

**LAND USE AMENDMENT
CAPITOL HILL (WARD 7)
ON 23 AVENUE NORTH IMMEDIATELY EAST OF 14 STREET NE
BYLAW 112D2016**

MAP 28C

EXECUTIVE SUMMARY

The subject lands are current designated Residential – Contextual One/Two Dwelling (R-C2) District. The proposed redesignation to Multi-Residential – Contextual Grade-Oriented (M-CGd89) District will allow for the development of up to 24 grade oriented residential units.

The application is consistent with the recently adopted amendments to the North Hill Area Redevelopment Plan (NHARP) and the Municipal Development Plan (MDP). Further site analysis will occur at future Development Permit stages.

PREVIOUS COUNCIL DIRECTION

None.

ADMINISTRATION RECOMMENDATION(S)

2016 March 24

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 112D2016; and

1. **ADOPT** the proposed redesignation of 0.28 hectares \pm (0.69 acres \pm) located at 1424, 1428, 1432, 1436 and 1440 – 23 Avenue NW (Plan 3150P, Block 36, Lots 11 to 20) from Residential – Contextual One/Two Dwelling (R-C2) District **to** Multi-Residential – Contextual Grade-Oriented (M-CGd89) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 112D2016.

REASON(S) FOR RECOMMENDATION:

The application proposes an increase to the allowable residential density on the subject lands in a street oriented built form. The landowner has been able to amass five different individual titles as part of the redevelopment proposal which leads to an exciting opportunity for a comprehensive redevelopment of this block.

The proposed land use redesignation is consistent with Municipal Development Plan (MDP) direction, and recent City initiated amendments to the North Hill Area Redevelopment Plan (NHARP).

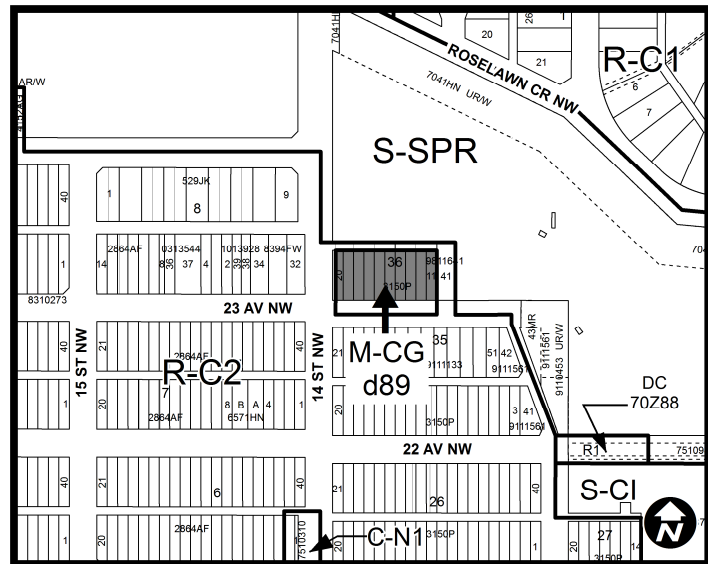
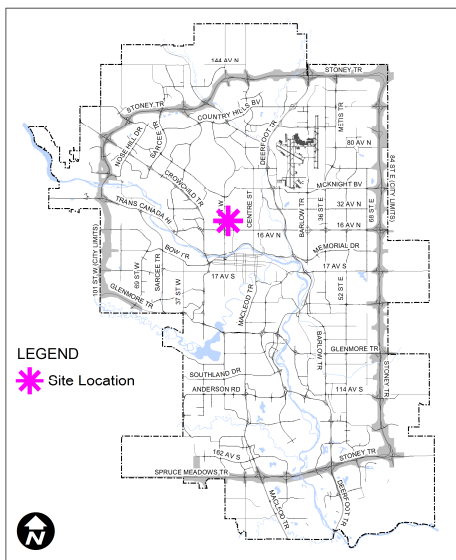
ATTACHMENTS

1. Proposed Bylaw 112D2016
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 0.28 hectares \pm (0.69 acres \pm) located at 1424, 1428, 1432, 1436 and 1440 – 23 Avenue NW (Plan 3150P, Block 36, Lots 11 to 20) from Residential – Contextual One/Two Dwelling (R-C2) District to Multi-Residential – Contextual Grade-Oriented (M-CGd89) District.

Moved by: G.-C. Carra

Carried: 8 – 0

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Applicant:

Mediated Solutions

Landowner:

Annette Noelle Blair

PLANNING EVALUATION

SITE CONTEXT

The subject lands are located on the east side of 14 Street N on 23 Avenue NE. The subject lands are in an area which primarily contains low density residential development. Confederation Park is located immediately north of the subject lands.

