

**POLICY AMENDMENT AND LAND USE AMENDMENT
BRIDGELAND/RIVERSIDE (WARD 9)
LOCATED WEST OF 7A STREET NE AND SOUTH OF CENTRE
AVENUE NE
BYLAWS 25P2016 AND 138D2016**

MAP 14C

EXECUTIVE SUMMARY

The proposed Land Use Amendment application requests redesignation of the lands from Residential – Contextual One / Two Dwelling (R-C2) District to Multi-Residential – Contextual Low Profile (M-C1) District. This will allow for the future development of up to 16 residential units on the two properties.

In order to facilitate the Land Use Amendment, an amendment to the Bridgeland-Riverside Area Redevelopment Plan (ARP) is also required. This amendment includes changing the land use typology for the subject lands from Conservation Area (appropriate for single and semi-detached residential units) to Non-Family Oriented Development.

PREVIOUS COUNCIL DIRECTION

None.

ADMINISTRATION RECOMMENDATION(S)	2016 April 21
That Calgary Planning Commission recommends APPROVAL of the proposed Policy Amendment and Land Use Amendment.	
That Council hold a Public Hearing on Bylaws 25P2016 and 138D2016; and	
<ol style="list-style-type: none">1. ADOPT the proposed amendments to the Bridgeland-Riverside Area Redevelopment Plan, in accordance with Administration's recommendation; and2. Give three readings to the proposed Bylaw 25P2016.3. ADOPT the proposed redesignation of 0.11 hectares ± (0.27 acres ±) located at 65 and 69 - 7A Street NE (Plan 4301R, Block 7, Lots 30 to 33) from Residential – Contextual One / Two Dwelling (R-C2) District to Multi-Residential – Contextual Low Profile (M-C1) District, in accordance with Administration's recommendation; and4. Give three readings to the proposed Bylaw 138D2016.	

REASON(S) FOR RECOMMENDATION:

The application proposes a moderate increase to the allowable residential density on the subject lands. The lands are located in an inner city location with excellent access to City transit services and other area amenities include a large community park and several schools.

R. Michalenko

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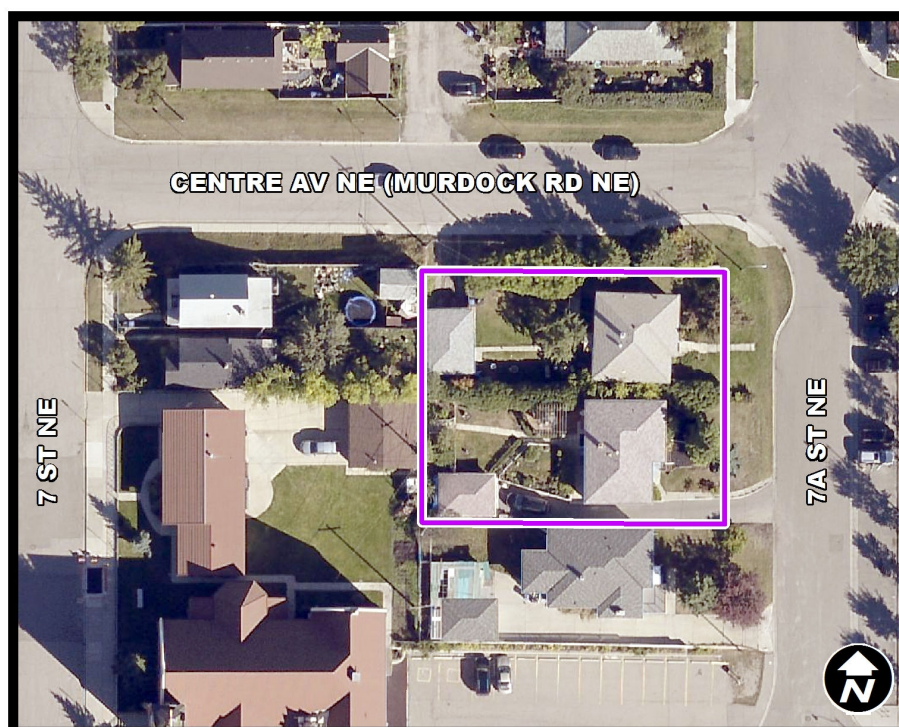
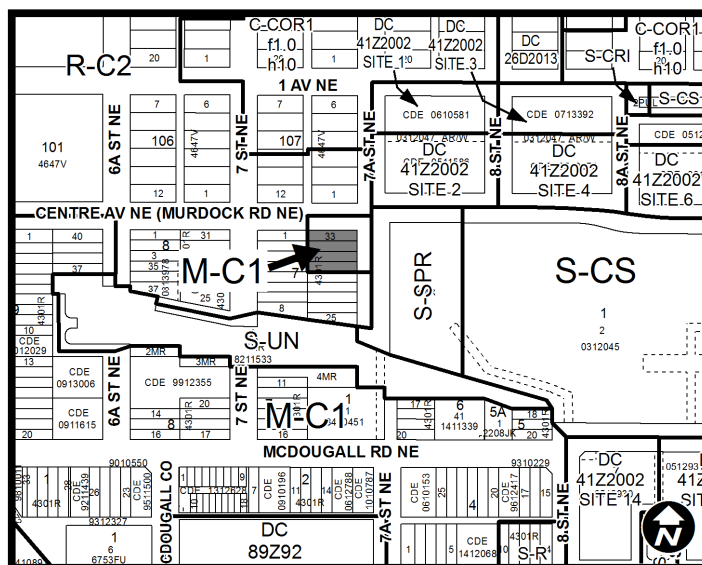
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The future built form and specific number of units on the property will be determined during future development permit stages; however, the regulations of the M-C1 District, and the District's purpose and intent fit within the site context.

