

Planning & Development Report to
Calgary Planning Commission
2020 February 06

ISC: UNRESTRICTED
CPC2020-0029

Development Permit in Bankview (Ward 8) at 1827 - 14 Street SW, DP2018-5576

EXECUTIVE SUMMARY

This development permit application was submitted on 2018 November 28 by Casola Koppe Architects on behalf of the landowner Nimmons 9 Corporation, and proposes:

- a new Multi-Residential Development providing 84 dwelling units in a single, six-storey building (25.3 metres in height); and
- a supporting commercial/retail use in the existing historic Nimmons Residence, to be preserved and relocated to a prominent location on the southeast corner of the site.

The design and materials were carefully considered and subject to the conditions attached, the proposal is in alignment with the planning policy in the *Bankview Area Redevelopment Plan* (ARP), Land Use Bylaw 1P2007 and DC Direct Control District (Bylaw 167D2015). As such, this development permit is recommended for approval.

ADMINISTRATION RECOMMENDATION:

That Calgary Planning Commission **APPROVE** the proposed Development Permit application DP2018-5576 for New: Multi-Residential Development, Retail and Consumer Service (1 building) at 1827 - 14 Street SW (Plan 1610440, Block 1, Lot 23), with conditions (Attachment 1).

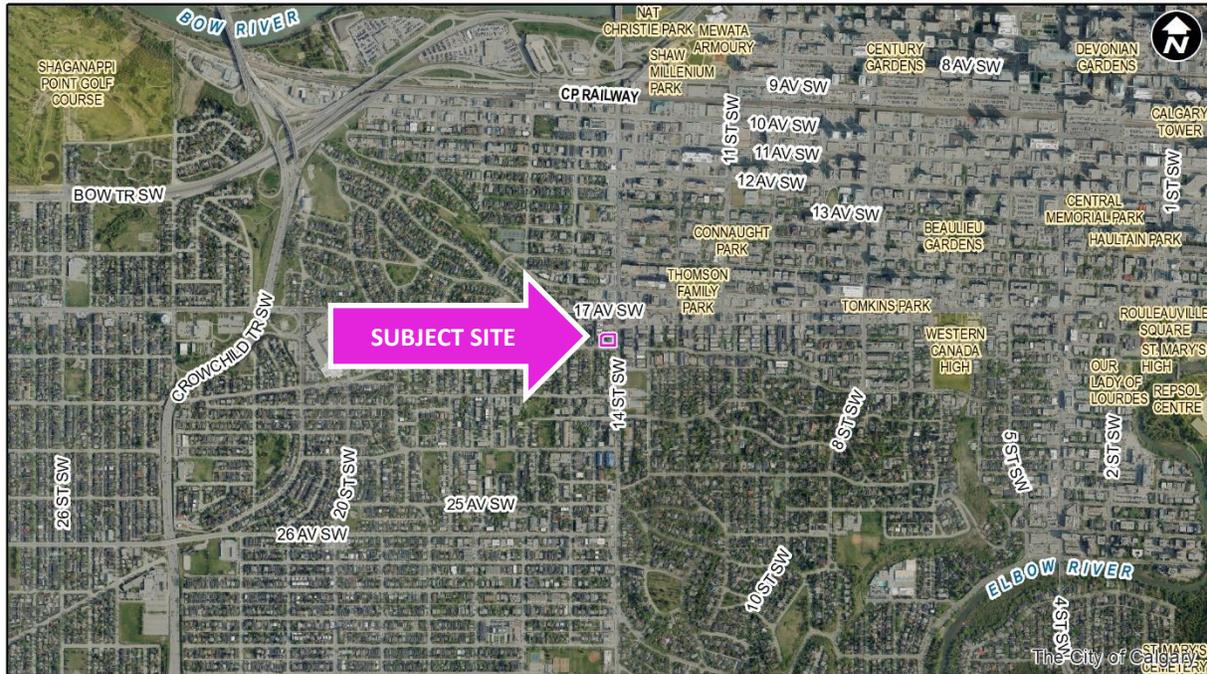
PREVIOUS COUNCIL DIRECTION / POLICY

None.

