

**LAND USE AMENDMENT  
RICHMOND (WARD 8)  
NORTH SIDE OF 33 AVENUE SW,  
BETWEEN CROWCHILD TRAIL AND 21 STREET SW  
BYLAW 88D2016**

**MAP 8C**

**EXECUTIVE SUMMARY**

The purpose of the application is to amend the land use designation for six (6) contiguous parcels in the community of Richmond/Knob-Hill. This amendment increases the allowable density and building height from the existing land use district for the parcels. The height increase is from 14 metres to 16 metres, and the density increase is from a maximum of 148 units per hectare (uph) to a density of 3.0 FAR.

Administration supports the proposed land use amendment as it implements the policies of the recently adopted Marda Loop Area Redevelopment Plan (ARP) by accommodating moderate intensification along a Neighbourhood Corridor.

**PREVIOUS COUNCIL DIRECTION**

None.

**ADMINISTRATION RECOMMENDATION**

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 88D2016; and

1. **ADOPT** the proposed redesignation of 0.36 hectares  $\pm$  (0.89 acres  $\pm$ ) located at 2410, 2414, 2418, 2424, 2428 and 2432 – 33 Avenue SW (Plan 4479P, Block 55, Lots 4 to 16) from Multi-Residential – Contextual Low Profile (M-C1) District **to** Multi-Residential – High Density Low Rise (M-H1f3.0h16) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 88D2016.

**REASON(S) FOR RECOMMENDATION:**

The Proposed redesignation complies with the policies of the recently adopted Marda Loop Area Redevelopment Plan (2014). The proposed land use amendment implements the goals and policies of the Municipal Development Plan (MDP) for building complete communities, supporting moderate intensification and more diverse housing choices within inner city neighbourhoods.

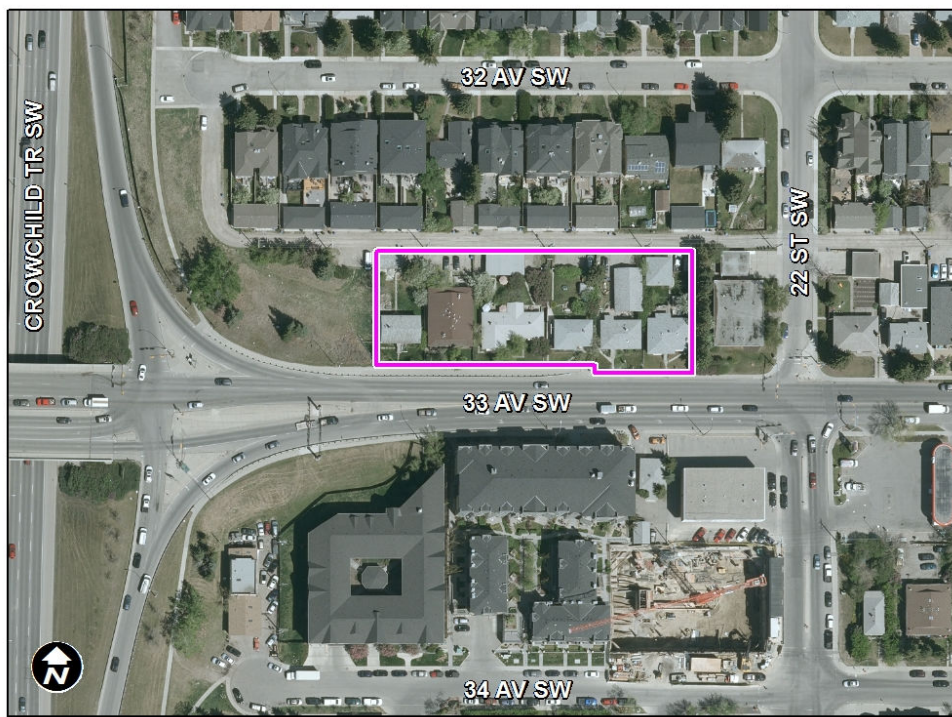
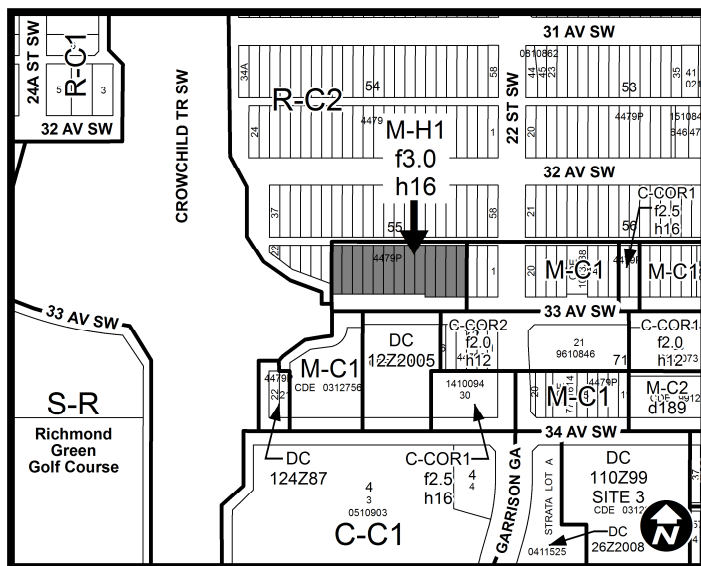
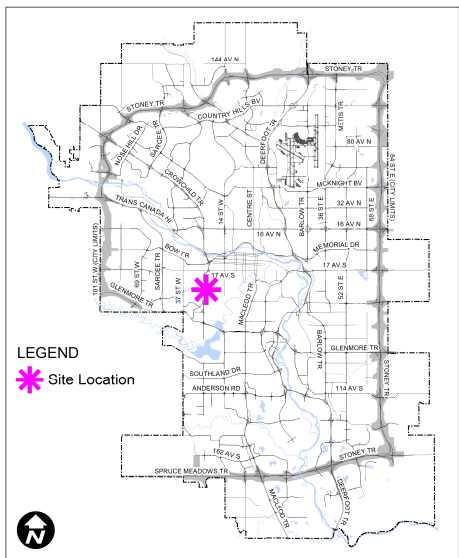
**ATTACHMENTS**

1. Proposed Bylaw 88D2016
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 0.36 hectares  $\pm$  (0.89 acres  $\pm$ ) located at 2410, 2414, 2418, 2424, 2428 and 2432 – 33 Avenue SW (Plan 4479P, Block 55, Lots 4 to 16) from Multi-Residential – Contextual Low Profile (M-C1) District to Multi-Residential – High Density Low Rise (M-H1f3.0h16) District.

**Moved by: C. Friesen**  
Absent: G. Morrow

**Carried: 4 – 1**  
Opposed: R. Wright

Reasons for Opposition from Mr. Wright:

- I find the density of 3.0 FAR and the extra height will be overwhelming to the neighbours to the north. The Area Redevelopment Plan (Appendix) talked about 2.5 FAR which seemed to be more balanced, especially in this challenging site. The same table only suggests a 3.0 FAR density in the heart of Marda Loop, not on the fringes, as this site is. The cumulative effects of relaxations/issues related to the Area Redevelopment Plan, bylaw requirements and the urban design issues are also overwhelming. The development permit did not address the change in elevation between the sidewalk and the building, resulting in an almost tunnel effect.

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**Applicant:**

Casola Koppe

**Landowner:**

Kish Arora  
May C Arora  
Julieta T Juan  
Jose Simoes  
Scott Michael Whitlow  
Shannon Marie Whitlow  
Bradley James Yeo  
Harbinger Management Ltd

**PLANNING EVALUATION**

**SITE CONTEXT**

The subject site is located in the community of Richmond Knob-Hill/Marda Loop along the north side of 33 Avenue SW between Crowchild Trail and 22 Street SW. The site is comprised of six (6) contiguous parcels 0.36 hectares in total size. Single detached dwelling units exist within each parcel. The land use context immediately north of the site is primarily low-density residential within the Multi-Residential – Contextual Low Profile (M-C1) District. Development to the south is of medium density residential and mixed-use development.

**LAND USE DISTRICTS**

The following table highlights the differences in key development parameters.

| Development Rule<br>(maximums) | M-C1 (Existing<br>District)          | M-H1(f3.0h16)   |
|--------------------------------|--------------------------------------|---|
| Density                        | 148 units per hectare<br>*(53 units) | Governed by maximum<br>height, FAR, building<br>setbacks & unit sizes |
| Floor Area Ratio               | 2.5                                  | 3.0   |
| Building Height                | 14 metres                            | 16 metres   |

\*(Site-specific yield)



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**LEGISLATION & POLICY**

**Municipal Development Plan (MDP)**

The subject site is located within a Neighbourhood Corridor as shown in the Urban Structure Map (Map 1 of MDP) and identifies 33 Avenue SW as part of the Primary Transit Network. The proposed Land Use Amendment complies with applicable policies of the Municipal Development Plan (MDP) summarized below.

