

LAND USE AMENDMENT
CAPITOL HILL (WARD 7)
17 STREET NW AND 17 AVENUE NW
BYLAW 7D2017

MAP 29C

EXECUTIVE SUMMARY

The application proposes redesignation of seven parcels totaling 0.39 hectares located at 1804, 1808, 1812, 1816, 1820, 1824 and 1828 17 Avenue NW from Residential – Contextual One/Two Dwelling (R-C2) District to Multi-Residential – Contextual Low Profile (M-C1) District.

PREVIOUS COUNCIL DIRECTION

None.

ADMINISTRATION RECOMMENDATION(S)

2016 November 03

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 7D2017; and

1. **ADOPT** the proposed redesignation of 0.39 hectares ± (0.96 acres ±) located at 1804, 1808, 1812, 1816, 1820, 1824, 1828 – 17 Avenue NW (Plan 2864AF, Block 31, Lots 1 to 14) from Residential – Contextual One / Two Dwelling (R-C2) District **to** Multi-Residential – Contextual Low Profile (M-C1) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 7D2017.

REASON(S) FOR RECOMMENDATION:

The proposed Multi-Residential – Contextual Low Profile (M-C1) District is an appropriate contextual fit for the community. The parcel is located close to nearby shopping centres, a public library, churches, the Southern Alberta Institute of Technology and Southern Alberta Jubilee Auditorium. The parcel is also in close proximity to several frequent transit routes along 16 Avenue NW, 19 Street NW and 14 Avenue NW and the North Hill Light Rail Transit station.

The proposed land use redesignation aligns with the Municipal Development Plan (MDP) and North Hill Area Redevelopment Plan (ARP) policies and general planning principles. The proposed District will allow for more efficient use of land to support densification near major roadways, large shopping hubs and promote the use of public transit.

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On 2014 March 31, Council implemented “Location Criteria for Multi-Residential Infill” to assist with the evaluation of land use amendment applications to an M-C1 District. The location criteria (APPENDIX III) were designed for land use amendment proposals such as this one. This application generally complies with the location criteria.

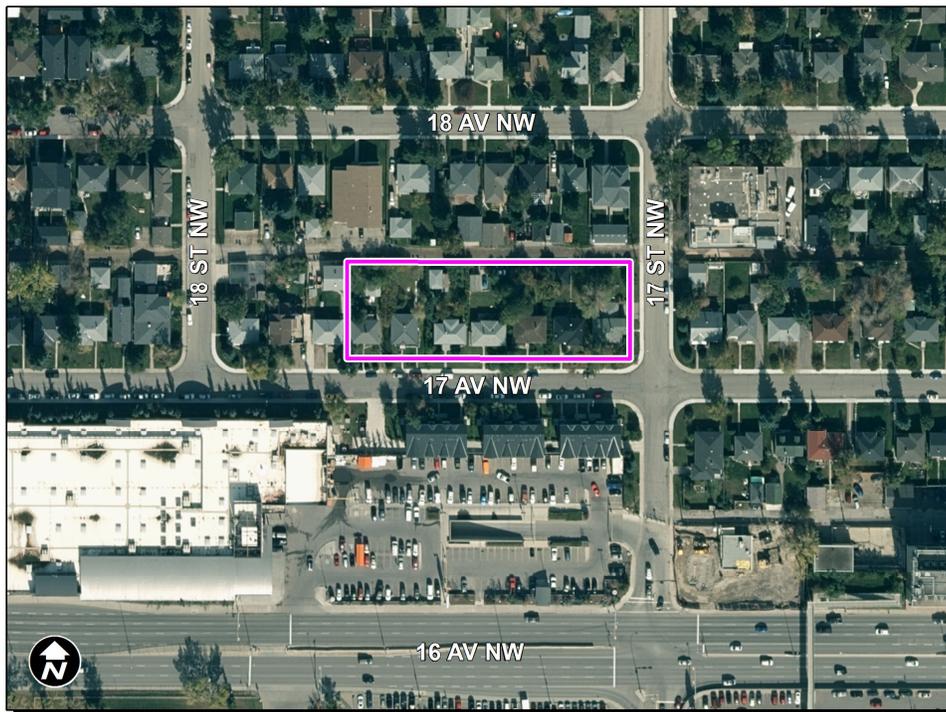
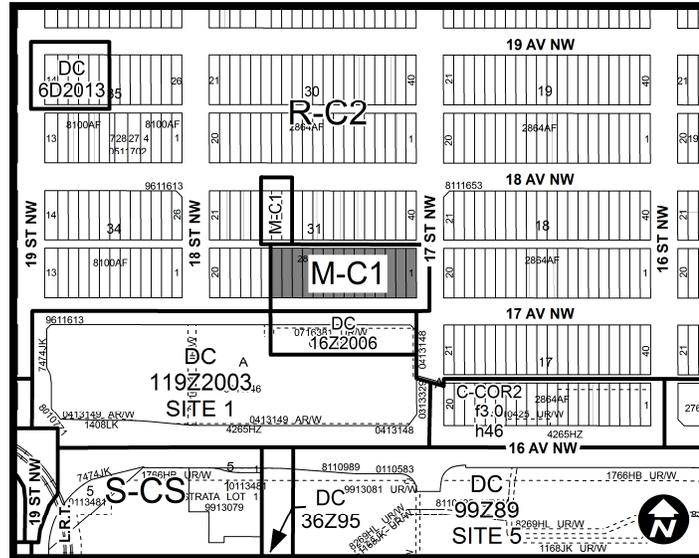
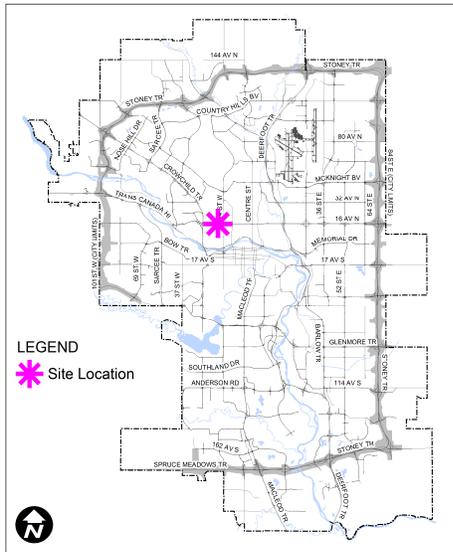
ATTACHMENT

