

LAND USE AMENDMENT  
RUNDLE (WARD 5)  
36 STREET NE AND 26 AVE NE  
BYLAW 82D2016

MAP 27E

**EXECUTIVE SUMMARY**

The proposed land use amendment is intended to redesignate the subject site from Multi-Residential – Contextual Low Profile (M-C1) District and Multi-Residential – Contextual Low Profile (M-C1d100) District to Multi-Residential – Contextual Medium Profile (M-C2) District, Multi-Residential – High Density Medium Rise (M-H2f4.0h36) District and Multi-Residential – High Density Medium Rise (M-H2f2.5h16) District in order to accommodate multi-residential development.

**PREVIOUS COUNCIL DIRECTION**

None.

**ADMINISTRATION RECOMMENDATION(S)**

2016 February 25

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 82D2016; and

1. **ADOPT** the proposed redesignation of 3.94 hectares ± (9.73 acres ±) located at 2631 – 38 Street NE (Plan 7611338, Block 18, Lots 2 and 3, OT) from Multi-Residential – Contextual Low Profile (M-C1) District, Multi-Residential – Contextual Low Profile (M-C1d100) District **to** Multi-Residential – Contextual Medium Profile (M-C2) District, Multi-Residential – High Density Medium Rise (M-H2f4.0h36) District and Multi-Residential – High Density Medium Rise (M-H2f2.5h16) District, in accordance with Administration’s recommendation; and
2. Give three readings to the proposed Bylaw 82D2016.

**REASON(S) FOR RECOMMENDATION:**

The proposed land use redesignation is in keeping with the goals of the Municipal Development Plan (MDP) to provide for intensification along key transit nodes and corridors within established areas of the city. The proposed districts will ensure redevelopment of the site will increase vitality and activity in the community while still respecting the adjacent low density residential character of the community.

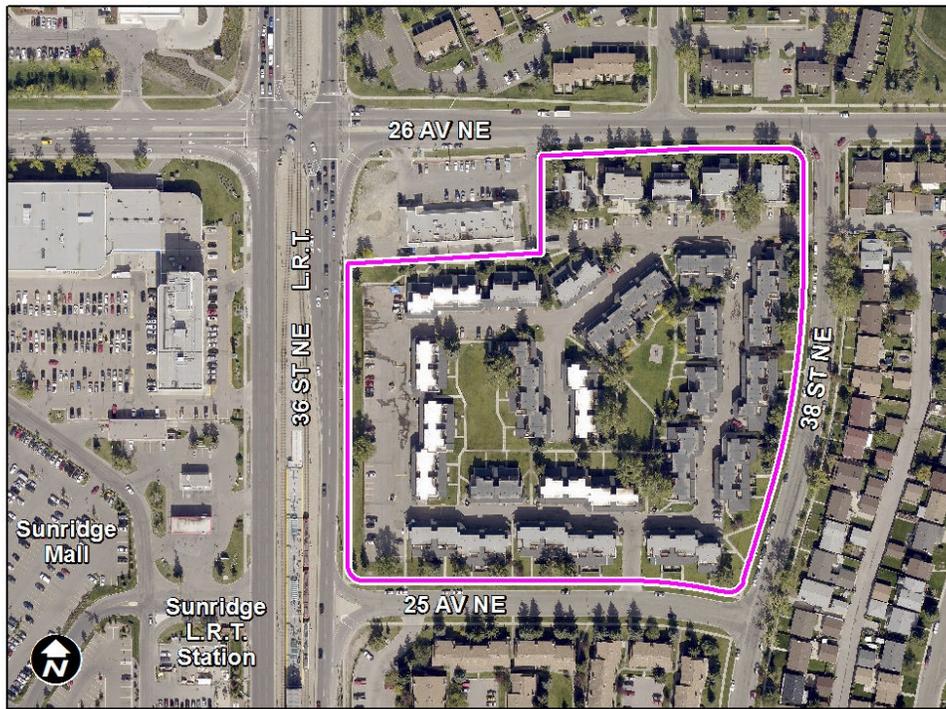
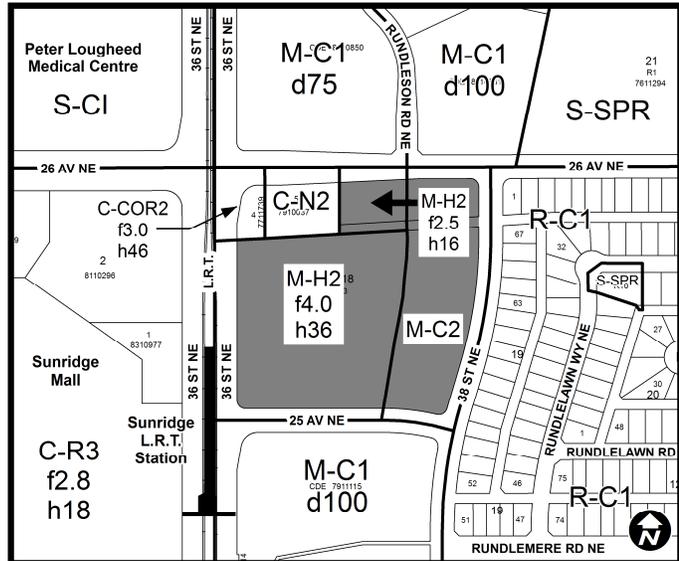
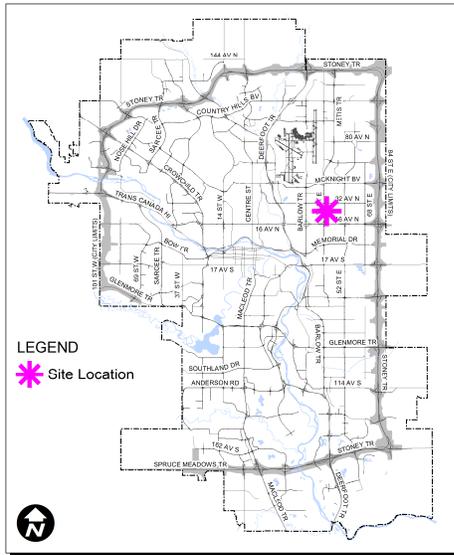
**ATTACHMENTS**

