

Planning & Development Report to
Calgary Planning Commission
2020 September 17

ISC: UNRESTRICTED
CPC2020-0913

**Land Use Amendment in West Hillhurst (Ward 7) at 2417, 2419 and 2421 - 5
Avenue NW, LOC2019-0086**

EXECUTIVE SUMMARY

This land use amendment application was submitted by Murad Shivji on 2019 October 31 on behalf of landowners Anurag Dhand and Maureen Mooney. This application proposes to change the designation of three parcels from Residential – Contextual One / Two (R-C2) District and DC Direct Control District to the Mixed Use - General (MU-1f4.0h16) District to allow for:

- a mixed-use development with residential and commercial uses in the same building;
- a maximum building height of 16 metres (an increase from the current maximum of 10 metres);
- a maximum building floor area of approximately 1,200 square metres, based on a floor area ratio (FAR) of 4.0; and
- the uses listed in the M-U1 District.

This proposal is in alignment with the applicable policies of the *Municipal Development Plan* (MDP), and there is no local area plan for this area of The City.

No development permit has been submitted at this time.

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ADMINISTRATION RECOMMENDATION:

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

1. **ADOPT**, by bylaw, the proposed redesignation of 0.12 hectares ± (0.29 acres ±) located at 2417, 2419 and 2421 - 5 Avenue NW (Plan 710N, Block 20, Lots 10 to 13) from Residential – Contextual One / Two Dwelling (R-C2) District and DC Direct Control District to Mixed Use - General (MU-1f4.0h16) District; and
2. Give three readings to the proposed bylaw.

RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, 2020 SEPTEMBER 17:

That with respect to Report CPC2020-0913, the following be adopted:

That Council hold a Public Hearing; and

1. Adopt, by bylaw, the proposed redesignation of 0.12 hectares ± (0.29 acres ±) located at 2417, 2419 and 2421 - 5 Avenue NW (Plan 710N, Block 20, Lots 10 to 13) from Residential – Contextual One / Two Dwelling (R-C2) District and DC Direct Control District to Mixed Use - General (MU-1f4.0h16) District; and
2. Give three readings to **Proposed Bylaw 140D2020**.

PREVIOUS COUNCIL DIRECTION / POLICY

None.

BACKGROUND

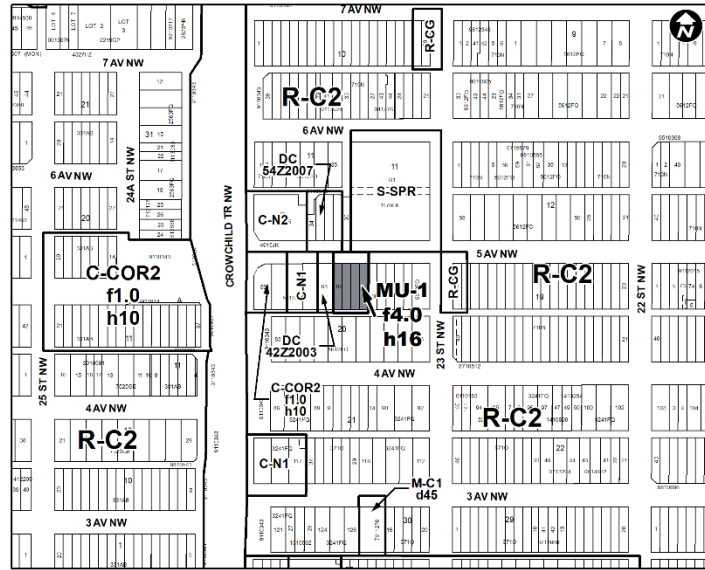
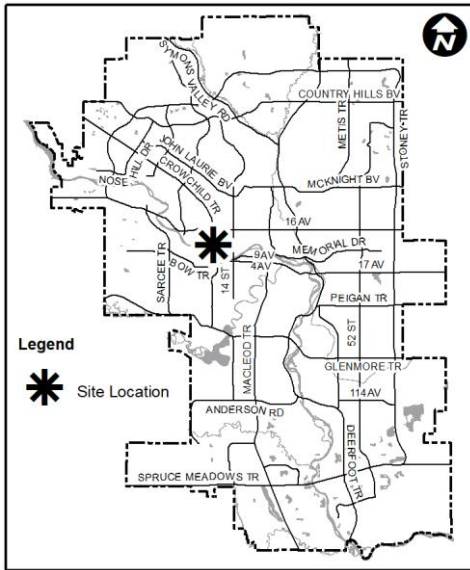
This land use amendment application was submitted by Murad Shivji on behalf of the landowners, Anurag Dhand and Maureen Mooney, on 2019 October 31. The application was originally submitted on 2019 June 21 for the parcel located at 2417 - 5 Avenue NW exclusively. However, shortly thereafter the applicant informed Administration that they had brokered a deal with adjacent landowners to include the additional parcels within the scope of the application. As a result, the application was amended and recirculated for comments causing an initial delay in Administration reaching a final recommendation. No development permit has been submitted at this time. However, as noted in the Applicant's Submission (Attachment 1), the applicant intends to pursue a grade orientated four storey mixed-use building containing neighbourhood scale commercial on the ground level along 5 Avenue NW with residential units within the remaining footprint of the building.

