

**POLICY AMENDMENT AND LAND USE AMENDMENT
CAPITOL HILL (WARD 7)
20 AVENUE NW AND 15 STREET NW
BYLAWS 43P2017 AND 268D2017**

MAP 29C

EXECUTIVE SUMMARY

This application proposes to redesignate two separate parcels of land in the community of Capitol Hill from Residential – Contextual One / Two Dwelling (R-C2) District and Commercial – Office f1.0h10 (C-O f1.0h10) District to Commercial – Neighbourhood 1 (C-N1) District. The intent of the application is to allow for:

- the expansion of an existing Medical Clinic and associated parking lot; and
- future redevelopment of the site under the proposed C-N1 land use district.

An amendment to the North Hill Area Redevelopment is required to accommodate the proposed redesignation. No development permit has been submitted at this time.

PREVIOUS COUNCIL DIRECTION

None.

ADMINISTRATION RECOMMENDATION(S)

2017 June 15

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

RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION

That Council hold a Public Hearing on Bylaws 43P2017 and 268D2017; and

1. **ADOPT** the proposed amendments to the North Hill Area Redevelopment Plan, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 43P2017.
3. **ADOPT** the proposed redesignation of 0.11 hectares ± (0.27 acres ±) located at 1603 and 1607 – 20 Avenue NW (Plan 2864AF, Block 13, Lots 37 to 40) from Residential – Contextual One / Two Dwelling (R-C2) District and Commercial – Office f1.0h10 (C-O f1.0h10) District **to** Commercial – Neighbourhood 1 (C-N1) District, in accordance with Administration's recommendation; and
4. Give three readings to the proposed Bylaw 268D2017.

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REASON(S) FOR RECOMMENDATION:

The application conforms to Inner City policies of the Municipal Development Plan and is in keeping with the objectives and policies of the Capitol Hill portion of the North Hill Area Redevelopment Plan as amended. The proposal allows for expansion of commercial uses within a building form that has an ability to be compatible with the scale of the surrounding development.

