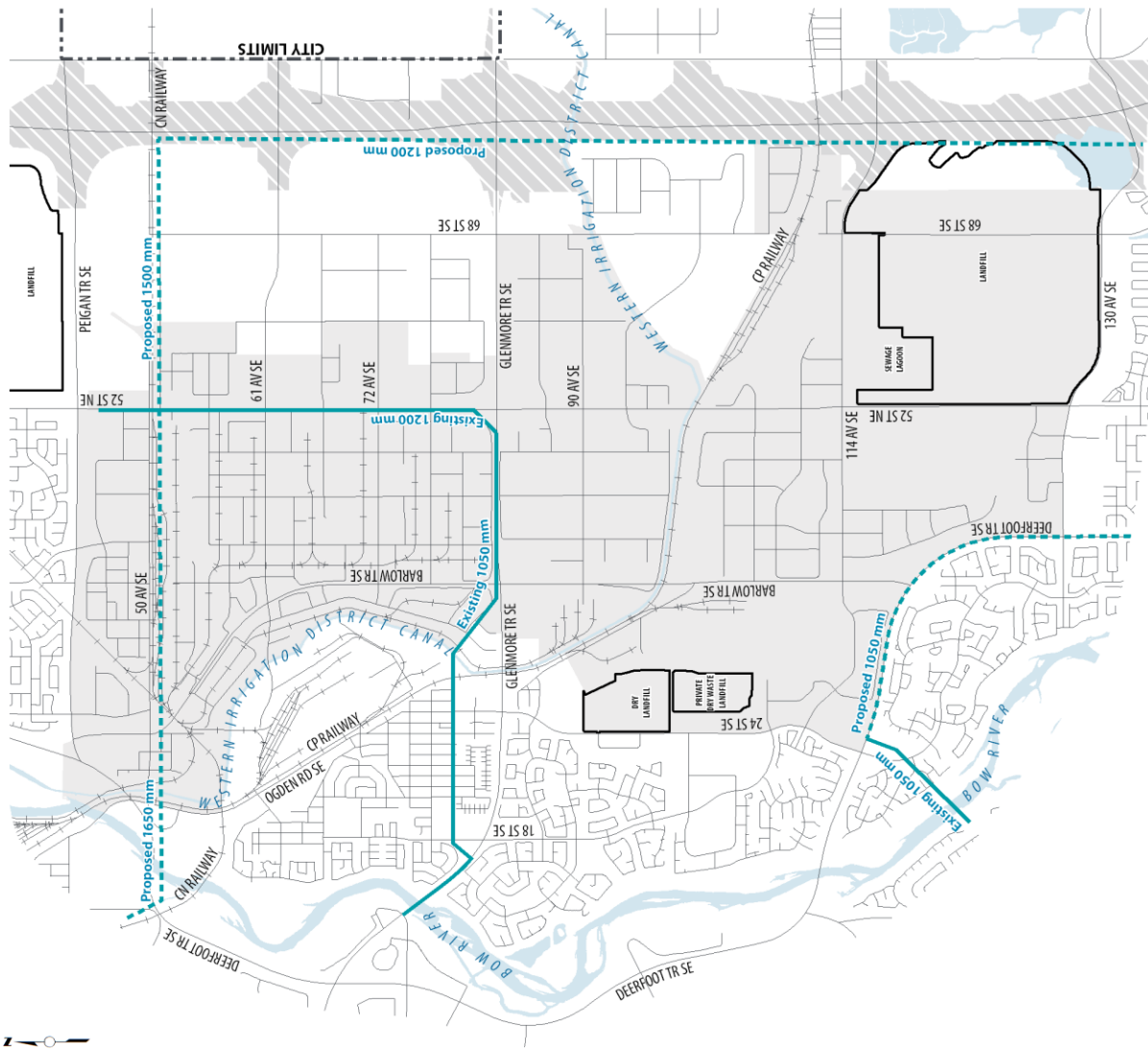
BYLAW NUMBER 63P2018

SCHEDULE E

Southeast Industrial Area Structure Plan

Map 5

Water Supply



PROPOSED

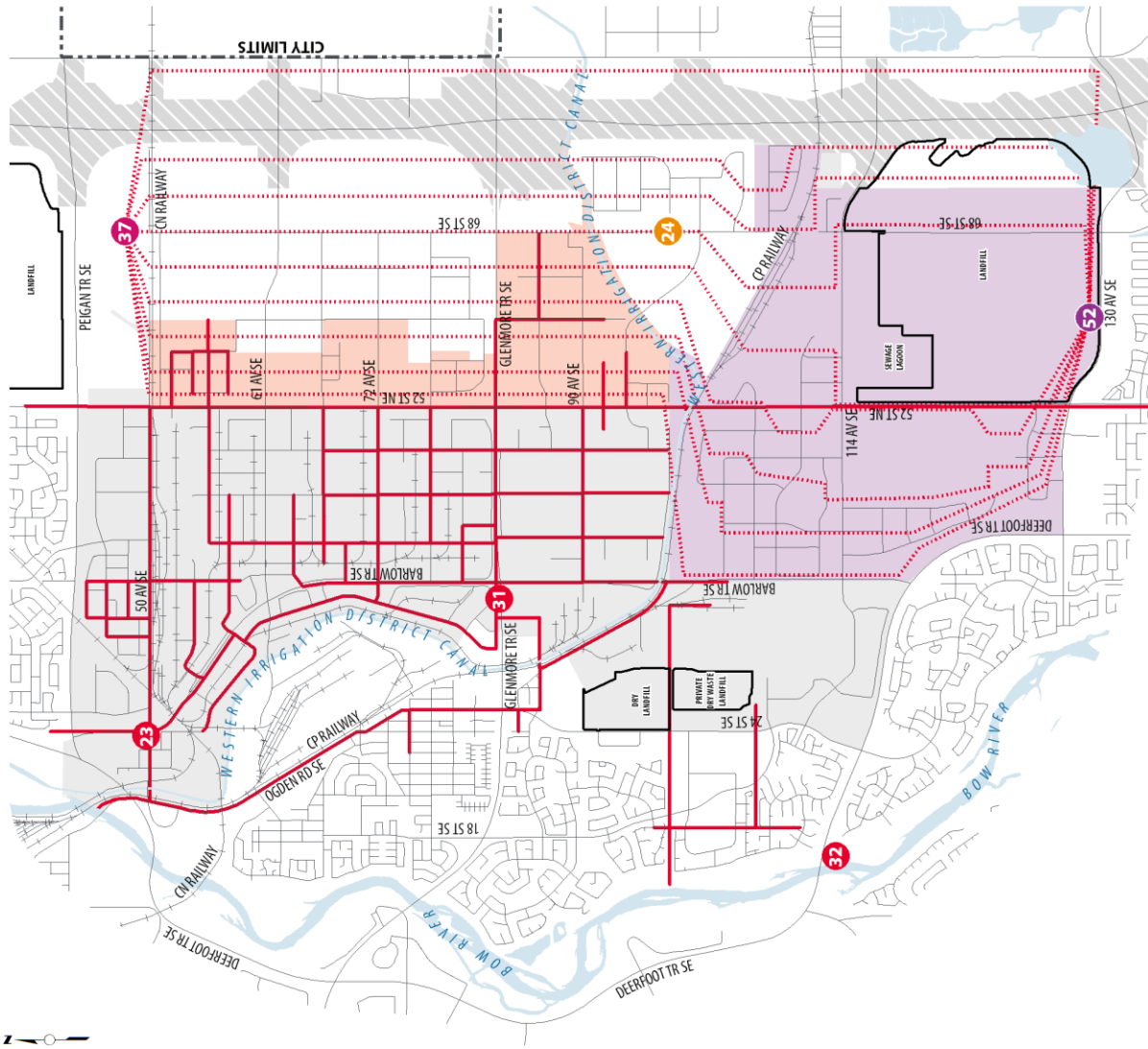
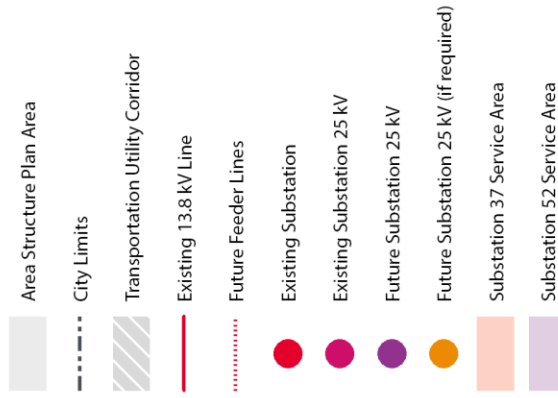
BYLAW NUMBER 63P2018