BACKGROUND

This development permit application was submitted on 2018 November 28 by Cassola Koppe Architects on behalf of the landowner Nimmons 9 Corporation, further outlined in the Applicant Submission (Attachment 1).

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Site Context

The subject site is approximately 50 metres wide by 40 metres long encompassing an area of approximately 0.21 hectares (0.52 acres). The site is located prominently at the northwest corner of 14 Street SW and 19 Avenue SW. The site's eastern frontage is adjacent to 14 Street SW, which slopes downward from 19 Avenue SW to the north with an approximate five metre difference in elevation from 19 Avenue SW to the site's northern property line.

North of this site is a variety of commercial corridor and mixed-use districts found along 17 Avenue SW.

East of this site is a mix of existing multi-residential development in the form of low- and mid-rise apartments.

South of this site across 19 Avenue SW is a development permit (DP2019-0026) for a New: Retail and Consumer Service, Office, Dwelling Unit (16 units) is currently under review by Administration.

West of the site immediate adjacent is a development permit (DP2020-0055) for a New: Multi-Residential Development (one building, six-storeys, 69 residential units), Live Work Unit (12), Restaurant: Neighbourhood currently under review by Administration.

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As identified in *Figure 1*, the community of Bankview reached its peak population in 1981 with 5,590 residents.

Figure 1: Community Peak Population

Bankview	
Peak Population Year	1981
Peak Population	5,590
2019 Current Population	5,256
Difference in Population	-334 (-5.97%)

Source: The City of Calgary 2019 Civic Census

Additional demographic and socio-economic information may be obtained online through the [Bankview Community Profile](#).

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Land Use

The subject site is designated as DC Direct Control District (Bylaw 167D2015) based on the Multi-Residential – High Density Low Rise (M-H1) District, which allows for Multi-Residential Development in a variety of forms including a limited range of support commercial multi-residential uses.

The DC Direct Control District is also intended to allow for the preservation and adaptive reuse of the Nimmons Residence which is a City Wide Historic Resource on The Calgary Heritage Authority's Inventory of Evaluated Historic Resources by allowing for additions to the Nimmons Residence; (commercial, residential or a mix of uses within the Nimmons Residence or within any additions to the Nimmons Residence; additional multi-residential or mixed-use development on the site; and implement site specific polices contained within the *Bankview ARP*).

Land Use Bylaw 1P2007 and DC Direct Control District (167D2015)

Administration highlights the following relaxations to the Land Use Bylaw in *Figure 2* below. Administration has reviewed each relaxation individually and considers each relaxation to be acceptable for the reasons outlined in the table below.

As noted in Section 14 of [Bylaw 167D2015](#), the Development Authority has the ability to entertain relaxations to this DC Direct Control District provided the test for relaxations as set out in Land Use Bylaw 1P2007 is met.

As per the *Bankview ARP*, the Development Authority may also relax any rules or requirements for the site set out in the governing Direct Control District, Land Use Bylaw 1P2007 or policies contained herewith in recognition of the key objectives of preservation, adaptive reuse and protection of the Nimmons Residence as a Municipal Historic Resource. In granting any relaxation(s) or varying from guiding policy, the Development Authority shall exercise due consideration that future development either with or without relaxations would not unduly

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interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring properties. Relaxation or variance from the following Direct Control District rules or site-specific policies may include, but are not only limited to:

- Permitted and discretionary use definitions and their associated rules and requirements including parking requirements;
- Site landscaping requirements;
- Minimum unit per hectare density requirements;
- Building setback requirements;
- Building step back requirements;
- Slope adaptive building policies;
- Rules for Commercial Multi-Residential uses, including the maximum use area rules; and
- Any other applicable policies in the *Bankview ARP*.

