

Planning & Development Report to
Calgary Planning Commission
2020 March 05

ISC: UNRESTRICTED
CPC2020-0191

Policy Amendment and Land Use Amendment in Tuxedo Park (Ward 7) at 256, 260 and 264 - 19 Avenue NE, LOC2019-0173

EXECUTIVE SUMMARY

This policy and land use amendment application was submitted by CivicWorks Planning + Design on behalf of landowner Trail19 Inc on 2019 November 13. This application proposes to change the designation of the three subject parcels from Residential – Contextual One / Two Dwelling (R-C2) District to Mixed Use - General (MU-1f3.4h22) District to allow for:

- a mixed-use development with residential and commercial uses in the same building;
- a maximum building height of 22 metres, about 6 storeys (an increase from the current maximum of 10 metres);
- a maximum floor area ratio (FAR) of 3.4, approximately 6,000 square metres of building floor area; and
- the uses listed in the MU-1 District.

An amendment to the *North Hill Area Redevelopment Plan* (ARP) is required to accommodate the proposed land use redesignation. The proposal conforms with the ARP as amended and conforms to the relevant policies of the *Municipal Development Plan*.

A development permit has been submitted and is under review.

ADMINISTRATION RECOMMENDATION:

That Calgary Planning Commission recommend that Council hold a Public Hearing; and

1. **ADOPT**, by bylaw, the proposed amendment to the North Hill Area Redevelopment Plan (Attachment 1); and
2. Give three readings to the proposed bylaw.
3. **ADOPT**, by bylaw, the proposed redesignation of 0.18 hectares ± (0.44 acres ±) located at 256, 260 and 264 – 19 Avenue NE (Plan 1367O, Block 2, Lots 27 to 33) from Residential – Contextual One / Two Dwelling (R-C2) District **to** Mixed Use - General (MU-1f3.4h22) District; and
4. Give three readings to the proposed bylaw.

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RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, 2020 MARCH 05:

That Council hold a Public Hearing; and

1. ADOPT, by bylaw, the proposed amendment to the North Hill Area Redevelopment Plan (Attachment 1); and
2. Give three readings to **Proposed Bylaw 15P2020**.
3. ADOPT, by bylaw, the proposed redesignation of 0.18 hectares \pm (0.44 acres \pm) located at 256, 260 and 264 – 19 Avenue NE (Plan 1367O, Block 2, Lots 27 to 33) from Residential – Contextual One / Two Dwelling (R-C2) District to Mixed Use - General (MU-1f3.4h22) District; and
4. Give three readings to **Proposed Bylaw 48D2020**.

PREVIOUS COUNCIL DIRECTION / POLICY

None.

BACKGROUND

This policy and land use amendment application was submitted by CivicWorks Planning + Design on behalf of landowner Trail19 Inc, on 2019 November 13. The Applicant Submission (Attachment 2) notes that they are proposing to change the designation of the three subject parcels from Residential – Contextual One / Two Dwelling (R-C2) District to Mixed Use - General (MU-1f3.4h22) District to allow for a six-storey mixed use building.