1. Proposed Bylaw 82D2016
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 3.94 hectares  $\pm$  (9.73 acres  $\pm$ ) located at 2631 – 38 Street NE (Plan 7611338, Block 18, Lots 2 and 3, OT) from Multi-Residential – Contextual Low Profile (M-C1) District, Multi-Residential – Contextual Low Profile (M-C1d100) District **to** Multi-Residential – Contextual Medium Profile (M-C2) District, Multi-Residential – High Density Medium Rise (M-H2f4.0h36) District and Multi-Residential – High Density Medium Rise (M-H2f2.5h16) District.

**Moved by: G. Morrow**

**Carried: 6 – 0**

Reasons for Approval from Cllr. Carra:

- This is big for northeast Calgary, our first infill transit orientated development.
- I hate that land use is even a step that Applicants have to go through, as it varies so widely from site to site, with applicant to applicant, and with consultant team to consultant team when the outcome we seek is considerably more uniform and what comes after land use is much more important.
- Council needs to ensure proper engagement occurs.

Reasons for Approval from Mr. Morrow:

- I lead a community engagement process in Spring 2015 along the 36 Street Corridor (from 32 Street NE to Memorial Drive E). Speaking with over 300 people at Marlborough Mall, East Calgary Health Centre and Cecil Swanson School. Problems identified included the difficulty crossing streets, safety and accessibility issues around the Rundle and Marlborough LRT stations, but a broader theme was the general lack of investment in the area and pedestrian connectivity. The proposed high density transit orientated development for this site is precisely the kind of investment needed on 36 Street NE. This has the potential to catalyze additional investment in the area and begin to address some of the concerns about pedestrian accessibility and safety around the Rundle LRT station. I would strongly encourage the applicant undertake a significant public consultation process to arrive at a site plan and massing that creates an important project at this station area, while making an appropriate transition to the east.

Reasons for Approval from Ms. Gondek:

- The letter from Mr. MacAlpine, on behalf of the Northpark Condo Board, seems to be somewhat flawed in its assertions. Firstly, the community association was engaged on this item, and final comments were that their issues had been addressed. Secondly, a Sanitary Servicing Study was submitted and accepted, with and concerns clearly communicated to the Applicant, who must remedy issues for development permit approval. Thirdly, with the population of Rundle increasing 3 percent between 2009 and 2014 (City of Calgary grew at 12 percent) this project

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could be the stimulus that reinvigorates the community and ensures public services do not face closure.

- Purpose-built rental, like this project, is a key component of market-based solutions to address housing affordability. Further, the ownership by a REIT indicates strong desire that generates return on investment.

Comments from Ms. Gondek:

- This is a broad recommendation for Administration:
  - Could we please date stamp correspondence and applicant's submissions?  
Sometimes we have copies of letters or emails where the date portion is missing. Other times text is cut and pasted into the report. We would benefit from dates on these items. Thank you!

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**Applicant:**

Abugov Kaspar

**Landowner:**

Boardwalk REIT Properties Holdings  
(Alberta) LTD.