Figure 2: Land Use Bylaw 1P2007 Relaxations		
Regulation	Standard	Provided
644,13 Building Height (max.)	(3) Where a parcel shares a property line with a street or a parcel designated as a M-C2, M-2, M-H1, M-H2, M-H3, or M-X2 District, the maximum building height referenced in subsection (1) or (2) is reduced to 10.0 metres measured from grade within 4.0 metres of that shared property line.	Plans indicate portions of the East and South elevations project into the required step back. Administration rationale for relaxation: Administration is satisfied with the south and east elevations, specifically for the balconies which project 2.0 metres into this 4.0 metre stepback. The general massing of the building conforms to the stepback; however, since the building steps back, the units above the third floor become reduced in size. Providing recessed balconies on these floors would produce living areas that are nearly unusable. These balconies have been reduced to the minimum requirements compared to the previous amended plan submission and are massed in a way that adds interest to the façade. It is not possible to project the balconies on the east or west setback areas because of the step-back requirements from the property line and the Nimmons Residence. As these balconies are on the south side of the building, they do not contribute to any negative impacting shadows as evidenced in the shadow study.
	(5) Where a parcel shares a property line with a parcel designated as a	Plans indicate portions of the North elevation projects into the required step back.

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	commercial, industrial or special purpose district, the maximum building height referenced in subsection (1) or (2) is reduced to 10.0 metres measured from grade within 1.2 metres of that shared property line.”	<p>Administration rationale for relaxation: Administration has deemed the applicant’s rationale for the proposed relaxation acceptable as the shadow study has indicated minimal impact to the surrounding properties as a result of the North elevation projections into the required step back area.</p>
552 Planting Requirements	(3) 25.0 % of all trees provided must be coniferous.	<p>Plans indicate 1 (-3) coniferous trees provided.</p> <p>Administration rationale for relaxation: Administration is satisfied with the applicant’s rationale that coniferous trees primarily in the courtyard would contribute to a feeling of confinement in the limited space between the buildings. In addition, the proposed trees on the boulevard have limited area for roots, so the applicant is proposing a combination of columnar trees, creeping plants and accent-lit windows to soften the interface along 14 Street SW.</p>
570 Retaining Walls	<p>(1) A retaining wall must be less than 1.2m in height when measured from the lowest grade at any point adjacent to the retaining wall to the highest grade retained by the retaining wall.</p> <p>(b) within 3.0 m. of a property line.</p>	<p>Plans indicate new retaining walls along the North and East property line as being 3.99m (+0.99m) to 5.48m (+2.48m).</p> <p>Administration rationale for relaxation: <u>North Retaining Wall:</u> The proposed north retaining wall is required to meet the existing retaining wall on the neighbouring property at this location and allow for access to the parking structure, which is access here is set at the existing geodetic elevation at the lane. The current condition is managed by an informal wood retaining wall that will be brought up to standard as part of this development.</p> <p><u>East Retaining Wall:</u> Relocating the existing retaining wall requires a higher wall to handle the increased slope. The secondary function of the retaining walls are planters along 14 Street SW, which are intended to soften the effects of the parkade wall and contribute to an enhanced pedestrian realm. The grade change from north to south is so large that the</p>

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		parking structure is entirely below grade at the south property line and almost two storeys at the north property line. The parking structure was designed in such a way to limit the impact at grade along the 19 Avenue SW interface with the existing low-density residential uses.
Parking Stalls (min.)	Requires 7 commercial parking stalls.	Plans indicate 0 (-7) commercial parking stalls provided. Administration rationale for relaxation: Administration has deemed the applicant's parking study acceptable and is supportive of the proposed relaxation as the site is well-served by transit service, pedestrian and cyclist connections. The future commercial use in the Nimmons Residence is small, and does not have significant bylaw parking requirements.
	Requires 77 dwelling unit stalls.	Plans indicate 66 (-10) residential stalls provided. Administration rationale for relaxation: Administration is satisfied that the proposed residential parking stalls are sufficient, given the close proximity to transit service along 17 Avenue SW and 14 Street SW, relative walking distance to the Sunalta LRT Station and adequate pedestrian and cyclist connectivity to the broader network, as outlined in the parking study provided by the applicant.
123 Loading Stalls (min.)	Requires 1 loading stall.	Plans indicate 0 (-1) loading stalls provided. Administration rationale for relaxation: Administration is satisfied that loading and waste & recycling pickup can be handled on-street along 19 Avenue SW, as shown on the plans and supported by the conditions of approval.