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2020 September 17

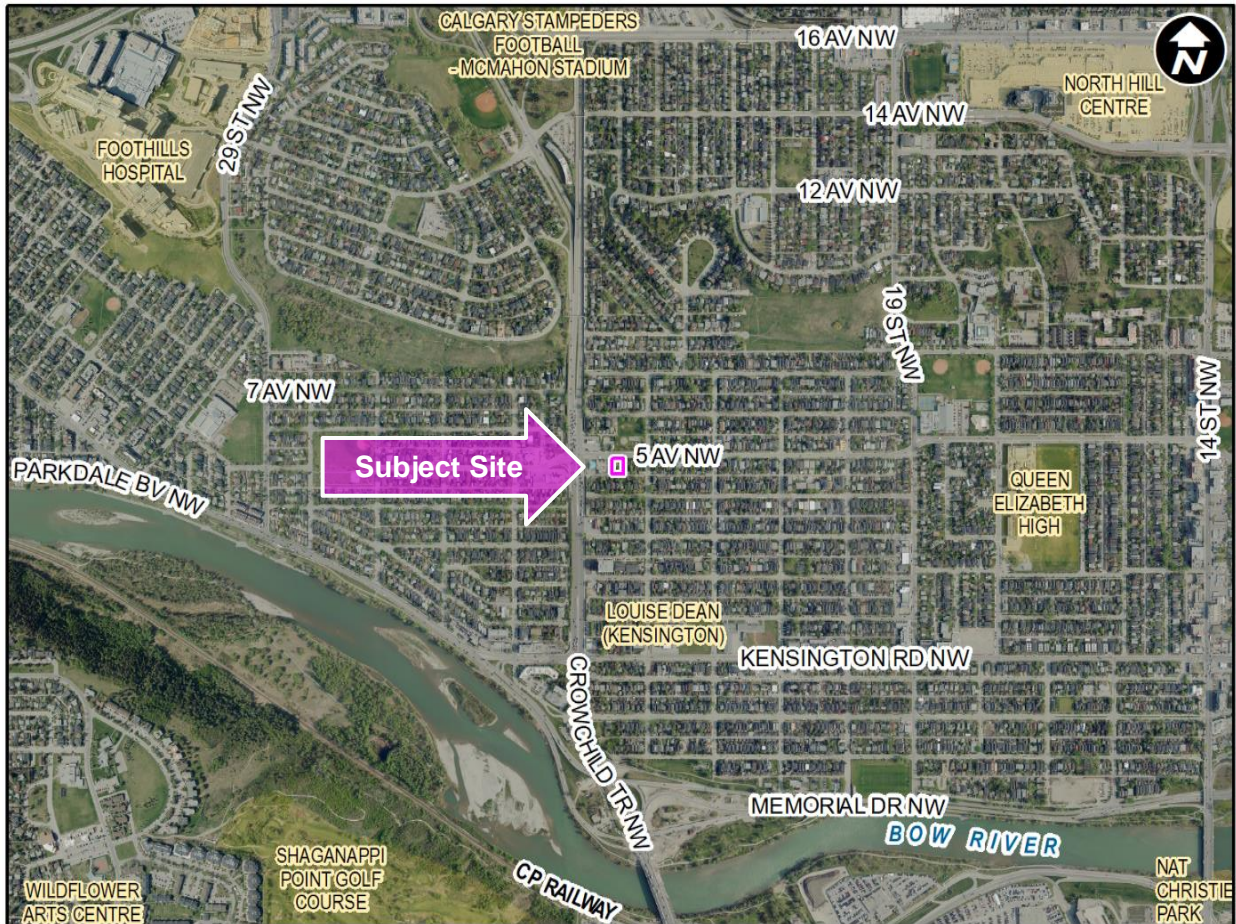
ISC: UNRESTRICTED
CPC2020-0913

Land Use Amendment in West Hillhurst (Ward 7) at 2417, 2419 and 2421 - 5
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Location Maps



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Site Context

The subject site is located in the community of West Hillhurst on the south side of 5 Avenue NW, in close proximity to Crowchild Trail NW. The site is comprised of three parcels totaling 0.29 hectares with overall approximate dimensions of 30 metres (width) by 39 metres (depth). A rear lane exists along the southern boundary of the site. The properties are currently developed with single detached dwellings and accessory residential buildings. A physiotherapy clinic, which is currently operating from the dwelling, on the western parcel is allowed under the current DC District which governs the site.