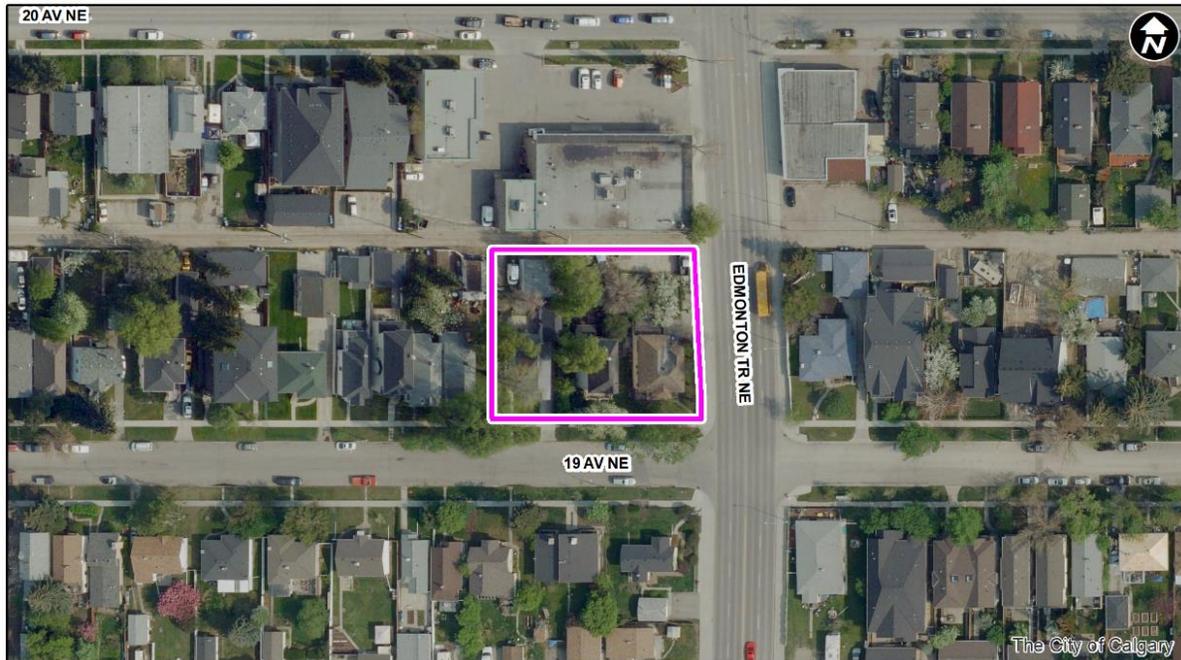
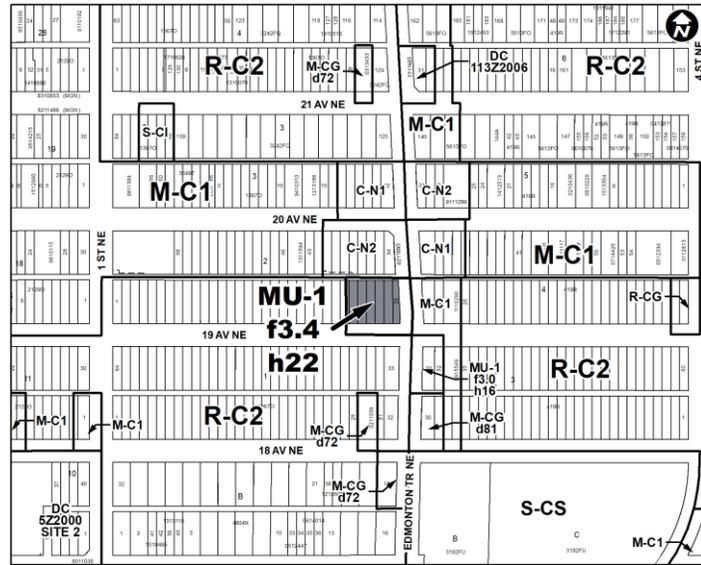
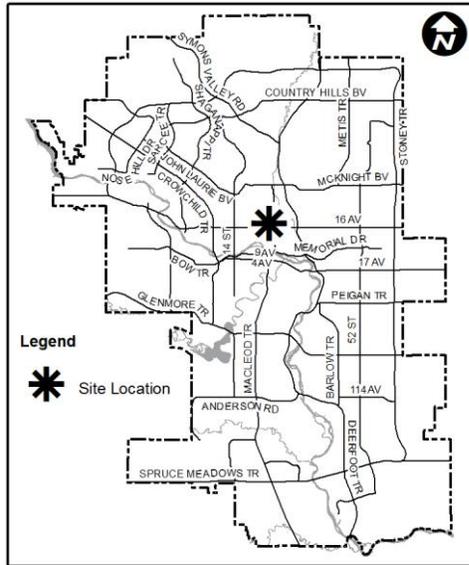
A development permit (DP2019-6337) was submitted by Formed Alliance Architecture Studio on 2019 December 11. This application proposes a mixed-use building with a maximum building height of six storeys along Edmonton Trail, and three storeys next to the low density residential parcels to the west (Attachment 3). The development permit is proposing live work units on the ground floor on the west portion of the site next to the low density residential parcels, with commercial uses on the remaining portions of the ground floor, oriented primarily towards Edmonton Trail NE. Vehicle access is provided off the rear lane with some at grade parking, and the majority of parking located underground.

