

**LAND USE AMENDMENT
CRESCENT HEIGHTS (WARD 7)
NE CORNER OF 15 AVENUE NE AND 1 STREET NE
BYLAW 290D2017**

MAP 22C

EXECUTIVE SUMMARY

This application proposes to change the commercial requirement for a development on this site from mandatory to optional. The existing Multi-Residential – Medium Profile Support Commercial (M-X2) district would be replaced by a Multi-Residential – High Density Low Rise (M-H1h22) District with a height modifier of 22 metres.

While close to the 16 Avenue Urban Main Street, bollards on 1 Street NE prevent direct vehicle access to the site from 16 Avenue N, creating a difficult condition for functional commercial uses on the site.

The proposed redesignation complies with site specific regulations within the recently updated 16 Avenue North Urban Corridor Area Redevelopment Plan (ARP).

PREVIOUS COUNCIL DIRECTION

None.

ADMINISTRATION RECOMMENDATION

2017 July 13

That Calgary Planning Commission recommends **APPROVAL** of the proposed Land Use Amendment.

RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION

That Council hold a Public Hearing on Bylaw 290D2017; and

1. **ADOPT** the proposed redesignation of 0.08 hectares ± (0.19 acre ±) located at 202 and 206 – 15 Avenue NE (Plan 791P, Block 26, Lots 16 to 18) from Multi-Residential – Medium Profile Support Commercial (M-X2) District **to** Multi-Residential – High Density Low Rise (M-H1h22) District, in accordance with Administration’s recommendation; and
2. Give three readings to the proposed Bylaw 290D2017.

REASONS FOR RECOMMENDATION:

The proposed redesignation complies with the statutory plans for the site. The proposed district better reflects the site context, in particular the limited vehicle access available to the site for commercial traffic. It will also still allow for substantial intensification of the site in accordance with the policies of the Area Redevelopment Plan.

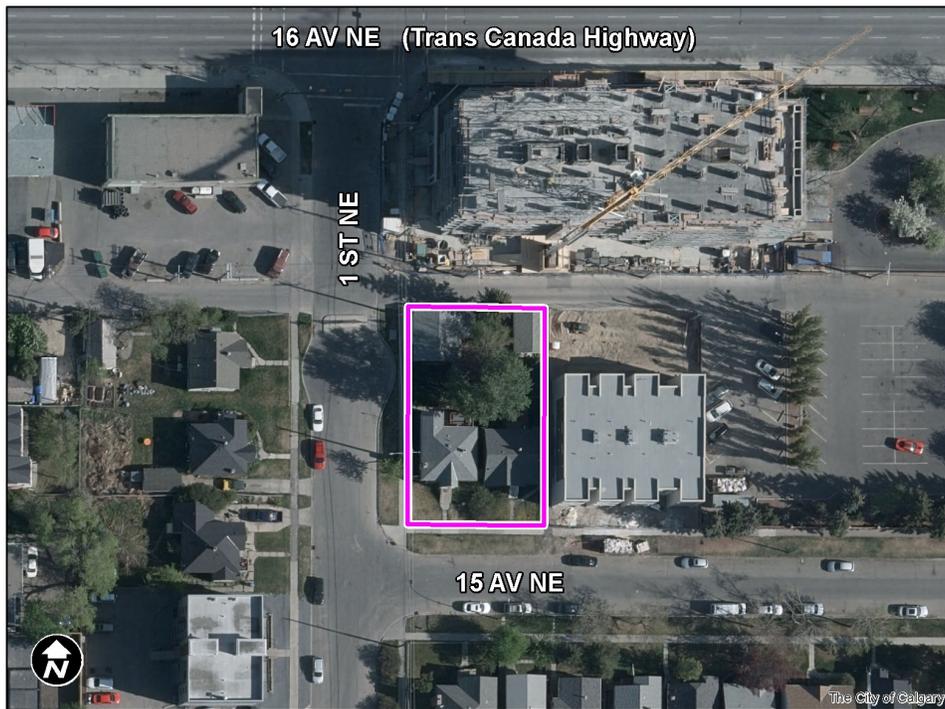
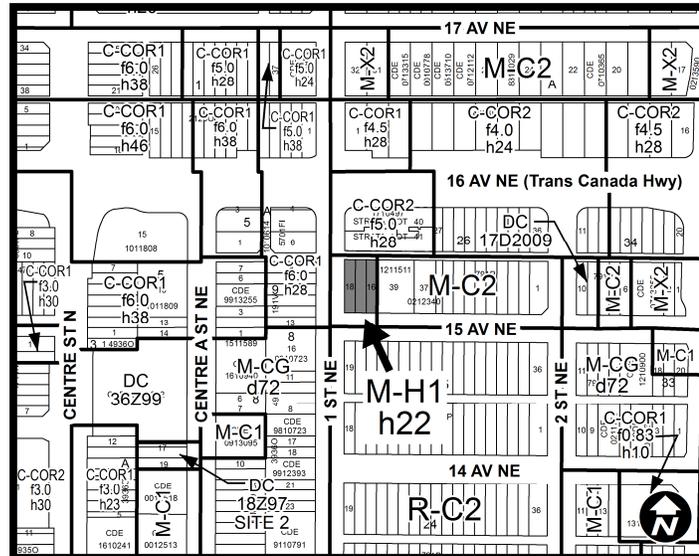
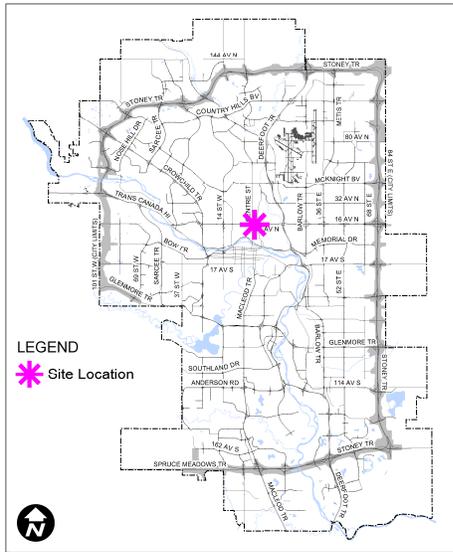
ATTACHMENTS