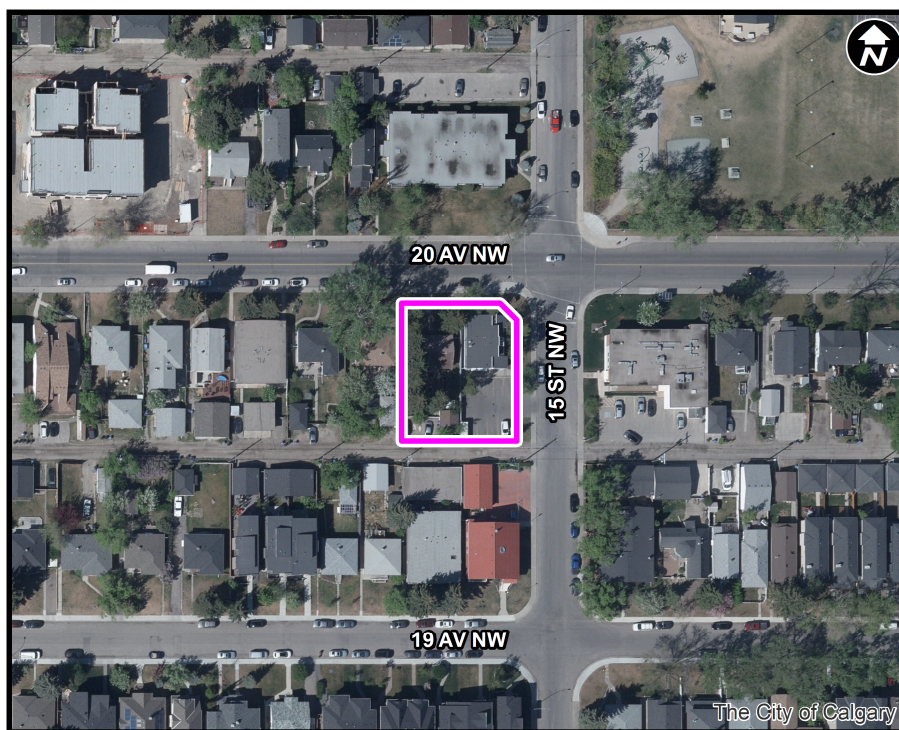
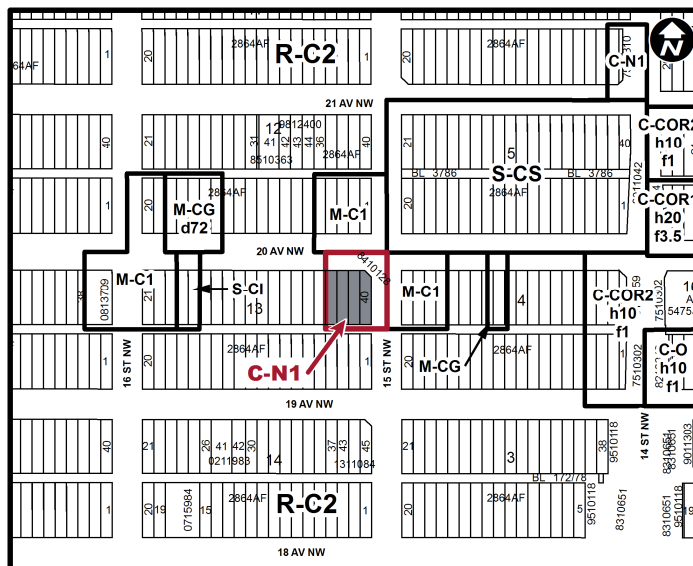
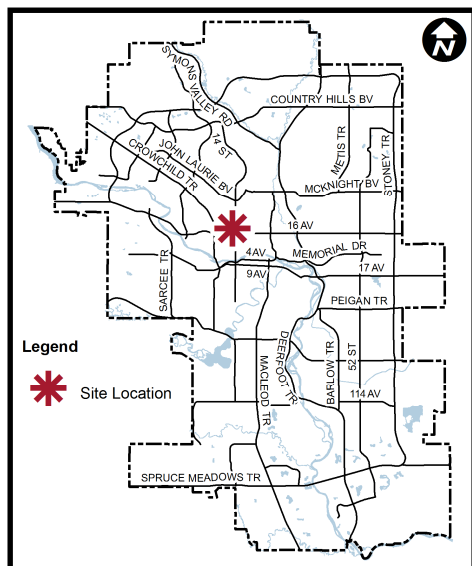
ATTACHMENTS

1. Proposed Bylaw 43P2017
2. Proposed Bylaw 268D2017

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LOCATION MAPS



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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

1. Recommend that Council **ADOPT**, by bylaw, the proposed amendments to the North Hill Area Redevelopment Plan (APPENDIX II).

Moved by: R. Wright

Carried: 6 – 0

Absent: Ms. Juan left the room due to a pecuniary conflict of interest and did not take part in the discussion or voting.

2. Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.11 hectares \pm (0.27 acres \pm) located at 1603 and 1607 – 20 Avenue NW (Plan 2864AF, Block 13, Lots 37 to 40) from Residential – Contextual One / Two Dwelling (R-C2) District and Commercial – Office f1.0h10 (C-O f1.0h10) District **to** Commercial – Neighbourhood 1 (C-N1) District.

Moved by: R. Wright

Carried: 6 – 0

Absent: Ms. Juan left the room due to a pecuniary conflict of interest and did not take part in the discussion or voting.

Reasons for Approval from Mr. Wright:

- The engagement process of the Applicant and Consultant sets the scale for community engagement and openness with the community. Congratulations to all.