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Location Maps



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Site Context

The subject site is located in Tuxedo Park, and consists of three low density residential parcels at the northwest corner of 19 Avenue NE and Edmonton Trail NE. Together the three parcels are 47 metres wide facing 19 Avenue NE and 38 metres fronting Edmonton Trail NE. Each is developed with a single detached dwelling and has rear lane access. The homes on 256 and 260 – 19 Avenue NE each have a rear garage accessed from the lane and 256 – 19 Avenue NE has a second garage accessed from the front of the parcel off of 19 Avenue NE. The corner parcel, 264 – 19 Avenue NE, has lane access with a parking pad at the rear and also has a garage accessed directly off of Edmonton Trail NE. There is a 2.134 metre bylaw setback along Edmonton Trail, intended for public realm enhancements. Although Edmonton Trail is a part of the Main Street program, it has not received funding to undertake the streetscape plan, and as such enhancements are currently undertaken by the developer on a site-by-site basis through the development permit process. The elements provided for in this plan would start to provide a context for pedestrian enhancements which could be supplemented in the future when additional Main Street work is undertaken.

Adjacent parcels to the west and south are developed with single detached dwellings and designated as Residential – Contextual One / Two Dwelling (R-C2) District. To the north and east, the site is surrounded by a mix of low density, multi-residential, and commercial land uses with a variety of nearby amenities as outlined below:

- Edmonton Trail NE (east)

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- Commercial – Neighbourhood 1 and 2 sites at the intersection of 20 Avenue NE and Edmonton Trail NE (Italian Supermarket, 7-Eleven, 4th Street Pizza, various retail stores);
 - Multi-Residential – Contextual Low Profile (M-C1) parcels on the east; and
 - Residential – Contextual One / Two Dwelling (R-C2) parcels on the west.
- 20 Avenue NE (north)
 - Multi-Residential – Contextual Low Profile (M-C1) District (mix of single detached homes, semi-detached homes, and apartments).
 - Nearby amenities
 - within 600 metres of the planned 16 Avenue North Green Line station and 350 metres from a current Max Orange stop;
 - Munro Park is one block south on Edmonton Trail NE (approximately 125 metres);
 - Mountview School is one block east (approximately 270 metres);
 - Centre Street North is two blocks west (approximately 425 metres); and
 - SAIT is approximately two kilometres to the southwest.

As identified in *Figure 1*, the community of Tuxedo Park reached its peak population in 2019.

Figure 1: Community Peak Population

Tuxedo Park	
Peak Population Year	2019
Peak Population	5,326
2019 Current Population	5,326
Difference in Population (Number)	0
Difference in Population (Percent)	0%

Source: The City of Calgary 2019 Census

Additional demographic and socio-economic information may be obtained online through the [Tuxedo Park](#) community profile.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The proposed redesignation allows for a mix of uses at grade including residential, live work, and commercial options with residential above. The Mixed Use - General (MU-1) District allows for sensitive massing next to low density residential contexts due to the height chamfer rule within the district and the use of the height modifier, which is 22 metres for this proposal. The application is also in alignment with the objectives of the applicable policies as discussed in the strategic alignment section of this report.

Planning Considerations

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The following sections highlight the scope of technical planning analysis conducted by Administration.

Land Use

The existing Residential – Contextual One / Two Dwelling (R-C2) District is a residential designation applied to developed areas that is primarily for single detached, semi-detached and duplex homes. Both single detached and semi-detached homes may include a secondary suite. The R-C2 District allows for a maximum building height of 10 metres and a maximum of two dwelling units within a main residential building on a parcel.

The application is proposing the Mixed Use - General (MU-1f3.4h22) District with a FAR modifier of 3.4, which provides approximately 6,000 square metres of development on the site, and a height modifier of 22 metres, allowing for approximately six storeys. The MU-1 District is intended to be located along commercial streets and provides flexibility as it may be developed with either residential or commercial uses on the ground floor and can accommodate a mix of residential and commercial uses within the same building. When commercial uses are on the ground floor, this district promotes storefronts along a continuous block face with increased visual transparency. Residential units, when located on the ground floor, are also intended to provide a continuous block face with visual interest, and often include doorways for multiple units along the street. This district uses corner chamfers to ensure that building massing is sensitive to neighbouring residential parcels.

