

Planning & Development Report to  
Calgary Planning Commission  
2020 August 06

ISC: UNRESTRICTED  
CPC2020-0695

## Policy Amendment and Land Use Amendment in Inglewood (Ward 9) at 1025 and 1139 – 9 Avenue SE, LOC2019-0149

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### EXECUTIVE SUMMARY

This policy and land use amendment application was submitted by Landstar Inglewood GP LTD on 2019 September 24 on behalf of the landowners, Landstar Inglewood GP LTD and Mylonas Enterprises Ltd. The application proposes to redesignate two parcels of land from DC Direct Control District to a DC Direct Control District based on the Mixed Use – Active Frontage (MU-2) District to allow for:

- mixed-use development where active commercial uses are required at-grade to promote activity at the street level;
- a maximum building height of 45 metres (an increase from the current maximum of 20 metres);
- a maximum FAR of 6.5 (an increase from the current maximum of 2.0 FAR) through the provision of site-specific bonus density incentives defined in the proposed DC Direct Control District; and
- the uses listed in the MU-2 District.

The proposal is in keeping with applicable policies of the *Municipal Development Plan* (MDP). An amendment to the *Inglewood Area Redevelopment Plan* (ARP) is required.

No development permit application has been submitted at this time.

### ADMINISTRATION RECOMMENDATION:

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

1. **ADOPT**, by bylaw, the proposed amendment to the Inglewood Area Redevelopment Plan (Attachment 2); and
2. Give three readings to the proposed bylaw.
3. **ADOPT**, by bylaw, the proposed redesignation of 0.27 hectares  $\pm$  (0.66 acres  $\pm$ ) located at 1025 and 1139 – 9 Avenue SE (Plan A2, Block 12, Lots 1 to 3 and a portion of Lot 4; Plan 8111504, Block 12, Lot 16) from DC Direct Control District **to** DC Direct Control District to accommodate a mixed-use development with guidelines (Attachment 3); and
4. Give three readings to the proposed bylaw.

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**PREVIOUS COUNCIL DIRECTION / POLICY**

None.

**BACKGROUND**

This redesignation application was submitted by Landstar Inglewood GP Ltd on 2019 September 24 on behalf of the landowners, Landstar Inglewood Group Ltd and Mylonas Enterprises Ltd. An updated summary of the applicant's proposal for a mixed-use development with active frontage can be found in Attachment 1. No development permit application has been submitted at this time.



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### Site Context

The subject site is located in the community of Inglewood and includes two parcels (1025 and 1139 – 9 Avenue SE), at the southwest corner of 9 Avenue SE and 11 Street SE. The 9 Avenue SE Main Street has always been the commercial heart of Inglewood, forming much of its business area and reflecting the history of the community. Recent new mixed-use developments (6 to 7 storeys) are located to the north and west of the subject site across the streets. Two recent DC Direct Control Districts with a similar height and scale of development are on the corner of 8 Street SE and 9 Avenue SE (approved), and the corner of 12 Street SE and 9 Avenue SE (third reading pending).

The site is approximately 0.27 hectares in size with approximate dimensions of 64 metres along 9 Avenue SE, 37.5 metres along 10 Street SE, and 40 metres along 11 Street SE. A rear lane exists to the south of the site. The property is currently developed with two commercial buildings, which are one-storey and two-storeys high respectively, as well as a surface parking lot fronting onto 9 Avenue SE.

The National Hotel (legally protected as a Provincial Historic Resource) and East End Livery are located to the south of the site, across the lane. Commercial and mixed-use buildings ranging from one to seven storeys are located directly west, north, and east of the subject site.



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As identified in *Figure 1*, the population within the community of Inglewood peaked in 2018. Since that time, there has been a slight decline in the number of residents living in Inglewood.

*Figure 1: Community Peak Population*

Inglewood	
Peak Population Year	2018
Peak Population	4,072
2019 Current Population	4,024
Difference in Population (Number)	-48
Difference in Population (Percent)	-1.2%

Source: The City of Calgary 2019 Civic Census

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

### INVESTIGATION: ALTERNATIVES AND ANALYSIS

The proposed policy and land use amendment seeks to accommodate a mixed-use development along a Neighbourhood Main Street (as identified in the MDP). New development is being accommodated through a DC Direct Control District based on the MU-2 District, which provides density bonusing in order to attain public benefits for the community of Inglewood. The proposal allows for a building form and range of activities that are compatible with the established built form and range of activities within the neighbourhood.