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Applicant:

LMJ Consultants

Landowner:

1810570 Alberta Ltd (Kevin J Toth)

PLANNING EVALUATION

SITE CONTEXT

The subject site is located at the corner of 20 Avenue and 15 Street NW in the community of Capitol Hill. The surrounding area includes a wide range of land uses and development types. The Capitol Hill Park is located immediately to the northeast. Commercial developments including a variety of uses are located to the west along 14 Street NW. Along 20 Avenue NW, which is one of the main east-west connections in the community, a mix of single and semi-detached homes as well as multi-residential developments are located.

The subject site consists of two separate titled parcels of land with a combined size of 0.11 hectares. The eastern portion of the site (1603 - 20 Avenue NW) is developed with a one-storey Medical Clinic and surface parking lot. This portion of the site is accessed from 15 Street NW. The western portion of the site (1607 - 20 Avenue NW) is developed with a one storey Single Detached Dwelling accessed from the rear lane. A row of mature trees exists along the western edge of the site.

The community of Capitol Hill has seen population growth over the last several years. In 2016, Capitol Hill reached just over 4,500 residents which represents the community's historical population peak.

Capitol Hill	
Peak Population Year	2016
Peak Population	4,571
2016 Current Population	4,571
Difference in Population (Number)	0
Difference in Population (Percent)	0%

LAND USE DISTRICTS

The existing land use on the eastern portion of the site (1603 - 20 Avenue NW) is a Commercial – Office (C-Of1.0h10) District which allows for a maximum height of 10 metres and floor area ratio (FAR) of 1.0. The C-O designation is primarily intended to accommodate office developments and does not allow for dwelling units. The western portion of the site (1607 - 20 Avenue NW) is currently designated as Residential – One/Two Dwelling (R-C2) District which allows for a maximum of two dwelling units and up to 10 metres in height.

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The proposed Commercial – Neighbourhood 1 (C-N1) District is intended to allow for small scale commercial buildings that are in keeping with nearby residential development. In that regard, the proposed C-N1 district has the same maximum building height (10 metres) and FAR (1.0) as the existing C-O district. Given the size of the subject site the recommended C-N1 district would allow for approximately 1,100 square metres of building floor area. Residential uses are allowed on upper floors of buildings within the C-N1 district (see Figure 1 below for additional information).

Figure 1

Location	District	Dwelling Units	Building Height	Floor area/density	Building area
1603 - 20 AV NW	C-Of1.0h10	No	10m	1.0 FAR	~540 m ²
1607 - 20 AV NW	R-C2	Yes	10m	2 dwelling units	N/A
1603 & 1607 - 20 AV NW	C-N1	Yes	10m	1.0 FAR, including dwelling units on upper floor	~1,100 m²

While no development permit application has been submitted at this time, the applicant indicated their intent to re-use the existing building at 1607 - 20 Avenue NW to expand the existing Medical Clinic use. The additional land will provide opportunities to expand the parking area and amenities associated with the existing Medical Clinic.

LEGISLATION & POLICY

South Saskatchewan Regional Plan

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

Municipal Development Plan (2008)

The site is located in the Residential - Developed - Inner City area as identified on Map 1 of the Municipal Development Plan (MDP). The Developed Residential Area supports the revitalization of local communities by adding a mix of commercial and service uses. The Inner City policies of the MDP encourage the maintenance and expansion of local commercial development in close proximity to residents, especially in high density locations. The proposal generally aligns with these MDP principles.

North Hill Area Redevelopment Plan (2000)

The portion of the site that is currently designated as C-O is located in the 'Local Commercial' area as identified on Map 4 of the Capitol Hill portion of the North Hill Area Redevelopment Plan (ARP). The proposed redesignation of this portion of the site, complies with the ARP.