As per the *Municipal Development Plan (MDP)*, Edmonton Trail NE has been classified as a Main Street, which is considered a linear activity centre appropriate for sensitive increases in density. The policies within the *North Hill Area Redevelopment Plan (ARP)* are in alignment with the MDP, and note that sensitive massing and primarily residential with support commercial uses are encouraged along Edmonton Trail. The height chamfer of the MU-1 District allows for a transition of height and massing between the increased density along the Edmonton Trail Main Street and the low density residential parcels adjacent on the west. The MU-1 District also allows for a sensitive transition from the commercial node at 20 Avenue NE and Edmonton Trail, allowing the opportunity for support commercial businesses to continue across the alley along Edmonton Trail, with a primarily residential interface along 19 Avenue NE, which faces low density residential parcels to the south. The applicant also provided a shadow study, showing that the parcels to the northwest are not significantly affected by shadow impacts due to the building envelope allowable under the proposed district. The increase in density is in keeping with the MDP and ARP and allows for a primarily multi-residential building with support commercial uses.

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Development and Site Design

On 2019 December 11, a development permit was submitted by Formed Alliance Architecture Studio proposing a mixed-use building with three storeys next to the low density residential, stepping up to six storeys fronting along Edmonton Trail. The development permit is proposing live work units on the ground floor on the west portion of the site next to the low density residential parcels, with commercial uses on the rest of the ground floor facing the corner of 19 Avenue NE and Edmonton Trail NE. Vehicle access is provided off of the rear lane with some at grade parking, and the majority of parking located underground.

The rules of the proposed MU-1f3.4h22 District will provide guidance for the development of the site, including appropriate uses, building height and massing, landscaping, parcel coverage and parking. Other key factors that are being considered during the review of the development permit application include the following:

- interface with the lane, including parkade access and short term parking at grade;
- initial public realm enhancements within the 2.134 metre bylaw setback for public realm enhancements along Edmonton Trail in alignment with the Main Streets policies as this portion is currently unfunded as part of the Main Streets program;
- building massing and relationship with the adjacent low density residential parcels to the west;
- mix of uses within the building, encouraging residential uses and sensitive community oriented commercial uses; and
- appropriate amenity space for the residents.

Environmental

A Phase I Environmental Site Assessment was prepared in support of the proposed land use amendment application. The report identified four areas of potential environmental concern on or surrounding the subject lands: on-site hazardous building material, on-site waste/debris, and two off-site former gas stations/automotive repair shops. Based on these findings it was recommended that a Phase II Environmental Site Assessment be undertaken, which will be reviewed through the development permit application.

Transportation

The parcel is located along Edmonton Trail NE which is classified as an Urban Boulevard in the *Calgary Transportation Plan*. The subject parcel is located approximately 350 metres from a Max Orange BRT stop on 16 Avenue NE and will be within 600 metres of a future Green Line station, which will be located to the southwest at Centre Street N and 16 Avenue NE. Local bus stops are located about 40 metres (1 minute walk) south along Edmonton Trail. A Transportation Impact Assessment was reviewed as part of this application.

There is a 2.134 metre bylaw setback for public realm enhancements along Edmonton Trail NE from 38 Avenue NE to 16 Avenue NE, which includes the parcels in this application. These

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setbacks are road rights-of-ways intended for public realm enhancements, which are being reviewed through the development permit (DP2019-6337). As per the *Municipal Development Plan*, Edmonton Trail is a Main Street, and is part of the Main Streets program. This Main Street has not received funding to undertake the streetscape planning, and as such enhancements are currently undertaken by the developer on a site-by-site basis through the development permit process. These enhancements may be updated and refined once the entire Main Street goes through a design and construction phase.

Utilities and Servicing

Water, sanitary and storm sewer are available to service the site. Sanitary capacity and required fire flow will be evaluated with the development permit application, along with site servicing details and appropriate storm water management.

Stakeholder Engagement, Research and Communication

In keeping with Administration's standard practices, this application was circulated to relevant stakeholders and notice posted on-site with a large notice posting sign facing Edmonton Trail NE. Notification letters were sent to adjacent land owners and the application was advertised online.

