

LAND USE AMENDMENT
MANCHESTER (WARD 9)
56 AVENUE SW AND 2 STREET SW
BYLAW 262D2017

MAP 34S

EXECUTIVE SUMMARY

This land use redesignation is to allow for Child Care Service as an additional discretionary use on a developed City owned parcel in Manchester. In order to incorporate this additional use, it is necessary to update the site's existing DC land use districts that are based on former Land Use Bylaw 2P80's RM-7 high density multi-residential district with support commercial uses and reduced motor vehicle parking allowances to a land use district based on Land Use Bylaw 1P2007 (1P2007).

An equivalent direct control district based on 1P2007's Multi-Residential – High Density Medium Rise (M-H2) District is proposed with additional provisions to eliminate minimum unit density requirements in favour of minimum and maximum floor area ratio requirements.

PREVIOUS COUNCIL DIRECTION

This application is in response to Notice of Motion (NM2016-11) to 'Allow for the Discretionary Use of 'Child Care Services' in City of Calgary Owned Buildings.' This application fulfills specific Administrative direction to bring forward a replacement Direct Control District to Bylaw 28Z2003 to include 'Child Care Services' as a discretionary use within the Lumino building at 5717 - 2 Street SW. This Notice of Motion was initiated by Councillor Carra and Councillor Pincott and was adopted by Council at a regular meeting of Council on 2016 March 14. See APPENDIX III for the Notice of Motion and Council's adoption decision.

ADMINISTRATION RECOMMENDATION(S)

2017 June 15

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 262D2017; and

1. **ADOPT** the proposed redesignation of 0.67 hectares \pm (1.65 acres \pm) located at 5717 – 2 Street SW (Plan 1211656, Block 27, Lot 44) from DC Direct Control District **to** DC Direct Control District to accommodate the additional use of child care service, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 262D2017.

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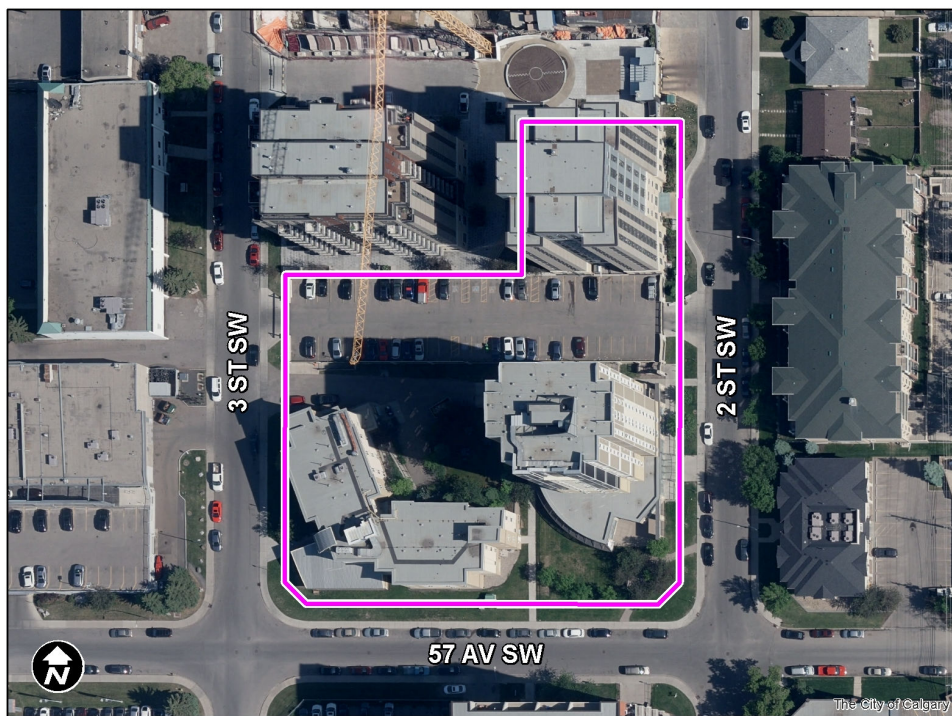
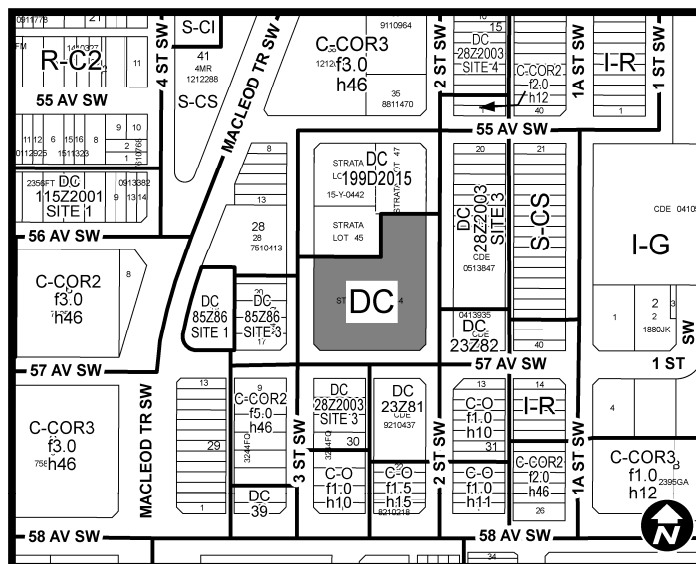
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REASON(S) FOR RECOMMENDATION:

This land use proposal is consistent with the original redevelopment vision for this area and the existing land use districts that govern the site. The proposal is in keeping with applicable municipal policies including the Municipal Development Plan, Manchester Area Redevelopment Plan (ARP) and City of Calgary Transit Oriented Guidelines. It will allow for Child Care Service uses, which are considered to be an integral component of complete communities, to be considered throughout the site.

ATTACHMENT

1. Proposed Bylaw 262D2017

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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.67 hectares \pm (1.65 acres \pm) located at 5717 – 2 Street SW (Plan 1211656, Block 27, Lot 44) from DC Direct Control District **to** DC Direct Control District to accommodate the additional use of child care service with guidelines (APPENDIX II).

Moved by: C. Friesen
Absent: L. Juan

Carried: 6 – 0

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Applicant:

The City of Calgary

Landowner:

The City of Calgary

PLANNING EVALUATION

SITE CONTEXT

The subject site, which forms a portion of the larger block bounded by 55 Avenue SW to the north, 3 Street SW to the west, 57 Avenue SW to the south and 2 Street SW to the east was redesignated in 2003 as part of the former Manchester School site redevelopment plan. That plan called for redevelopment of the entire block with a range of medium to high density multi-residential developments with opportunities for mixed-use development with locally oriented commercial uses.

Four of the buildings on the block have been completed, and a fifth building is currently under construction. The subject site, which is a City owned parcel, includes the entire southern portion of the block as well as a portion of the block adjacent to 2 Street SW where the Lumino Building is located. There are three (3) buildings on the subject site, including the Lumino Building and Manchester Tower which are fourteen (14) storey residential buildings and a three (3) storey assisted living facility for senior citizens named Peter Coyle Place. The Lumino Building and Manchester Tower are operated by the Calgary Housing Company as affordable housing buildings and Peter Coyle Place is operated by Trinity Place Foundation. A two level structured parkade also exists on the site that is shared by these facilities.

The following table identifies Manchester's current and peak population by year and any difference in population expressed as a percentage.

Manchester	
Peak Population Year	2014
Peak Population	1,332
2016 Current Population	1,013
Difference in Population (Number)	-319
Difference in Population (Percent)	-24%

LAND USE DISTRICTS

The Lumino Building is governed by Bylaw 28Z2003 (Site 2), which is a DC land use district based on Land Use Bylaw 2P80's RM-7 Residential High Density Multi-Dwelling District with additional discretionary commercial uses allowed within multi-residential buildings. These additional commercial uses include grocery stores, offices, outdoor cafes, personal service businesses, restaurants, drinking establishments and retail stores all with a maximum individual

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size limit of 75 square metres. The DC district also contains guidelines for landscaping of amenity spaces, minimum and maximum unit density and size requirements and specific motor vehicle parking stall provisions. The motor vehicle parking provisions include a zero (0) parking stall requirement for units equal to and less than 37.16 square metres (400.0 square feet) in size and a fifty (50) percent parking reduction for commercial uses. The DC allows for a maximum building height of 17 storeys not exceeding 46 metres.