#### Land Use

The existing DC Direct Control District ([Bylaw 1Z93](#)) is based on the General Commercial (C-2) District in Land Use Bylaw 2P80. This District provides for a wide variety of retail commercial and personal service uses at moderate intensity which serve areas beyond the surrounding community. The DC allows for a maximum building height of six storeys or 20 metres and a floor area ratio (FAR) of 2.0.

The proposed DC Direct Control District (Attachment 3) is based on the Mixed Use – Active Frontage (MU-2) District with opportunities for density bonusing and with rules for specific building height and massing. The MU-2 District allows for mixed-use development along commercial streets where active commercial uses are required at-grade to promote activity at the street level. A DC Direct Control District was chosen to allow for specific density bonus provisions that provide for increased density and to include site-specific building massing rules.

The proposed DC Direct Control District allows for a base FAR of 2.0, which aligns with the existing DC Direct Control District. An additional 4.5 FAR, to a maximum of 6.5 FAR, may be achieved through bonusing items including the provision of a publicly accessible private open space along 9 Avenue SE and 11 Street SE, on-site public art, a monetary contribution to The

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City of Calgary's Heritage Incentive Reserve Fund and affordable housing units. The provision of a publicly accessible private open space is a required bonus item that mandates public realm improvements in alignment with the 9 Avenue SE Streetscape Master Plan. The description, eligibility and bonus rate of the public benefit bonus items are provided in the proposed DC Direct Control District Bylaw (Attachment 3).

### ***Proposed Land Use – Bonus Density Rationale***

A bonus system has been designed to balance higher density development with the provision of appropriate public benefits and amenities based on the following principles:

- Bonus density should only be established for items or features that provide a perpetual or enduring benefit to the community in which the density is being accommodated.
- Bonus density should not be granted for elements of building or site design that can be achieved or required through other means.
- The amount of floor area granted through a bonus should be based on the additional monetary value added to the land as a result of the bonus and the cost to the developer of providing the bonus item.

The rationale for the specific bonus density items is provided below:

- Provision of publicly accessible private open space: Opportunities often exist to utilize private lands for public purposes that can benefit both the private development and the public by adding to the open space network across the city. Such arrangements can help mitigate density impacts on both an individual site or the cumulative impact of density in a broader area. In all of the public benefit bonus items, the provision of a publicly accessible private open space is a required public benefit that mandates public realm improvements that are aligned with the 9 Avenue SE Streetscape Master Plan.
- Provision of public art – on site: Cities gain value through public art – cultural, social, and economic value. Public art is a distinguishing part of public history and evolving culture. It reflects and reveals society, adds meaning to cities and uniqueness to communities. Public art humanizes the built environment and invigorates public spaces. It also augments publicly accessible private open space and contributes to the vibrancy and cultural preservation of the area. It provides an intersection between past, present and future, between disciplines, and between ideas.
- Contribution to Heritage Incentive Reserve Fund: As allowable density increases, the pressure to redevelop heritage sites also increases. To counterbalance this situation, incentives are required to preserve and re-use heritage resources. Inglewood is valued as one of the most heritage-rich communities in Calgary and has a particularly high number of heritage buildings. The proposed DC Direct Control District mandates that funds collected from this development be applied to Municipal Historic Resources along 9 Avenue SE in the community of Inglewood.
- Provision of affordable housing units: As allowable densities increase, so does the likelihood that smaller, affordable rental apartment buildings will be redeveloped to higher density uses. Providing for some affordable housing units within new

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developments will help increase the supply of existing affordable housing in the city and offset the impacts of redevelopment.