1. Proposed Bylaw 7D2017
2. Public Submissions

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LOCATION MAPS



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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.39 hectares ± (0.96 acres ±) located at 1804, 1808, 1812, 1816, 1820, 1824, 1828 – 17 Avenue NW (Plan 2864AF, Block 31, Lots 1 to 14) from Residential – Contextual One / Two Dwelling (R-C2) District to Multi-Residential – Contextual Low Profile (M-C1) District.

Moved by: M. Foht

Carried: 8 – 0

Reasons for Approval from Mr. Foht:

- I supported this application for a number of reasons. The zoning is appropriate to increase the density in an inner city community, the use (senior's residence) is appropriate due to its proximity to shopping at Northhill shopping, proximity to public transit and the use is a good transition to residential for the more intense use along 16 Avenue NW.

Comments from Mr. Wright:

- The Site Context section of the report indicates that peak population is now 2016. That is great news and I compliment the community and the city to re-energizing an inner city community.

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Applicant:

Abanoub Development

Landowner:

Con Rated Panels Ltd
Kirolos Kirolos
Fizza Rafiq
Zahid Rafiq
Zahid Rafiq Professional Corporation

PLANNING EVALUATION

SITE CONTEXT

The subject site is located in the community of Capitol Hill and consists of seven parcels containing early 1950`s bungalows. The combined land area of the seven parcels is 0.39 hectares. The site topography is mostly flat from front to back with ranging slopes at the front of the subject parcels. 17 Avenue NW slopes down from 17 Street NW to 18 Street NW.

The subject site is primarily surrounded to the north by single-detached and semi-detached development designated R-C2 District. One parcel designated Multi-Residential – Contextual Low Profile (M-C1) District is located directly to the north and houses a seven unit apartment building. To the south, are parcels designated DC Direct Control District containing a Home Depot and townhouses.

The parcel is one block north of 16 Avenue NW, and approximately 691 metres from North Hill Mall. Nearby is the Southern Alberta Institute of Technology and Southern Alberta Jubilee Auditorium. Site access is provided via 17 Avenue NW and 17 Street NW, and there is a rear laneway. Seventeenth Street NW does not connect to 16 Avenue NW at this location.

Population data for the community of Capital Hill includes:

Capitol Hill	
Peak Population Year	2016
Peak Population	4571
2016 Current Population	4571
Difference in Population (Number)	0
Difference in Population (Percent)	0

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LAND USE DISTRICTS

The proposed Multi-Residential – Contextual Low Profile (M-C1) District allows for multi-residential developments, in a variety of forms, and is intended to accommodate multi-residential development of low height and medium density in close proximity or adjacent to low density residential development. The M-C1 District allows a maximum height of 14 metres but is restricted by heights written in the North Hill Area Redevelopment Plan (ARP) of 12 metres.