The MDP recognizes 33 Avenue SW as a Neighbourhood Corridor which would change and transform in the future to support a greater mix of housing types and uses to serve changing community needs. This is consistent with The City's strategic objectives (Municipal Development Plan and Calgary Transportation Plan) which support promoting greater land use efficiency, and convenience. It is also consistent with the Municipal Development Plan's City-wide land use objectives:

- To create walkable environments;
- To create a range of housing opportunities and choices;
- To strategically direct and manage redevelopment opportunities within existing areas; and
- To support compact development.

Section 3.4.3 Neighbourhood Corridors of the MDP outlines the characteristics and future development considerations related to these streets. Neighbourhood Corridors are typically oriented along a street that is or will be served by primary transit (high frequency transit services). Generally, Neighbourhood Corridors currently or will have the potential to provide a social function to the neighbourhood by supporting a moderate mix of uses and residential development.

**3.4.3 Neighbourhood Corridors**

- e. Encourage ground-oriented housing, low-scale apartments and mixed-use retail buildings within the Neighbourhood Corridor, with the highest densities occurring in close proximity to transit stops and in locations where they merge with Activity Centres or Urban Corridors.
- f. An appropriate transition between the neighbourhood Corridor and the adjacent residential areas is required. Transition should generally occur at a rear lane or public street. These transitions should be sensitive to the scale, form and character of surrounding areas, while still creating opportunities to enhance the connectivity with the community.

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Main Street Initiative

The Main Street Initiative is a study of 24 identified main street areas (Urban and Neighbourhood Corridors), including 33 Avenue SW from Crowchild Trail to 14 Street. The Main Street Initiative will build upon the MDP's direction for Corridors and identify ways to strengthen the unique features of each corridor. This Initiative is in its second phase, which focuses on the inputs from community consultation to plan for future growth along Main Streets. Specific policies have not been established by the Main Streets Initiative at the time of this report; Main Streets policy recommendations are scheduled to be considered by Council by the end of 2016.

**Marda Loop Area Redevelopment Plan (2014)**

Consideration of the proposed Land Use Amendment is governed by the following policies of the Marda Loop Area Redevelopment Plan (ARP):

**6.4.2 Land Use Amendments**

Land Use Redesignations are to be in conformance with the Plan. Where feasible, land use districts established in the Land Use Bylaw will be used to implement the policies set out in this Plan.

The exact land use district boundaries will be determined at the land use redesignation stage, using the land use policy area boundaries on Map 3.1 Land Use Policy Areas as a guide.

**3.0 Land Use and Density**

**3.1 General Policies**

The proposed Land Use Amendment is consistent with general policies, particularly as follows:

“The provision of a broad range of housing types is encouraged for different types of households, income levels, age groups and lifestyles. Provision of larger unit sizes and ground oriented units appropriate for families with children is strongly encouraged”

***Policy Analysis:***

The rules of the Multi-Residential – High Density Low Rise (M-H1d3.0h16) District for density, height and setbacks accommodate a broader range of housing types, households, income levels, age groups and lifestyles than the existing District (M-C1).

**4.0 Built Form and Site Design**

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4.2 Building Design

4.2.1 Building Height

New Development should comply with the maximum building heights indicated in Map 4.2 maximum Building Heights;

***Policy Analysis:***

Rules of the Multi-Residential – High Density Low Rise (M-H1d3.0h16) District complies with Map 4.2 of the ARP.

4.2.2 Building Massing & Form

- Along the Street frontages, buildings that are four storeys or greater should be stepped back to minimize massing. This step back should be a minimum 3 metres and take place either at the first, second or third storey. Other architectural and design techniques intended to minimize the mass of the building and reduce shadowing impacts may be considered.
- Where new developments share a lane with a low density residential district, the building should meet the following guidelines:
  - Provide a minimum setback of 5 metres from the rear property line;
  - Provide a minimum step-back of 3 metres at either the second or third storey.
- Balconies should not project beyond the building façade
- New development is encouraged to consider locating active uses at grade, such as retail, residential and live/work along rear lane.

***Policy Analysis:***

The development rules of the Multi-Residential – High Density Low Rise (M-H1d3.0h16) District accommodates building forms that comply with these policies.

**Marda Loop ARP - Appendix A: Planned Development Capacity**

The appendices of this ARP are intended to provide supporting information to the statutory portions of the plan. Because numerous instances of feedback received from external stakeholders referenced the appendices, clarification of their role is summarized below.

The purpose of Appendix A is to provide illustrative context to the potential implementation of the statutory policies. The proposed build-out scenario illustrated in Table A.1 shows one potential scenario permitted by the Plan's regulations on building height and mix of uses. Further assumptions, such as on unit size, occupants per unit, and residential/retail split all

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combine to produce an estimated number of units, residents, and jobs in each block of the Plan area. These totals are one estimate of the maximum floor area developable under the statutory policies and are not regulations themselves.

**SITE ACCESS & TRAFFIC**

A Traffic Impact Assessment (TIA) was submitted in support of the land use amendment and development permit applications. Primary access to the site and below grade parkade is to be accommodated from 22 Street SW, onto the lane adjoining the north edge of the site. No direct access onto 22 Street SW or 33 Avenue SW is available from the site.

Currently, the signalized intersection at 33 Avenue and 22 Street SW prohibits turns onto northbound 22 Street SW from either direction along 33 Avenue SW. Traffic moving southbound from 22 Street SW is restricted to right-turns only. The majority of vehicular movement onto the site would be accommodated from the residential streets east of the site (i.e. via 21 Street and 32 Avenue SW). Based on the TIA, traffic along these streets would remain within the acceptable threshold for residential streets.

Public on-street parking is available adjacent to the site along 22 Street SW, but not along 33 Avenue SW.

**Community Infrastructure Enhancement – Traffic Restrictor on 22 Street SW**

The City's and Applicant-led Public Engagement identified traffic congestion as a significant concern of local residents. The applicant has worked with the City to design a solution, primarily to reduce the amount of new traffic along 32 Avenue SW and side streets (21 and 20 Street SW) in close proximity of the site. The City supports the option to allow for all-turns at the 33 Avenue/22 Street SW intersection with a new Restrictor which channels residential traffic directly to the lane. The Restrictor prohibits northbound through-traffic north of the lane on 22 Street SW. This Traffic Restrictor would only permit southbound traffic on 22 Street SW. By placing the Restrictor just north of the lane, the new traffic is expected to access the proposed development primarily via the 33 Avenue/22 Street SW intersection, thereby mitigating the amount of additional traffic on adjoining thoroughfares (32 Avenue SW, and 21 and 20 Street SW).

Implementation of the proposed solution requires the following steps:

- 1) Removal of the traffic restrictor that currently exists on 22 Street SW, in the north-bound lane at 33 Avenue SW.
- 2) Accommodation of designated left-turn lanes in each direction, along 33 Avenue SW.
- 3) Removal of a short distance (approximately 30 metres) of on-street parking on north-side of 33 Avenue, east of 22 Street SW to accommodate the designated left-turn lanes.

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- 4) Re-installation of the traffic restrictor on 22 Street SW in the north-bound lane just north of the lane.

The TIA reviewed the proposed solution and determined that the intersection of 33 Avenue/22 Street SW is expected to operate within the City's criteria for level of service once the development is established. The TIA also analyzed other options including removal of the Restrictor altogether to allow all turns, and some other hybrid options; ultimately the solution developed above was selected based the results of the TIA which suggest the lowest overall impact to other local streets in the community.

## **TRANSPORTATION NETWORKS**

Thirty-third Avenue SW is classified as a Neighbourhood Boulevard in the Calgary Transportation Plan. Twenty second Street SW is classified as a Residential Street. Further, sidewalk and streetscape improvements are proposed as part of Development Permit Application DP2015-0685. The proposed development includes provision of a 3.0 metre sidewalk on the north side of 33 Avenue and provision of class 2 bicycle stalls within the boulevard. These treatments provide enhanced pedestrian and bicycle accommodation within 33 Avenue and the result is a street that will better function as a 'Neighbourhood Boulevard' should Development Permit DP2015-0685 be approved. The City is currently studying the existing signed bicycle route along 20 Avenue SW between Langriville Drive SW and 20 Avenue SW and is reviewing the potential to upgrade the signed bicycle route to provide bicycle lanes in 2016. This route further enhances the active modes opportunities in the community and aligns with the treatments being proposed for DP2015-0685.

The applicant has been advised that Calgary Transit plans to provide a new bus service on 33 Avenue west of 20 Street SW. The current time frame for implementing this service is in 2017. The need for a new bus zone on westbound 33 Avenue, west of 22 Street SW was identified. This bus zone would provide service to this section of Marda Loop on the new route.

## **UTILITIES & SERVICING**

A Sanitary Service Study was submitted and approved by Water Resources.