ATTACHMENTS

1. Proposed Bylaw 25P2016
2. Proposed Bylaw 138D2016
3. Public Submissions

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[illegible]

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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

- | | |
|----|--|
| 1. | Recommend that Council ADOPT , by bylaw, the proposed amendments to the Bridgeland-Riverside Area Redevelopment Plan (APPENDIX II). |
| | Moved by: G. Morrow Carried: 9 – 0 |
| 2. | Recommend that Council ADOPT , by bylaw, the proposed redesignation of 0.11 hectares ± (0.27 acres ±) located at 65 and 69 - 7A Street NE (Plan 4301R, Block 7, Lots 30 to 33) from Residential – Contextual One / Two Dwelling (R-C2) District to Multi-Residential – Contextual Low Profile (M-C1) District. |
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Applicant:

Beyond Homes

Landowner:

Sahra Kanji Professional Corporation
1853985 Alberta Ltd (Robin Williams)

PLANNING EVALUATION

SITE CONTEXT

The subject lands are located in the community of Bridgeland-Riverside, on the west side of 7A Street NE, south and adjacent to Centre Avenue Northeast. The lands are located 650 metres to the Bridgeland – Memorial C-Train station.

The subject lands consist of two parcels, totaling 0.11 hectares \pm (0.27 acres \pm) in size, each with an existing single detached dwelling located on it. This block does not have laneway access.

Adjacent lands consist of a mix of land uses: a newly constructed semi-detached dwelling is located directly to the south; two older single detached dwellings are located to the west; a church is located to the southwest; single detached residential is located to the north; four-storey multi-residential is to the northeast; and the Bridgeland Riverside Community Association park (3.3 hectares \pm (8.1 acres \pm) and community buildings are located directly to the east.

Parking for the park is located on the east side of 7A Street NE, while parking for the church is located on the south-west end of the 7A cul-de-sac. South of the existing cul-de-sac on 7A Street NE, the lands slope down significantly to the Bow River valley level. The existing low density residential is designated R-C2 in this area.

LAND USE DISTRICTS

The proposed Land Use Amendment application requests redesignation of the lands from Residential – Contextual One / Two Dwelling (R-C2) District to Multi-Residential – Contextual Low Profile (M-C1) District. Some of the more notable elements of the M-C1 District's purpose and intent statement include: the intent to apply to the Developed Area; the provision for varied building heights and front setback areas to reflect the immediate context; and its intended location to be in close proximity or adjacent to low density residential development.

An application for a development permit on the subject lands has not been applied for, so the built form will be confirmed during a future development permit process. However, according to preliminary information provided by the Applicant, the intended design will potentially include a \pm 12 unit residential building that is three storeys fronting 7A Street NE, and two storeys along the western property boundary, with grade-oriented units fronting onto 7A Street NE, and a parking structure accessing Centre Avenue N.

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The M-C1 District would allow some variation to the above based on the District regulations; however, requirements would include: a maximum density build out of up to 16 residential units (total) on the two properties; and a maximum building height of 14.0 metres (along 7A Street NE), with a 9.0 metre maximum height (within 5.0 metres of the property line) along the western property boundary.