SCHEDULE H

Southeast Industrial Area Structure Plan

Map 8

Electrical Service



PROPOSED

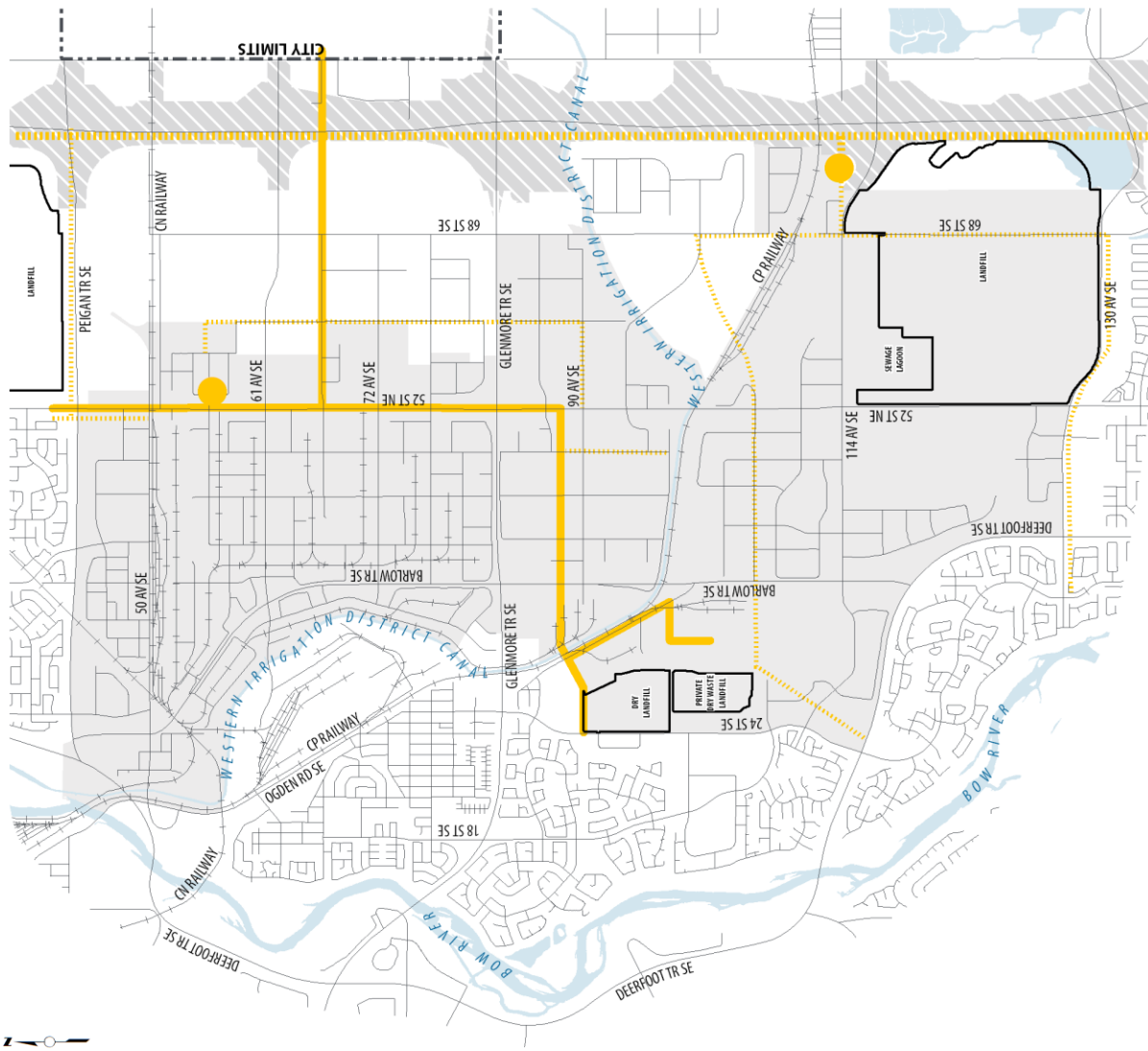
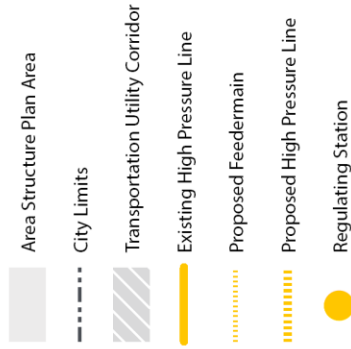
BYLAW NUMBER 63P2018