Existing services are available from the following locations:

- Water connection is available from 33 Avenue SW. A water main upgrade (for adequate fire flow) is required to service the proposed development at the applicant's expense. The City requires the applicant to execute an Indemnification agreement with the approval of DP2015-0685.

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- Sanitary and Storm sewer connections are available from 33 Avenue SW.

**ENVIRONMENTAL ISSUES**

None.

**ENVIRONMENTAL SUSTAINABILITY**

The proposed land use accommodates for a greater mix of housing choices along a Neighbourhood Corridor and optimizes population and job growth within walking distance of Primary Transit.

**GROWTH MANAGEMENT**

The proposed land use amendment does not require additional capital infrastructure investment. Thus, no growth management concerns have been identified.

**PUBLIC ENGAGEMENT**

Public engagement with the community and external stakeholders was facilitated by both the Community Association and Applicant. Administration contributed to this engagement by providing information concerning the City's evaluation of the application against statutory policies and summarizing written input from residents.

Applicant-led Engagement

The Applicant initiated a comprehensive engagement process with the community to obtain feedback on the proposed Land Use Amendment and Development Permit applications. Over the engagement process, activities included:

- **2015 April 14:** Meeting with the Richmond/Knob-Hill Development Committee, together with the Marda Loop Business Revitalization Zone and the Marda Loop Communities Association to provide a project overview and proposed engagement process. Invitation was extended to the Ward 8 Councillor's office as well;
- **2015 May 13:** Richmond/Knob Hill and Marda Loop Community Association and Marda Loop BRZ; provides comments based on applicant's initial submission;
- **2015 June:** Advance notice of applicant engagement through Planning Committee update in 2015 June edition of the Community Newsletter and website. In addition the

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Applicant hand delivered notices to approximately 400 households in proximity to the proposed development;

- **2015 June 07:** Pre-Open House meeting with the Richmond/Knob-Hill Development Committee, Marda Loop Business Revitalization Zone and the Marda Loop Communities Association
- **2015 June 17:** Public Open House 1 held at the Richmond/Knob-Hill Community Hall;
- Community Association collects input from their handouts. The City recorded 130 attendees from the public. 79 of 82 sheets collected express opposition for the proposed redesignation or development, substantially expressing concerns of traffic and shadowing impacts; also, 44 individual responses were submitted from the Applicant-offered Questionnaire Form.
- **2015 July 23 and 2015 July 30:** Follow up meetings with the Richmond/Knob-Hill Development Committee as well as the Marda Loop Business Revitalization Zone. In addition the Applicant offered all stakeholders to tour the developer's other projects
- **2015 July 28:** Meeting with Applicants, City and Community Association to discuss findings of the Transportation Impact Assessment;
- **2015 September 23:** Follow-up meeting with Applicants, City and Community Association;
- **2015 September 25:** The Applicant delivered more detailed shadow studies to all affected residents
- **2015 September 27:** Public Open House 2 held at Richmond/Knob-Hill Community Hall. The applicant once again provided hand delivered information circulars to residents;
- **2015 November 05:** Applicant provided a detailed follow-up on Shadow Studies including a comparison to the existing land use, information on setbacks and step-backs, comparative traffic volume analysis as well as a commentary on commercial/retail.
- **2015 November 17:** at the request of the Applicant, meeting with the Richmond/Knob-Hill Development Committee as well as a residents committee to understand and discuss concerns.
- **2015 December:** Applicant provides comprehensive written response to Community's concerns (APPENDIX III)
- **2016 February 02:** – Richmond/Knob-Hill and Marda Loop BRZ submit comments upon review of applicant's amended plans.

In addition, the applicant responded directly to numerous individual and resident committee questions. There has also been an extensive and ongoing dialogue between the Applicant and the Richmond/Knob-Hill Development Committee and President to discuss various options.

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City Engagement

The City's community consultation included the following:

- **2015 May 18:** Notice Posting signage was placed onsite to advise that the application has been submitted with file manager's contact information;
- **2015 April 09 – 2015 May 14:** The application was circulated to the Richmond/Knob-Hill, Marda Loop Community Association, and Marda Loop BRZ. The City received 143 written comments during the initial circulation process, almost all expressing objection for a wide variety of reasons. This number includes multiple submissions from various members of the public.
- **2015 June 17:** The City attended the Applicant initiated Public Open House 1, providing information specific to relevant policies considered during its review. The City prepared a feedback form for citizens who wished to provide more detailed comments. The City received 77 forms expressing opposition and 4 forms expressing support
- **2015 September 27:** The City attended the second Applicant-led Public Open House. A Feedback Summary Report was prepared by the City that addressed Eight (8) of the most commonly raised concerns collected from the feedback form from the first Open House (APPENDIX IV).

**Community Association Comments**

Although the subject site is located in the community of Richmond/Knob-Hill, given site's significance to the adjoining Community of Marda Loop, the application was circulated to both Community Associations. Comments that speak to both the subject application and concurrently reviewed Development Application DP2015-0685 were received, as summarized below:

Comments provided speak to both Land Use and Development Permit applications.

- Richmond/Knob-Hill CA comments received on 2015 May 13 (APPENDIX II)
- Marda Loop CA comments received on 2015 May 13 (APPENDIX II)
- Marda Loop BRZ comments received on 2015 May 14 (APPENDIX II)

Administration held various meetings with community stakeholders during the review period. The purpose of these meetings was to inform and explain the various perspectives of each stakeholder's positions and for the Applicant to contemplate a response in its design of the proposed development addressing the most immediate concerns. The Applicant's response to the specific concerns of the Community Associations can be found in APPENDIX III.

Upon review of the Applicant's latest submission for the Development Permit application, subsequent comments were provided by each group as stated below:



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- Richmond/Knob-Hill CA comments received on 2016 February 01 (APPENDIX II)
- Marda Loop BRZ comments received on 2016 February 01 (APPENDIX II)

**Citizen Comments**

In response to the notice posting and other applicant and City led engagement, a total of 143 written submissions of opposition were received.

The following are the most commonly expressed concerns specific to the proposed redesignation:

- The proposed number of units and hence, density is too high based on concerns of increased traffic.
- Increased traffic and congestion to immediate and surrounding neighbourhood streets as a result of a significant increase in allowable units
- Additional demand for street parking as a result of more people living in the community and drawing more visitors
- Impact of shadowing and lost privacy to homes across the lane as a result of increase in allowable building height
- Increase in area crime rate as a result of an increase in accommodating more apartment-style housing forms, leading to possibly more rentals units.
- Impact to resale value to existing homes within immediate area as a result of the combination of all perceived negative impacts summarized above

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**APPENDIX I**

**APPLICANT'S SUBMISSION**

As the revisions coming to the new Alberta Building Code will allow us to construct combustible residential buildings up to 6 storeys (currently accepted as alternate solutions), we feel that the most adequate land use for these parcels is too limited for a strict MC-2 zoning. There is really no current land-use which adequately addresses this 6 storey opportunity. While the code would allow the building to be up to 6 storeys in height, we have ensured that the height does not exceed the 16m maximum as outlined by the ARP, and MC-2 guidelines. Therefore, the massing, as perceived from the lane, and 33 Avenue SW, does not deviate from the 16m maximum, be effectively adding a storey with the allowed parameters.

**Planning Notes to Applicant's Submission**

The Alberta Building Code effective 2015 May 1 accommodates six-storey wood frame construction, without a need for variance.

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## **APPENDIX II**

### **COMMUNITY ASSOCIATION & BRZ LETTERS**

#### **Richmond/Knob-Hill Community Association**

Mr. Yun

The Development Committee for the Richmond/Knob Hill Community Association (the "Association") has spent considerable time on the captioned applications, including the Applicant's latest submission, in consultation with residents, the Applicant, the adjacent Marda Loop Communities Association (the "MLCA") and the Marda Loop Business Revitalization Zone (the "MLBRZ") through a series of stakeholder meetings, committee meetings, and open houses.

The Association, on behalf of the residents of Richmond/Knob Hill ("RKH"), does not support Land Use Redesignation application LOC2015-0023 in its current form (the "LOC Application"), nor Development Permit application DP2015-0685 in its current form (the "DP Application"). Our position rests on the following key points:

- 1) The Association remains committed to the City's strategy of densification in accordance with the principals set forth in the Municipal Development Plan (the "MDP") and the vision set forth in the Marda Loop Area Redevelopment Plan ("MLARP"), but not at the expense of current residents' enjoyment of their properties. The Association expects all redevelopment projects to be respectful of the adjacent properties, of the streetscape and of the community as a whole.
- 2) The Applicant was asked to make reasonable amendments to both the LOC Application and the DP Application to help the proposed development "fit" better into the context of the community, and bring it into better alignment with both the MDP and the MLARP, but to date very few of the requested amendments have been made (see Appendices "A" and "B" below for additional information).
- 3) The City has not committed to preparing and implementing an integrated mobility plan to meet the proposed increased density of this project, and of other current and planned projects in the Marda Loop business district (the "Business District"). Our confidence in this regard is further eroded by significant opposition to the proposed SouthWest Bus Rapid Transit ("BRT") project, in particular the portion south of Mount Royal University, which opposition could potentially delay or halt that project.
- 4) The City has not committed to redesignating the adjacent City-owned green space to limit its redevelopment potential and facilitate its future use as community space to help offset the increased density.

