

Planning & Development Report to  
Calgary Planning Commission  
2019 November 21

ISC: UNRESTRICTED  
CPC2019-1495

## Reconsideration of CPC2019-1239 (LOC2019-0058)

### EXECUTIVE SUMMARY

The purpose of this report is to clarify building height rules for common amenity space in the proposed direct control district. On 2019 October 17 the Calgary Planning Commission recommended that Council approve LOC2019-0058. The proposed building height rules included in the direct control district reviewed by the Calgary Planning Commission on 2019 October 17 states that the building height may increase to a maximum of 30.0 metres when the additional 4.0 metre building height is to accommodate common amenity space – indoors. An updated direct control district has been prepared to clarify that the additional 4.0 metre building height is to accommodate all common amenity space within this area and not restricted to common amenity space – indoors only (Attachment 2). This adjustment is minor in nature and was implied within the original application.

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.



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### ADMINISTRATION RECOMMENDATION:

That Calgary Planning Commission:

1. That the Calgary Planning Commission reconsider its decision with respect to Report CPC2019-1293.
2. Receive for Corporate Record the Revised Attachment 2 associated with CPC2019-1293;
3. Direct report CPC2019-1293 with Revised Attachment 2 to the 2019 December 16 Combined Meeting of Council to the Public Hearing portion of the Agenda;
4. Recommend that Council hold a Public Hearing; and
  - a) **ADOPT**, by bylaw, the proposed amendments to the Hillhurst/Sunnyside Area Redevelopment Plan (Revised Attachment 4); and
  - b) Give three readings to the proposed bylaw.
  - c) **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 to 10) from Commercial – Corridor 2 f2.8h16 (C-COR2 f2.8h16) District to DC Direct Control District to accommodate mixed use development with density bonus, with guidelines (Revised Attachment 2); and
  - d) Give three readings to the proposed bylaw.

### PREVIOUS COUNCIL DIRECTION / POLICY

None.

### BACKGROUND

On 2019 October 17 the Calgary Planning Commission recommended that Council approve LOC2019-0058. The 2019 October 17 Calgary Planning Commission report for LOC2019-0058 is attached to this supplemental report (Attachment 1).

### INVESTIGATION: ALTERNATIVES AND ANALYSIS

#### *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

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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 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*.

#### **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. Original Report (CPC2019-1239)
2. Amended – Proposed DC Direct Control District Guidelines for CPC2019-1239