The proposed land use is appropriate for the subject site as it allows for densification in a variety of housing forms in proximity to low density development while respecting the immediate context. The proximity of the parcels to an urban boulevard, local commercial and existing multi-residential development to the south and north confirm the appropriate land use for the subject parcels.

LEGISLATION & POLICY

North Hill Area Redevelopment Plan (ARP) (Statutory/Approved by Council – 2000, amended in 2016)

The subject parcels fall under the Medium Density Low-Rise area within Map 2 of the North Hill Area Redevelopment Plan (ARP).

The North Hill ARP welcomes growth and change that is consistent with approved city-wide plans that enhance North Hill communities as stable, safe, and viable. The plan sets goals that are consistent with the MDP and support the provision of a variety of housing types that serve a range of households, age groups, and income levels while encouraging housing intensification that is sensitive to the established character of the area.

The ARP also seeks to ensure that new commercial development will be developed in a manner that is compatible with adjacent homes and provides a sensitive interface with existing low density residential development.

Any future Development Permit applications will be required to follow the policies of this plan and provide a development that is sensitive to the surrounding context.

Municipal Development Plan (MDP) (2009 - Statutory)

The subject parcels are located within the Developed Residential – Inner City Policy Area as defined on Map 1 of the MDP. The MDP is supportive of redevelopment that provides a broader range of housing choice and densities in local communities to support the demographic needs of communities. The plan seeks to ensure a choice of housing forms, tenures and affordability to accommodate the needs of current and future Calgarians, while keeping within the conditions and character of the neighborhood.

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In addition, MDP policies encourage the accommodation of special care facilities within residential and mixed-use communities to provide a broad range of specialized accommodation and care in order to meet a diverse array of city-wide and community needs.

This application is in keeping with the MDP as the land use amendment provides a broader range of housing choice, encourages the accommodation of special care facilities, and provides sensitive and appropriate densification in an inner city location with excellent access to transit and retail services.

Inner City Plan (1979 – Non - Statutory)

The subject parcels fall under the Inner City Plan. The goal of the Inner City Plan is to ensure the inner city evolves to provide a variation of housing types and lifestyle environments to serve a diverse population during all stages of life. Residential areas shall appeal to all lifestyles and provide facility and services for the mix of population.

This application is in keeping with the North Hill Area Redevelopment Plan, Municipal Development Plan, and the Inner City Plan as the land use amendment provides a broader range of housing choice to meet the needs of all citizens.

Location Criteria for Multi – Residential Infill

Council implemented 'Location Criteria for Multi-Residential Infill' (APPENDIX II) to provide a more specific tool for the review of land use amendment applications and associated amendments to local area plans seeking to allow for multi-residential developments in low density residential areas.

The following location criteria were consistent with the guidelines:

- On a corner parcel;
- Within 400 metres of a transit stop;
- Within 600 metres of an existing or planned Primary Transit stop station;
- Adjacent to existing or planned non-residential development or multi-dwelling development;
- Along or in close proximity to an existing or planned corridor or activity centre; and
- Direct lane access.

The following location criteria were not met:

- On a collector or higher standard roadway on at least one frontage; and
- Adjacent to or across from existing or planned open space or park or community amenity.

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The proposed land use satisfies a majority of the locational criteria for multi-residential infill housing.

South Saskatchewan Regional Plan (SSRP)

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

TRANSPORTATION NETWORKS

The subject lands are located on the corner of 17 Avenue NW and 17 Street NW. Sixteenth Avenue NW is located one block to the south, though 17 Street NW does not connect to 16 Avenue at this location.

A Transportation Impact Assessment was received, reviewed and accepted in support of this application.

Vehicular access is available from the rear lane. Site access design will be reviewed at the development permit stage.

The area is well serviced by Primary Transit Network and Skeletal Light Rail Transit. Bus routes 405, 414, 19 are located within 300 metres to the nearest bus stop, along 19 Street NW. Transit routes 19, 40, 91 are located within 400 metres to the nearest bus stop, travelling east and west located on 16 Avenue NW. Skeletal Light Rail Transit also services the area. The Louise Riley Light Rail Transit station is located approximately 730 metres from the subject site, and is serviced by bus route 405, 414 located within approximately 310 metres of the subject site.

UTILITIES & SERVICING

A water main upgrade is required at the Development Permit stage for adequate fire protection.

A Storm water main extension is required to service the subject site at the developer's expense.