Given the relative lack of changes to date to address the many concerns and proposed solutions that have been raised by the Association, the MLBRZ, the Residents' Committee and area residents

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through numerous engagement sessions (meetings, open houses, etc.), we look to you, the City, to take a leadership role, to promote and apply good city planning principles for sustainable cities including improved walkability, development of "complete streets" and sensitive transitions from high density to single family homes, and to seek environmental and social returns not just dollar returns (see Appendix "C" below), by directing the Applicant to further modify the applications to satisfy the community's reasonable requests.

The LOC Application and DP Application represent the first major proposed redevelopment project within the Richmond/Knob Hill portion of the Business District, as well as the first major proposed redevelopment project subject to the provisions of the recently approved MLARP, and will set a significant precedent for future redevelopment projects within the Business District. It is therefore of the utmost importance that we collectively get this one "right".

Thank you.

Doug Roberts  
Chair, Development Committee  
Richmond/Knob Hill Community Association  
403-252-8924  
[development@richmondknobhill.ca](mailto:development@richmondknobhill.ca)

**APPENDIX "A" -- The LOC Application:**

By email dated October 29, 2015 the Association advised that it would be willing to support the proposed redesignation of the subject parcels (the "Subject Parcels") from their current M-C1 land use district to an M-H1 land use district subject to the following terms/conditions:

- 1) the floor area ratio modifier be reduced from 3.0 to 2.5;
- 2) the building height modifier be reduced from 16m to 14m;
- 3) a density modifier of 320 units per hectare be added;
- 4) directions be given by City Council to:
  - (a) the Transportation Department to prepare a mobility plan for the Business District to accommodate the densification contemplated by the MLARP, such mobility plan to:
    - (i) be prepared in consultation with the RKHCA, the MLCA, the MLBRZ, and area residents and businesses;
    - (ii) include not just the Business District itself, but also the adjacent residential areas;
    - (iii) include a commitment on the part of Calgary Transit to make the proposed SouthWest Bus Rapid Transit ("BRT") service available at the 33rd Ave SW/Crowchild Trail interchange commencing no later than the 4th quarter of 2018; and
    - (iv) be completed no later than the 1st quarter of 2017, (the "Mobility Plan");
  - (b) the Parks Department to:
    - (i) redesignate the City-owned property at 2440 33 Ave SW, being a little-used green space immediately to the west of the

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- Subject Parcels (the "Green Space"), from its current R-C2 land use district to an S-CS Special Purpose -- Community Service land use district; and
- (ii) prepare a master plan for the Green Space, such master plan to be prepared in consultation with the Roads Department, the RKHCA, the MLCA, the MLBRZ and area residents and businesses, and to be completed no later than the 1st quarter of 2017, (the "Green Space Plan"); and
  - (c) the Planning Department to upgrade the MLARP from its current "ARP-lite" format into a full and proper neighbourhood corridor ARP, such upgraded MLARP to:
    - (i) be prepared in consultation with the RKHCA, the MLCA, the MLBRZ, and area residents and businesses;
    - (ii) provide for, among other things, a community improvement fund, community revitalization levy, or other mechanism to help fund public realm improvements in the Business District (the "Fund"); and
    - (iii) be completed no later than the 3rd quarter of 2016; and
- 5) a contribution be made by the Applicant to the Fund in an amount not less than \$300,000.

The Applicant's latest submission has proposed no reduction to the floor area ratio modifier, no reduction to the building height limit modifier, no inclusion of a density modifier and no contribution to a community improvement or similar fund. No commitment has been received from the City regarding the Mobility Plan, the Green Space Plan or upgrades to the MLARP. Furthermore, the Association is aware that significant opposition has arisen to the proposed SouthWest BRT, in particular the portion south of Mount Royal University, which opposition could potentially delay, or even halt, that project. The Association has also not received any response to the significant concerns that it raised in its November 16, 2015 email regarding the Traffic Impact Assessment report that was prepared in support of the LOC Application (the "TIA Concerns").

Accordingly, at this time the Association is unable to support the LOC Application.

**APPENDIX "B" -- The DP Application:**

By email dated May 13, 2015 the Association requested that the following changes be made to the proposed development to make it more compatible or beneficial to the area:

- 1) Limit the building height to 14m;
- 2) Comply with the MLARP setback and stepback requirements;
- 3) Comply with the MLARP density maximum;
- 4) Work with the City to prepare and implement the Mobility Plan;
- 5) Reconfigure the underground parking stalls to allow easier departure;
- 6) Provide for deciduous trees with more canopy and coniferous trees that will retain their foliage year round, and reduce the building footprint to allow sufficient space on the Subject Parcels for trees to thrive;

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- 7) Increase the depth of the public realm zone, and provide for public boulevard trees; and
- 8) Incorporate sustainable technologies into the design and construction to make the new building more energy efficient and sustainable.

Subsequent to that submission the Association also proposed reconfiguring the entrance to the proposed development's underground parkade so that it angled towards the east, thereby discouraging drivers from attempting to either enter the parkade from the west or exit the parkade to the west, thereby reducing the likelihood that the proposed development would increase vehicle traffic volumes along the portion of the rear lane that lies to the west of the parkade entrance.

In our October 29, 2015 email the Association suggested that deleting the proposed development's 4th storey in its entirety would accomplish the requested reductions to FAR (from 2.8 to 2.5 or less), building height (from 16m to 14m or less) and density (from 145 units (400 units per hectare) to 116 units (320 units per hectare)), and would allow the building's main floor ceiling height to be increased to facilitate future conversion of its street-front units to commercial use.

Earlier this month the Association raised the possibility of relaxing the proposed development's required number of onsite parking stalls (in conjunction with the introduction of parking restrictions along 32 Avenue SW, and possibly also 31 Avenue SW) to allow the 2nd level of underground parking to be eliminated and thereby improve the financial viability of the project at the requested reduced density of 320 units per hectare.

The Applicant's latest submission:

- 1) does not appear to have incorporated any of the requested changes referred to above except for increasing the depth of the narrowest portion of the public realm zone and providing for 6 street trees to be planted in front of the eastern 30% of the building;
- 2) does not address the TIA Concerns; and
- 3) includes changes that would increase, rather than reduce, the extent to which the proposed development would create overlooking issues for the single family homes across the lane to the north (the "Adjacent Homes"), including:
  - (a) the addition of large north-facing view windows to the northernmost facades of the 2nd and 3rd storeys, which windows are significantly closer to the Adjacent Homes than the building's other north-facing windows and, unlike those other windows, have no potential to be screened by the trees that are to be planted on the north side of the centre portion of the building;
  - (b) the use of what now appears to be clear, rather than obscured, glass in the railings on all north-facing balconies and rooftop terraces; and
  - (c) the reconfiguration of rooftop terrace planting beds, which used to be located along the terraces' northern edges and would therefore have kept terrace users well back from the north railings, but have now been relocated away from the railings.

Accordingly, at this time the Association is also unable to support the DP Application.

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**APPENDIX "C" – Fall 2015 City sponsored Placemakers Conference:**

- Places that are most beloved are where you can walk to satisfy your needs.
- In development initiatives, seek environmental and social returns, not just dollar returns.
- One of the building blocks of a great neighbourhoods are “play sheds” which are civic spaces where adults and children can gather.
- Consider carefully those interface components of height, mass, and use when you are planning and developing communities.
- To accept densification, neighbours want improved streetscapes.
- Streets can either be links to support movement between places OR a place and public realm that supports people gathering and walkability.
- Walkability is a human rights issue; an increasing percentage of our population is either too young, too old, or too infirm to drive.

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**Marda Loop Business Revitalization Zone**

Dear Joseph,

Thank you for circulating the Marda Loop BRZ on this proposed development. I have reviewed this information with the Chair of our BRZ Development Committee and we would like to provide the following feedback for your review:

- 1) Overall, the Marda Loop BRZ is supportive of the proposed development. While we understand the concerns of the RHKCA, this development is in line with the goals of the Municipal Development Plan (specifically having a more compact city) and it would bring diversity and housing options to a growing, vibrant inner-city neighbourhood.
- 2) The BRZ Board of Directors generally encourages commercial space in new developments, however they do not feel this is a viable location for commercial space and are supportive of the plan for a residential building.
- 3) Transit access is a concern within our BRZ and we have been working in partnership with The City of Calgary and RHKCA on the plans for a BRT stop on 33<sup>rd</sup>/Crowchild. With the number of new developments in the area and the increasing parking issues, it is extremely important that Marda Loop be included in the plans for a BRT.
- 4) We are in agreement with RHKCA on the need for a mobility plan and would like to be included in discussions regarding mobility and access.
- 5) The height of 16 meters is in accordance with the ARP and we are therefore supportive of the proposed height. Provided the FAR complies with the ARP, we are supportive of the proposed FAR.
- 6) My understanding is that although there are drainage issues, the current land use for the green space will allow for a community space/park and that the developer is willing to work with the stakeholders on a plan for this space (without The City having to go through a full master plan). I am certain we can all come to some agreement on this space and would like to request that the BRZ be included in any future meetings regarding this space.