SCHEDULE I

Southeast Industrial Area Structure Plan

Map 9

Natural Gas



PROPOSED

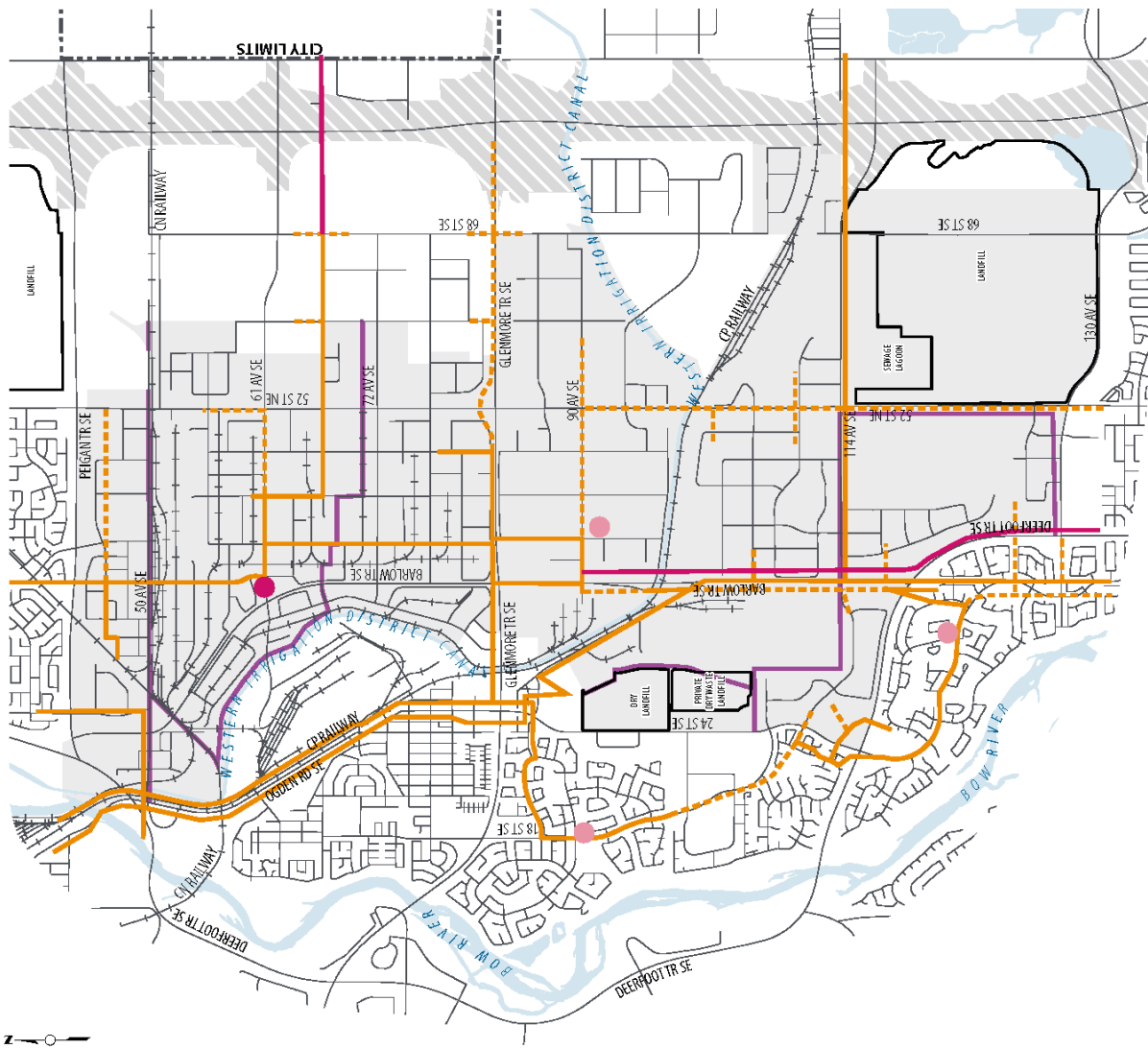
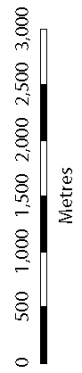
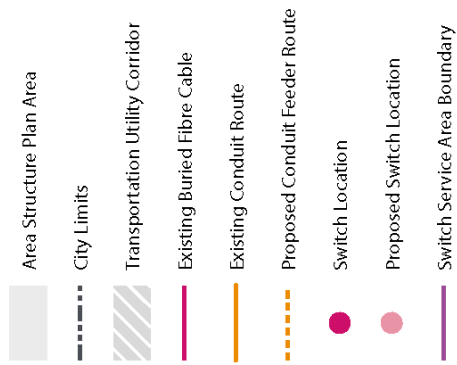
BYLAW NUMBER 63P2018

SCHEDULE J

Southeast Industrial Area Structure Plan

Map 10

Telephone and Cable Services



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Land Use Amendment in Midnapore (Ward 14) at 15425 Bannister Road SE, LOC2018-0111

EXECUTIVE SUMMARY

This land use amendment application was submitted to The City of Calgary by David Pidgeon, on behalf of the landowner, Edron Holdings Ltd on 2018 May 14. This application proposes to change the designation of this property from DC Direct Control District to Commercial – Community 1 (C-C1) District to allow for:

- small to mid-scale commercial developments (e.g. one to two-storey commercial strip malls);
- a maximum building height of 10 metres;
- a maximum floor area ratio (FAR) of 1.0; and
- the uses listed in the proposed C-C1 designation.

The proposal is in keeping with applicable policies of the *Municipal Development Plan* and the *Revised Midnapore Phase 2 Area Structure Plan*. A change of use development permit application (DP2018-1887) for a Cannabis Store use was submitted on 2018 April 24, and is under review.

ADMINISTRATION RECOMMENDATION:

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

1. ADOPT, by bylaw, the proposed redesignation of 1.09 hectares \pm (2.70 acres \pm) located at 15425 Bannister Road SE (Plan 0711537, Block 12, Lot 1) from DC Direct Control District to Commercial – Community 1 (C-C1) District; and
2. Give three readings to the proposed bylaw.

RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, DATED 2018 AUGUST 23:

That Council:

1. **Hold a public hearing during a 2018 October Public Hearing of Council;**
2. Adopt, by Bylaw, the proposed redesignation of 1.09 hectares \pm (2.70 acres \pm) located at 15425 Bannister Road SE (Plan 0711537, Block 12, Lot 1) from DC Direct Control District to Commercial – Community 1 (C-C1) District; and
3. Give three readings to the proposed **Bylaw 251D2018**.

PREVIOUS COUNCIL DIRECTION / POLICY

None.

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Calgary Planning Commission
2018 August 23**

**ISC: UNRESTRICTED
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**Land Use Amendment in Midnapore (Ward 14) at 15425 Bannister Road SE,
LOC2018-0111**