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The R-C2 portion of the site is identified on Map 4 of the ARP as 'Low Density Rowhouse'. As such, minor amendments to the ARP are required to allow for the expansion of a local commercial land use onto the adjacent residential parcel, as proposed by this application. Although the proposed redesignation of the R-C2 parcel to C-N1 is beyond the scope of the current land use classification of the ARP, the proposal is supported for the following reasons:

- The proposed C-N1 allows for residential uses to occur on the upper floors of buildings that contain commercial uses. The opportunity to provide residential uses on site is consistent with the ARP which encourages mixed-use residential/commercial developments at all commercial locations;
- The proposal is supported by the general objectives of the ARP which encourage commercial developments at appropriate locations to provide additional services within the community.
- The C-N1 district is intended to allow for buildings that are in keeping with the scale of nearby residential areas, thus enabling compatibility with the residential parcels to the west (subject to a City-initiated redesignation from R-C2 to R-CG);
- The C-N1 district allows for small-scale commercial development, characterized by buildings that are close to each other, the street and public sidewalk, and where storefront commercial buildings are typically oriented towards the street. This form of development would support the ARP's Transportation policy (9.5.2) which specifically states that 20 Avenue should be more pedestrian friendly.

The ARP's 'Future Land Use Policy', 'Commercial Areas' and 'Building Height' maps are being amended to reflect the proposed C-N1 land use district (see APPENDIX II).

TRANSPORTATION NETWORKS

A Transportation Impact Assessment was not required for this application.

Public transit is available along 20 Avenue NW and 14 Street NW both of which are serviced with a number of bus routes. Pedestrian access to the site is available via existing sidewalks available along both sides of the street.

While 1607 - 20 Avenue NW is accessed from the rear lane, vehicular access to 1603 - 20 Avenue NW is currently provided off 15 Street NW. Site and access will be reviewed and determined at the development permit stage, however, it is anticipated that upon redevelopment of the site, existing access off 15 Street NW may be closed and vehicular access may be restricted to and from the rear lane.

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UTILITIES & SERVICING

Sanitary and water connections are available to service the subject site without any required upgrades at this time. Extensions to a stormwater connection may be required at the development permit stage. Such extensions would occur at the developer's expense. The applicant has been made aware of the situation and is willing to proceed knowingly on that basis.

ENVIRONMENTAL ISSUES

An Environmental Site Assessment was not required for this application.

GROWTH MANAGEMENT

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

PUBLIC ENGAGEMENT

Community Association Comments

The Capitol Hill Community Association indicated their support for the proposal (See APPENDIX III).

Citizen Comments

One letter was received noting general comments and concerns regarding the existing rear lane.

Public Meetings

The applicant and Administration met and discussed this project with the members of the Capitol Hill Community Association on two separate occasions.

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APPENDIX I

APPLICANT'S SUBMISSION

The intention of the proposed land-use redesignation is to extend operations and the parking lot for the current Wellness Studio Chiropractic and Massage Clinic. More parking at the rear of the building will accommodate the current operations as well as the expansion of the clinic. Currently, there are parking constraints due to the limited daily parking on 20th AV and 15th ST caused mainly by SAIT students.

The owner of the property has lived in the Mount Pleasant neighbourhood for 12 years, and has operated his business in the area for a total of 11 years (2 years being in Capitol Hill and 9 years down the street in Banff Trail). He plans to redevelop the two parcels eventually but will just be doing minor work to expand the parking lot and some landscaping.

A meeting was held with the Capitol Hill Community Associations, Development Committee on March 1, 2017. We received no objections and support for the redesignation.