I am out of the country until February 6<sup>th</sup> and have limited access to email but will be available next week if you have any questions.

Thank you for your consideration.

Michelle  
Michelle Rhode  
Executive Director  
Marda Loop BRZ/Marda Gras Street Festival  
1638 30th Ave SW  
Calgary, AB T2T 1P4



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3130 16 Street SW  
Calgary, AB, T2T 4G7

May 13, 2015

Development Circulation Controller  
Planning, Development & Assessment #8201  
PO Box 2100 Station M  
Calgary, AB, T2P 2M5  
Email: [DP.Circ@calgary.ca](mailto:DP.Circ@calgary.ca)

Attn: Joseph Yun ([Joseph.Yun@calgary.ca](mailto:Joseph.Yun@calgary.ca))

**SENT BY EMAIL**

Dear Mr. Yun:

**RE: LOC2015-0023 and DP2015-0685**  
**Comments - Marda Loop Communities Association ("MLCA")**

This letter is in response to the requests for comment on the Land Use Amendment and Development Permit applications noted above (the "**Applications**") in connection with the proposed multi-residential building to be developed at 2410-2432 – 33<sup>rd</sup> Avenue SW by Casola Koppe (the "**Project**"). The MLCA Planning & Development Committee has the following comments on the Applications and the Project:

The MLCA Planning & Development Committee does not generally advocate land use amendments of this nature, but we do support land use amendments which are consistent with the development contemplated by the Marda Loop Area Redevelopment Plan (the "**MLARP**") and within the Marda Loop Business Revitalization Zone. While we are supportive of the Project for the reasons noted in paragraph 1 below, we do have concerns (as set forth in paragraph 2 below) which we believe should be addressed.

**1. Strengths and Opportunities:**

- a. **Use:** We support the opportunity for medium density multi-residential development at this location. We agree that the older single-family houses currently existing on this location may no longer be appropriate for the location and that a mixed use commercial development at this location may be challenging here, given pedestrian and traffic access issues.

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Attn: Joseph Yun ([Joseph.Yun@calgary.ca](mailto:Joseph.Yun@calgary.ca))

May 13, 2015

Comments - Marda Loop Communities Association ("MLCA")

- b. **Diversity:** We support providing more affordable and alternative housing options which encourage a diverse neighborhood demographic.

2. Concerns and Challenges:

- a. **Density:** We are concerned with the proposed density of the Project which is significantly higher than the build-out scenario contemplated for this block (Block A) in the MLARP.
- b. **Traffic:** There is currently considerable traffic congestion along 33<sup>rd</sup> Avenue and additional traffic accessing the north side of 33<sup>rd</sup> Avenue (particularly eastbound traffic) will create increased congestion.
- c. **Pedestrian Access and Safety:** The pedestrian access to the Project may not adequately support walk-ability and pedestrian safety. We are not clear whether the existing guard rail along 33<sup>rd</sup> Avenue would be completely removed.
- d. **Site Design:** We are concerned with the limited landscaping in the current design and we encourage the addition of trees and bushes to soften the building facade. The set back in the design does not appear to adequately consider the relationship between 33<sup>rd</sup> Avenue and the Project. Again, given the extensive traffic on 33<sup>rd</sup> Avenue, pedestrian safety is a significant concern.

A member of our MLCA Planning & Development Committee attended a recent presentation made by the developer to the Richmond/Knob Hill Community Association ("RKHCA") where general information about the Project was provided. We have reviewed and agree with the preliminary comments on the Land Use Amendment application to be provided by the RKHCA in connection with the Project. In particular, we strongly encourage additional presentations, open-houses and/or other collaborative initiatives by the developer and the City (or both) that would provide further information and the opportunity for feedback from residents, surrounding businesses and other stakeholders on the proposed Project.

If you have any questions regarding these comments, please contact the undersigned or Anne Derby, Director, MLCA Planning & Development Committee.

Regards,

"Katherine Pybus"

Katherine Pybus  
MLCA Planning & Development Committee

cc: Anne Derby, Director, MLCA Planning & Development Committee  
[development@mardaloop.com](mailto:development@mardaloop.com)

Marda Loop Communities Association Vision:  
An evolving, vibrant, urban community that is engaged, connected, and desirable.

J. Yun

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**APPENDIX III**

**APPLICANT'S RESPONSE TO COMMUNITY CONCERNS**

**The Providence Group Response Report to RKHCA**

Dated: November 2015

The Providence Group develops inner city boutique apartment condominiums located strategically to serve the pure apartment condominium owner who works in close proximity to the downtown, enjoys the active inner city lifestyle, and is looking to simplify their lives while enhancing their overall lifestyles.

Therefore we focus on unique quality designed developments, which enhance already highly desired communities as well as reducing the economic and environmental footprint, providing affordability, as well improving the inner city lifestyle. This is the reason why our 2 bedroom 2 bathroom homes are much more efficient than what has been typically built, while providing expansive rooftop patio gardens. Form, function, quality and lifestyle all affordably provided.

*(Note photos at back)*

This project, which abuts Crowchild Trail is designed to be sensitive to the neighbourhood and our neighbours within the context of the recently approved Marda Loop Area Redevelopment Plan. We have not sacrificed the quality of the units or the lifestyle we will offer to these new community residents in meeting these criteria.

Our project, and its accompanying land use, has been commented upon, unfavorably, by the Richmond Knob Hill Community Association (RKHCA) in its letter dated October 29, 2015. This letter contains many detailed comments reflective we believe of the RKHCA's skepticism of the ARP and its policies. While the ARP is before Council for review or amendment because of our application, we feel it is appropriate that we respond to these specific ARP concerns as well as directly (where necessary) to comments specifically about our development.

**Here is a summary of our reply**

- The existing M-C1 land use does not conform to the Marda Loop Area Redevelopment Plan. As such the Land Use must change to conform to the MLARP.
- The FAR for the proposed development will result in an overall FAR for the block, less than prescribed by the MLARP.
- The MLARP prescribes a height of 16 metres, which should be complied with unless it is impractical or impossible to be complied with. In its letter to council dated February 27, 2014, following approval by CPC of the MLARP, the RKHCA re-affirmed its objection to the 16 metre height but City Council adopted the 16 metre height nonetheless.
- Neither the MLARP, nor City policy prescribe any shadow impact criteria for the proposed development, however the shadow studies utilizing the City criteria which are applied to all developments, where necessary, demonstrate minimal shadow impact resulting from the proposed development.

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- The proposed development has met or exceeded the spirit and intent of the MLARP setback and step-back requirements, while balancing the encouragement of locating adjacent active uses at grade along the rear yard.
- The MLARP is silent on the topic of density which is consistent with City policy within the inner city. The proposed land use is consistent with the MLARP and consistent with lands in similar inner city transportation and neighborhood corridors.
- The Proposed development is directly adjacent to a proposed Transit Hub and is at the intersection of two Primary Transit Networks. Further the lands have an abundance of services well within walking distance. The Calgary Municipal Plan encourages density in such locations.
- The residential blocks immediately adjacent to the proposed development have recently been re-developed and are under density from the perspective of the MLARP.
- The proposed development complies with every aspect of the Sensitive Transition to low density requirements of the MLARP. The results of the shadow casting studies suggest that the impact of shadowing is consistent with other similar developments in the inner city as well as consistent with what is provided for under the existing M-C1 land use.
- The proposed development is well supported by existing transportation infrastructure, with good connectivity to all nodes. Additionally any proposed reduction in density will not have any significant impact in the reduction of the traffic volumes.