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 moderate residential intensification in a form and scale that respects the existing character of the neighborhood. At a building design level, the policies suggest that new buildings in these areas should maximize front door access to the street and principal public areas to encourage pedestrian activity.

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 the preferred location criteria as the site is: located on a corner parcel; is located within 200 metres of a transit stop (and within 650 metres of an LRT station); and provides a good transitional land use in this area.

The Bridgeland-Riverside Area Redevelopment Plan (ARP) (Approved by Council 2000)

The subject lands are also located within the Bridgeland-Riverside Area Redevelopment Plan boundaries (ARP). The ARP currently classifies the subject lands as being within the Conservation area typology, suitable for low density residential land uses consisting of single detached residential and semi-detached residential units. Note that: although there are references in the Community Association letter to The City which refer a project which proposes a comprehensive review of the ARP, this ARP is not currently being considered for such a review.

The application therefore includes a site specific amendment to the ARP to amend the land use typology on the subject lands to Non Family Oriented Development. Although the name of this typology category appears to suggest otherwise, it does not inform future layout, design, or occupancy of the building. It does however best represent the intended density and built form on the site (based on the Land Use Bylaw 2P80 RM-5 and RM-4 land use Districts), which closely relate to the proposed M-C1 land use designation.

Various forms and densities of multi-residential are already approved in this area of the ARP, northeast and east of the subject lands, surrounding the large community park located immediately east of the subject lands. Intensification of this site is not inconsistent with the policy direction for redevelopment in this area of the community.

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TRANSPORTATION NETWORKS

The subject lands are located at the southwest corner of Centre Avenue NE and 7A Street NE. They are located on a block which does not have an existing lane; therefore, the current access to the two dwellings on the property is from individual driveways on Centre Avenue NE and 7A Street NE. Both Centre Avenue and 7A Street are classified as residential streets. The lands are located 650 metres to the Bridgeland – Memorial C-Train station and within 200 metres of bus stops for the Route 9 on Centre Avenue NE.

Access to future new development on the subject lands will be assessed at future development permit stages. A sidewalk extension along the west side of 7A Street will be required at a future development permit stage.

UTILITIES & SERVICING

A sanitary study was provided in support of the application, and it has been accepted by The City. The CPAG review of the proposal information also identified required extensions of storm water mains and water mains to provide services to the site. These will be further considered and implemented at future development stages.

ENVIRONMENTAL ISSUES

There are no known environmental issues with the site or application.

ENVIRONMENTAL SUSTAINABILITY

The site is located within 200 metres of transit services, 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 Bridgeland-Riverside Community Association (CA) was contacted regularly through the application process, by both City Administration and the Applicant. Two sets of comments were provided by the CA, with the most recent submission included in the CPC report.

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The concerns from the CA can be generally categorized into the following:

- A concern over the proposed M-C1 land use with a preference for M-CG noted.
- A concern over the lack of certainty of the future built form and density on this site. The stated preference was for either submission of a concurrent development permit application or submission of a Direct Control Bylaw and tying the approval to plans.
- Clarification of “the CA support” for some development concepts which have been provided by the Applicant, and correspondence between The Applicant, City staff and the Community Association.
- Concern and clarification of procedures to amend the Bridgeland-Riverside ARP.

The Bridgeland Riverside CA also made a request to submit up to three different letters for the project, but based on past practice, City Administration has only included the most recent response within the report.

Citizen Comments

There were 15 letters of concern / objection received as part of the circulation of the application. A summary of these concerns includes the following: increase to traffic and parking issues in the area; community opposition to spot rezoning and ARP amendments; impact on viewscales; concerns over circulation and notification procedures; impact on land values; negative impact on feel of community; concern over build out of additional density while existing redevelopment projects still underway; and lack of certainty of future development (no Development Permit submitted).

Public Meetings

There were no public meetings held as part of the application process.