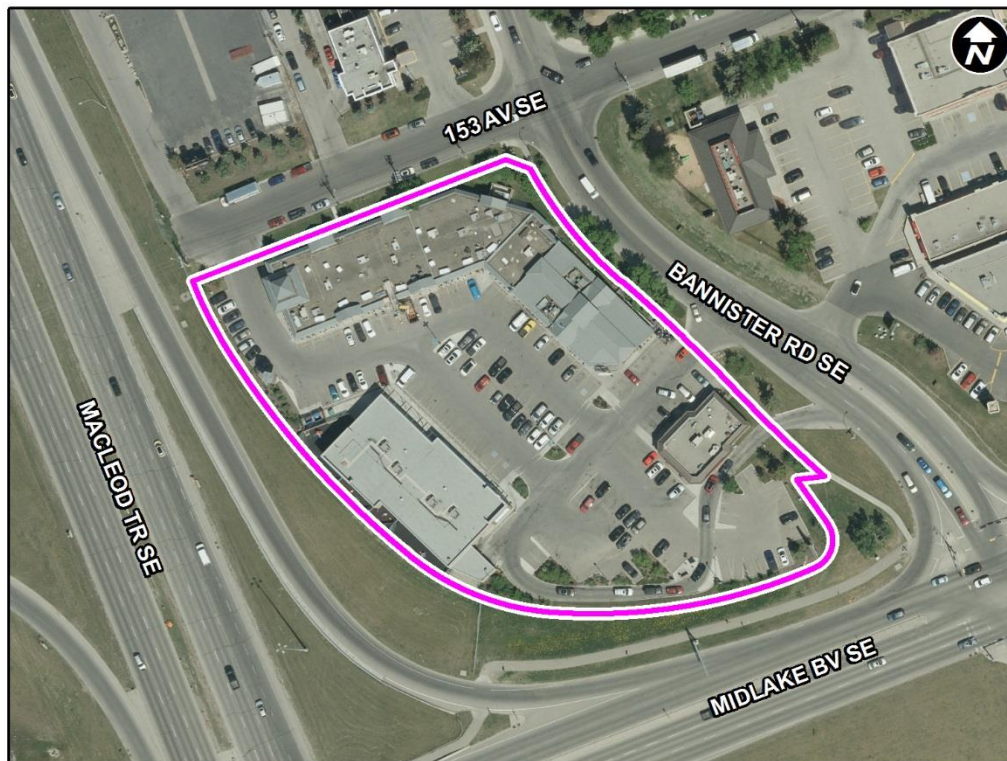
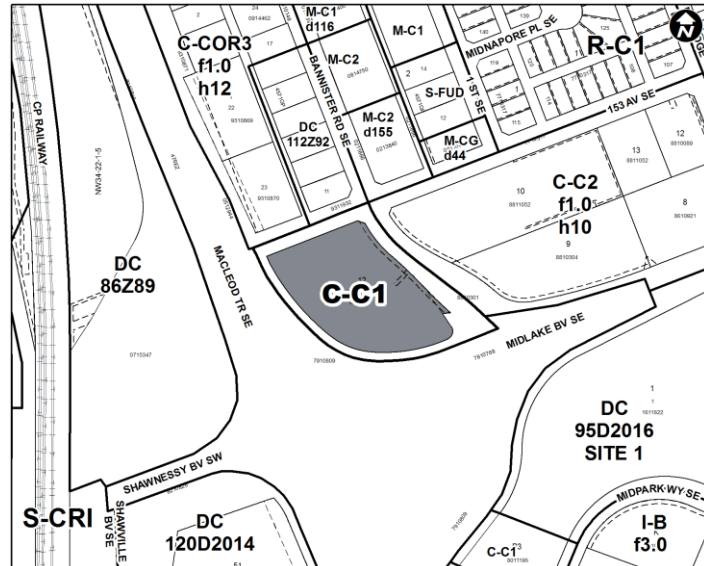
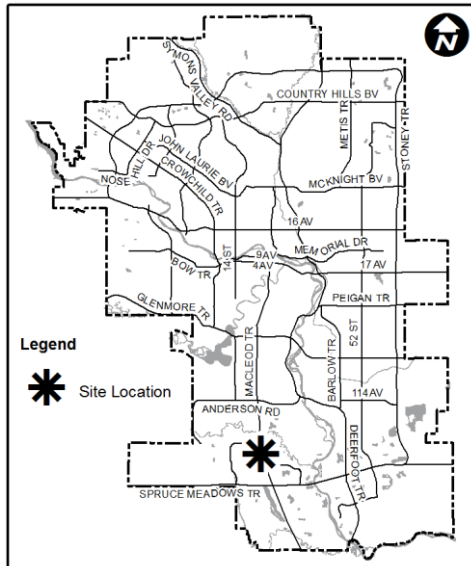
BACKGROUND

This land use amendment application has been submitted to The City of Calgary by David Pidgeon, on behalf of the landowner, Edron Holdings Ltd on 2018 May 14. As noted in the Applicant's Submission (Attachment 1), the applicant is intending to accommodate a range of commercial uses, including the Cannabis Store use. At this time, the applicant is not considering demolition and a comprehensive redevelopment of the site, but rather the allowable uses within the proposed land use district.

A change of use development permit application (DP2018-1887) was submitted on 2018 April 24, to propose a Cannabis Store use within an existing commercial building.

**Land Use Amendment in Midnapore (Ward 14) at 15425 Bannister Road SE,
LOC2018-0111**

Location Maps



Land Use Amendment in Midnapore (Ward 14) at 15425 Bannister Road SE, LOC2018-0111

Site Context

The subject site is located in the community of Midnapore at the southwest corner of 153 Avenue SE and Bannister Road SE. Lands to the north comprise of existing one-storey commercial developments and four-storey multi-residential developments. Lands to the east are commercial designated, consisting of existing one-storey commercial developments. Macleod Trail SE and Midlake Boulevard SE exist to the west and south of the site with an associated interchange.

The total area of the site is approximately 1.09 hectares \pm (2.70 acres \pm). The subject site is developed with three single-storey commercial buildings and surface parking areas. On-site surface parking is accessed via 153 Avenue SE and Bannister Road SE as the site does not have direct access onto Macleod Trail SE.

As identified in *Figure 1*, Midnapore's peak population was in 1990, reaching 7,697 residents.

Figure 1: Community Peak Population

Midnapore	
Peak Population Year	1990
Peak Population	7,697
2017 Current Population	7,320
Difference in Population (Number)	-377
Difference in Population (Percent)	-5%

Source: *The City of Calgary 2017 Civic Census*

Additional demographic and socio-economic information may be obtained online through the [Midnapore](#) community profile.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

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

Planning Considerations

Land Use

This application is to redesignate the site from the existing the DC Direct Control District (Bylaw 12Z2007), based on the C-1A Local Commercial District of *Land Use Bylaw 2P80* to Commercial – Community 1 (C-C1) District. The existing DC District from 2007 limits the total gross floor area devoted use areas of automotive speciality uses and restricts direct vehicular access to or from Macleod Trail SE and Midlake Boulevard SE. The DC District also allows for a maximum building height of 10 metres and a maximum floor area ratio of 1.0. Existing DC Districts based on *Land Use Bylaw 2P80* cannot be changed, and therefore no new uses can be added to the DC District for the subject site.

**Land Use Amendment in Midnapore (Ward 14) at 15425 Bannister Road SE,
LOC2018-0111**

The proposed C-C1 District is intended to accommodate small to mid-scale commercial developments located within a community. Areas of land greater than 3.2 hectares should not be designated C-C1 District. The proposed district allows for a range of uses, a maximum height of 10 metres and a maximum floor area ratio of 1.0. Opportunities for residential uses above grade can be accommodated in this proposed district. The three existing buildings on-site are less than 10 metres in height and collectively have a floor area ratio of less 1.0. The proposed C-C1 District aligns with the relevant policy, while allowing for a range of uses and flexibility to support future redevelopment of the subject site.

Development and Site Design

Direct vehicle access to the site from MacLeod Trail SE and Midlake Boulevard SE will not be allowed and is not feasible for future development due to the existing site constraints associated with the adjacent interchange. The site is developed with three buildings and surface parking areas, and no comprehensive redevelopment of the site is being contemplated at this time.

Transportation Network

A Calgary Transit bus stop is located directly in front of the site on Bannister Road SE with bus service every ten minutes during the AM and PM peak hours (Route 11 Southwest Loop). The site is approximately 900 metres from the Shawnessy Light Rail Transit (LRT) station and is therefore not within a Transit Oriented Development area. There is no direct vehicular access from the site to Macleod Trail SE or Midlake Boulevard SE.

Utilities and Servicing

Water, sanitary, and storm sewer mains are available and can accommodate the potential redevelopment of the subject site without the need for off-site improvements at this time.

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 landowners and the application was advertised online. No public meetings were held by the applicant or Administration in association with this application.

The Mid-Sun Community Association indicated their objection to the proposed land use redesignation by email correspondence on 2018 June 11. Their concern was with regards to the proximity of a Cannabis Store use to an existing child care facility (Attachment 2).

Administration also received one (1) letter of objection in response to the notice posting. Reasons stated for opposition:

- Observations of impacts of Cannabis Stores in other jurisdictions;
- Concerns with the location of a proposed Cannabis Store use in close proximity to a child care facility and senior residents;

**Land Use Amendment in Midnapore (Ward 14) at 15425 Bannister Road SE,
LOC2018-0111**

- Concerns with increased noise and litter associated with a proposed Cannabis Store;
- Safety concerns and impact on existing businesses; and
- Impact on property values of nearby residential dwellings.

The two (2) letters of objection received by Administration focused on one use (i.e. Cannabis Store) amongst the listed uses within the proposed C-C1 District.