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Site, Building and Landscaping Design

This development permit proposes a Multi-Residential Development providing 84 dwelling units in a single building, 25.3 metres in height, and a supporting commercial/retail use in the existing historic Nimmons Residence, to be preserved and relocated to a prominent location on the southeast corner of the site.

The development will be constructed in two phases. The first phase comprises of shoring and erecting a portion of the underground parking structure which will subsequently support the relocated historic house. In the second phase, the remainder of the parking structure will be constructed along with the six-storey wood-frame Multi-Residential Development above.

The bedroom count in the development is summarized as follows:

Bedrooms	Total
One	41
Two	43

Landscaping

Landscaping within the courtyard between the proposed development and the Nimmons Residence serves as a vegetative buffer between the two buildings, with sunlight penetrating the space, especially during the summer months. Planting within this outdoor amenity space includes blossoming crabapple trees. This courtyard varies in width between the facades of the proposed and existing building from 7.4 metres to 11.5 metres. A minimum dimension of 5.4 metres occurs within this courtyard from the edge of the open veranda to the southernmost edge of the proposed building.

Boulevard trees within planters along 14 Street SW provide for a contemporary replacement for the existing row of young Ash trees along the west property line. These plantings also aide in creating visual interest and softening the interface between the parkade wall and the pedestrian realm along 14 Street SW.

Relocation of the Nimmons Residence

Relocation of the Nimmons Residence within the southeast portion of the site is anticipated. This location will enable the Nimmons Residence to retain prominence on the site and be located in closer proximity to the public realm along 14 Street SW and 19 Avenue SW respectively. In a relocation scenario, the orientation of the Nimmons Residence is expected to remain consistent (e.g. the existing original east facing façade would remain east facing).

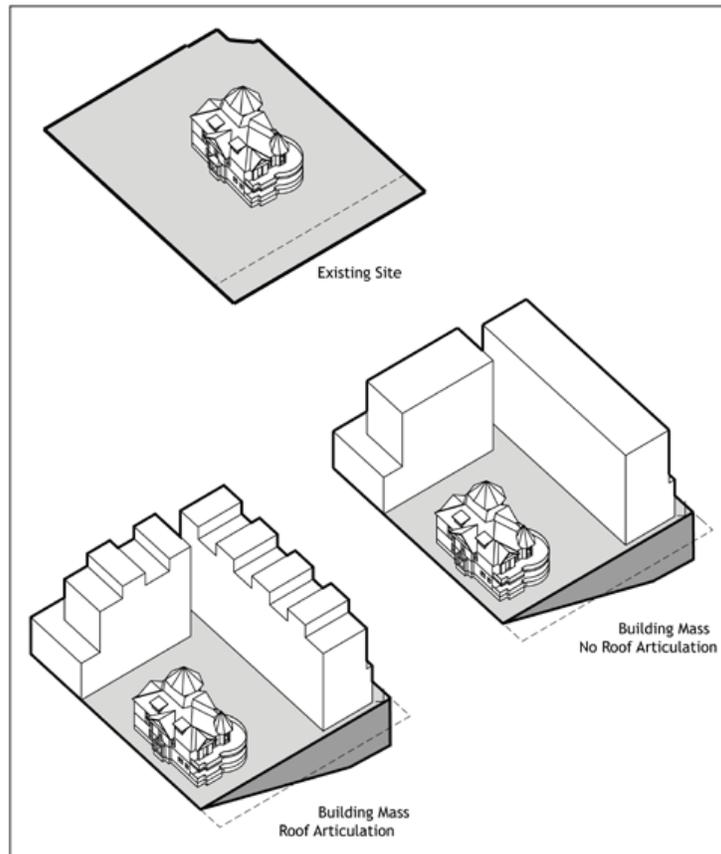
Flexibility with respect to adaptive reuse of the Nimmons Residence is appropriate. Residential, commercial or a mix of these uses may take place with flexibility in terms of the range, size and type of uses allowed. Complementary outdoor uses or ancillary outdoor activities associated with internal uses may also be appropriate.