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APPENDIX I

APPLICANT'S SUBMISSION

bbloc

November 3, 2015

Proposed Land Use Redesignation from R-C2 to M-C1:

65 7A Street NE : Lots 30&31, Block 7, Plan 4301R
69 7A Street NE : Lots 32&33 Block 7, Plan 4301R

To Whom It May Concern:

The intention of this land use redesignation is as follows:

1. To consolidate the two existing lots with R-C2 zoning to one parcel with M-C1 zoning and a maximum 16.5-unit development. A 16-plex is not permitted in a RC-2 zone, therefore rezoning is required.
2. A minor ARP amendment will be necessary as the current site is part of the conservation area. The site is next to the park and is directly adjacent to an existing 4-6 storey residential area that surrounds the park.
3. The area in Bridgeland where the redesignation is being requested includes various modern/contemporary developments and the building types range from single family, semi-detached, and multi-family to commercial, making the change to a modern/contemporary multi-unit complex contextual. The neighbourhood is going through redevelopment making the transition even more justified.
4. Constructing a multi-plex can lower the overall cost of the residence for a buyer. Compared to the cost of a single or semi-detached residence in this area, the proposed development has the potential to vitalize this area of Bridgeland with young professionals and families.
5. The increase in density available in a multi-plex within a residential area so close to downtown will further help to enliven the area and to create a walkable vibrant community.
6. The subject parcel is 650m or an 8-minute walk (see map attached) from the Bridgeland-Memorial C-Train station. The proximate access to transit supports the change to higher density on the site.
7. The proposed conceptual site plan submitted with the rezone application shows a 15-unit complex that will increase the value of the subject property as well as the adjacent properties by providing increased density in an aesthetically modern building.
8. With a 15-unit development, the parking requirement is 17.25 stalls. The proposed site plan shows 18 stalls that are accessed by one driveway on the North property line in order to maximize the building frontage on the street.
9. In the proposed design, UNITS A-E are accessed from the street and have living area above grade and bedrooms below grade. UNITS F-Q are accessed from the outdoor common access above the parkade.

Should you have any further questions or concerns, please feel free to contact me at 403-444-9000.

Sincerely,

Alissa Coldham
Building Bloc Design Inc.

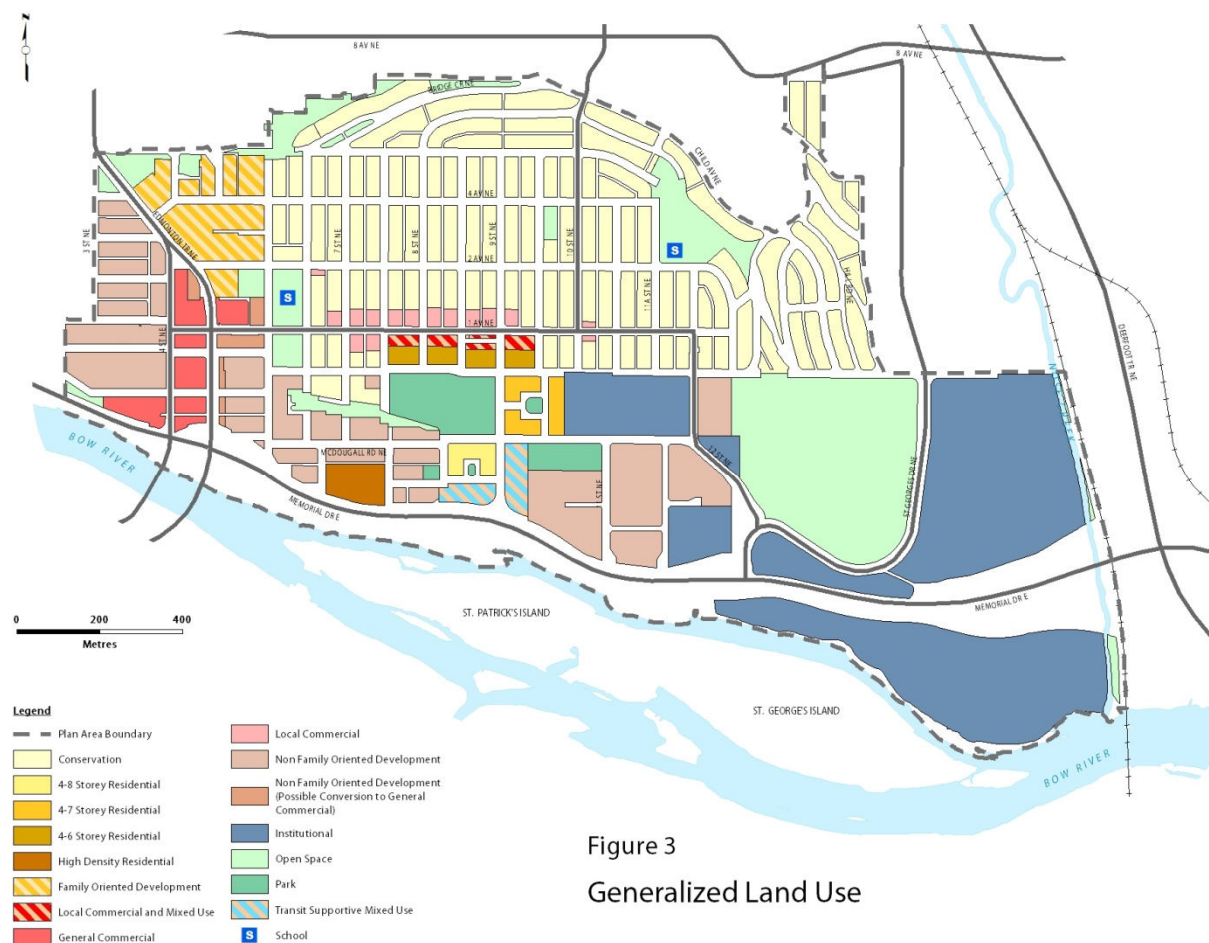
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APPENDIX II