Following Calgary Planning Commission, notifications for 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 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.

Municipal Development Plan (Statutory, 2009)

The site is located within a 'Major Activity Centre' area as identified on Map 1: Urban Structure Map in the *Municipal Development Plan (MDP)*. Major Activity Centres (MACs) provide for the highest concentration of jobs and population outside of the Centre City area. The MDP identifies that MACs should be developed to function as an "urban centre" for a sub-region of the city and provide opportunities for people to work, live, shop, recreate, be entertained and meet their daily needs.

While the MDP makes no specific reference to this site, the proposal is consistent with the applicable policies. The proposed C-C1 District allows existing one-storey commercial developments on-site to continue to function, while encouraging future redevelopment on the site through enabling a greater range of uses, including residential and commercial uses, that support evolving community needs.

Revised Midnapore Phase 2 Area Structure Plan (Statutory, 1991)

The *Revised Midnapore Phase 2 Area Structure Plan* makes no specific reference to the parcel, which is located within an area identified as the 'Midnapore I Planning Area' (Map 2: Land Use). The 'Midnapore I Planning Area' is subject to the *Midnapore I Design Brief* that was approved by Council in 1975. This design brief provides development recommendations for the area, including that employment opportunities should be encouraged in close proximity to Macleod Trail (Recommendation G.4., p.25).

The proposed land use redesignation application is consistent with these recommendations as the C-C1 District enables additional uses that support the viability of existing commercial

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**Land Use Amendment in Midnapore (Ward 14) at 15425 Bannister Road SE,
LOC2018-0111**

developments and promote further employment opportunities in close proximity to Macleod Trail, transit and community amenities.

Social, Environmental, Economic (External)

The proposed land use district supports the provision of a greater range of medium and small format commercial uses that are within a short walking distance of and have direct pedestrian connections to transit and nearby residential developments. The district also increases the market viability of existing commercial developments on-site, and may encourage future intensification and redevelopment of the site.

An Environmental Site Assessment was not required for this application.

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 investments and therefore there are no growth management concerns at this time.

Risk Assessment

There are no known risks associated with this proposal.

REASON(S) FOR RECOMMENDATION(S):

The proposal is consistent with the applicable policies of the *Municipal Development Plan* and the *Revised Midnapore Phase 2 Area Structure Plan*. The proposal supports a greater range of uses that serve changing community needs and support the viability of existing commercial developments on-site.

ATTACHMENT(S)

1. Applicant's Submission
2. Community Association Letter
3. **Proposed Bylaw 251D2018**

Applicant's Submission

**MIDLAKE PLAZA
LAND USE RE-DESIGNATION
PROJECT RATIONALE
MAY 2018**

LAND USE RE-DESIGNATION APPLICATION

**RE: 15425 BANNISTER ROAD SE,
CALGARY, ALBERTA**

Owner:
Edron Holdings Ltd.

Corporate Directors:
Ron Ghitter
Jim Mitchell

Legal Description:
Plan 0711537, Block 12, Lot 1

Information below is provided in support of a Land Use Re-designation application for the above noted address. Edron Holdings Ltd. is requesting a re-designation for the above noted site and offers this information as a lead in explanation to support the formal land use re-designation application.

The above noted Midlake Plaza is a single level retail center of approximately 34,158 sf on 2.7 acres (1.09 ha) located on Bannister Road at Midlake Blvd, just north and east of the intersection of Macleod Trail and Midlake Blvd.

The original two buildings in the centre were constructed 1990/1991 comprising approximately 24,220 square feet. In 2007, an additional building of approximately 9,938 square feet was added to the property. The parking lot holds 161 parking stalls.

The property is currently governed by a direct control Bylaw 12Z2007 which received council approval in February 2007. This DC Bylaw is based upon the Permitted and Discretionary Uses of the C-C1A Local Commercial District, which in itself is based upon the General Rules contained in Section 33 of Bylaw 2P80. As this 2P80 bylaw is somewhat dated, there are inherent limitations to what uses are permitted on the site and hence, there limiting factors as to how Certus is able to lease the centre.

Applicant's Submission

As an example, Bylaw 25P2018, related to the introduction of various Cannabis businesses, was approved April 5, 2018. This bylaw serves to amend Land Use Bylaw 1P2007 but does not reflect any revisions to Bylaw 2P80. As such, our property is unable to seek a Cannabis Store as an approved Permitted Use.

Therefore, following initial discussions with the City of Calgary as part of PE2018-00548, **we have analyzed the situation and as a result, we are seeking a Land Use re-designation from the current DC Bylaw 12Z2007 to a new Land Use District being Commercial – Community 1 (C-C1).**

The following chart represents the current tenant mix at Midlake Plaza. With some upcoming tenant turnover anticipated, specifically the replacement of a current use with a proposed Cannabis Store, we see the need to re-designate our property to a new land use. Following a detailed review of various available land use districts and discussions with City of Calgary we determined that the C-C1 was the best option at this time. We look forward to moving this application forward.

Thank you.

Unit Number	Rentable Area SqFt	Public Area @ 50%	Business Name	Suggested Defined Use Description
1	1,298	649	Raj Palace Restaurant Inc.	Restaurant Licensed - Small
2	1,500		H & R Block	Retail and Consumer Service
4	1,408		Blossom Hair Salon	Retail and Consumer Service
6	1,066		Flower Shop	Retail and Consumer Service
8	1,841		India Grocery & Convenience Store	Convenience Store
010A	878		Jakku Tattoo Inc.	Retail and Consumer Service
12	3,237		Red Door Home Living Inc.	Retail and Consumer Service
16	1,606		Shaw Cablesystems Limited - Servers	Utility - TBC

Applicant's Submission

			and Cable Equipment	
18	2,092	1,046	Mighty Mango Restaurant	Restaurant Licensed - Medium
24	5,518	2,759	Dixon's Public House	Drinking Establishment - Medium
30	2,452	1,226	Tim Horton's Store #533	Restaurant Food Service Only - Medium with Drive-thru
100	9,938		Kids & Company Ltd	Child Care Service
Total GLA	32,835			

Edron Holdings Ltd.
May 9, 2018

Community Association Letter

June 11, 2018

Hello :

I have reviewed this proposal with the Mid-Sun Board and was concluded that this should NOT be approved.

Our reasoning that there is a child care facility at this plaza location, so there is no need to change up the land-use.

