

Planning & Development Report to  
Calgary Planning Commission  
2019 October 17

ISC: UNRESTRICTED  
CPC2019-1293

## Policy Amendment and Land Use Amendment in Hillhurst (Ward 7) at multiple properties, LOC2019-0058

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### EXECUTIVE SUMMARY

This application was submitted by Riddell Kurczaba Architecture on 2019 April 30 on behalf of the developer, Ocgrow Group of Companies. The application proposes to change the designation of the subject properties from Commercial – Corridor 2 f2.8h16 (C-COR2 f2.8h16) District to a DC Direct Control District based on the Mixed Use – Active Frontage (MU-2) District to allow for:

- mixed-use buildings (e.g. ground floor commercial/retail with apartments above);
- a maximum building height of 26 metres (an increase from the current maximum of 16 metres);
- a maximum building floor area of approximately 10,450 square metres based on a building floor to parcel area ratio (FAR) of 5.0; and
- the uses listed in the proposed DC(MU-2) District.

The proposal allows for a land use with a density and height that are compatible with surrounding development and in alignment with the applicable policies of the *Municipal Development Plan*. Amendments to the *Hillhurst/Sunnyside Area Redevelopment Plan* (ARP) are required to accommodate the proposed land use redesignation.

No development permit application has been submitted at this time.

### ADMINISTRATION RECOMMENDATION:

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

1. **ADOPT**, by bylaw, the proposed amendments to the Hillhurst/Sunnyside Area Redevelopment Plan (Attachment 4); and
2. Give three readings to the proposed bylaw.
3. **ADOPT**, by bylaw the proposed redesignation of 0.21 hectares  $\pm$  (0.52 acres  $\pm$ ) located at 211, 217, 219 and 221 – 14 Street NW (Plan 6219L, Block 3, Lots 4 to10) from Commercial – Corridor 2 f2.8h16 (C-COR2 f2.8h16) District **to** DC Direct Control District to accommodate mixed use development with density bonus; and
4. Give three readings to the proposed bylaw.

### PREVIOUS COUNCIL DIRECTION / POLICY

None.