## **PLANNING EVALUATION**

### **SITE CONTEXT**

The subject site is located in the north east community of Rundle, directly adjacent to the Rundle LRT station and the Sunridge Mall Major Activity Centre across 36 Street NE. The site is relatively flat with a utility right of way running through a portion of the site. It is bordered by 36 Street NE to the west and 26 Avenue NE to the north. The site is currently developed with low rise multi-residential development managed for rental purposes by Boardwalk Communities.

### **LAND USE DISTRICTS**

The proposed Multi-Residential – High Density Medium Rise (M-H2f4.0h36) District is situated on the portion of the parcel closest to the LRT station. This height is limited by the airport flight path and is the maximum height allowable under the airport guidelines. The proposed Multi-Residential – High Density Medium Rise (M-H2f2.5h16) District is situated along the northern boundary of the parcel to provide for limited mixed use buildings as well as a step down to the context of Multi-Residential – Contextual Low Profile (M-C1) District located across 26 Avenue NE. Finally, the proposed Multi-Residential - Contextual Medium Profile (M-C2) District situated along the eastern boundary of the site is intended to provide for contextual development without commercial uses in order to respect the low density residential across 38 Street NE to the east.

### **LEGISLATION & POLICY**

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

The site is located within the Established Community typology as well as directly adjacent to the Major Activity Centre typology of the Municipal Development Plan. The land use policies for this typology include encouraging modest redevelopment of Established Areas, redevelopment opportunities should be focused on the Neighbourhood Activity Centres, and new developments in Established Areas should incorporate appropriate densities, a mix of land uses and a pedestrian-friendly environment to support an enhanced Base or Primary Transit Network. In addition to these land use policies, the Municipal Development Plan also indicates that transit stops should be easily accessible and, where possible, integrated with adjacent multi-residential or retail buildings under mobility policies.

Thirty-six Street NE is not classified as an Urban Corridor at this location.

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Transit Oriented Development Policy Guidelines (2005 Non Statutory)

The Transit Oriented Development Policy Guidelines provide direction for the development of areas typically within 600 metres of a Transit Station. The subject site is located directly adjacent to the Rundle LRT platform, and entirely within the transit oriented development (TOD) area of that station. Generally, the highest densities in station areas should be located in closest proximity to the station. There is an anticipated intensity threshold expected for TOD areas (within 400 metres) of a minimum 100 jobs/population per hectare. The Multi-Residential – High Density Medium Rise (M-H2) District has a minimum density of 150 units per hectare.

**TRANSPORTATION NETWORKS**

A transportation impact assessment was reviewed and accepted as part of this application.

**UTILITIES & SERVICING**

Services are available to the site. A Sanitary Servicing Study was submitted and accepted as part of this application.

**ENVIRONMENTAL ISSUES**

An Environmental Site Assessment (ESA) was not required as part of this application. At the Development Permit Stage, an ESA may be required.

**ENVIRONMENTAL SUSTAINABILITY**

An analysis of sustainability measures to be incorporated into the development will occur at the Development Permit stage.

**GROWTH MANAGEMENT**

This land use amendment proposal does not require additional capital infrastructure investment at this time and therefore, no growth management concerns have been identified.

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## PUBLIC ENGAGEMENT

### **Community Association Comments**

No comments received by CPC report submission date.

### **Citizen Comments**

Fifteen letters of opposition were submitted for the proposal. The majority of the comments included issues with available parking and the perception that higher density would increase crime in the area.

### **Public Meetings**

Two meetings were held with the community association. One meeting was held prior to submission in 2013 and the second was held in March of 2015.

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## **APPENDIX I**

### **APPLICANT'S SUBMISSION**

The site, located in NE Calgary in Rundle Community, currently known as Russet Court, is comprised of nearly an entire block of land located between 25<sup>th</sup> and 26<sup>th</sup> Avenues NE and 36<sup>th</sup> and 38<sup>th</sup> Streets NE. The site is currently developed with 2 story townhouse units approximately 30 years old. All units on site are rental units administered and owned by Boardwalk Rental Communities.

Existing built forms immediately south of the site are low rise, 2 story multi-residential developments (M-C1 District), and adjacent on the East side is an RC-1 district fully developed with single family housing units. Developments to the West, across 36 Street, are Sunridge Shopping Centre and the Peter Lougheed Hospital. To the North, across 26 Avenue, is a fully developed multi-residential district (M-C1). A small site at the NW corner of the subject block, not part of this property nor this application, is currently zoned C-COR2 f3h46 and C-N2 developed with a small neighbourhood shopping centre.