Here are the details that support our conclusions

A. Floor Area Ratio (FAR) – Issue: 2.8 Proposed vs. 2.5 RKHCA

- 1) The development as proposed is at 2.8 FAR.
- 2) As the application is a concurrent one (land use and development permit), the relevant factor is 2.8 which is the proposed development's FAR. This is within approximately 10% over the 2.5 FAR which RKHCA is calling for.
- 3) It is significant to note that the Marda Loop ARP (MLARP) policy does not mention FAR. The Appendix, which is NOT part of MLARP and needs to be considered in that light at all times, also does not refer to a maximum.
- 4) Appendix A, clearly defines the purpose of the appendix and the tables:

*'The Municipal Development Plan which classifies Marda Loop as a Neighborhood Corridor sets a **minimum** threshold for the area... At this intensity, high frequency transit service and mixed use developments become cost effective for landowners, tenants and the City as a service provider'*



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*'The policies of this plan are designed to encourage moderate intensification to enhance the area's existing vibrancy'*

*'This appendix contains projections for the area's future population and employment'*

*'...The numbers used are a product of multiple layers of assumptions and should be used for illustrative purposes only'*

This is supported by The Municipal Development Plan 3.4.2 which states the following...

*'Neighborhood corridors provide the opportunity for moderate levels of intensification of jobs and population over time'*

*'... Should provide a land use framework to achieve a **minimum intensity** threshold of 100 jobs and population per hectare...'*

The Appendix states:

*'Projections can be viewed as the theoretical maximum for a block'*

Under 6.1.2 its states:

*'Where "shall" is used in a policy, the policy is considered mandatory...where the word "should" is used in policy, the intent is that the policy is to be complied with.'*

- i. While the Appendix is not a part of the policy it is reasonable to conclude that the word "can" carries less weight than "should" and certainly is not a directive such as the word "shall" and given that it is not a part of the policy, it carries even less weight.
- ii. In any event the 2.5 FAR referred to in Table A.1 is intended to reflect the FAR over the entire block. The block contains a 9,311 square foot parcel to the west, which can not be developed upon. Therefore even if the remaining remnant parcel adjacent to the subject parcel of 9,350 square feet, which is currently developed, is redeveloped to an FAR of 3.0 it would not be possible to achieve the "theoretical maximum" for the block.

| Lands         | Land Area (sf) | FAR  | Total Developable Area (sf) |
|---------------|----------------|------|-----------------------------|
| 2440 33 Ave   | 9,311          | -    | -                           |
| Subject Lands | 39,002         | 2.80 | 112,827                     |
| 2402 33 Ave   | 9,350          | 3.00 | 28,050                      |
| Totals        | 57,663         | 2.44 | 140,877                     |

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- iii. It should be noted that the suggestion by RKHCA that the applicant 'simply delete the current 4<sup>th</sup> floor in it's entirety' would result in a development at under 2.3 FAR.

In conclusion, the FAR of 3.0 as proposed is entirely consistent with the MLARP policy and The Municipal Plan as well as, if relevant, the Appendix. Therefore, even assuming an (unobtainable) FAR of 3 on the corner parcel, the ultimate FAR of 2.44 is actually less than the anticipated FAR as stated in the ARP appendix.

**B. Height Modifier Reduction – Issue: Proposed 16 metre, 5 storey vs. 14 metre RKHCA**

- 1) In its letter dated February 27, 2014, and following approval of the MLARP by CPC, the RKHCA, while overall supporting the MLARP, restated its objection to the 16 metre height requirement for the subject lands, following which council adopted the 16 metre height requirement.

We reference the following pertinent sections:

page 1

*'...and remains generally in support of the proposed Marda Loop ARP but for the proposed maximum building height limits for the parcels along north and south sides of 33<sup>rd</sup> Ave SW.'*

page 3, 1)

*"The main floor south facing windows of the single family homes on low density R-C2 parcels across the lane to the north of the 33<sup>rd</sup> Avenue parcels... would be prevented from receiving any sunlight for around 2.5 months each year, from mid November to late January."*

This is almost verbatim the same argument made in the current letter by the RKHCA. Having made that argument both at CPC and at Council in 2014, both CPC and council rejected the objection and adopted the 16 metre height requirement.

- 2) Map 4.2 Maximum Building Heights contained within the MLARP calls for the subject property to be 4 Storeys in 16 metres. In various tables such as 4.4, storeys are shown as varying in heights, further roofs above the storey's can be pitched to varying degrees. Therefore the overriding principal is 16 metres in height

- 3) 4.2.1.1 States:

*"New development should comply with the maximum building heights indicated in Map 4.2... unless otherwise specified..."*

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6.1.2 States:

*'Where "should" is used in policy, the intent is that the policy is to be complied with. However, the policy may be deviated from in a specific situation where the deviation is necessary to address unique circumstances that will otherwise render compliance impractical or impossible or to allow an acceptable alternate means to achieve the general intent of the policy to be introduced'*

As such, while the reference is to a maximum building height the word "should" also represents what the proposed height should be. Further it would have to be impractical or impossible to achieve the requirement as well as an alternate means would have to be identified. This clearly is not the case as the proposal demonstrates that the policy can be complied with.

- 4) Along the north elevation, which is the elevation that the RKHCA is objecting to, the elevation in any event is overall less than 16 metres as a result of the natural slope of the lands.
- i. For 11% of the length of the proposed development the proposed development is 21% below that desired by RKHCA.
  - ii. For 63% of the length, which substantially coincides with the minimum 10.4 metre courtyard setback, the average height is 15.37 metres.
  - iii. For 25% of the length, the height is 5% above the 14 metres desired by the RKHCA.



In conclusion, the policy for the proposed site dictates a building height of 16 metres and there is no unique circumstance that would require the building height to be deviated from. Further there is no compelling rationale requiring a reduction in height.

A reduction in height without any accompanying "unique circumstances" is a direct contradiction of the MLARP.

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C. Shadow Impact

- 1) 4.2.1.3 is the only place in the MLARP that states a reference for what it would define as a negative impact of shadowing as being between March 21<sup>st</sup> and September 21<sup>st</sup>. This is also consistent with the prescribed guidelines of the City of Calgary.

As such the basis for determining undue shadow impact should be based upon the generally applicable standards for shadow studies used by the City of Calgary as well as the reference to shadow impact in the MLARP.

The submitted shadow studies confirm that there is minimal negative impact over the year as a result of the proposed development, and in that regard the impact is favorably comparable to other similar inner city developments abutting low density residential.

- 2) We understand that there may be residents who acquired their homes prior to the MLARP of 2014. As such there may have been at that time an expectation that the lands which are proposed for development would be redeveloped as per the current land use of M-C1.

For this reason we were requested to conduct a comparative analysis between what the impact of shadowing would be as a result of the proposed development versus the impact from what could be developed under the M-C1 bylaw-pre MLARP. M-C1 provides for a building height of 14 metres with the following qualifier:

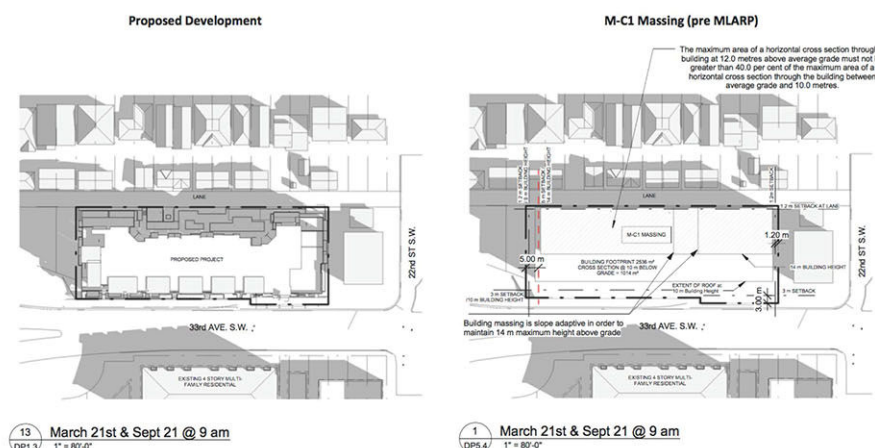
*'The maximum area of a horizontal cross section through a **building** at **12.0 metres** above **average grade** must not be greater than 40.0 per cent of the maximum area of a horizontal cross section through the **building** between **average grade** and **10.0 metres**.'*

The following illustration compares the proposed development to an M-C1 massing providing for the above mentioned qualifier as well as for the sloping site.



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The illustration shows the impact of shadows on March 21 and September 21 at 9:00 a.m. Regardless of what time of year it is, the shadow impact would always be greater under the M-C1 land use. Please refer to DP 5.3 for further comparative perspective shadow studies.

The conclusion of this analysis is that the impact of shadowing is less as a result of the proposed development than what is provided for under an M-C1 massing.

For these reasons, it is difficult to agree with the contention that residents might feel unduly impacted by the shadow impact of the proposed development when it is less than what is provided for under the current land use.

Overall the impact of shadowing is consistent with or less than other buildings of the same height adjacent to single family homes in the inner city and is less than what could have been provided for under the M-C1 pre MLARP. This impact is lessened as a result of the significant setbacks, overall greater than required as well as exceeding the required step-backs.

#### D. Setbacks & Step-backs

1) Section 4.2.2 Building Massing and Form states the following...