1. Proposed Bylaw 290D2017
2. Public Submission

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MAP 22C

LOCATION MAPS



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MAP 22C

ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.08 hectares ± (0.19 acre ±) located at 202 and 206 – 15 Avenue NE (Plan 791P, Block 26, Lots 16 to 18) from Multi-Residential – Medium Profile Support Commercial (M-X2) District **to** Multi-Residential – High Density Low Rise (M-H1h22) District.

Moved by: S. Keating

Carried: 6 – 0

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MAP 22C

Applicant:

Sharon Wang Architect

Landowner:

Starr Property & Investment Ltd

PLANNING EVALUATION

SITE CONTEXT

Located in an area experiencing redevelopment and substantial infrastructure investment, the site sits between Centre Street N and Edmonton Trail NE one block south of 16 Avenue NE in the community of Crescent Heights. Immediately north of the subject site is a new 10 storey mixed use development. To the east are existing single detached houses with Multi-Residential Contextual – Medium Profile (MC-2) designations. West of the site on 1 Street NE are a group of properties with Commercial Corridor 1 (C-COR1) designations. Currently, there are a mix of commercial, existing single detached residential, and a new four storey multi-residential development on the C-COR1 site.

Maximum heights on properties directly west and north of the subject site are 28 metres. The proposed redesignation would allow an increase from 16 metres to 22 metres, approximately 2 additional storeys. Shadow impacts from allowing the increase in height would primarily affect the properties to the north and west that already are allowed additional height.

Properties east of the subject site have a maximum height of 16.0 metres. The M-H1 district requires lower heights within 6.0 metres of the adjacent property to the east. This reduces the shadow impacts of a larger building.

Crescent Heights	
Peak Population Year	2015
Peak Population	6,380
2016 Current Population	6,097
Difference in Population (Number)	-283
Difference in Population (Percent)	-4%

LAND USE DISTRICTS

The proposed Land Use District is Multi-Residential – High Density Low Rise (M-H1h22). The primary reason the applicant is requesting the M-H1h22 district is to allow at-grade commercial of up to 300 square metres to be optional, instead of required as is the case with the M-X2 District. The rationale supporting this change is the presence of bollards on 1 Street NE that restrict vehicle access NE between 16 Avenue NE and 15 Avenue NE. Therefore, vehicles cannot easily access the subject site from 16 Avenue NE which limits the potential for commercial uses to succeed.

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The M-H1 land use district has a maximum height of 26 metres, 10 metres higher than the maximum 16 metres of the M-X2 District. However, the ARP sets a maximum height of 22 metres for the subject site. Therefore, the height modifier of 22.0 metres has been added to the proposed district.

In order to have more contextually sensitive heights adjacent to lower density sites, the M-H1 District restricts the maximum height to 10.0 metres within 6.0 metres of the property line. In this instance, the properties to the east are designated M-C2 and therefore are protected by the above noted height regulation. This regulation provides assurances for the landowner to the east that a new development's maximum height will be setback at least 6.0 metres from the property line. However, adjacent 1 Street NE, the development may take advantage of the full 22.0 metres allowed by the ARP and proposed redesignation.

The maximum density of the existing M-X2 district is 148 units per hectare, lower than the maximum 210 units per hectare listed in the ARP. The M-H1 district measures density using Floor Area Ratio and allows a maximum 4.0 FAR. The sites to the west and north are allowed between 4.0 and 6.0 FAR. Those sites would not likely have 15 Avenue NE or 1 Street NE as an access, like the subject site has currently. The increased density allowed, while still within the limits of the ARP, is supportable because there are substantial transportation infrastructure investments underway nearby, including the Green Line and North Crosstown Bus Rapid Transit (BRT) route that will provide greater mobility options for future residents of the subject site.