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**BACKGROUND**

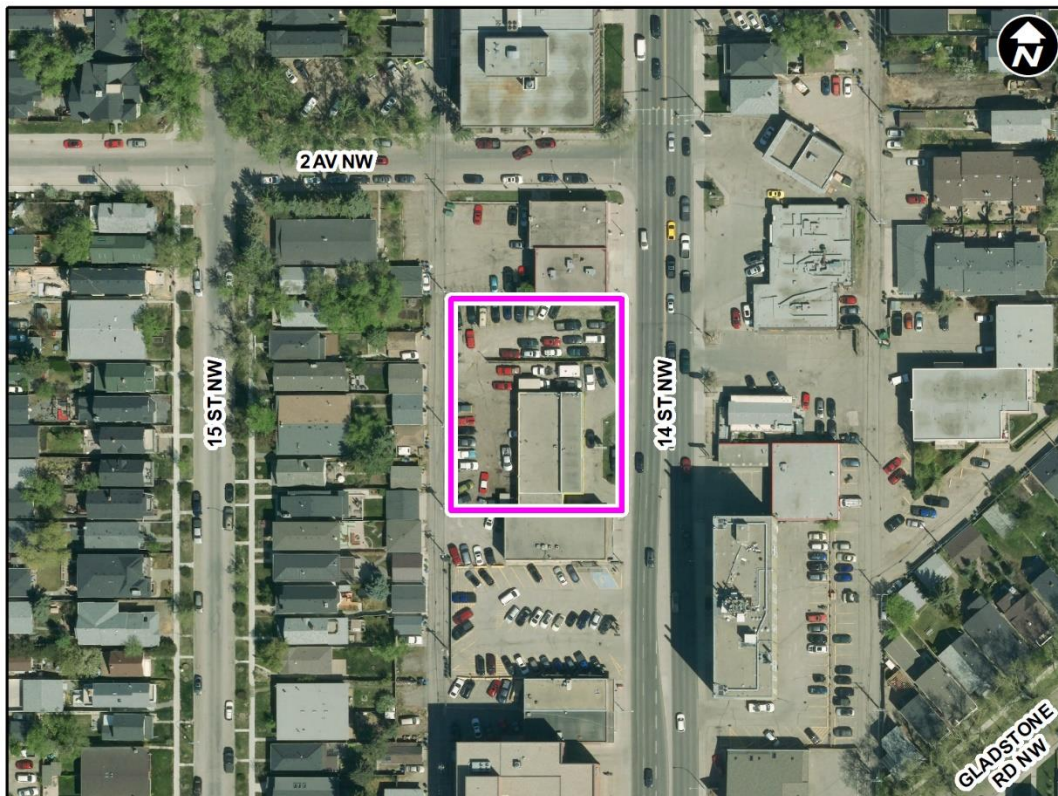
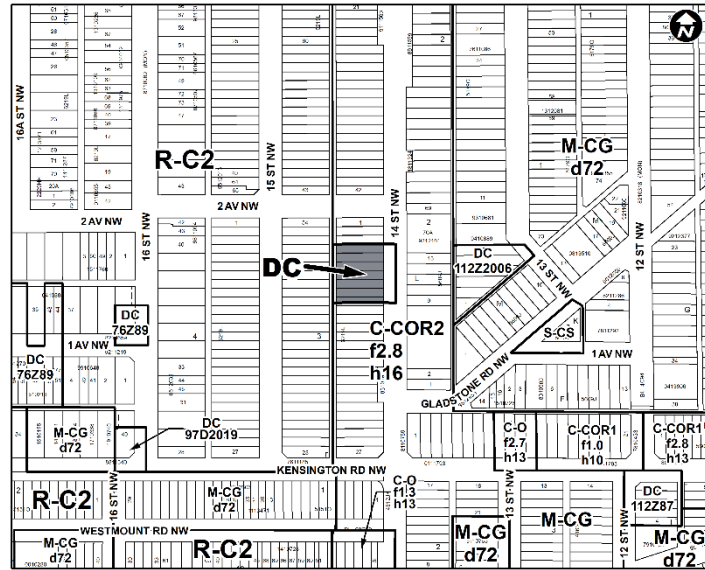
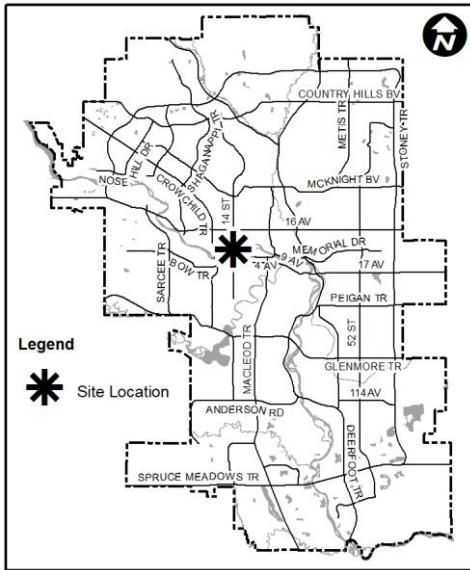
Riddell Kurczaba Architecture, on behalf of the developer Ocgrow Group of Companies, submitted the subject application to The City on 2019 April 30 and provided a summary of their proposal in the Applicant's Submission (Attachment 1).

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Location Maps



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### Site Context

The subject parcel is located on the west side of 14 Street NW in the community of Hillhurst. The walking distance from the subject site to the Sunnyside LRT Station is 1.1 kilometres and the site is also within walking distance of downtown.

The site is currently occupied by a one storey auto-oriented use with an associated vehicle storage yard. The existing building on the site was constructed in 1958.

The site is surrounded by low density residential uses across the lane to the west, two storey commercial and retail uses immediately north and south of the site, one storey eating establishments, a one storey auto oriented use and an eight storey mixed use building across 14 Street NW to the east. Existing development on the block to the north of the subject site includes a nine storey multi-unit residential building and a seven storey multi-unit residential building.

As identified in *Figure 1*, the community of Hillhurst has seen population decline over the last several years after reaching its population peak in 2015.