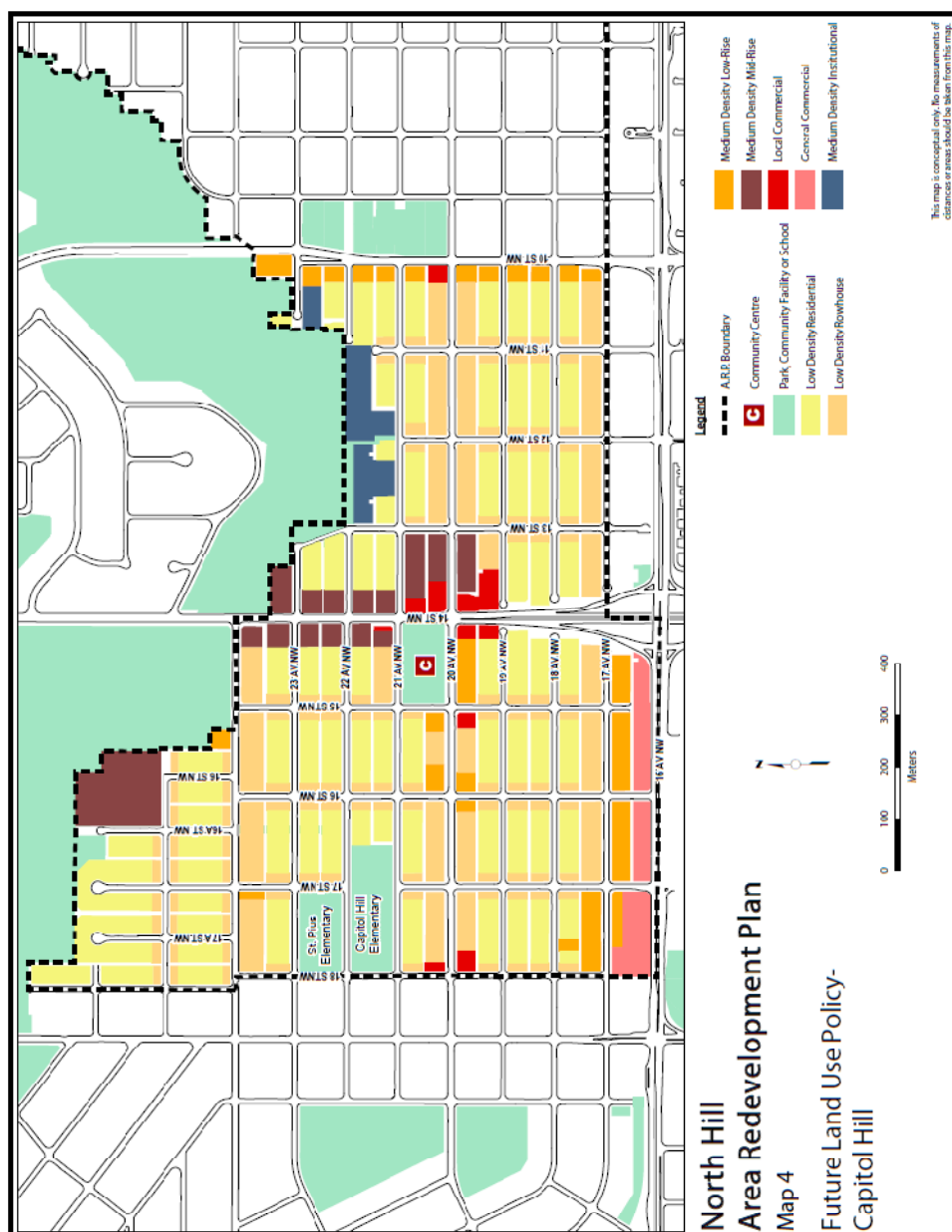
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APPENDIX II