The southern portion of the block which includes Manchester Tower and Peter Coyle Place is governed by Bylaw 71Z2003, which is almost identical to Bylaw 28Z2003 with the exception being different allowances for smaller dwelling units (e.g. 50 percent of the units may be ≤ 37.16 square metres as opposed to 25 percent of the units in 28Z2003) and the inclusion of two additional discretionary uses 'assisted living accommodation' and 'special care facilities' which were omitted as an oversight when Bylaw 28Z003 was adopted.

In consideration of the Notice of Motion (NM2016-011) and the Lumino Building's location on a portion of a larger City owned parcel with similar land use and other Calgary Housing Company facilities; Administration determined that it would be strategic to redesignate the entire City owned parcel rather than only a smaller area surrounding the Lumino Building. This will allow for a Child Care Service use to be considered across the entire site while also providing the opportunity for the site to be updated to a land use district based on 1P2007.

The proposed DC district is based on 1P2007's Multi-Residential – High Density Medium Rise (M-H2) District and is generally equivalent to the existing direct control districts in terms of the allowable uses, maximum building height and motor vehicle parking provisions.

However, in recognition of the current and future use of the site for affordable housing purposes, the DC district proposes the use of a minimum floor area of 2.0 and a maximum floor area of 5.0 to measure density in lieu of the M-H2 District's minimum unit density requirement of 150 units per hectare. The use of floor area as a measurement of development intensity in lieu of minimum unit density will allow for added capacity to consider housing typologies that do not as readily meet 1P2007's dwelling unit definition. This may include affordable housing with studio style units and/or housing accommodations with private sleeping quarters and common kitchens and/or bathroom facilities. Use of this floor area ratio approach has been utilized for other affordable housing oriented developments, including on the northern portion of the block which was redesignated in 2015 (Bylaw 199D2015).

LEGISLATION & POLICY

South Saskatchewan Regional Plan (SSRP) (2014)

The recommendation by Administration in this report has considered and is aligned with the policy direction of the South Saskatchewan Regional Plan (SSRP).

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Municipal Development Plan (MDP) (2009)

The MDP identifies this area as a Major Activity Centre (MDP Map 1: Urban Structure). Major Activity Centres (MACs) are intended to provide for the highest concentration of jobs and population outside of Centre City area. In addition to achieving higher concentrations of jobs and population, the design and character of MACs must also create a high-quality environment that features amenities for a comfortable street environment with opportunities for people to work, live, shop, recreate, be entertained and meet their daily needs. MACs should contain a broad range of medium and high density housing opportunities and a mix of housing tenure and affordability levels to accommodate a diverse range and age population. Local Area Plans for these areas should provide for a minimum intensity threshold of 200 people and jobs per gross developable hectare.

Manchester Area Redevelopment Plan (ARP) (2003)

The Manchester ARP identifies this site within a medium to high density residential area (ARP Map 3, Land Use Policy) with densities that may range between 148 to 395 units per hectare. The ARP identifies apartments, apartment – hotels, grocery stores, home occupations, offices, personal service businesses, retail stores, restaurants/drinking establishments, stacked townhouses and townhouses as allowable uses within this area. The proposed land use redesignation complies with the ARP vision for this area.

Transit Oriented Development Policy Guidelines (TOD) (2004)

The site is located slightly beyond a 600 metre radius from the Chinook Station LRT platform. A 600 metre radial distance from an LRT station platform is generally considered to be the peripheral boundary for transit oriented development planning around station areas. However, it is also appropriate to extend station areas beyond a 600 metre radius where lands outside the radius share specific station area characteristics, are not physically separated from the station, have direct pedestrian connectivity, and could accommodate transit-supportive land uses. As this site contains these abovementioned characteristics, TOD guidelines are applicable. The land use proposal is in keeping with TOD guidelines by allowing for a range of transit supportive land uses on site with opportunities for mixed-use development with residential, employment and supporting retail and service uses including child care facilities.

Child Care Service Policy and Development Guidelines (Adopted by Resolution by Council 2009)

Council's Child Care Service Policy and Development Guidelines are primarily geared toward implementation level guidelines for the development stage; however, as the primary purpose of this redesignation is to allow for Child Care Service as an additional use, the Guidelines were reviewed to assess their future applicability. The Guidelines are supportive of Child Care Service uses in multi-residential, commercial and Transit Oriented Development areas and identify that parking relaxations for motor vehicle parking within transit oriented development areas may be appropriate where access to the Child Care Service does not rely primarily on motor vehicles.