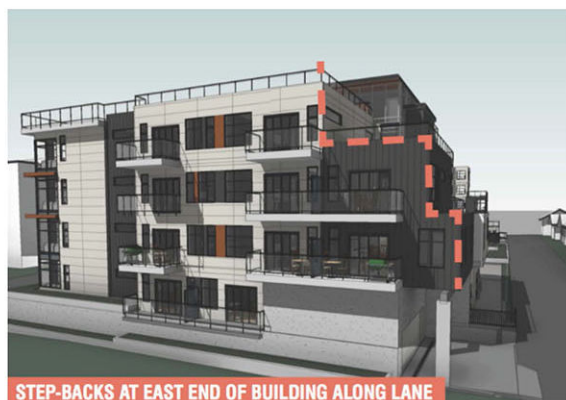
*'Where new developments share a lane with a low density residential district (figure 4.5 which do not depict garages which do provide an additional physical buffer) the building should (not shall) meet the following guidelines:*

- Provide a minimum setback of 5 metres from the rear of the property line
- Provide a minimum step-back of 3 metres at either the 2<sup>nd</sup> or 3<sup>rd</sup> storey...

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The setbacks for the proposed development vary throughout. On the west end, for a distance of 22 meters, the closest setback along the lane is 1.4 meters and the 1<sup>st</sup> level is below grade. However the building is stepped back on the different levels as depicted. At the 2<sup>nd</sup> level the step-back increases to 3.9 meters and then again at the 4<sup>th</sup> level to 7.65 meters and additionally to 15.8 metres for a section of the 5<sup>th</sup> storey.

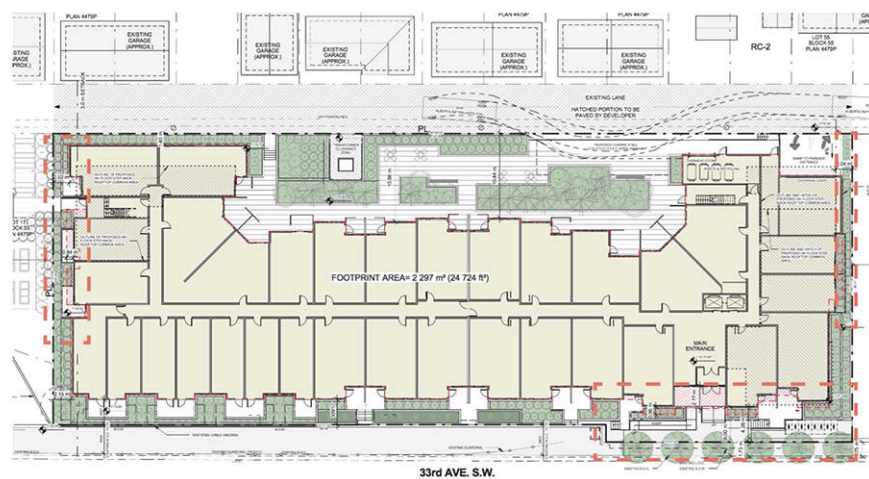


Similarly along the east end, for a distance of approximately 12 meters, the building has a minimum set back of 2.6 at grade. For a distance of 8 metres along this side, the setback is 5 metres. This step-back increases at the 3<sup>rd</sup> level to 4 and 6.16 meters, then 6.2 and 9.32 meters at the 4<sup>th</sup>. There is no 5<sup>th</sup> storey on this end.

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For a distance of approximately 54 meters or approximately 60% of the length of the building, the setback is at 10.4 meters or greater.



- i) It should be noted that at grade the neighboring residential are substantially shielded by the first floor setback of the proposed development as a result of a near continuous line of 1 storey plus pitched roof garages, interestingly all with a 1.2 metre setback. There is no visual or other impact as a result of the areas where the proposed development is closer than the 5 metres.



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- ii) The setback in any event exceeds what the existing residents should have anticipated should they have located with an expectation that the lands were M-C1 which provides for a 1.2 metre lane set back.
  - iii) The courtyard effect provides a greater landscape buffer of over half of the building length.
- 2) Section 4.2.2.2 Building Massing and Form states the following...

*'New development is encouraged to consider locating active uses at grade, such as retail, residential and live/work along rear lanes'*

As such, the applicant sought to comply with this policy by creating an interactive courtyard in the rear lane area rather than a linear rear yard with a 5 metre setback. With the introduction of benches, seating and pathways, residents will find the courtyard to be an interesting environment in which to congregate and encourage a sense of community with neighbors.

**In conclusion, the development as proposed has met or exceeded the spirit and intent of the MLARP while balancing the encouragement of locating active uses at grade along the rear lane.**

At grade level the adjacent neighbours are not materially effected in any respect where the grade or subgrade setbacks are less than the 5 metres where clearly the intent of the set back is to create a greater visual buffer where a single family residence is directly adjacent to a multifamily building (in this case there are near continuous garages as well as connecting fences.

By creating the courtyard, the applicant sought to comply with the policy of creating active at grade uses.

**E. Density Modifier - Issue: Consistent with M-C2 Proposed vs a Cap of 116 Units**

- 1) RKHCA are requesting better transit service amongst other infrastructure where the Municipal Development Plan as well as the MLARP call for increased development to justify such increased services. A key to achieving these goals is to create density in the area.
- 2) Our development is located at the intersection of 2 Primary Transit Networks. Further section 5.0 of the MLARP specifically states that the proposed development is located in immediate proximity to a proposed transit hub.

*'A transit hub is to be created at Crowchild and 33<sup>rd</sup> Avenue SW when bus rapid transit is introduced as part of the West LRT'*

Section 3.4.3 e. of the Calgary Municipal Plan states

*'...with the highest densities occurring in close proximity to transit stops and in locations where they merge with activity centres or urban corridors...'*



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- 3) The lands immediately adjacent to the proposed lands (MLARP Table A.1, Block E), and recently redeveloped are under the density proposed under Table A.1 by a population of 73 versus the 75 total population over target for Block A, the proposed development site. As such the proposed development provides balance.

| Block A & E Comparison<br>(based on MLARP Table A.1 assumptions) |             | Type       | Status         | Land Area | FAR | Gross Floor Area | Net Floor Area | Residential Units | Residents | Jobs | Total P&J    | over/under      |
|--|-------------|------------|----------------|-----------|-----|------------------|----------------|-------------------|-----------|------|--------------|-----------------|
| Block A  |             | park       | undevelopable  | 9,311     | 0   | -                | -              | -                 | -         | -    | -            | -               |
|  |             | apartment  | redevelopment  | 39,002    | 2.8 | 112,827          | 95,903         | 145               | 228       | 9    | 236          |                 |
|  |             | commercial | redevelopment  | 9,350     | 2.5 | 23,375           | 19,869         | -                 | -         | 41   | 41           |                 |
|  |             |            |                |           |     |                  |                |                   |           |      | <b>Total</b> | <b>277</b>      |
|  |             |            |                |           |     |                  |                |                   |           |      | <b>Plan</b>  | <b>202</b> 75   |
| Block E  | 2442 & 2442 | commercial | remnant parcel |           |     |                  | 2,900          | -                 | -         | 6    | 6            |                 |
|  | 2440        | apartment  | developed      |           |     |                  |                | 37                | 58        | 2    | 60           |                 |
|  | 2420        | apartment  | developed      |           |     |                  |                | 77                | 121       | 5    | 125          |                 |
|  |             |            |                |           |     |                  |                |                   |           |      | <b>Total</b> | <b>192</b>      |
|  |             |            |                |           |     |                  |                |                   |           |      | <b>Plan</b>  | <b>265</b> - 73 |

- 4) The MLARP classification for the subject land most reflects the land use of a modified M-C2/M-H1:
- Building height of 16 metres
  - FAR of 2.5 (notwithstanding that the FAR applies to the entire block A)
- 5) The City Planning department was consulted and directed the applicant to apply for M-H1 as it was the more consistent with the MLARP. The City did not want to have a DC zoning based on M-C2.
- 6) The application is most consistent with M-C2 – Contextual Medium Profile, except in respect to the FAR, again as proposed at 2.8.
- 7) Under the M-C2 Density section, there is no maximum prescribed density for parcels as the City removed the cap on densities as a rule from the previous RM5 land use to encourage developers to maximize density within the inner city.
- 8) To further the foregoing point it is interesting to note that virtually all inner city M-C2 lands along community corridors are unrestricted as far as density (UPH) is concerned. Examples are as follows:
- 26<sup>th</sup> Avenue – Marda Loop
  - 17<sup>th</sup> Avenue SW – Mount Royal
  - 14<sup>th</sup> Street – South Calgary, Altadore and Mount Royal
  - 12<sup>th</sup> Avenue – Altadore
  - 4<sup>th</sup> Street – Mission

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Where the applicant has deviated from the M-H1 land use it is to restrict it to conform to the MLARP and M-C2 such as with respect to the Cap on height at 16 metres and the FAR at 3.0. This would clearly distinguish the actual land use being proposed to be substantially consistent with M-C2.