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Additions to the Nimmons Residence may also be allowed, but are not proposed at this time. Any additions should be compliant with provisions set out within the Municipal Historic Resource Designation and Compensation Agreement and Municipal Historic Resource Designation Bylaw and deemed to be in keeping with The Standards and Guidelines for the Conservation of Historic Places in Canada by the Development Authority. Modification, alteration or repair of Non-Regulated Portions of the Nimmons Residence may also be allowed provided they do not negatively impact any Regulated Portions and all necessary permitting is obtained.

Relocation of the Nimmons Residence to an area within the southeast portion of the site is intended to create a developable area on the balance of the site for multi-residential or mixed-use development, as outlined in *Figure 3* below. Any additional onsite development should be of an intensity, built form and overall design that is responsive to the immediate setting and compatible with the Nimmons Residence and its uses.

Figure 3: Site development massing concept from Bankview ARP.



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Building Separation – On-Site Open Space

A minimum building separation distance between the Nimmons Residence and any additional on site development is required. The intent of this minimum building separation distance is to preserve the heritage character of the Nimmons Residence as a landmark building and site defining element by precluding certain structural forms of development in proximity to the Residence that could negatively affect its heritage character or the viability of various uses within the Residence. A range of outdoor oriented uses and programming may take place and are encouraged within the minimum building separation area including, but not limited to: hard or soft landscaping, outdoor amenity areas and outdoor spaces associated with various uses.

Historical Significance

The Nimmons Residence is a two-storey Victorian Queen Anne Revival style house built around 1898. The rectangular red-brick building has a hipped and cross-gable roof, asymmetrical facade, polygonal corner tower, broad wrap-around veranda and numerous small stained glass windows. The property exists at a prominent corner location at 14 Street SW and 19 Avenue SW.

The Nimmons Residence possesses symbolic value for its associations with Calgary's golden age of ranching (c1886-1906), an activity which was vital to the city's settlement. It is also significant for its association with its builders and first owners William Nimmons (c1826-1919) and wife Isabella (c1851-1936) who were important pioneer ranchers and contributors in Calgary's early development.

For the communities of Bankview and Richmond / Knob Hill, the Nimmons Residence holds particular symbolic importance as it was the first house in the area. In 1905, the surrounding lands were surveyed for Nimmons and later annexed in 1907 eventually becoming Bankview and part of Richmond/Knob Hill with Nimmons acting as a real estate agent for his lots.

Figure 4: Historic photographs of the Nimmons Residence – Glenbow Museum Archives