The five properties which constitute the subject lands contain two older bungalows and a two storey house all which are currently rented. There is an old Sears catalogue house on the eastern most parcel, but it is not on The City Heritage inventory. There are a total of six properties along this block of 23 Avenue, with only the eastern most property – 1420 - 23 Avenue NE, not included within the proposed redesignation. That parcel has already been redeveloped with a new single detached dwelling.

The lands slope down from the high point in the southwest corner north towards the park and east on 23 Avenue North West. An undeveloped and closed lane is located immediately north of the subject lands, which could potentially be used for development purposes.

LAND USE DISTRICTS

The subject lands are currently designated Residential – Contextual One/Two Dwelling (R-C2) District. The proposed redesignation to M-CGd89 District will allow for the development of up to 24 grade oriented residential units.

The built form will be confirmed during a future development permit process, but it is envisioned through the concepts provided, as well as the Area Redevelopment Plan policy, that it will include a number of individual buildings with units fronting both onto 14 Street NW, 23 Avenue NW and Confederation Park, with parking likely provided underground. Site topography would also suggest the need to use a slope adaptive development form.

LEGISLATION & POLICY

The Municipal Development Plan (MDP) (Approved by Council 2009)

The MDP identifies the subject lands as being within the Inner City policy area. The Inner City policies encourage residential intensification in a form that respects the scale and character of the neighborhood.

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Multi-Residential Infill Guidelines (2014 – non-statutory)

The *Multi Residential Infill Guidelines* are intended to provide Council approved location criteria to review and evaluate applications for multi-residential districts in proximity to low density residential development. The proposed application is consistent with these criteria as the site is located within 400 metres of a transit stop (and within 600 metres of primary transit), on an appropriately classified roadway, is located immediately adjacent to a significant park amenity, and serves as a good transitional land use and built form.

The North Hill Area Redevelopment Plan (NHARP) (Approved by Council 2000)

The subject lands are also located within the North Hill Area Redevelopment Plan (NHARP) boundaries. The NHARP was amended in a City initiated ARP amendment on 2016 March 07. The general intent of those amendments were to allow for modest intensification within the plan area, and to better align the ARP with existing MDP policy, and the Location Criteria for Multi-Residential Infill development guidelines.

The NHARP identifies the subject lands within its Medium Density Mid-Rise Residential land use typology. This area is intended to accommodate higher density development in key locations such as along main streets, at significant intersections or on sites where there is an ability to transition to lower density areas. Development in these areas is intended to include townhouses, apartments and live-work units. This area has a maximum building height of 14 metres for the first 45.7 metres east of 14 Street N (which encompasses the first three parcels), and then drops down to a maximum height of 12 metres for the remaining block length.

The proposed redesignation application to the M-CGd89 District follows the intent of the existing policies and respects the adjacent low density residential development while providing moderate residential intensification on this site.

TRANSPORTATION NETWORKS

The lands are accessed via 23 Avenue NW, to 14 Street NW. Primary transit stops are located within 400 metres on 14 Street NW. In this area, 23 Avenue NW slopes down from the intersection with 14 Street NW toward the east where it turns into 13 Street NW. There is a small parking area at the curve of this street junction.

The most appropriate location for future access to the subject lands will be assessed at the future Development Permit stage. Preliminary analysis suggests that there are suitable access locations, but it will be best accommodated through a shared driveway into the site.

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UTILITIES & SERVICING

Water, sanitary, and storm sewer mains are available for connection upon redevelopment of the site. There are no foreseen capacity issues in the vicinity of the site.

ENVIRONMENTAL ISSUES

Environmental Development Review did not require any environmental reports for this application. The site does have some significant topographical features across it; however, geotechnical testing at time of Development Permit application will inform the type of development appropriate for the site.

ENVIRONMENTAL SUSTAINABILITY

The site is located along a primary transit corridor, within the Inner City, and proposes infill intensification from the existing low density residential land use.

GROWTH MANAGEMENT

There are no growth management considerations.

PUBLIC ENGAGEMENT

Community Association Comments

The Capital Hill Community Association originally expressed concern in proceeding forward with the land use amendment application prior to the City initiated ARP amendments proceeding. They also requested more information on the potential built form on the property.

Citizen Comments

Fifteen letters of concern / objection were received from members of the public. These comments from the public can generally be categorized into the following:

- a) Concerns over additional traffic and parking from proposed development and in relation to competing user groups including commuter parking (specifically those parking to get to SAIT), parks users, and existing residents.
- b) Concerns over safety of 23 Avenue NW with existing slope on street, regarding ice build up and sight lines.
- c) General concerns related to increasing density in low density area.

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- d) Concerns with proceeding forward with a site specific amendment to the ARP when a concurrent ARP amendment project is underway.
- e) Geotechnical and building concerns related to development on sloped area.
- f) Building interface concerns with existing residential and Confederation Park.
- g) The house on 1424 - 23 Avenue NW should be classified as a historical building and or considered for relocation rather than demolished.
- h) Waste and recycling pick up challenges because of slope and parking issues on 23 Avenue NW.