A Sanitary Service Study was submitted and approved with no capacity issues.

ENVIRONMENTAL ISSUES

An Environmental Impact Assessment was not required for this application.

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ENVIRONMENTAL SUSTAINABILITY

An analysis of sustainability measures to be incorporated into the development will occur at the Development Permit stage. However, it is worth noting that the application proposes medium density residential development in an area well served by transit and within close proximity to a range of services within the inner city area.

GROWTH MANAGEMENT

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

PUBLIC ENGAGEMENT

Community Association Comments

A formal letter submitted by the Capitol Hill Community Association was received by the City on 2015 March 27, expressing objection. Concerns of the Capitol Hill Community Association are as follows:

- envisioned an R-CG land use at this location;
- does not allow for a suitable transition;
- does not respect the low profile housing stock adjacent; and
- Is not supported by the MDP and North Hill ARP.

After additional engagement by the applicant in 2016, the applicant expressed support from the Capitol Hill Community Association and select community members.

Citizen Comments

Thirteen submissions from the public were received expressing concerns. Concerns from adjacent neighbors can be summarized as follows:

- Construction disruption and damage to adjacent properties;
- Loss of sunlight, privacy, shadowing issues;
- Decrease in property values;
- Precedent setting;
- Increase in traffic and parking;
- Increase in pedestrian traffic, crime;
- The proposal is too dense, prefers single-family or semi-detached development;
- Health and safety issues;
- Decreasing affordable housing in the Community; and
- Added noise from HVAC systems, waste and recycling collection etc.

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Public Meetings

The applicant has engaged in conversations with members of the Capitol Hill Community Association Planning Committee and select community members in 2016.

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APPENDIX I

APPLICANT'S SUBMISSION



www.abanoubdesign.ca

Nov 13,2015

City of Calgary
Planning and Development
P.O. Box 2100, Station M, Calgary, AB
Canada T2P 2M5

To whom it may concern,

Abanoub Development is submitting this letter of intent on behalf of Kirolos Kirolos, Con Rated Panel and Zahid Rafiq professional corporation .

The above individuals and their companies are the owners of 1804,1808,1812,1816,1820,1824 and 1828 17 Ave NW

The land also known as: lot 1-14 ,Block #31 Plan number 2864AF.
located between the intersection of 17 Ave and 17 Street -18 street NW.

Total area of the land is 43750 square foot, currently there is seven houses. The Current Zone is RC2.

Our intent is to develop Senior facility accommodate 100-120 seniors to provide the necessary care needed to improve their life style . The facility will have 2-3 nurses with 15-18 other employees for all other duties.

Underground Parking will be provided for both the staff and the employee and percentage of the seniors upon their request.

The current zone is required to be changed to DC with MC1 to accommodate the senior facility.

The design team would like to have sun rooms and roof garden on top of the building which will require the city to consider adding those features to their consideration with the rezone . We believe such features will improve the services and provide green secure space to the residence away from the noise of the street and maintain their safety as well .

If you have any questions about this project you can contact Manar Kirolos at Abanoub Development at 403 472 4884

Sincerely
Manar kirolos

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APPENDIX II

Location Criteria for Multi-Residential Infill

Subject Site	Comments	
On a corner parcel.	<p>Corner developments have fewer direct interfaces with low density development.</p> <p>Corner sites avoid mid-block development that could signal speculation that the entire block is appropriate for redevelopment.</p>	Yes
Within 400m of a transit stop.	<p>Allows for greater transit use, providing more mobility options for residents of multi-dwelling developments.</p> <p>Can reduce motor vehicle usage, thereby minimizing vehicle traffic impact on community.</p>	Yes
Within 600m of an existing or planned Primary Transit stop station.	<p>Allows for greater transit use, providing more mobility options for residents of multi-dwelling developments.</p> <p>Can reduce motor vehicle usage, thereby minimizing vehicle traffic impact on community.</p>	Yes
On a collector or higher standard roadway on at least one frontage.	Minimizes traffic on local streets.	No
Adjacent to existing or planned non-residential development or multi-dwelling development.	Creates an appropriate transition between low density and other more intensive land uses or larger scale buildings.	Yes
Adjacent to or across from existing or planned open space or park or community amenity.	Creates an appropriate transition between low density and other land uses.	No
Along or in close proximity to an existing or planned corridor or activity centre.	Creates an appropriate transition between low density and other land uses.	Yes
Direct lane access.	Improves pedestrian environment for local residents by limiting the creation of multiple or high frequency use driveways across local sidewalks.	Yes

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APPENDIX III
LETTERS SUBMITTED