*Figure 1: Community Peak Population*

<b>Hillhurst</b>	
Peak Population Year	2015
Peak Population	6,737
2018 Current Population	6,616
Difference in Population (Number)	-121
Difference in Population (Percent)	-2%

Source: *The City of Calgary 2018 Census*

Additional demographic and socio-economic information may be obtained online on the [Hillhurst 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. The proposal generally meets the objectives of applicable policies as discussed in the Strategic Alignment section of this report.

### Planning Considerations

The following sections highlight the scope of technical planning analysis conducted by Administration.

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### ***Land Use***

The current land use district for the site is Commercial – Corridor 2 f2.8h16 (C-COR2f2.8h16) District. This would allow for a mixed-use building on the site of approximately five storeys. The proposed land use district is a DC Direct Control District based on the Mixed Use – Active Frontage (MU-2) 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 for specific density bonus provisions in the *Hillhurst/Sunnyside Area Redevelopment Plan*. In addition to allowing for medium density mid-rise mixed-use developments, the key components of the proposed DC Direct Control District include:

- allows for a maximum height of 26.0 metres and a maximum density of 5.0 FAR;
- requires that building height above 26.0 metres is for a common indoor amenity space, up to a maximum height of 30.0 metres;
- requires that the building step back from the rear property line at a height of 20 metres to reduce shadow impacts upon the low-density residential area to the west;
- allows for additional permitted uses to provide more certainty of main floor active uses that could be approved through change of use development permit applications; and
- allows for the implementation of the density bonus provisions outlined in the *Hillhurst/Sunnyside Area Redevelopment Plan*.

### ***Development and Site Design***

This application is not tied to plans. The applicant has indicated the intent to pursue a development permit application for a new mixed-use building on this site. The overall size of the building, mix of uses, required parking and any other site planning consideration will be evaluated at the development permit stage subject to Council's decision on this land use redesignation application.

### ***Environmental***

A Phase 3 Environmental Site Assessment was provided with this application stating that an underground storage tank was removed and the remedial activities were successful.

### ***Transportation***

The subject site is located adjacent to Transit bus service on 14 Street NW, including Route 65 (Market Mall / Downtown West) and Route 414 (14 Street Crosstown). In addition to this, the site is located approximately 1.1 kilometre walking distance from the Sunnyside LRT Station, Route 201 (Somerset / Tuscan). Vehicular access to the site will be available from the rear lane. A Transportation Impact Assessment was provided in support of the proposal; which was reviewed and accepted by Transportation Planning.

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### ***Utilities and Servicing***

Water, sanitary sewer and storm sewer mains are available to service the subject site. Any potential upgrades, and appropriate storm water management will be determined at the development permit stage.

### **Stakeholder Engagement, Research and Communication**

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

The applicant held a public open house for the project in 2019 April. Approximately 15 people attended the open house. The applicant indicated that the feedback provided was primarily positive. The applicant also conducted a follow-up information session after the open house and participated in three working sessions with the Hillhurst/Sunnyside Community Association Planning Committee.

Numerous methods were utilized by the applicant to provide information regarding this application, including: direct mail, signage, project website and through the community association newsletter, website and social media.

The Hillhurst Sunnyside Planning Committee (HSPC) was circulated as part of this application. A letter was submitted by the HSPC (Attachment 3). While the HSPC is excited about the prospect of the new development that will bring additional residents, businesses and offices into the area. A number of concerns regarding the potential new development were also provided. A summary of the topics include:

- general concern about the proposed building height and floor area ratio that exceed the limits envisioned in the *Hillhurst/Sunnyside Area Redevelopment Plan (ARP)*;
- a request that a concurrent development permit application be submitted to better evaluate the architectural and urban design quality of the proposed development;
- on-street and on-site parking considerations; and
- interest in public community amenities that could be provided with the new development.

There were 17 letters received from the surrounding residents. One letter of support, one letter is neutral and 15 letters of opposition. A summary of the opposition comments as follows:

- shadow, noise and privacy impacts upon adjacent residential to the west;
- that the height and density maximums of the ARP should be adhered to;
- sets a precedent for other development proposals above the ARP maximum height;
- traffic and parking impacts on 15 Street NW and the lane;
- water and sewer servicing impacts;
- community benefits for bonus density not adequate; and
- development permit application details regarding the development are desired.