**PROPOSED AMENDMENTS TO THE BRIDGELAND – RIVERSIDE
AREA REDEVELOPMENT PLAN**

- (a) Delete the existing Figure 3 entitled “Generalized Land Use” and replace with revised Figure 3 entitled “Generalized Land Use” as follows:



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APPENDIX III

LETTERS SUBMITTED



Planning Committee
Bridgeland Riverside Community Association
917 Centre Avenue NE
Calgary AB T2E0C6
brccalgary.org

Planning, Development & Assessment #8201
The City of Calgary
PO Box 2100 Station M
Calgary AB T2P2M5

ATTN: Rick Michalenko (rick.michalenko@calgary.ca)
RE: LOC2015-0125
CC: Ali McMillan, Planning Director (BRCAlplanning@gmail.com)
Joe Belland, Development Sub Lead (sold@stonepointrealty.com)

14 April 2016

To Whom It May Concern:

Thank you for the opportunity to submit this letter to clarify BRCA's position with respect to the proposed Land Use Amendment and associated ARP amendment affecting 65 and 69 - 7A Street NE (LOC2015-0125). There has been much correspondence and other communication on this file among the City, the Applicant, community members, and BRCA, and we were under the impression that all of it (Detailed Team Review and subsequent commentary) was to be included and presented to CPC and thereafter to City Council. Having learned that only the Applicant's initial letter and the City's final report are part of that file, (along with a single letter from our community association) we are writing to consolidate our position to better summarize our viewpoint. We very much appreciate the courtesy shown us in this regard by Rick Michalenko, the responsible File Manager.

BRCA Position Arising from the Applicant's First Community Engagement

Upon initial review of this application and the request to rezone the parcels from their existing status as Residential—Contextual One/Two Dwelling (R-C2) to Multi-Residential—Contextual Low Profile (M-C1), notice was given by our Planning Committee to adjacent neighbours of a meeting at which the applicant presented a proposed use for the site illustrating a 15-16 unit development. The feedback noted below was sent to the File Manager in December 2016:

1. The biggest concern expressed both by both adjacent neighbours and by the BRCA itself is that substantial re-zoning is being sought without any overall local plan (such as an ARP) that would support, even in general terms, the proposed land use. In this letter, we use the term "spot re-zoning" to mean, "the rezoning of isolated parcels without a local plan indicating support of such rezoning." We registered our concern that such spot rezoning fails to give affected persons any reasonable basis for anticipating proposed changes in land use. This leads not only to the understandable frustration of

R. Michalenko

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neighbours—some of whom have written letters against this proposed rezoning—but also to unpredictable economic consequences (land speculation, both positive and negative). Some residents who make such criticisms may nevertheless think that evolutionary and incremental change is right in neighbourhood rezoning, but the constant refrain is that such change should (as a matter of mature public policy) be made from the foundation of a mandate: a broader, and publicly-acknowledged, vision. This particular spot-rezoning application may lead to additional spot-rezoning applications within the immediate vicinity, the result of which may one day create a haphazard patchwork of zonings (best case scenario) or a the gradual or “crowding out” of healthy R-C2 zoned lands as a result of “creep” (worst case scenario). Spot re-zoning as thus described really is contrary to “planning” except on a parcel-by-parcel basis. In short, the making of rezoning decisions without a supportive local plan effectively means that such decisions are not planned at all; they simply happen reactively or on an *ad hoc* basis in response to particular applications received or promoted with the danger of setting precedent in a community.