Chris Bernardi

Mid-Sun Vice-President and Director of Planning and Development

PROPOSED

CPC2018-0903
ATTACHMENT 3

BYLAW NUMBER 251D2018

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2018-0111/CPC2018-0903)**

WHEREAS it is desirable to amend the Land Use Bylaw Number 1P2007 to change the land use designation of certain lands within the City of Calgary;

AND WHEREAS Council has held a public hearing as required by Section 692 of the Municipal Government Act, R.S.A. 2000, c.M-26 as amended;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, is hereby amended by deleting that portion of the Land Use District Map shown as shaded on Schedule "A" to this Bylaw and substituting therefor that portion of the Land Use District Map shown as shaded on Schedule "B" to this Bylaw, including any land use designation, or specific land uses and development guidelines contained in the said Schedule "B".
2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

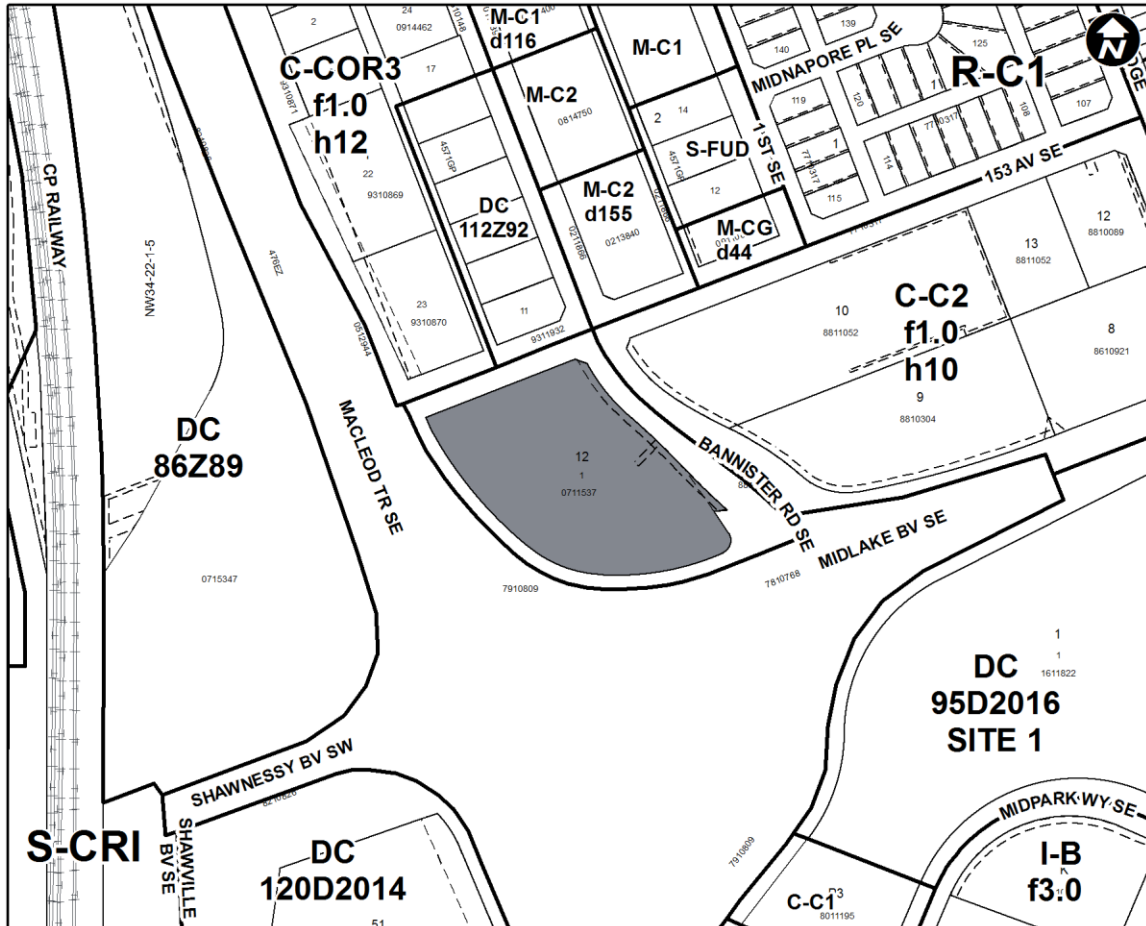
CITY CLERK

SIGNED ON _____

PROPOSED

AMENDMENT LOC2018-0111/CPC2018-0903
BYLAW NUMBER 251D2018

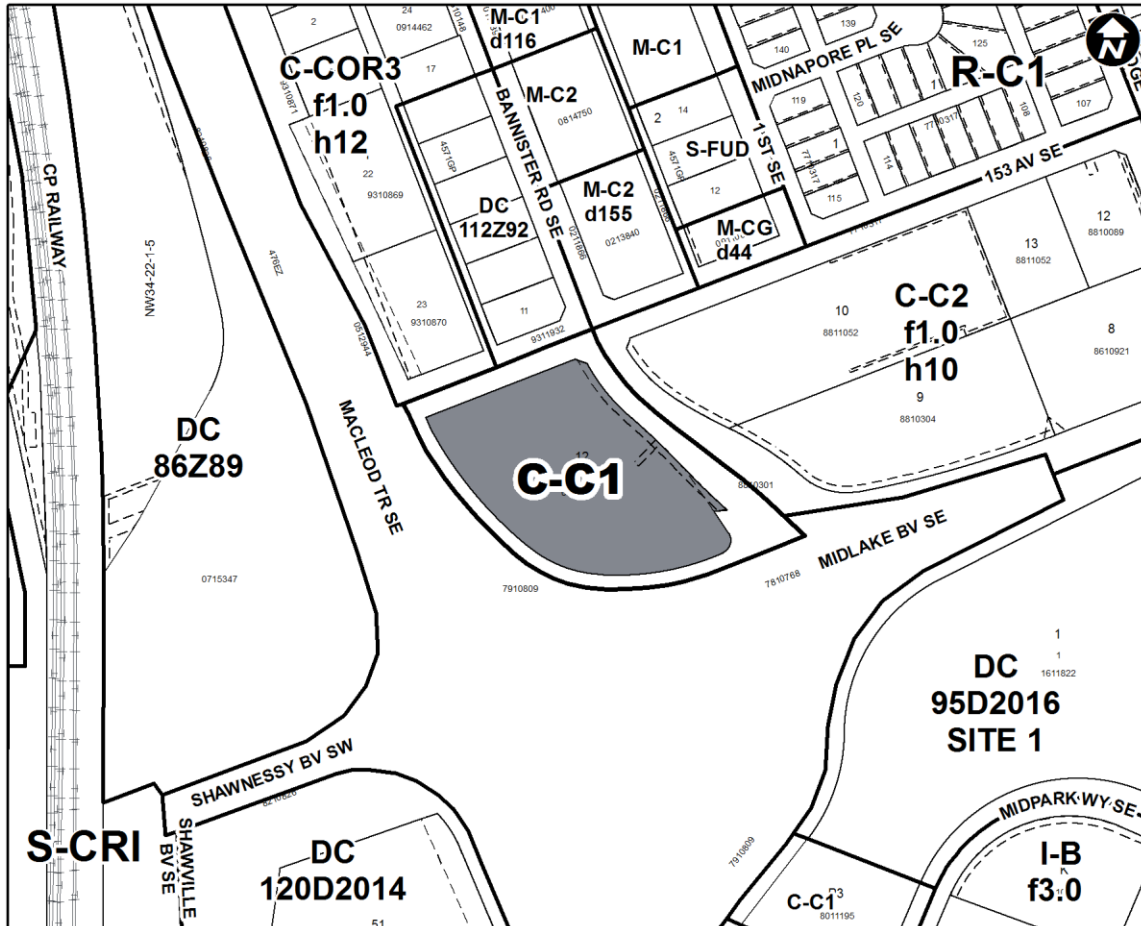
SCHEDULE A



PROPOSED

AMENDMENT LOC2018-0111/CPC2018-0903
BYLAW NUMBER 251D2018

SCHEDULE B



**Subdivision and Development Appeal Board Clerk Report to
Public Hearing Meeting of Council
2017 October 09**

**ISC: UNRESTRICTED
C2018-1159**

Subdivision and Development Appeal Board Bylaw Amendments

EXECUTIVE SUMMARY

Amendments to the Subdivision and Development Appeal Board (SDAB) Bylaw are recommended to improve the agility and flexibility of the SDAB to schedule appeals and members in response to fluctuations in its caseload.