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Administration considered the relevant planning issues raised by the letters of opposition and the applicant-led engagement, and has determined the proposal to be appropriate. The design compatibility of discretionary uses with respect to, the adjacent neighbours, 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 land owners. In addition, Commission's recommendation and the date of the Public Hearing will be advertised.

### **Strategic Alignment**

#### ***South Saskatchewan Regional Plan (2014)***

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

#### ***Interim Growth Plan (2018)***

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

#### ***Municipal Development Plan (Statutory – 2009)***

The subject site is identified on Map 1: Urban Structure Map of the *Municipal Development Plan* as being within the Neighbourhood Main Street Area. Neighbourhood Main Streets are typically located along Primary Transit Network within the Inner City and have a strong historical connection to the communities they abut. They are the "main streets" for one or more communities, providing a strong social function and typically support a mix of uses within a pedestrian-friendly environment. The application is in alignment with the main street planning direction as it provides for increased population and jobs near transit.

#### ***Hillhurst/Sunnyside Area Redevelopment Plan (Statutory – 1988)***

The subject site falls within the Transit Oriented Development Area of the *Hillhurst/Sunnyside Area Redevelopment Plan* (ARP), approved by Council in 2009 February. The subject site is situated in the area identified as Regional Mixed-Use on the Land Use Policy Area Map of the ARP. New mixed-use development in a multi-storey format with residential uses above the street level is strongly encouraged.

Amendments to the ARP Map 3.2, Map 3.3 and a text amendment to Section 3.2.2 Mixed Use Areas are included with the application (Attachment 4). The density and height maps will require amendments as they indicate a maximum floor area ratio of 4.0 and a maximum building height

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of 20.0 metres at the subject site. The proposed direct control district includes a maximum floor area ratio of 5.0 and a maximum building height of 26.0 metres. The building will step back at a height above 20.0 metres to lessen shadow impacts upon the residential area to the west. The proposed floor area ratio and building height match the ARP Density Area A, 5.0 and Building Height Area B, 26 metres.

The proposed text amendment to Section 3.2.2, Mixed Use Areas, allows for a common indoor amenity space and associated patio on the rooftop of the mixed-use building. The indoor common amenity area will be set back from the front and rear building facades to limit the visual and shadow impacts of this rooftop structure. The proposed maximum building height is 26.0 metres with a possible height increase up to 30.0 metres when the additional 4.0 metre building height is to accommodate common amenity space – indoors.

Redevelopment envisioned in the ARP for properties along 14 Street NW has not taken place since the comprehensive update to the ARP in 2009. The ARP states that the expected life of the ARP is ten to fifteen years. Reconsideration of the height and floor area ratio maximums at the site is reasonable given the length of time that has passed since the existing maximums were introduced and the lack of redevelopment activity on 14 Street NW in Hillhurst.

In 2012 November, Council approved an amendment to the ARP to include density bonus provisions, which allow for a density increase up to the maximum floor area ratio specified in the ARP. The density increase is subject to a contribution to the community amenity fund or provision of additional urban design improvements in the community. The density bonus provisions have been established as a means of gaining public amenities in exchange for a level of density that surpasses the allowable base density under the provisions of the land use district.

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

The recommended land use allows for greater density, including more housing and job opportunities within a walkable community close to transit, and as such, the proposed change may add to the vibrancy of the Neighbourhood Main Street and active street environment.

### **Financial Capacity**

#### ***Current and Future Operating Budget***

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

#### ***Current and Future Capital Budget***

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



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**Risk Assessment**

There are no significant risks associated with this proposal.

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

The proposal is in keeping with the applicable policies of the *Municipal Development Plan* and the vision of the *Hillhurst/Sunnyside Area Redevelopment Plan*. Given that 14 Street NW is identified as a Neighbourhood Main Street, the proposed district allows for the opportunity to utilize an under-developed parcel in the inner city for a higher use while still respecting the low density context adjacent to the site.

**ATTACHMENT(S)**

1. Applicant Submission
2. Proposed DC Direct Control Guidelines
3. Community Association Letter
4. Proposed Amendments to the Hillhurst/Sunnyside Area Redevelopment Plan