### ***Proposed Land Use – Building Massing and Height***

While this application is for a land use amendment and no development permit has been submitted at this time, discussions took place regarding the building massing and height which informed the proposed DC Direct Control District. The proposed building massing and height have significantly evolved from the original proposal. Administration issued Detailed Team Reviews (DTRs) on 2019 November 15 and 2020 April 24, identifying challenges with the proposed development, including the following key items:

- In the original proposal received on 2019 September 24, the maximum building height was 39 metres and the proposed FAR was 7.4. A 10-storey building along 9 Avenue SE was proposed and created significant shadow impacts on the north sidewalk of 9 Avenue SE;
- In the first DTR comments sent to the applicant on 2019 November 15, the applicant was asked to keep the building massing along the north property line at 9 Avenue SE to a maximum of 6 storeys high in order to reduce the shadow and visual impacts on the public realm on 9 Avenue SE, with the ability to accommodate additional height through stepbacks to limit shadow impacts along 9 Avenue SE. Building height could be increased at the southern portion of the subject site, subject to the shadow impacts on the sidewalk on the north side of 9 Avenue SE and sensitive transition to the scale, form and character of the surrounding buildings;
- In the first DTR response received from the applicant on 2020 March 16, the podium height was lowered to 22.5 metres (approximately 6 storeys) in the amended proposal, which improves the podium massing from the initial concept. However, the proposed tower was 56 metres (approximately 17 storeys), which would create significant shadow impacts on public sidewalks on the north side of 9 Avenue SE and does not meet the requirements of the first DTR comments;
- The second DTR comments were sent to the applicant on 2020 April 24, which required reduced building height of the proposed tower and to reduce its shadow impacts on the sidewalk on the north side of 9 Avenue SE; and
- In the second DTR response received from the applicant on 2020 May 12, the proposed maximum height of the tower still remained at 56 metres, and it only stepped back 2 metres from the shared property line with 9 Avenue SE.

Administration and the applicant worked collaboratively following the reviews of the second DTR response and achieved a mutually acceptable solution. The following key changes have been highlighted:

- The proposed maximum building height has been lowered to 45 metres to reduce the shadow impacts on the sidewalk on the north side of 9 Avenue SE (particularly in the summer afternoon) and to provide appropriate transition to the surrounding buildings;

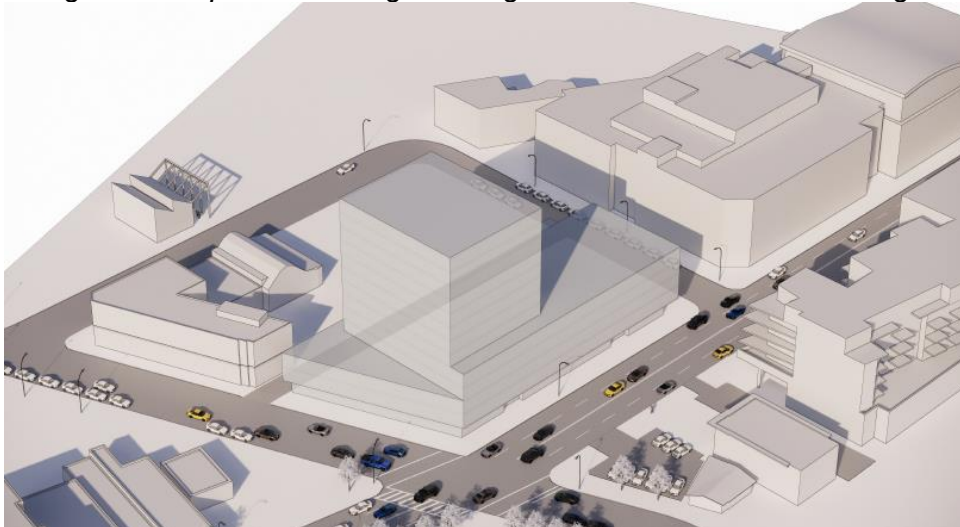
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- Above 22.5 metres height, the building is required to step back 3.5 metres from the shared property line with 9 Avenue SE;
- Above 22.5 metres height, building floor plate is limited to a gross floor area of 900 square metres and a maximum horizontal dimension of 37.0 metres along 9 Avenue SE;
- The proposed maximum FAR is reduced to 6.5 from 7.4 in the original proposal; and
- Building height and step back rules are included in the proposed DC Direct Control District to provide sensitive transition to the National Hotel and to provide a 6-storey street wall along 9 Avenue SE, which is a similar building height as the surrounding buildings.

The proposed DC Direct Control District allows for a maximum building height of 45 metres (approximately 12 to 14 storeys) and a maximum FAR of 6.5, which would enable a maximum building floor area of 17,361.5 square metres on the subject site. The proposed DC Direct Control District also allows the uses listed in the MU-2 District.