The Capitol Hill Community Association

1531 21 Avenue NW Calgary, AB T2M 1L9
Phone: 403.289.0859



March 27, 2015

Circulation Control
Planning, Development & Assessment
P.O. Box 2100 Station M
Calgary AB T2P 2M5

Email: cpag.circ@calgary.ca

Attention: Jessica Siriphokham, File Manager

Email: jessica.siriphokham@calgary.ca

Dear Jessica,

RE: Request for Comment on LOC2015-0009 (1812 17 AV NW)

Capitol Hill Community Association (CHCA) is pleased to provide comment on the land use amendment application LOC2015-0009 for the seven parcels of 1804 to 1828 17 Avenue NW. CHCA does not support this application for the proposed use of Multi-Residential - Contextual Low Profile (M-C1) District based on the following rationale.

CHCA is currently participating in a community planning project with City Administration to update our existing North Hill ARP to identify areas for future redevelopment with a modest to significant increase in development intensity in Capitol Hill. CHCA's objectives as part of the North Hill ARP update are in alignment with both the Municipal Development Plan and the Multi-Residential Infill Guidelines. We believe that greater density in our neighbourhood will result in more people living here, which will equate to a demand for more services and amenities such as better public transit service and more commercial/retail within walking distance. However, this future increase in density must occur in the proper locations that fit with and respect the context of the surrounding community and adjacent homes. At present, the CHCA Planning Advisory Committee for the ARP project envision the north side of 17 Avenue NW from 10th Street NW to 18th Street NW (with exception to the parcels adjacent 14th Street NW) as a street fronted by two to three storey rowhousing developments under the land use designation of R-CG. Since CHCA envisions the interior areas of the community retained as low density grade-oriented housing, rowhousing along the north side of 17 Avenue NW will create a suitable transition from the higher intensity along 16 Avenue and the south side of 17 Avenue to the context of the one to two storey R-C2 homes across the lane to the north in terms of building form and density.

In light of the above, the proposed use of M-C1 as part of this application is not in alignment with CHCA's vision for these parcels, nor does M-C1 respect the context of the adjacent low profile housing stock north of 17th Avenue. In addition, at no other location along the entire north side of 17 Avenue N from 1 Street NW to 20 Street NW (with exception of a fourplex at 1426 17 AV NW which is adjacent to 14th Street) is there an intensity of land use greater than R-C2. As such, CHCA

J. Siriphokham

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The Capitol Hill Community Association

1531 21 Avenue NW Calgary, AB T2M 1L9
Phone: 403.289.0859



believes that the approval of this land use amendment will set an unwanted precedent for other parcels along the north side of 17 Avenue for M-C1 land use and will result in speculation that other interior areas of the community could be redeveloped as M-C1.

This position is further supported by the Municipal Development Plan. The MDP identifies 16th Avenue N as an Urban Corridor with a high intensity of residential and business uses. Moving inward (north) from the Urban Corridor (16th Avenue) to the mainly low density interior of the community, policy 3.4.1.h of the MDP states that an

"Appropriate transition of building scale between developments in the Corridor and adjacent areas should be provided. These transitions should be sensitive to the scale, form and character of the surrounding buildings and uses."

This is further supported by policy 3.3.9 of the North Hill ARP which states that:

"Redesignations (rezonings) beyond those included in this ARP are discouraged and must be evaluated very carefully. The ARP rezonings proposed will serve to maintain the stability and existing character of the neighbourhoods. Rezonings not contemplated in this ARP, may be appropriate in locations and situations not addressed in this ARP. Redesignations to allow townhouses/apartments may be appropriate under the following circumstances:

- The proposed site should be on the edge of a low density area and not central to it*
- Generally the maximum height allowed should be in the 9-10 metre range of the predominant R-2 designation. Townhouses are preferred over apartments in proximity to low density detached houses.*

In closing, based on the reasons outlined above, the land use amendment application in question is therefore not in alignment with CHCA's vision for this location along 17 Avenue NW and as such, we urge the Approving Authority to not approve this application.

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The Capitol Hill Community Association

1531 21 Avenue NW Calgary, AB T2M 1L9
Phone: 403.289.0859



Thank you for the opportunity for CHCA to provide comments on this application. If Administration has any questions regarding the above, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Brendyn Seymour".

Brendyn Seymour
Director of Planning, Development & Transportation
Capitol Hill Community Association

cc: Darren Courtnage, CHCA President
Druh Farrell, Ward 7 Councillor
Craig Davies, City of Calgary Senior Planner & Project Lead, North Hill ARP update