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TRANSPORTATION NETWORKS

The site is slightly beyond 600 metres from the Chinook LRT Station. The nearest bus stops are located along Macleod Trail S in both northbound and southbound directions within approximately 100 metres of the site. Vehicular access to the site's parkade and loading zones are obtained from access points on 2 Street SW and 3 Street SW respectively.

A parking study in relation to a proposed Child Care Service use within the Lumino Building was reviewed in conjunction with this application and will be utilised to inform motor vehicle parking provision at the development permit stage.

UTILITIES & SERVICING

Site services for utilities are available. Any additional upgrades to site servicing will be reviewed at the development permit stage and be to the satisfaction of Development Engineering.

ENVIRONMENTAL ISSUES

An Environmental Site Assessment was not required.

GROWTH MANAGEMENT

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

PUBLIC ENGAGEMENT

Community Association Comments

Not required as there is no Community Association in this area.

Citizen Comments

No comments received by CPC Report submission date.

Public Meetings

There were no public meetings associated with this proposal.

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APPENDIX I

APPLICANT'S SUBMISSION

This land use redesignation application is in response to a City of Calgary, Council Notice of Motion on 2016 March 3, brought forth by Councillors Carra and Pincott to "direct Administration to bring forward a replacement Direct Control District to Bylaw #28Z2003 to include "Child Care Services" as a Discretionary Use" for The City of Calgary's Lumino building.

The City of Calgary's Lumino Building was developed by Kanas Construction in 2013 and is an 88-unit affordable housing development with various rent levels. It is in The City's Partnership Portfolio and managed by Calgary Housing Company.

In response to the notice of motion, a land use redesignation is required to allow for a child care service use and as the existing DC land use district governing the site is based on the former land use bylaw 2P80, a comprehensive redesignation is required to bring the building site in compliance with the current 1P2007 land use bylaw.

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APPENDIX II

PROPOSED DIRECT CONTROL GUIDELINES

Purpose

- 1 This Direct Control District is intended to:
- (a) allow for **Multi-Residential Development** with a minimum and maximum ***floor area ratio***;
 - (b) allow for support ***commercial multi-residential uses***; and
 - (c) allow for **Assisted Living, Residential Care** and **Child Care Service**.

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 – High Density Medium Rise (M-H2) District of Bylaw 1P2007 are the ***permitted uses*** in this Direct Control District.

Discretionary Uses

- 5 The ***discretionary uses*** of the Multi-Residential – High Density Medium Rise (M-H2) District of Bylaw 1P2007 are the ***discretionary uses*** in this Direct Control District.

Bylaw 1P2007 District Rules

- 6 Unless otherwise specified, the rules of the Multi-Residential – High Density Medium Rise (M-H2) District of Bylaw 1P2007 apply in this Direct Control District.

Floor Area Ratio

- 7 (1) The minimum ***floor area ratio*** is 2.0.
- (2) The maximum ***floor area ratio*** is 5.0.

Density

- 8 (1) There is no minimum ***density***.
- (2) There is no maximum ***density***.

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Rules for Commercial Multi-Residential Uses

- 9 (1) Unless otherwise referenced in subsection (2), **commercial multi-residential uses** must:
- (a) be contained completely within the **building**;
 - (b) be located on the floor closest to **grade** of a **main residential building**; and
 - (c) not share a hallway with **Dwelling Units**.
- (2) A **Counselling Service, Information and Service Provider, Office** or **Service Organization** may be located on the second **storey** of the **main residential building** provided they:
- (a) are contained completely within the **building**; and
 - (b) do not share a hallway with **Dwelling Units**.
- (3) The maximum **use area** for each **commercial multi-residential use** is 75.0 square metres.
- (4) Parking areas for **commercial multi-residential uses** must:
- (a) be separated from residential parking areas; and
 - (b) be located a minimum distance of 5.0 metres from a **parcel** designated as a **low density residential district** in the case of a surface parking area.

Motor Vehicle Parking Stalls

- 10 (1) For **commercial multi-residential uses**, the **motor vehicle parking stall** requirements in Part 4 of Bylaw 1P2007 may be relaxed by 50.0 per cent.
- (2) For a **building** that contains three or more **units** with shared entrance facilities in a **Multi-Residential Development** and **Multi-Residential Development – Minor**, the **minimum motor vehicle parking stall** requirement for each **Dwelling Unit** and **Live Work Unit** is 1.0 stall.
- (3) Notwithstanding subsection (2) **motor vehicle parking stalls** are not required for **Dwelling Units** that are 37.16 square metres or less in area. Up to a maximum of 50.0 per cent of the **units** on a site may be 37.16 square metres in area or less.