*Figure 3: Proposed Building Massing – 6.5 FAR and 45 Metre Height*



### Development and Site Design

The rules of the proposed DC Direct Control District provide for site development guidance at the development permit stage. No development permit application has been submitted at this time. The proposed DC Direct Control District allows for comprehensive development of the site with active commercial uses at-grade to promote activity at the street level and to create sensitive building transitions to the adjacent Provincial Historic Resource, the National Hotel. At the time of development permit, design considerations will include:

- provision and design of publicly accessible private open space, which should be constructed in a manner that exceeds typical City of Calgary standards;



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- public realm improvements that are aligned with the 9 Avenue SE Streetscape Master Plan;
- an engaging at-grade public realm and street interface which animates the building edges facing onto the public street;
- sensitive building transitions to the National Hotel; and
- a view corridor from 9 Avenue SE to the National Hotel.

At the development permit stage, the proposed development meets the criteria for a formal review by Urban Design Review Panel and Calgary Planning Commission.

### **Transportation**

Access to the site is available via 9 Avenue SE, 10 Street SE, 11 Street SE and the rear lane.

The area is served by Calgary Transit Route 1 (Bowness - Forest Lawn), Route 307 MAX Purple and Route 302 Southeast BRT with each of these routes providing service every 20 minutes during peak hours. The Route 1 bus stop is approximately 50 metres east of the site on 9 Avenue SE, the Route 307 bus stop is approximately 200 metres west of the site on 9 Avenue SE and there is a route 302 Bus stop directly adjacent to the site on 11 Street SE. The site is approximately 400 metres from the future Inglewood/Ramsay Green Line LRT Station. The proposed development will accommodate additional residents and potential transit users, and tax revenues will partially offset public transit investment over time.

On-street parking adjacent to the site on 9 Avenue SE is regulated as two hour pay parking between 11:00am and 3:30pm on weekdays and between 9:00am and 6:00pm on Saturday. On-street parking is currently prohibited on 10 Street SE and 11 Street SE.

A Transportation Impact Assessment (TIA) was submitted as part of this application. Further TIA analysis may be required at the development permit stage.

The site is located within the boundary of the “9 Avenue SE Streetscape Master Plan” in the Main Streets program. Administration will coordinate with the developer at the development permit stage to ensure implementation of the Main Street vision and to achieve the vision of the Master Plan for the 9 Avenue SE, 10 Street SE and 11 Street SE frontages. The Streetscape Master Plan has been approved by the Transportation Leadership Team however it is currently unfunded.

### **Environmental Site Considerations**

A ‘Soil Management Plan’ to address the issues identified in the “Enhanced Phase II Environmental Site Assessment (Revised)” report is required at the time of development permit.

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### **Utilities and Servicing**

Water, storm, and sanitary deep utilities are available for the subject site. At the time of development permit, a sanitary servicing study and fire flow letter will be required to be submitted. Other development servicing requirements will be determined at the future development permit and development site servicing plan stage.

### **Climate Resilience**

Administration has reviewed this application in relation to the objectives of the *Climate Resilience Strategy* programs and actions, and no specific measures are being proposed. Further opportunities to align future development on this site with applicable climate resilience strategies will be explored and encouraged at the development permit stage.

### **Stakeholder Engagement, Research and Communication**

In keeping with Administration's standard practices, this application was circulated to stakeholders and notice posted on-site. Notification letters were sent to adjacent landowners and the application was advertised online.

The applicant and Administration met with the Inglewood Community Association (ICA) four times throughout the process on 2019 June 05, 2019 August 07, 2020 April 01 and 2020 June 03.

The applicant also met with the Inglewood Business Improvement Area (BIA) on 2019 August 20 and 2020 April 02, and the Métis Nation of Alberta Region 3 on 2020 April 08. As part of their engagement process, the applicant also met with the neighbouring landowners and individual neighbours on multiple occasions.

On 2019 June 24, the applicant hosted a public open house, providing information on the land use amendment proposal. Additionally, the applicant held three in-person pop-up engagement events and two online pop-up engagements, and launched a project website on 2019 July 23 to provide project information and gather feedback. Flyers and posters were delivered by the applicant to the surrounding neighbours of the subject site. A summary of applicant-led engagement can be found in Attachment 4.