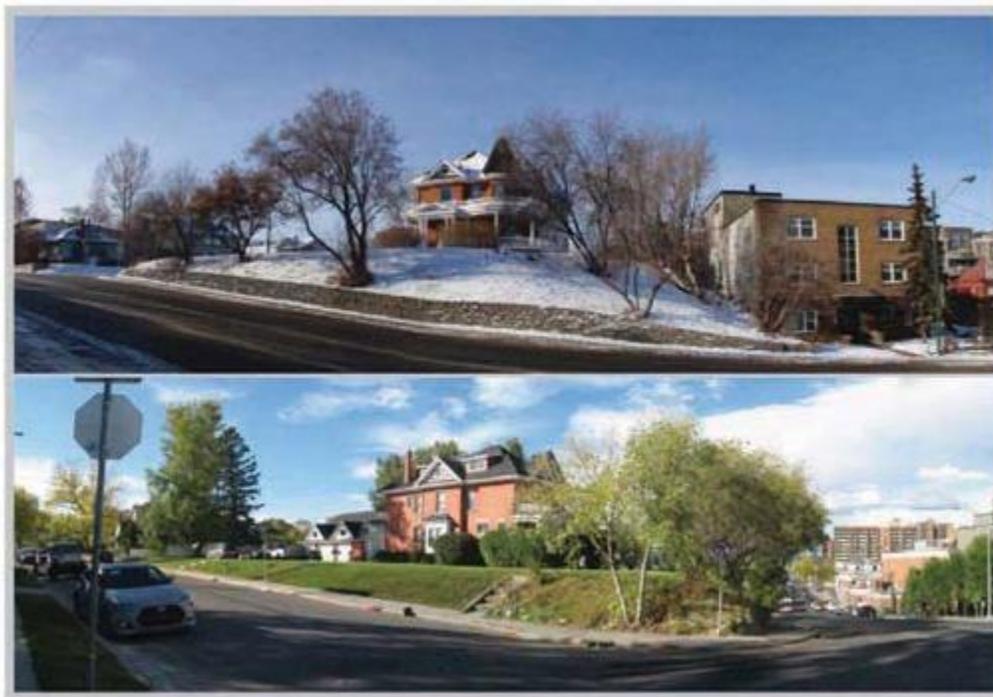


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Historical Context

The Nimmons Residence is situated centrally on the site with large setbacks from the adjacent parcels to the north and west and from 14 Street SW and 19 Avenue SW respectively, as shown in *Figure 5* below. A public lane with access to 17 Avenue SW abuts the northwest portion of the site. However, at this time, there is no vehicular access to or from the site to the lane due to significant on-site slope conditions on the northwest portion of the site.

Figure 5: Existing condition photographs of the Nimmons Residence site.



Historical Objective

To facilitate the preservation and legal protection (designation) of the Nimmons Residence as a Municipal Historic Resource by allowing for adaptive reuse of the Nimmons Residence with commercial or residential uses and multi-residential or mixed-use multi-residential and commercial development on the balance of the site.

Transportation

Site Access and Traffic

Vehicular access to the underground parkade is provided by a lane accessed from 17 Avenue SW. Pedestrian access to the Nimmons Residence is located off 14 Street SW, while the Multi-Residential Development has pedestrian access from both 14 Street SW and 19 Avenue SW.

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A combination of cycling facilities are provided at grade in front of and inside the main floor of the residential building. Existing transit stops are located approximately 150 metres to the northwest (Route 698) along 17 Avenue SW and approximately 100 metres south (Routes 7 and 22) along 14 Street SW.

Parking

The proposed parking ratios noted below are supportable by a parking study undertaken by the applicant. Administration has reviewed the study and considered the relaxations appropriate.

	Required	Provided
Residential (unit)	76	66
Residential (visitor)	9	9
Commercial	7	0
Office	1	0
Loading	1	0

Utilities and Servicing

Water, sanitary and storm water mains are available and can accommodate the proposed development of the application. A development site servicing plan will be required prior to release of this development permit.

Environmental

A Phase 1 Environmental Site Assessment report has been requested by Administration prior to release of the development permit.

Application Review

During the review of this file, Administration worked with the applicant to refine the proposal to align with planning policy and to ensure the development met high expectations for this prominent site. Notable examples include:

- Revisions to the façade materials, glazing and landscaping to respond to Administration and Urban Design Review Panel concerns.
- Revisions to the building design and site layout to improve pedestrian access and increase the useable area of the open space between the Nimmons Residence and the proposed multi-residential development.

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City Wide Urban Design

- The applicant responded positively over the course of the application to respond to City Wide Urban Design expectations and ensure the highest level of urban design quality addressing the topographical challenge and historical context of the site.
- Site design considerations were addressed by the applicant by creating an inviting residential entry realm with safe and comfortable walkways to the east and south side, combined with future commercial retail uses in the relocated Nimmons Residence.
- The applicant responded positively to various comments regarding the materials on the south and east elevations to reduce the visual conflict and further enhance the prominence of the Nimmons Residence.
- The resulting massing, landscaping and material changes to the proposed development combined fulfil the City Wide Urban Design expectations for this site.