PROPOSED AMENDMENTS TO THE NORTH HILL AREA REDEVELOPMENT PLAN

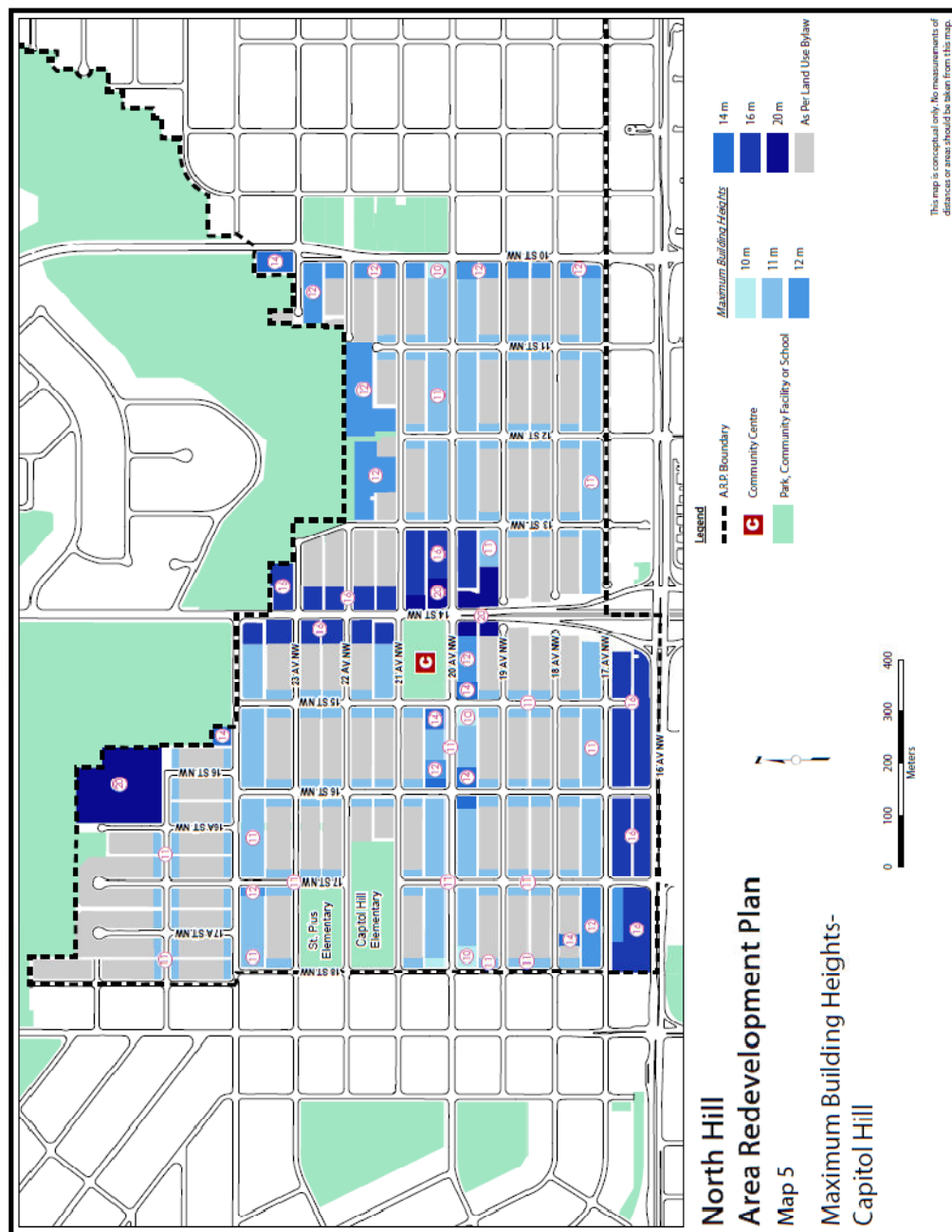
- (a) Delete the existing Map 4 entitled “Future Land Use Policy – Capitol Hill” and replace with the revised Map 4 entitled “Future Land Use Policy – Capitol Hill”, as follows:



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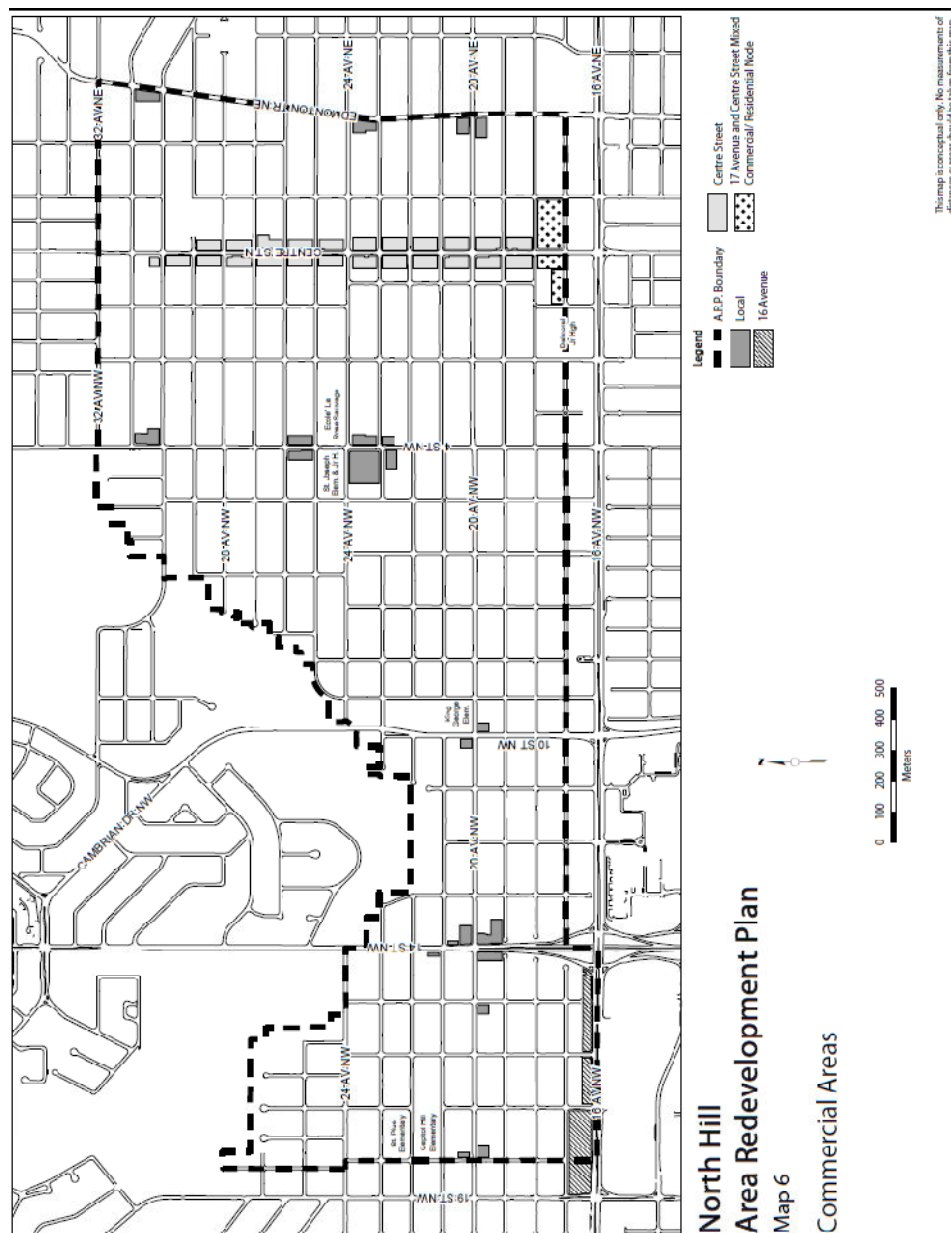
- (b) Delete the existing Map 5 entitled “Maximum Building Heights – Capitol Hill” and replace with the revised Map 5 entitled “Maximum Building Heights – Capitol Hill”, as follows:



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- (c) Delete the existing Map 6 entitled “Commercial Areas” and replace with the revised Map 6 entitled “Commercial - Areas”, as follows:



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APPENDIX III

LETTERS SUBMITTED

April 5, 2017

Joan Hearn File
Manager City of
Calgary
Planning and Development PO
Box 2100 Station M Calgary AB
T2P 2M5
Email: joan.hearn@calgary.ca

Dear Ms. Hearn,

RE: LOC 2017-0087 – Comments re: Land Use Application

The Capitol Hill Community Association would like to provide comments to the proposed Land Use application for the properties at 1603, 1607 and 1611 20th Ave NW. The application is to redesignate the above noted parcels from C-O and R-C2 to the C-N1 Land Use. The purpose for the change is to accommodate more parking for the existing chiropractic business at 1603 20th Ave as well as enable the dwelling at 1607 20th Ave to be repurposed as office space. In the future the applicant intends to develop the site(s) as a mixed use building with medical and office uses on the main floor and residential uses above.