The applicant has provided a summary of their outreach strategies, the feedback received, and the response to these concerns, which can be seen in detail in Attachment 4. The applicant engaged in several forms of additional outreach to connect with interested and effected members of the community as outlined below:

- hosted an information session (attended by Administration);
- delivered postcards;
- placed advertorials in the Tuxedo Park Gazette;
- had additional signage on site;
- maintained a project website and feedback form; and
- maintained a project voice-mail and dedicated email address.

Many of the concerns received by the applicant will be reviewed through the development permit and focus on the following areas:

- building height and density;
- architecture and design;
- traffic;
- parking; and
- inclusion of commercial uses.

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Administration received a letter of general support from the Tuxedo Park Community Association for this application, which notes that concerns received from local residents should be addressed (Attachment 5). Administration also received four letters of opposition from the public. Their concerns focused on the following:

- does not align with the character of the community (massing, mix of uses, aesthetics);
- residential streets are already busy and street parking is already limited;
- shadowing for neighbouring parcels will be too much due to the scale of the building;
- retail and residential vacancy is already too high in Calgary (no demand for this type of development); and
- potential noise concerns for adjacent neighbours.

Administration considered the relevant planning issues specific to the proposed redesignation and have determined the proposal to be appropriate. While the maximum building envelope is larger than current neighbouring developments, the proposal, is in alignment with applicable policies, such as the *Municipal Development Plan* and the objectives of the *North Hill ARP*, which encourage increased density along Main Streets in general, and Edmonton Trail specifically. The ARP encourages multi-residential buildings with some support commercial businesses along Edmonton Trail, which can be accomplished through the proposal, and could include commercial options such as retail, child care, restaurants, and other services that can serve the local residents. Also, this site will be within 600 metres of a future Green Line LRT station, which will have highest densities at Centre Street and 16 Avenue NE, transitioning to lower densities away from the station. In regards to traffic, a Transportation Impact Assessment was reviewed with this application in support of the redesignation. The applicant also provided a shadow study outlining the potential effects of the building on neighbouring parcels. This study showed that the neighbouring parcels to the northwest would experience some morning shadowing in the spring and fall, which was not considered extreme. Specifics of the building design and parking layout will be reviewed through the development permit.

Following Calgary Planning Commission, notifications for Public Hearing of Council will be posted on-site and mailed out to adjacent land owners. In addition, Commission's recommendation and date of Public Hearing will be advertised.

Strategic Alignment

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 the efficient use of land.

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Interim Growth Plan (2018)

The recommendation aligns with the policy direction of the [Interim Growth Plan](#). The proposed policy and land use amendment builds on the principles of the *Interim Growth Plan* by means of promoting efficient use of land, regional infrastructure, and establishing strong, sustainable communities.

Municipal Development Plan (Statutory – 2009)

The subject parcel is located within the Urban Main Street area as identified on [Map 1: Urban Structure](#) in the [Municipal Development Plan](#) (MDP). The applicable MDP policies encourage a broad range of employment, commercial and retail uses as well as housing to accommodate a diverse range of the population.

Urban Main Streets are characterised as providing a high level of residential and employment intensification in a linear fashion, such as along Edmonton Trail NE. Commercial developments along Main Streets should create an active street environment by encouraging retail and service uses at grade, with office or residential uses on upper floors. Buildings should be located close to the sidewalk, and may contain smaller units to encourage the active frontage. Transitions between the Main Street and adjacent areas should be sensitive to the scale and form of surrounding buildings and uses.

The proposed redesignation aligns with the policies of the MDP.

North Hill Area Redevelopment Plan (Statutory – 2008)

On Map 2: Future Land Use Policy – Mount Pleasant & Tuxedo, the [North Hill Area Redevelopment Plan](#) (ARP) notes the corner parcel as being part of the Low Density Residential or Low Density Multi Dwelling category, with the other two parcels categorized as Low Density Residential. Policies for Edmonton Trail encourage multi-residential development with support commercial uses to provide services to the local community. The ARP notes that sensitive integration is key for higher density developments, particularly in terms of height. The proposed Mixed Use - General (MU-1f3.4h22) District includes a height chamfer rule to help ensure that developments next to low density residential homes are at an appropriate height and scale. Other rules in the district such as the setbacks, building orientation, and ground floor height ensure sensitive development.