The ICA responded with a letter objecting to the originally proposed building height (39 metres) and FAR (7.4) on 2019 November 08 and a letter objecting to the amended proposed building height (45 metres) and FAR (6.5) on 2020 June 19 (Attachment 5). The ICA noted that they are not opposed to development along 9 Avenue SE but only support a maximum height of 20 metres and a FAR of 3.0.

The Inglewood BIA provided a letter of concern about the proposed building height and community benefits (Attachment 6).

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Seven letters of opposition were submitted from the public, including the following concerns:

- the proposed building massing and height;
- shadow impacts to 9 Avenue SE;
- the impact on the heritage character of the community; and
- the lack of parking and traffic congestion in this area.

One letter of support was received expressing support for quality, responsible, architecturally balanced, and innovative developments, without artificial limits for height and density.

Administration considered the relevant planning issues specific to the proposed redesignation and has determined the current proposal to be appropriate given the location along a Neighbourhood Main Street and proximity to the Primary Transit Network, including the MAX Purple BRT and the future Inglewood/Ramsay Green Line LRT Station. The proposed DC Direct Control Bylaw limits the shadow impacts on the sidewalk on the north side of 9 Avenue SE and provides a 6-storey street wall along 9 Avenue SE. The proposed DC Direct Control Bylaw also includes guidelines to limit the building massing, including the maximum building height of 45 metres, building step back requirements from 9 Avenue SE, 10 Street SE and 11 Street SE, and building floor plate restrictions. It also allows sensitive infilling into the existing streetscape and appropriate transition to the surrounding buildings, including the National Hotel.

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

#### ***Interim Growth Plan (2018)***

The recommendation aligns with the policy direction of the [Interim Growth Plan](#). The proposed 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.

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### ***Municipal Development Plan (Statutory – 2009)***

The subject parcel is located within the Residential - Developed – Inner City area as identified on [Map 1: Urban Structure](#) in the [Municipal Development Plan](#) (MDP). The subject parcel is located along 9 Avenue SE, which is identified as a Neighbourhood Main Street in the MDP. Neighbourhood Main Streets provide for broad mix of residential, employment and retail uses along a Neighbourhood Boulevard street type. The MDP also supports greening the city by creating a more compact urban form that provides more local, sustainable travel choices. The proposal is in keeping with relevant MDP policies.

### ***Climate Resilience Strategy (2018)***

The [Climate Resilience Strategy](#) identifies programs and actions intended to reduce Calgary's greenhouse gas emissions and mitigate climate risks. This application does not include any specific actions that address objectives of this plan. Further opportunities to align development of this site with applicable climate resilience strategies may be explored and encouraged at subsequent development approval stages.

### ***Inglewood Area Redevelopment Plan (Statutory – 1993)***

The subject site is identified as Residential on Map 6: Generalized Land Use – Future in the [Inglewood Area Redevelopment Plan](#) (ARP). The Commercial area is intended to support attractive pedestrian-oriented retail development. The subject site is under site C19 in Table 3 entitled 'Proposed Commercial/Industrial Redesignations', which allows a 5-storey maximum building height and 4-storey street wall along 9 Avenue SE. The proposal requires an amendment to Table 3 of the ARP to support the increased building height and street wall height along 9 Avenue SE (Attachment 2).

The existing ARP is currently under review by Administration as part of the [Historic East Calgary Local Growth Planning](#) initiative. The multi-community planning process does not prohibit applications from being submitted. A full update to the local area plan is anticipated in Q1 2021. The application generally aligns with the forthcoming draft plan.

### **Social, Environmental, Economic (External)**

The recommended land use allows for a mix of uses and intensification along a Neighbourhood Main Street, in close proximity to the future Inglewood/Ramsay LRT Station. The proposed change provides the opportunity to better accommodate the housing needs of different age groups, lifestyles and demographics and opportunities for additional local retail and services for Inglewood's residents.

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**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 proposal is in keeping with applicable policies of the *Municipal Development Plan* and the *Inglewood Area Redevelopment Plan*, as amended. The proposal would allow for mixed-use development that will also support the provision of local amenities, employment and housing that could further activate 9 Avenue SE as a Neighbourhood Main Street.

**ATTACHMENT(S)**

1. Applicant's Submission
2. Proposed Amendment to the Inglewood Area Redevelopment Plan
3. Proposed DC Direct Control District
4. Applicant Engagement Summary
5. Community Association Letters
6. Business Improvement Area Letter