ADMINISTRATION RECOMMENDATION:

That Council give three readings to proposed Bylaw 43M2018, to amend Bylaw 25P95, the Subdivision and Development Appeal Board Bylaw.

PREVIOUS COUNCIL DIRECTION / POLICY

At its 2013 July 29 Regular Meeting, Council gave three readings to Bylaw 37M2013, which amended Bylaw 25P95 to continue quorum for all matters as five members, and establish a Schedule "A" for the Bylaw, which lists matters for which the quorum is three members. Bylaw 37M2013 also established the quorum as three members for procedural and jurisdictional matters relating to any appeal.

BACKGROUND

Based on variations in quorum, the SDAB hearing schedule is divided into 'large panel' and 'small panel' days, which currently requires careful management of appeal processing and scheduling, to ensure that appeals are scheduled to hearing days with appropriate numbers of members assigned, so that quorum is met.

Section 628(2)(b) of the *Municipal Government Act* (MGA) indicates that if a subdivision and development appeal board wishes to conduct simultaneous meetings, its bylaw may authorize it to do so. Currently, the Calgary SDAB Bylaw does not authorize panels of the SDAB to meet simultaneously to hear appeals.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The purpose of the Bylaw amendments proposed by this report is to implement the following changes in the SDAB Bylaw:

Reduce quorum

The proposed bylaw would amend the SDAB Bylaw to establish quorum for all matters as three members, except for procedural and jurisdictional matters, for which quorum would be established as one.

Smaller, uniform quorum requirements would ease the time commitment burden on SDAB members and improve cost efficiency of SDAB hearings, while also allowing the Chair with the flexibility necessary to assign more members to hear complex cases which might benefit from a broader diversity of subject-matter expertise and/or perspectives.

**Subdivision and Development Appeal Board Clerk Report to
Public Hearing Meeting of Council
2017 October 09**

**ISC: UNRESTRICTED
C2018-1159**

Subdivision and Development Appeal Board Bylaw Amendments

This change would also reduce the administrative complexity and rigidity imposed by the current practice of scheduling 'large' and 'small' panel items in off-setting weeks, allowing the Board to make the best possible use of all of its meeting time to address its caseload.

Simultaneous meetings

The *Municipal Government Act* empowers Council to, by bylaw, enable SDAB panels to meet at the same time. Allowing for simultaneous meetings of the SDAB creates the possibility of more flexible and agile options for scheduling appeals and members.

This would allow the SDAB to take advantage of higher board member availability on regularly scheduled (Thursdays) or overflow (Tuesdays) meeting days, and allow the possibility, administrative resourcing permitting, of implementing accelerated hearing schedules in response to surges in appeal volumes.

Stakeholder Engagement, Research and Communication

The amendments to the Calgary SDAB Bylaw proposed in this report would create new tools and flexibility for the SDAB to schedule appeals.

The Chair of the Subdivision and Development Appeal Board has been consulted respecting the proposed changes to the SDAB Bylaw and supports the amendments.

Changes to established hearing schedules or scheduling practices will require direction from the SDAB through its Chair, and engagement and communication between the SDAB Administration (City Clerk's Office), Development Authority representatives, parties to appeals and/or other stakeholders.

Strategic Alignment

The recommendations in this report align with Council's priority relating to a Well-Run City.

Social, Environmental, Economic (External)

The changes proposed in this report would equip the SDAB with options for scheduling appeals and members with flexibility and agility, so that it can move quickly to address sudden fluctuations in its caseload, such as are now being experienced with cannabis retail appeals.

Financial Capacity

Current and Future Operating Budget:

Savings in member remuneration costs are anticipated from the reduction of quorum from five to three members to hear some matters. Cost savings may vary from case to case, depending on the size of panels that are assigned to hear them.

Current and Future Capital Budget:

Not applicable.

Subdivision and Development Appeal Board Clerk Report to
Public Hearing Meeting of Council
2017 October 09

ISC: UNRESTRICTED
C2018-1159

Subdivision and Development Appeal Board Bylaw Amendments

Risk Assessment

Smaller quorum requirements introduce the possibility that a smaller number of SDAB members assigned to hear an appeal will not have the same depth and breadth of subject-matter experience and perspectives as may be the case under larger quorum requirements currently established. Mitigations for this risk include the continuation of the Chair's authority to schedule the number of members (up to the maximum of seven) that the Chair feels is necessary to address the depth and breadth of subject matter presented in an appeal.

REASON(S) FOR RECOMMENDATION(S):

The foregoing changes to the SDAB Bylaw are recommended to provide the SDAB with new tools and flexibility to schedule appeals in response to fluctuations in its caseload, such as are currently being experienced with cannabis-retail appeals.

ATTACHMENT(S)

1. Proposed Bylaw 43M2018, to Amend Bylaw 25P95, the Subdivision and Development Appeal Board Bylaw

PROPOSED

C2018-1159
ATTACHMENT 1

BYLAW NUMBER 43M2018

BEING A BYLAW OF THE CITY OF CALGARY TO AMEND BYLAW 25P95 THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD BYLAW

WHEREAS Council considers it necessary to amend Bylaw 25P95, the Subdivision and Development Appeal Board Bylaw, as amended;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. Bylaw 25P95, the Subdivision and Development Appeal Board Bylaw, as amended, is hereby further amended.
2. Section 5 is deleted and replaced with the following:
 - “5. (1) The quorum of the Board, or of a panel of the Board, is three (3) members of the Board.
 - (2) Despite subsection (1), the quorum of the Board, or of a panel of the Board, is one (1) member of the Board for procedural and jurisdictional matters in relation to an appeal.
- 5.1 (1) The members of the Board may hear appeals in panels of no more than seven (7) members, so long as the quorum requirements set out in section 5 are satisfied.
- (2) Two or more panels may meet simultaneously to hear appeals.
- (3) A panel of the Board has all the powers, duties and responsibilities of the Board.
- (4) A decision of a panel is a decision of the Board.”.
3. In section 6.1:
 - (a) in subsection 6.1(2), after the word “meeting”, the words “of the Board or of a panel of the Board” are added; and
 - (b) the following is added after subsection 6.1(2) as subsection 6.1(3):
 - “(3) The Chair may assign the members to sit in panels to hear appeals.”.

PROPOSED

BYLAW NUMBER 43M2018

4. Schedule "A" is deleted.
5. This Bylaw comes into force on the day it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

CITY CLERK

SIGNED ON _____

THE CITY OF CALGARY
TABULATION OF BYLAW
TO BE PRESENTED TO COUNCIL ON
TUESDAY, 2018 OCTOBER 09

BYLAW 69P2018
Being a Bylaw of The City of Calgary to Amend the East Stoney
Area Structure Plan Bylaw 23P2017

Second Reading, as amended
Third Reading, as amended

NOTE: On 2018 September 11, an amendment to the East Stoney Area Structure Plan Bylaw to remove a portion of the Growth Management Overlay was presented to Council. Council supported first reading of the Bylaw, and withholding of second and third readings to accommodate the 30 day review period for Rocky View County that is recognized in the Rocky View County/City of Calgary Intermunicipal Development Plan. Council directed Administration to return no later than 2018 October 9.

Administration has subsequently met with Rocky View County to discuss The City's Growth Management Overlay process and Rocky View County's potential planning and technical issues. Rocky View County has since provided a letter of no objection to the Area Structure Plan amendment (within Attachment 1).