Public Meetings

The Banff Trail - Capitol Hill policy amendments included numerous public meetings, in which the Applicant for this project was an active participant. The proposed redesignation aligns with the newly adopted policy.

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APPENDIX I

APPLICANT'S SUBMISSION

Redesignation of 1412-1440 23 Av. NW Capitol Hill

This application would redesignate 5 R-C2 properties near 14 St NW from R-C2 to **MCG d89**. These properties are currently occupied by 2 small bungalows and a two storey house which are rented. They overlook Confederation Park at the rear and the westernmost house is on 14 St. NW. The adjacent properties to the south across 23 Av. are designated R-C2.

The proposed redesignation would allow the development of grade-oriented town housing. Although the owner is not planning to redevelop the properties at the present time preliminary plans showing how the properties could be developed have been prepared and shown to the neighbours. We are requesting a d89 density modifier to limit the allowable units on the site when development actually proceeds. The d89 modifier would allow up to 24 units on the site.

This is the first Capitol Hill site requesting increased residential density since Council approved amendments to the North Hill ARP at its meeting on March 07, 2016. The amended ARP supports higher residential densities in a number of Capitol Hill locations including the subject site. The ARP amendments identify the subject site as suitable for Medium Density Mid-Rise Residential which would allow densities and heights slightly higher than proposed in this application. The applicant worked with the neighbours to arrive at the proposed designation. The amended ARP includes a range of development guidelines which we expect will be incorporated in the actual development of the site.

This site also meets most of the "LOCATIONAL CRITERIA for MULTI-RESIDENTIAL INFILL" approved by Council in March 2014. That policy establishes that parcels (such as this one) on a corner parcel, along a major roadway, within 400 m of a transit stop and adjacent to open space have locational advantages appropriate for townhousing.

Thank You for your consideration of this proposal.

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APPENDIX II

LETTERS SUBMITTED

The Capitol Hill Community Association

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



March 12, 2016

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

Email: cpag.circ@calgary.ca

Attention: Rick Michalenko, File Manager

Email: rick.michalenko@calgary.ca

Dear Mr. Michalenko,

Re: Request for Comment on DP2015-0036 (1436 23 Ave NW)

The Development and Planning Committee for Capitol Hill Community Association (CHCA) is pleased to comment on the Land Use application for the above project.

The proposed Land Use application and future development should respect the Land Use, densities and heights that have been proposed in the recently approved ARP for the area. Specifically, the lots along 14th St NW are expected to become multi-family oriented; this increased density is supported by the CHCA. As can be seen in the ARP, the higher density and heights would extend 100' into the community. The 1400 block, on which this application has been made, is a special consideration as it is adjacent to Confederation Park. The Development Committee has discussed the application for this block in depth and we believe slightly higher density and building heights are acceptable along 23rd Ave NW with the following conditions:

1. The building heights should step down as the development encroaches eastward into the low density neighbourhood: a Land Use of M-C2 (h16m) for the western 100' to align with blocks to the south; the next section of the block is expected to have a Land Use of M-CG (h12m); the final two lots (50') are expected to have a Land Use of R-CG to blend into the R-C2 Land Use that represents the majority of the block and the neighbourhood.
2. The parkade entry should be considered carefully: because the site slopes dramatically to the east we believe the parkade should be accessed under the M-C2 portion of the development. The M-CG section, as one would expect, ought to have grade oriented units along its length and the R-CG units, likewise, should not be encumbered in any way by a parkade entry.
3. The parkade must be designed to be entirely below grade, especially at the eastern end of the development. The Development Committee is concerned that the eastern end of the development could become a blank concrete wall adjacent to the lower density building forms neighbouring the development. The R-CG Land Use requested for this end of the development should fit seamlessly into the fabric of the street.

As mentioned in earlier correspondence, we would prefer if this Land Use application were tied to plans such that the transitions noted above, and in the ARP, could be clearly shown. The applicant should be made aware that the CHCA Development Committee is only supportive of this application if it addresses the densities and heights established in the ARP and this letter. Our intent is to

R. Michalenko

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accommodate higher density in this situation so long as consideration is given to the R-C2 densities along 23rd Avenue NW that currently exist to the south and east of the subject site.

The Committee certainly appreciates the patience that the applicant has shown by delaying this application until the amended ARP was approved by Council. We look forward to working with the Planning Department and the developer when the lands are considered for design and the DP application.

If you have any questions regarding the position of the CHCA Planning and Development Committee please feel free to contact me.

Yrs,

Erin Shilliday, Architect AAA
Director of Planning & Development
Capitol Hill Community Association

cc: Darren Courtnage, CHCA President
Carol Ames Executive Assistant Ward 7