#### **Proposed Application:**

The subject site is currently zoned as M-C1d100 Land Use District which probably represents current densities on site. The site is in the immediate vicinity of the Rundle LRT Station, and as such qualifies as a TOD site to be redeveloped at higher than current density.

The owner wishes to redevelop the entire site, with multi-residential rental units, to an average overall density of FAR 3.0 with ultimate built out of about 850 units. The redevelopment is envisioned to proceed in phases, with minimal disruption to existing occupants, and minimal interim loss of the supply of rental units on site. The site is intended to be redeveloped with residential units exclusively for rental accommodation.

The proposed Land Use District is Multi-Residential – High Density Medium Rise (MH-2f4h36) District, with reduced building height along north and east perimeters of site. Maximum building height of 36 metres will be reduced to 16 metres along the north and east perimeters of the site for gradual transition to lower developments to the east and to the south of the site. This 16 metre height limit will allow for feature roofs over 4 storey units as opposed to flat roofs only dictated by lower height limit.

Considering the number of adjacent commercial and professional developments already existing adjacent to site and West of 36<sup>th</sup> Street NE, additional uses other than residential are not sought for this site. The increase in residential density and pedestrian oriented design intended for this site are in line with the TOD guidelines adopted by City Council in 2004. Parking requirement, if deemed necessary to be modified, will be determined at the development permit stage and will be based on the TIA and parking study for this site as compared with parking requirements at similar rental developments in the city.

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APPENDIX II

----- Original Message -----

**From:** MacAlpine, Richard  
**Received:** 23/02/2016 10:29 PM  
**To:** Stasiuk, Lesley; Stasiuk, Lesley; Stasiuk, Lesley; Yasman, Larry  
**Subject:** Russet Court Rezoning for new development

Ray: Please see below for concerns identified by the Northpark Condo Board (a town home site with 80 units in close proximity to Russet Court). The list below is not exhaustive and we (Northpark Condos) reserve the right to add to or alter the below list. I sit on the Northpark Condo Board and therefore act as a representative. These issues were vetted by the Northpark Condo Board and have their approval.

Please note that I also sit as a member of the Rundle Community Association. In this email I am not speaking as a representative of the Rundle Community Association as I feel not enough has been done to include the Rundle Community Association in this issue. It is revealing that little has been done to include the community, such as ongoing involvement of the Rundle Community Association.

I appreciate the good work you are doing and thank you for representing Rundle's interests. Please feel free to contact me as needed.

*Issues identified:*

1. *Incomplete stakeholder consultation:*
  - o *There are several other condo boards directly affected by this proposed land use change that have not been consulted;*
  - o *Individuals directly adjacent (east) to the development may not have had the Russet Court proposal communicated to them in their language or in a plain language document;*
  - o *Duty to consult lies with the City of Calgary (City):*
    - *The City has not provided defensible direction to Boardwalk regarding stakeholder consultation.*
2. *The traffic impact assessment (TIA) was conducted using non-conservative estimates as provided by the City of Calgary:*
  - o *Traffic variables provided by the City produced extremely low traffic estimates:*
    - *Provision of non-conservative values by the City indicate the City may not have an objective role in the application of by-laws in this proposed land use change;*
    - *Extremely low traffic estimates are misleading and do not provide an accurate view of the proposed project's impacts:*
      - *Variables used to in TIA are not applicable to this project.*
  - o *TIA conclusions may be invalid:*
    - *TIA traffic mitigation to optimize traffic lights is unattainable due the C-Train route ;*

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- *Use of a four way stop/traffic lights at the south end of Rundleson Road, as required by the city, was not properly thought out and will create traffic issues without possible mitigations.*
- 3. *The development height of the project does not fit with the community:*
  - *Whereas development of the property is welcomed, the development must add to the community;*
  - *Northpark Condos would like to see the development decreased in overall height and therefore does not support an increase in the maximum development height to 36 metres or 12 stories:*
    - *Development of an eight story project would be much more amendable to Northpark Condos.*
- 4. *The proposed development would increase the population of Rundle by 15% (based on 2012 population figure, 11,542 and future Russet Court population estimate of 1740 or 2x the number of units (870)):*
  - *The City has not addressed how this population increase will affect schools, street parking, base services (police, transportation, etc.);*
  - *The City has not contacted the Community Association or Northpark Condos to provide assurances basic services such as sewer, water etc. are capable of handling the 15% increase in population.*
- 5. *The Northpark Condo Board does accept the assertion that only a small proportion of the renters at the proposed Russet Park development would have cars:*
  - *The minimum parking space provision of 1.25 per unit should be met by this proposed development in whatever final form is approved by the City.*

Sincerely;

Richard MacAlpine