Council also directed that the map in Schedule A for this amendment be updated to remove the notation referencing servicing standards provided through PUD2018-0173. This update is reflected in the updated map of Schedule A.

Background: The Public Hearing with respect to Bylaw 69P2019 was held at the 2018 September 10 and 11 Combined Meeting of Council.

Ineligible to Vote: All Members of Council are eligible to vote.

Excerpt from the Minutes of the Combined Meeting of Council, held 2018 September 10 and 11:

A public hearing was called, and Dennis Doherty addressed Council with respect to Bylaws 69P2018.

Moved by Councillor Carra

Seconded by Councillor Woolley

That with respect to Report C2018-0983, Recommendation 2 (a) and (b) be adopted, **after amendment**, as follows:

2. (a) Give first reading to the proposed bylaw 69P2018; and

(b) Withhold second and third Readings, **as amended**, to allow for consultation with Rocky View County, and return to Council no later than 2018 October 09.

ROLL CALL VOTE

For: (10)	Mayor Nenshi, Councillor Carra, Councillor Chahal, Councillor Davison, Councillor Demong, Councillor Farkas, Councillor Farrell, Councillor Jones, Councillor Keating, and Councillor Woolley
Against: (5)	Councillor Chu, Councillor Colley-Urquhart, Councillor Gondek, Councillor Magliocca, and Councillor Sutherland

MOTION CARRIED

That Bylaw 69P2018 be introduced and read a first time.

Against: Councillor Colley-Urquhart and Councillor Farrell

MOTION CARRIED

Moved by Councillor Gondek

Seconded by Councillor Sutherland

That Bylaw 69P2018 be amended in "Schedule A", Page 2 of 2, Map 4, Growth Management Overlay, by deleting the paragraph contained in the top right hand side of the legend, in its entirety.

ROLL CALL VOTE

For: (12)	Councillor Chahal, Councillor Chu, Councillor Colley-Urquhart, Councillor Davison, Councillor Demong, Councillor Farkas, Councillor Gondek, Councillor Jones, Councillor Keating, Councillor Magliocca, Councillor Sutherland, and Councillor Woolley
Against: (3)	Mayor Nenshi, Councillor Carra, and Councillor Farrell

MOTION CARRIED

East Stoney Area Structure Plan Amendment Summary and Letter from Rocky View County

This bylaw tabulation introduces second and third readings for Bylaw 69P2018, an amendment to the East Stoney Area Structure Plan to remove a portion of the Growth Management Overlay.

On 2018 September 11, this amendment was brought forward to Council through report C2018-0983 *New Community Growth Strategy 2018 – Growth Management Overlay Removals Arising from PFC2018-0900*. Council approved first reading of the Bylaw, and withheld second and third readings to accommodate the 30 day review period for Rocky View County that is recognized in the Rocky View County/City of Calgary Intermunicipal Development Plan. Council directed Administration to return no later than the 2018 October 9 public hearing to allow for second and third readings.

Administration met with Rocky View County on 2018 September 24 to discuss The City's Growth Management Overlay process and Rocky View County's potential planning and technical issues. Rocky View County has since provided a letter (see next page) regarding the Area Structure Plan amendment for Growth Management Overlay removal. Administration shares the understanding outlined in the letter and looks forward to continuing cooperation with Rocky View County.

Council also directed that the Growth Management Overlay map in Schedule A be amended to remove the paragraph referencing servicing standards. This amendment is reflected in the attached map of Schedule A.

As per Council direction, Administration is returning to the 2018 October 9 public hearing to allow Council to proceed with second and third readings. This is being done through a bylaw tabulation as permissible through Bylaw 25M2017 that outlines procedures for Council and Committee meetings, and as a measure of efficiency. Council received context information on the amendment through report C2018-0983. This tabulation and attachment outlines how the request to allow more time for The County to consider the amendment has been satisfied.



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Phone: 403-230-1401 | Fax: 403-277-5977
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September 27, 2018

Mr. Matthew Sheldrake
City of Calgary
Calgary Municipal Building
12th Floor, 800 MacLeod Trail SE
Calgary, Alberta T2G 2M3

Via email: matthew.sheldrake@calgary.ca

Dear Mr. Sheldrake,

**RE: Proposed Bylaw 69P2018 (East Stoney ASP)
Removal of East Stoney ASP Growth Management Overlay Circulation Response**

Thank you for providing the County time to review the East Stoney Area Structure Plan (ASP) circulation package, received on September 5, 2018, to remove the Growth Management Overlay. County Administration has completed its review and has the following comments for your consideration.

It is our understanding that:

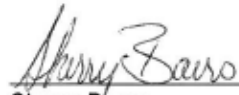
- 1) the proposed bylaw is a map amendment to remove the Growth Management Overlay for the East Stoney ASP;
- 2) the bylaw indicates that The City will be aligning its budgets to fund the necessary City investments to initiate development in the areas where the Overlay is being removed, sometime within the 2019-2022 period;
- 3) these changes are arising from the New Community Growth Strategy, which has been undertaken as part of The City's budget process that sets investment priorities for the next four years; and
- 4) the removal of an Overlay does not mean an Outline Plan/land use amendment application has been approved.

The County identified concerns during the initial preparation and adoption of the East Stoney ASP, primarily with respect to stormwater and traffic impacts on County infrastructure. The County was circulated on the first draft of the Homestead Outline Plan in June of 2017, and comments were provided at that time. A revised version of the draft Homestead Outline Plan was recently received for our review and comment on September 5, 2018. We will continue to work with The City on stormwater and traffic impact concerns through the Outline Plan and land use amendment applications. In addition, we understand that an ASP amendment application will also be circulated to consider revisions to the ASP maps to implement the proposed Homestead Outline Plan, at which time the County may offer further comment.

The County is satisfied that any outstanding concerns with the East Stoney ASP can be addressed through the subsequent processes and therefore has no concerns with the removal of the Growth Management Overlay for the East Stoney ASP. Thank you for the opportunity to comment, and we look forward to continued cooperation with respect to the East Stoney ASP.

Regards,

ROCKY VIEW COUNTY



Sherry Baers
Manager, Planning Services

/ja

CC: Neil Younger, Intergovernmental and Corporate Strategy, City of Calgary
Richard Barss, Intergovernmental Affairs, Rocky View County

PROPOSED

BYLAW TABULATION
ATTACHMENT 2

BYLAW NUMBER 69P2018

BEING A BYLAW OF THE CITY OF CALGARY TO AMEND THE EAST STONEY AREA STRUCTURE PLAN BYLAW 23P2017

WHEREAS Council has approved the removal of the Growth Management Overlay as per report C2018-0900, it is desirable to amend the East Stoney Area Structure Plan Bylaw 23P2017;

AND WHEREAS Council has held a public hearing as required by Section 692 of the Municipal Government Act, R.S.A. 2000, c.M-26, as amended:

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The East Stoney Area Structure Plan attached to and forming part of Bylaw 23P2017, is hereby amended as follows:
 - (a) Delete the existing Map 7 entitled "Growth Management Overlay" and replace with the revised Map 7 entitled "Growth Management Overlay", attached as Schedule A.
2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON SEPTEMBER 11 2018

READ A SECOND TIME, AS AMENDED, ON _____

READ A THIRD TIME, AS AMENDED, ON _____

MAYOR

SIGNED ON _____

CITY CLERK

SIGNED ON _____

PROPOSED

BYLAW NUMBER 69P2018

Schedule A