The community is characterized by a mix of single and semi-detached homes, with a variety of commercial uses being located to the west directly adjacent to Crowchild Trail. The predominant land use in the area is Residential – Contextual One / Two (R-C2) District. However, there have been pockets of re-development throughout the area which contain a higher mix of residential and commercial densities. Grand Trunk Park is located directly north along 5 Avenue NW,

Land Use Amendment in West Hillhurst (Ward 7) at 2417, 2419 and 2421 - 5 Avenue NW, LOC2019-0086

along with a child care service directly adjacent to the park. The Kensington Clinic, along with a carwash and ESSO gas station are located immediately to the north and west of the site.

North Hill shopping centre is the nearest Community Activity Centre and is located less than two kilometres northeast of the site. Similarly, the Southern Alberta Institute of Technology (SAIT) is located less than three kilometres to the northeast. The subject site is also located in close proximity to the University of Calgary, Foothills Hospital, Kensington commercial area and the Downtown core, as each one of these locations is located within a three-kilometre radius of the subject site.

As shown in *Figure 1*, the community of West Hillhurst has seen its population decrease slightly from its peak in 1968.

Figure 1: Community Peak Population

Capitol Hill	
Peak Population Year	1968
Peak Population	6,871
2019 Population	6,447
Difference in Population (Number)	-424
Difference in Population (Percent)	-6%

Source: *The City of Calgary 2019 Civic Census*

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

INVESTIGATION: ALTERNATIVES AND ANALYSIS

This application proposes to redesignate three adjacent parcels to the MU-1f16h4.0 District to allow for a mixed-use development. Throughout the review process, Administration explored other land use districts such as the Multi-Residential – High Density Low Rise (M-H1) District, which would also be appropriate for the site. However, after discussions with the applicant, the decision was made to proceed with the M-U1 District due to the greater flexibility it provides in terms of uses and built form. Due to the location of the subject site and current economic conditions, it was deemed imperative that a wide range of commercial uses be available in order to attract possible tenants from a larger pool of candidates. Further rationale for the recommended land use is provided in the Strategic Alignment portion of the report.

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. Secondary suites are a permitted use within this district. The R-C2 District allows for a maximum building height of 10 metres and a maximum of two dwelling units.

Land Use Amendment in West Hillhurst (Ward 7) at 2417, 2419 and 2421 - 5 Avenue NW, LOC2019-0086

The existing DC Direct Control District ([Bylaw 4Z2008](#)) is based on the R-2 District of Bylaw 2P80 and is a residential designation intended to primarily accommodate comprehensively designed low density residential development in the form of duplex dwellings, semi-detached homes, rowhouses and townhouses. The DC District also allows for the added use of medical clinic, which is currently operating on the parcel.

The proposed M-U1f4.0h16 District would accommodate a mixed-use building where both residential and commercial uses may be supported at grade facing the street. The proposed district includes a maximum FAR of 4.0 and building height of 16 metres. Consolidating the entire site into a single land use district provides greater flexibility in terms of location of uses and variety in the building form. Furthermore, the height rules of the MU-1 District have been designed to respond to the existing low density residential development to the south and east of the subject site through building setbacks and setbacks.

Development and Site Design

If the application is approved by City Council, the rules of the proposed M-U1 District will provide basic guidance for the future site development including appropriate uses, building massing, height, landscaping and parking. Additional items that will be considered through the development permit process include, but are not limited to:

- ensuring an engaging interface along the 5 Avenue NW frontage;
- ensuring a sensitive transition to the surrounding low density residential development;
- placement of commercial uses and how these are integrated along 5 Avenue NW frontage; and
- mitigation of overlooking and shadowing concerns.

Environmental Site Conditions

There are no environmental concerns associated with the site or current proposal.

Transportation

Pedestrian access to the subject site is available from 5 Avenue NW. Vehicular access to the parcel is available from the rear lane. Street parking is regulated along 5 Avenue NW and available to residents and visitors to the area. As identified by [Map 3: Road and Street Network](#) of the [Municipal Development Plan](#), 5 Avenue NW is identified as a Collector Road. The nearest major skeletal roadway is Crowchild Trail NW, which is located 100 metres west of the subject site. The area is well served by Calgary Transit. Base service is provided along 5 Avenue NW as the Route 104 has a stop located 50 metres west from the property, providing a direct connection to the University of Calgary and the Kensington commercial area. A Transportation Impact Assessment was not required as part of this application.