2. The site in question is in the “conservation zone” as described in the Bridgeland Riverside ARP [a “statutory plan” under the Municipal Government Act (Alberta)]. As a Planning Committee, we are aware of the City mandated goals of the Municipal Development Plan and the general thoughts that exist with regard to increased density for our neighbourhood. (and the loose identification of areas south of 1st Avenue as the primary location for such goals). However, our ARP does not reflect this mandate and remains a statutory plan—the contents of which cannot be ignored or overturned with abandon. Residents in the immediate vicinity of this parcel were informed—as recently as during the rezoning process for the lands associated with the Bridges development—that increased density was to be localized to the lands directly associated with the Bridges and that their pocket of R-C2 homes was to remain part of the “conservation zone” as stated in our ARP.
3. There is no laneway access behind the subject parcel to provide a buffer for the immediately adjacent neighbouring parcels to the west. It is reasonably foreseeable that application of standard MC-1 setbacks may be undesirable and that setbacks may need to be adjusted in the details of any actual rezoning to provide acceptable buffering between (the current and future possible) single-family residences backing onto a multi-family development.
4. As a Committee, we believe that many members of our community are not opposed to seeing some type of increased density in this location or its vicinity—but question whether the proposed zoning (to allow a M-C1 development) is the best for the area given strongly objecting concerns from adjacent neighbours, the ARP intent and the parcel’s location immediately adjacent to R-C2. It may be preferable to see a contextual, pedestrian oriented townhouse or similar development to bridge or transition from increased density of the Bridges to the R-C2 lands to the west. Certainly our impression is that a family-oriented townhouse development would be less of an affront to the adjacent owners of single-family homes.
5. Especially given the already substantial interest among affected persons, we would have preferred to see this re-zoning application be linked with a concurrent DP application. Although concurrency is not always appropriate and is no substitute for the guidance of a local plan, in this case neighbors really have no choice but to “assume the worst.” In such circumstances, it might be preferable at least in terms of dynamics and emotions for neighbors to see actual plans for the site and thus be better able to comment on possible built form, and for our Committee to work with concerned neighbours in relation to the technical issues of the proposal.

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Updated "Engagement" by the Applicant

After the foregoing comments were developed and communicated to the City in December 2015 (and, to be clear, all such comments remain applicable today), the Applicant reappeared before our Committee and presented a further theoretical development for the parcel (an architectural design for a 12-unit development). This presentation was made on 18 February 2016. It was our understanding that this design was presented to our Committee, and to other affected persons in attendance, in order to show the type of development that Building Bloc Design is intending. In any event, after garnering additional feedback we sent the File Manager an email note updating our earlier position. In that email we summarized elements in the presented design that were more amenable to many in the community. Again, we expressed the hope that the Applicant would consider submitting a development permit application for this 12 unit development to run concurrently with the LOC application in order to provide permit-level assurance regarding the eventual build. To date they have not done so.

We feel that if the Applicant is truly seeking community support for this application, then they should have brought forward meaningful assurances as to the future. If this was not going to occur via a concurrently submitted DP application, then it could alternatively have taken the form of self-imposed Direct Control Guidelines on rezoning (e.g., setting a 12-unit maximum on the combined site, minimum parking at 1.5 stalls per unit, and requiring ground-oriented design; or, alternatively by requesting an M-CG designation – on which we believe the presented new design would fit).

We also record our background understanding, of the Applicant's original proposal for a duplex. The duplex proposal was rejected by Administration and by our Ward Councillor, who both pushed for higher density, contrary to existing zoning and ARP designations and without prior buy-in from the affected community.

In conclusion, we understand that Administration is now recommending to Calgary Planning Commission that the applied-for rezoning be approved with no conditions. The community will have no certainty of anything at all to come except at the outer limits of what MC-1 could permit. All of this could occur despite our community's tremendous and growing interest in a planned future (ARP investigations, etc.), and without anything existing at that level that would give fair warning of this type of outcome.

Thank you, again, for giving us the opportunity to clarify our position.

Sincerely,



Kirsten Dow-Pearce
Planning Committee Representative, Bridgeland Riverside Community Association

Per: Ali McMillan, Planning Director, Bridgeland Riverside Community Association
Joe Belland, Chair, Development Sub Committee, Planning Committee, BRCA