An amendment to the ARP is required to accommodate this application and to amend all three parcels on Map 2: Future Land Use Policy – Mount Pleasant & Tuxedo to be categorized as the Medium Density Multi Dwelling and/or Local Commercial typology. This aligns with the objectives and intent of the ARP and Edmonton Trail as a Main Street corridor with future infrastructure investments anticipated with the Green Line, and corresponding increase in density and commercial opportunities.

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The *North Hill ARP* is currently under review by Administration as part of the North Hill Communities Local Growth Planning initiative. A full update of the local area plan is anticipated by Q2 2020. Based on the *North Hill Communities Local Growth Plan* draft, this application aligns with the plan in terms of urban form, building height, and Edmonton Trail policies.

Transit Oriented Development Policy Guidelines (Non-Statutory – 2004)

The [Transit Oriented Development \(TOD\) Policy Guidelines](#) provide direction for the development of areas typically within a radius of 600 metres (10 minute walking distance) of an existing or planned LRT station. The guidelines call for higher density, walkable, mixed-use areas around LRT stations to optimize the use of transit infrastructure and create mobility options for local residents. This site is within 600 metres of a future Green Line station at 16 Avenue NE and Centre Street N.

The TOD guidelines call for mixed-use activity nodes near LRT stations, which is intended to provide increased services, employment and a variety of housing options within the community. The proposed MU-1f3.4h22 District aligns with TOD guidelines, providing a variety of use options and providing active frontages and pedestrian oriented development. Specific design elements, such as parking, site access, massing and height next to the low density housing will be evaluated further through the development permit.

Location Criteria for Multi-Residential Infill (Non-Statutory – 2016)

The [Location Criteria for Multi-Residential Infill](#) provides preferred conditions where multi-residential development may be considered acceptable in low density residential areas. These guidelines are generally intended for developments that are purely residential, however as the residential component is the largest portion of the building, Administration considered the criteria applicable in considering the proposed redesignation.

The proposal directly meets seven (7) of the eight (8) criteria and meets the spirit of the remaining criterion. The parcels are located on a corner with lane access, and there are transit stops within a few minutes' walk on Edmonton Trail NE and a Max Orange stop on Edmonton Trail NE and 16 Avenue NE. Edmonton Trail NE is categorized as a Main Street within the *Municipal Development Plan*, which are identified as being linear activity centres, which may be appropriate for increased density. While these criteria are not used as a checklist, they do provide a framework in which Administration evaluates a parcel's appropriateness for intensification. These criteria together indicate that the subject site is an appropriate location for sensitive intensification.

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Social, Environmental, Economic (External)

The proposed land use district allows for a compact, urban form that provides a wide range of pedestrian oriented commercial uses with additional residential density near current primary transit stops (Max Orange) and a future Green Line station. The addition of these uses to the community will attract more users to the Edmonton Trail NE Urban Main Street, bringing more services within walking distance to the local residents. People will be encouraged to meet their day-to-day needs within the community.

Financial Capacity

Current and Future Operating Budget

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

Current and Future Capital Budget

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

Risk Assessment

There are no significant risks associated with this proposal.

REASON(S) FOR RECOMMENDATION(S):

The proposed redesignation allows for the opportunity to provide for a variety of housing choices within the neighbourhood along with support commercial uses. Given that Edmonton Trail NE is identified as a Main Street in the *Municipal Development Plan*, increased density next to a future Green Line LRT station and commercial node is appropriate. Also, the Mixed Use – General (MU-1) District also provides a form and intensity in alignment with the *Transit Oriented Development Policy Guidelines*, as the site is within 600 metres of a future Green Line station at 16 Avenue NE and Edmonton Trail NE. The rules within the district allow for sensitive intensification through a variety of rules, including setbacks and height chamfers. The proposed redesignation and policy amendment is in keeping with applicable policies of the *Municipal Development Plan* and the general objectives of the *North Hill Area Redevelopment Plan*.

ATTACHMENT(S)

1. **Proposed Bylaw 15P2020**
2. Applicant Submission
3. Development Permit (DP2019-6337) Summary
4. Applicant Outreach Summary
5. Community Association Letter
6. **Proposed Bylaw 48D2020**
7. **Public Submissions**