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- (4) The ***Development Authority*** may consider relaxation of the required ***motor vehicle parking stalls*** for a ***development*** where a parking study submitted as part of a ***development permit*** application demonstrates that the ***motor vehicle parking stalls*** requirement should vary from the requirement of this Direct Control District, and the test for relaxations as set out in Bylaw 1P2007 is met.

Development Authority – Power and Duties for Relaxations


- 11 The ***Development Authority*** may relax the rules in sections 7, 9 and 10 of this Direct Control District provided the test for relaxations as set out in Bylaw 1P2007 is met.

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APPENDIX III

Council Notice of Motion NM2016-11

 THE CITY OF
CALGARY
CITY CLERK'S OFFICE

RECEIVED
NM2016-11
2016 MAR -3 AM 10:00 AM
THE CITY OF CALGARY
CITY CLERK'S

3/3/2016

NOTICE OF MOTION
CC 661 (R2009-05)

MOTION TO ALLOW FOR THE DISCRETIONARY USE OF 'CHILD CARE SERVICES'
IN CITY OF CALGARY OWNED BUILDINGS

COUNCILLOR GIAN-CARLO CARRA AND COUNCILLOR BRIAN PINCOTT

WHEREAS child care services are vital to developing a city of inspiring neighbourhoods;

AND WHEREAS the City of Calgary does not have enough accessible and affordable child care spaces to accommodate the needs of its citizens;

AND WHEREAS access to affordable child care services can have positive economic effects on families, particularly single-family and low-income households;


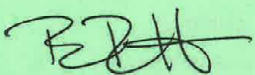
AND WHEREAS access to affordable child care services can have significant impacts on children's early development;

AND WHEREAS municipalities have an important role to play in promoting the development of child care services through the land use bylaw;

AND WHEREAS the Lumino building at 5717 2 Street SW has undeveloped units that were intended to be leased to child care service providers;

NOW THEREFORE BE IT RESOLVED that Council direct Administration to bring forward a replacement Direct Control District to Bylaw #28Z2003 to include 'Child Care Services' as a Discretionary Use;

AND FURTHER BE IT RESOLVED that Administration prepare a report summarizing the potential to allow for all future City of Calgary buildings to include spaces that allow for 'Child Care Services' and the feasibility of allowing current City of Calgary buildings to incorporate 'Child Care Services' under Discretionary Use.

Signature of Member(s) of Council

ISC: Protected

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9.1.1 MOTION TO ALLOW FOR THE DISCRETIONARY USE OF 'CHILD CARE SERVICES' IN CITY OF CALGARY OWNED BUILDINGS (COUNCILLOR CARRA AND COUNCILLOR PINCOTT), NM2016-11

ADOPT, Moved by Councillor Carra, Seconded by Councillor Pincott, that Councillors Carra and Pincott's Motion, NM2016-11 be adopted in part, as follows:

NOW THEREFORE BE IT RESOLVED that Council direct Administration to bring forward a replacement Direct Control District to Bylaw #28Z2003 to include 'Child Care Services' as a Discretionary Use;

ROLL CALL VOTE

For:

B. Pincott, R. Pootmans, W. Sutherland, E. Woolley, G-C. Carra, D. Colley-Urquhart, P. Demong, D. Farrell, R. Jones, S. Keating, N. Nenshi

Against:

J. Stevenson, A. Chabot, S. Chu, J. Magliocca

CARRIED

ADOPT, Moved by Councillor Carra, Seconded by Councillor Pincott, that Councillors Carra and Pincott's Motion, NM2016-11 be adopted in part, as follows:

AND FURTHER BE IT RESOLVED that Administration prepare a report summarizing the potential to allow for all future City of Calgary buildings to include spaces that allow for 'Child Care Services' and the feasibility of allowing current City of Calgary buildings to incorporate 'Child Care Services' under Discretionary Use.

ROLL CALL VOTE

For:

G-C. Carra, A. Chabot, D. Colley-Urquhart, P. Demong, D. Farrell, R. Jones, S. Keating, B. Pincott, R. Pootmans, W. Sutherland, E. Woolley, N. Nenshi

Against:

S. Chu, J. Magliocca, J. Stevenson

CARRIED