The owner of the properties and the chiropractic business, Dr. Kevin Toth, has been a valued member of the business community of Capitol Hill for a number of years. In fact, Dr. Toth approached our Community Association (CA) before he purchased the properties; he wanted to inform us of his planned move and seek the CA's support for his business in the largely low density residential district. The 1603 20th Ave NW property was always a medical clinic; furthermore, the community sees the clinic as an extension of the commercial activity at the 14th St and 20th Ave NW intersection. Needless to say, the Development Committee was very supportive of Dr. Toth's plans.

Once again, before Dr. Toth made the Land Use application he came to the CA and informed us of the need to expand his parking lot and possibly renovate the small house at 1607 20th Ave into offices. He explained that in time he anticipates developing the sites as a mixed use residential building with medical uses on the main floor.

On March 1st of this year Dr. Toth and LMJ Consultants met with the Development Committee to discuss the Land Use application before you seeking comments and a letter of support for the Land Use changes. We, of course, support the changes in principle and encourage your office to be

M. Beck

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supportive of the Land Use change as it reflects the importance for a community to grow and respond to the changing needs of the residents and businesses. We did discuss with Dr. Toth and LMJ Consultants the ultimate re-development of the sites and at that time were informed that the City was not supportive of the C-N1 Land Use extending across the entire 6 lots. Our understanding is that the City felt the C-N1 Land Use would be incongruent with the adjacent R-CG Land Use and as such the applicant was encouraged to only seek the C-N1 Land Use for lots 37, 38, 39 and 40 while the westerly lots (lots 35 and 36) would remain R-CG

Our observations are that 20th Avenue is made up of many different types of urban forms: there are commercial nodes at the major intersections (19th St, 14th St and 10th St) as well as apartment buildings, semi-detached and single family residential units. We are soon to have a 6 storey mixed use building on 20th Ave and 14th St which the neighbourhood is very excited to welcome. Twentieth Avenue is a fairly busy road with bus routes and soon-to-be-built bike lanes. In other words, this is an urban thoroughfare and the community would like the City to support the C-N1 Land Use across the 6 lots. Keep in mind that the Side Yard setback in C-N1 when adjacent to residential is 3m; we feel that this is a generous and sensitive interface between commercial and residential uses on 20th Avenue.

We have discussed the eventual development with Dr. Toth to the extent that if he is granted the Land Use change to the westerly lots (35 and 36) that the building design would need to respond to the adjacent R-CG form by possibly lowering the building height along the western edge of the property. With this approach, as well as the 3m side yard, we feel that the C-N1 built form can exist alongside the R- CG built form in a sensitive manner. If the applicant would like the C-N1 Land Use to encompass the entire 6 lot parcel the community of Capitol Hill will happily support this approach and we would encourage the City to allow the C-N1 Land Use change to apply to the entire parcel (1603, 1607 and 1611 20th Ave NW).

We would like to thank Dr. Toth and LMJ Consultants for working with Capitol Hill Community Association throughout the Land Use process for this important project. We submit these comments in the spirit of collaboration that has been the hallmark of this particular development. This is an opportunity for a precedent-setting development in our neighbourhood; we want to work with all stakeholders to establish an example of community input into urban densification of which we can all be proud.



Erin Shilliday – Architect AAA
Capitol Hill Community Association Planning Representative

cc: CHCA President and Development Committee
Druh Farrell, Ward 7 Councillor
Kevin Toth
LMJ Consultants