Urban Design Review Panel (UDRP)

This development permit was presented to the UDRP on 2019 April 17. The UDRP recommended further review of the Development Permit, which was conducted by Community Planning, City Wide Urban Design and Heritage Planning staff. The comments from UDRP together with the applicant's response to UDRP are contained in full in Attachment 4.

Changes were made to the façade materials, glazing, building separation, pedestrian access locations and landscaping treatment along 14 Street SW, as a result Administration is satisfied that the plans attached adequately address comments of UDRP.

Heritage Planning

The applicant also worked with Administration to amend the existing legal agreement between the landowner and City to ensure the continued preservation of the Nimmons Residence and better alignment with the existing Direct Control District and proposed development permit site design and building separation.

Stakeholder Engagement, Research and Communication

In keeping with standard practice, this development permit was circulated to the Bankview Community Association (CA) and Ward Councillor in 2019 August and again in 2019 December. No comments were received from the CA and the Ward Councillor's office responded with no specific comments on the application.

The applicant met with the Bankview CA several times during the application process and held a formal open house in 2019 May 11. It was advertised on the Bankview CA website and approximately 80 flyers were dropped off at the surrounding houses to advertise the applicant-led outreach opportunity.

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Strategic Alignment

Administration considered the proposal against relevant planning policies listed below and found the proposal to be acceptable.

South Saskatchewan Regional Plan (2014)

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 efficient use of land.

Interim Growth Plan (2018)

The recommendation aligns with the policy direction of the [Interim Growth Plan](#) (IGP). This development permit builds on the principles of the IGP by means of promoting efficient use of land and establishing strong sustainable communities.

Municipal Development Plan (Statutory – 2009)

The subject site is identified as part of a Neighbourhood Main Street on Map 1: Urban Structure in the [Municipal Development Plan](#) (MDP). The applicable *MDP* policies encourage a strong social function and typically support a mix of uses within a pedestrian-friendly environment, which serves the local population base.

The subject site is also located along the Primary Transit Network. The *MDP* notes that sites within the Inner City area may intensify, particularly in transition zones adjacent to areas designated for higher density (i.e., Main Streets), and encourages the expansion of local commercial development in close proximity to residents. The proposal is in keeping with the relevant *MDP* policies.

Bankview Area Redevelopment Plan (Statutory – 1981)

The subject site falls in the Nimmons Residence Site of the [Bankview Area Redevelopment Plan](#) (ARP), which is characterised by a host of preservation, protection, relocation, redevelopment and site design policies for the existing Municipally Designated Historic Resource.

This development permit aligns with the objectives and intent of the relevant policy section 3.3.1, in particular by:

- preserving and relocating the Nimmons Residence to a prominent location on the SE corner of the subject site in closer proximity to the public realm along 14 Street SW and 19 Avenue SW;
- providing a range of outdoor oriented uses and programming within the established building separation area, including hard and soft landscaping and a common outdoor

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amenity space between the relocated Nimmons Residence and proposed multi-residential development; and

- promoting adaptive reuse of the Nimmons Residence through utilisation as a commercial retail purpose.

Social, Environmental, Economic (External)

There are no social, environmental or economic issues or risks relevant to this development permit.

Financial Capacity

Current and Future Operating Budget

There are no known impacts to the current and future operating budgets.

Current and Future Capital Budget

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

Risk Assessment

There are no significant risks to the City of Calgary associated with this proposal.

REASON(S) FOR RECOMMENDATION(S):

This development permit aligns with the statutory policy contained in the *Bankview Area Redevelopment Plan*, Land Use Bylaw 1P2007 and the DC Direct Control District (Bylaw 176D2015). The proposal also provides a quality mixed use development that preserves the unique heritage significance of the Nimmons Residence and includes design and materials that represent a fitting response to this visible and significant location.

ATTACHMENT(S)

1. Applicant Submission
2. Conditions of Approval
3. Development Permit Plans
4. Urban Design Review Panel Comments with Applicant Response