LEGISLATION & POLICY

South Saskatchewan Regional Plan (SSRP)

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)*. The SSRP make no specific reference to this site. The land use proposal is consistent with the SSRP policies including the Land Use Patterns policies (subsection 8.14)

Municipal Development Plan

The site is located within a "Residential; Developed; Inner City" area as identified on the Urban Structure Map (Map 1) in the *Municipal Development Plan (MDP)*. The MDP makes no specific reference to this site. This land use proposal is consistent with MDP policies including the Neighbourhood Infill and Redevelopment Policies (subsection 2.2.5) and Housing Diversity and Choice policies (subsection 2.3.1).

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MAP 22C

16 Avenue North Urban Corridor Area Redevelopment Plan

The proposed redesignation complies with the ARP. The site is identified for “Multi-Residential Medium Density/Support Commercial” on Map 2 – Land Uses. The maximum density is listed in the ARP as 210 dwelling units/hectare. However, as a result of a 2017 ARP amendment, an exception now allows greater than 210 uph if the Floor Area Ratio (FAR) of the Land Use District is not exceeded. In this instance, the maximum FAR of the MH-1 district is 4.0.

The maximum height for the subject site is 22.0 metres. Should an applicant want to develop higher than 22.0 metres, an amendment to the ARP would be required.

TRANSPORTATION NETWORKS

The site is accessible from two local streets and a rear lane. First Street NE, with the bollards blocking vehicle traffic just south of Peters’ Drive-In provides a good north-south connection for cyclists travelling to/from downtown.

A Transportation Impact Assessment (TIA) or Parking Study was not required in order for administration to support this redesignation. One or both may be required as part of a development permit application.

UTILITIES & SERVICING

Water, sanitary, and sewer services are available and can accommodate the potential development of a 2.5 FAR building without the need for off-site improvements at this time. Adjustments to on-site servicing may be required at the development permit stage.

ENVIRONMENTAL ISSUES

An Environmental Site Assessment was not required.

ENVIRONMENTAL SUSTAINABILITY

The proposal represents an intensification of an inner-city site that is in keeping with the existing and future planned development for the area.

GROWTH MANAGEMENT

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

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PUBLIC ENGAGEMENT

Community Association Comments

The Crescent Heights Community Association provided a letter (APPENDIX II) that expresses concern about the increased height that would be allowed if the redesignation is successful. Their preference is for it to remain at 16.0 metres recognizing that the ARP allows 22.0 metres which is the preference of the applicant.

They were supportive of the change to all residential, which is the applicant's intent at this time. The M-H1 District does allow up to 300 square metres of commercial on the ground floor however, the regulations for locating commercial developments, including dedicated parking stalls separate from the residential stalls, substantially limit opportunities for commercial on this size of a site.

Additional concerns expressed by the Community Association are Development Permit issues.

Citizen Comments

One letter of concern was received that cited traffic issues that could arise.

Public Meetings

No public meeting was held.

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MAP 22C

APPENDIX I

APPLICANT'S SUBMISSION

This letter is to request to rezone 202 and 206 15 Avenue NE Calgary to M-H1h22.

The 15 Avenue and the first Street NE is a very quiet street, with fence bars block the traffic on the corner. The idea to build up first floor as commercial would ruin the peace of the area, and devalue all the residential properties around. Considering the fast growth of the population and living standard of this area, MH1 zoning with more and pure residential units is much better.

The corner traffic through the back lane shared by 15 AVE and 16 AVE at the 1 Street corner could be very busy. This around 25 meters back lane corner will be shared by a mix-used nine story building on 16 AVE, and a residential three-story building and our mix-used building on the 15 AVE.

We wanted a commercial use at the beginning. That because I really need an office for my accounting business. I sold my current office building and leased it back. Lease term will expire on September 01 2017 then to keep the lease month to month. But the size of the site is too small to allow commercial and residential uses together. Now I took an opportunity to purchase another office building on Centre Street that is why I start to apply MH1 zoning as soon as the purchase contract signed.

Thank you. I am looking forward to your approval for this changing zoning request.

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MAP 22C

APPENDIX III

LETTERS SUBMITTED

Subject: LOC2017-0022 202 - 15 Ave. NE

Thank you for allowing Crescent Heights CA to comment on LOC2017-0022.

Changing the zoning to all-residential from mixed commercial and residential makes sense in this location but our concerns are:

1. We do not support building height relaxations. We would like the maximum building height for M-X2 of 16 metres to be the maximum building height. We understand that the 16 Ave ARP proposes a height greater than 16 metres but prefer using the M-X2 zoning height. This viewpoint has also been expressed by an interested neighbour on 15 Ave. NE.

We have been seeing regular requests by developers to change the zoning in our community to increase density. We call it up-zoning creep. In most of the cases, we are not convinced that it is in the best interests of the local residents. In this case changing to all residential is positive but if it is being done just to increase density, we see that as a negative. Hence our preference for the original M-X2 zoning height. Five floors is preferred versus the seven that we have seen in the plans.

2. We do not support relaxations on parking units. We are concerned that this building and the rental building on 16 NE directly North of this building will both have a shortage of parking units that will lead to street parking congestion on 15 Ave NE.

3. We would like the building side facing 15 AVE. NE to be more neighbour-friendly. Setting back the upper floors and making the facade less austere will make it more attractive for the local residents.

Thank you.

Dennis Marr
Planning Committee Director, CHCA