Planning & Development Report to
Calgary Planning Commission
2020 September 17

ISC: UNRESTRICTED
CPC2020-0913

Land Use Amendment in West Hillhurst (Ward 7) at 2417, 2419 and 2421 - 5 Avenue NW, LOC2019-0086

Utilities and Servicing

Water, sanitary and storm sewer mains are all available and can accommodate the potential redevelopment of the subject site without the need for off-site improvements at this time. Individual servicing connections as well as appropriate stormwater management will be considered and reviewed at the development permit stage.

Climate Resilience

The applicant has not identified any specific climate resilience measures as part of this application. Further opportunities to align future development on this site with applicable climate resilience strategies may be explored and encouraged at the development permit stage.

Stakeholder Engagement, Research and Communication

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

No public meetings were held by the applicant or administration in relation to this application.

The West Hillhurst Community Association responded to the circulation and were not supportive of the application (Attachment 2). In an effort to address the concerns of the West Hillhurst Community Association the applicant attempted to hold a meeting with the local planning committee on 2020 February 18. However, the meeting was delayed due to scheduling conflicts with the committee. Subsequently, any further attempts to meet with the association were unsuccessful due to the COVID-19 pandemic.

Administration received five citizen responses in opposition noting concerns related to the proposed land use redesignation and potential future development. The citizen concerns are summarized as follows:

- increase in traffic, noise and parking issues;
- increase in height, density, and lot coverage;
- reduced privacy for neighbouring properties; and
- general concern about higher density residential and commercial developments within the neighbourhood.

The applicant has indicated they will continue to work with the Community Association and local residents to address their concerns as it pertains to this project.

Planning & Development Report to
Calgary Planning Commission
2020 September 17

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CPC2020-0913

Land Use Amendment in West Hillhurst (Ward 7) at 2417, 2419 and 2421 - 5 Avenue NW, LOC2019-0086

The applicant has completed The City of Calgary's Outreach Assessment tool, and have generally complied with the recommendations as provided in that assessment, for a project of this nature. They have connected with the Community Association on two occasions, and are committed to working further with the Community Association and the public at the development permit stage.

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 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](#) which directs population growth in the region to the 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.

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 applicable MDP policies encourage redevelopment and modest intensification in inner-city communities intended to occur in a form that makes more efficient use of existing infrastructure, public amenities and transit. Redevelopment should support the revitalization of local communities by adding population and a mix of commercial and service uses.

The proposal is in keeping with relevant MDP policies as the rules of the M-U1 District provide for a development form that is appropriate for the subject site as well as to the surrounding land use typology in terms of height, built form and density. The proposed land use will allow for modest intensification of the subject site along with a range of commercial uses that are in close proximity to existing residents of the community.

Local Area Policy

There is no existing local area plan affecting this site. Administration is currently working on the *Riley Communities Local Growth Plan* that includes West Hillhurst and surrounding communities. Planning applications will still be accepted for processing during the local growth

Land Use Amendment in West Hillhurst (Ward 7) at 2417, 2419 and 2421 - 5 Avenue NW, LOC2019-0086

plan process. The local growth plan is anticipated to be finalized in late 2021 and will include more detailed direction regarding suitability of densification in alignment with *The Guidebook for Great Communities*.

Location Criteria for Multi-Residential Infill (2016)

While these criteria are not to be used as a checklist, they do provide for a framework in which to evaluate a parcel's appropriateness for intensification. The proposed land use amendment meets most of the location criteria for Multi-Residential Infill Development, such as:

- It is situated within 250 metres of several transit stops;
- Grand Trunk Park is located directly adjacent to the subject site;
- The subject site gains vehicular access by means of a rear lane;
- Located along 5 Avenue NW, a collector roadway as designated by the MDP; and
- Adjacent to existing non-residential development.

The proposal does not meet several criteria, including being located on a corner parcel and being located along or in close proximity to an existing or planned activity centre. However, Administration believes the general intent of the policy has been met by this application.

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.

Social, Environmental, Economic (External)

The proposed land use district allows for a wider range of commercial and residential uses in a mixed-use format and as such, the proposed amendment may better accommodate increased housing choice and service needs of different age groups, lifestyles and demographics in West Hillhurst.

Financial Capacity

Current and Future Operating Budget

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

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**Land Use Amendment in West Hillhurst (Ward 7) at 2417, 2419 and 2421 - 5
Avenue NW, LOC2019-0086**

Current and Future Capital Budget

The proposed amendment does not trigger capital infrastructure investment and 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 aligns with applicable policy directives of the *Municipal Development Plan*. The proposed M-U1f4.0h16 District represents an appropriate height and intensity of use for an inner-city site in close proximity to Crowchild Trail and other adjacent commercial uses. The proposed MU-1 District is designed to respond to the local context by establishing maximum building heights and provide the option for a variety of commercial uses compatible with the built form and character of the existing community.

ATTACHMENT(S)

1. Applicant's Submission
2. Community Association Letter
3. **Proposed Bylaw 140D2020**