As such it is incorrect for the RKHCA to suggest that the application is for a high density land use, given the modifiers. The M-C2 is defined by the City Land Use Bylaw as follows:

*'has **Multi-Residential Development** of medium height and medium **density**'*

- 9) As referenced above The Municipal Plan and the MLARP refers to minimum population thresholds...

*'The municipal development Plan, which classifies Marda Loop as a Neighborhood Corridor, sets a minimum intensity threshold for the area of 100 jobs and population per hectare...'*

*'Presently ... the Plan area has an intensity of 98 jobs and population per hectare''*

This is less than the minimum target. It would be difficult to argue in less than 2 years of the MLARP being adopted that it has achieved its' stated goals.

*'it is unlikely that all of the area will be redeveloped in such a time frame' (20-30 years).*

As such the Table A.1 must be referenced in the context of achieving minimum targets. There is no reference in the MLARP policy or The Municipal Development Plan to maximums.

- 10) While the RKHCA's report makes certain representations with respect to the applicant's previous developments, they fail to convey that since the Land Use Bylaw 1P2007, all of the applicant's developments have been unrestricted insofar as density is concerned and all are consistent with the development proposed, including height restrictions, that being 16 metres. The application is also consistent with the same developments insofar as the average size of the units. This includes the development completed in the community of Marda Loop on 26<sup>th</sup> Avenue in 2015 as well as the Bridgeland project on 4<sup>th</sup> Avenue currently under construction.

**In conclusion, the MLARP is not vague on the question of density in its policy, rather it encourages higher densities in locations such as the proposed development.**

**While density modifiers may be appropriate in certain circumstances, this proposed development is located right on the corner of Crowchild Trail and 33<sup>rd</sup> Avenue and in immediate proximity to a proposed transit hub.**

**Lastly it appears that the RKHCA may be using density as an argument to reduce the height of the building and achieve its argument in objecting to the prescribed**

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height (*"be quite easy.... to achieve... simply by deleting the current 4<sup>th</sup> floor..."*). In practice this connection between density and building height and mass is not a reality. Economic fundamentals dictate that the developer maximize the buildable area of development primarily as a result of the land value, which reflects the developable area of the lands.

**F. Sensitive Transitions to Neighboring Low Density Impact**

MLARP speaks specifically to 'sensitive transitions' to low density residential in Section 4.2.2.2. It does not however reference shadow impact as being one of those considerations (this is not to suggest that it is not otherwise a consideration). Having said that the stated guidelines that "should" be met are as follows:

- 1) *'Provide a minimum setback of 5 metres...'* The proposed development's average set back is 6.9 metres with almost 60% of the length being 10.4 metres
- 2) *'Provide a minimum step back of 3 metres at either the second or third storeys...'* The proposed development, as previously noted, provides stepbacks at both the east and west ends.
- 3) *'Balconies should not project beyond the building façade'* - The proposed development complies with this requirement along the low density elevation facing north..
- 4) *'New development is encouraged to consider locating active uses at grade such as retail, residential and live work along rear lanes.'* - The proposed development provided an interactive courtyard.

**In regard to sensitive transition to low density residential the proposed application meets the spirit and intent of the MLARP.**

**G. Transportation and Services**

As previously mentioned the Calgary Municipal Plan and the MLARP encourages moderate intensifications, which should necessarily be constrained by a lack of infrastructure or services (though the intensification policy is actually to encourage such services).

- 1) Transportation Impact Assessment – The TIA, which terms of reference were mandated by the City of Calgary, and which results were approved by the City of Calgary makes the following conclusions and recommendations...

*I. Pedestrian Mode*

*II. The area surrounding ML33 Condo has complete pedestrian infrastructure in place, providing ready walking access to the urban core of Marda Loop and the surrounding areas.*

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*III. It is recommended that wheel chair ramps be completed at the northeast corner of 32 Avenue / 22 Street SW and the northwest corner of 33 Avenue / 21 Street SW.*

*II. Cycling Mode*

*II.I. ML33 Condo will secure bicycle parking on site and meets both Class 1 and Class 2 bicycle parking requirements from the City of Calgary Land Use Bylaw.*

*II.II. The site is located within two blocks of the 20 Street SW on-street cycling route, which in turn connects to the broader City cycling network, particularly via the Elbow River Pathway system. The site is also convenient to the 26 Avenue SW on-street route.*

*II.III. No additional off-site improvements are recommended.*

*III. Transit*

*III.I. Transit service is not provided immediately adjacent to the site today, but high frequency service is available in close proximity.*

*III.II. Bus stops for Route 7 are located two blocks east at 33 Avenue / 20 Street SW, within about 450 m walking distance.*

*III.III. Bus stops for Route 20 are located one block west at Crowchild Trail / 33 Avenue SW, within an average walking distance of about 300 m.*

*III.IV. Lower-frequency service on Routes 107 and 18 is available at the same stops.*

*V. Complete pedestrian / walking access is provided from the site to both transit locations, for users of all abilities.*

*III.VI. It is recommended that the City consider implementing bus stops near the intersection of 33 Avenue / 22 Street SW in conjunction with the re-routing of Route 107 to serve Currie Barracks. These new stops would service the ML33 site and other surrounding multi-family developments.*

*IV. Street Network*

*IV.I. Traffic analyses of the adjacent intersections confirms that no intersection improvements are required.*

*IV.II. At the request of the City, sensitivity tests were completed to assess an option to provide all-turns movement at 33 Avenue / 22 Street SW. The following options were evaluated:*

*IV.II.I. Option A (all-turns 33 Avenue / 22 Street SW and the removal of the existing traffic restrictor): This assessment confirms that, in addition to introducing new community traffic concerns, such a conversion would have a significantly detrimental impact to operations on both 33 Avenue and Garrison Gate. It is recommended that this option not be considered further.*



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*IV.II.II. Option B1 (all-turns 33 Avenue / 22 Street SW with turn bay and traffic restrictor at alley) and Option B2 (similar to Option B1 but with the southbound approach restricted to right turn only): Both options are possible intersection alternatives as both were concluded to operate well with the additional left turn bays on 33 Avenue SW. Also, both options include the traffic restrictor at the alley, which limits 22 Street SW to local traffic only. In Option B1, a minimum storage length of 55m and 75m is required for the eastbound and westbound left turn, respectively. In Option B2, a minimum storage length of 35m and 60m is required for the eastbound and westbound left turn, respectively. 4.2.2.1. Among these options, it is recommended that Option B1 is most favorable in order to maximize the local connectivity benefit of the revised configuration. It also limits the risk of additional traffic demand on area alleys. 4.2.2.2. It is critical to traffic operations on 33 Avenue SW that the signal at 22 Street SW remain on two-phase operation, with no protected lefts.*

*IV.III. As a background condition, daily traffic on 21 Street SW is moderately above the typical environmental capacity guideline for a residential street, but there are a number of mitigating factors such as low density access, that confirm a variance is suitable in this case.*

*IV.IV. It is recommended that the rear lane serving the ML33 site be paved.*

***In summary, the TIA confirms that the proposed ML33 condo site is well supported by existing transportation infrastructure, with good connectivity for all modes. '***

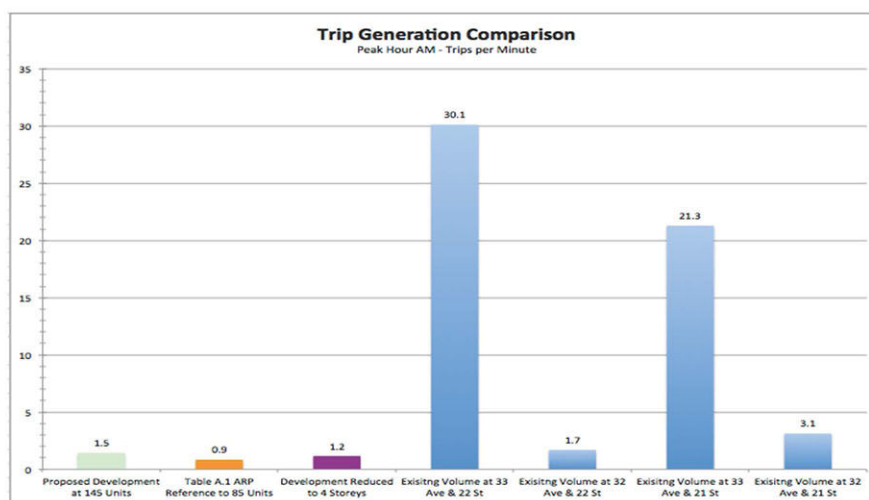
The applicant and developer supports all of the recommendations of the TIA including Option B1 whereby the residents of the proposed development are restricted from travelling northbound along 22<sup>nd</sup> Street and encouraged to utilize the intersection of 22<sup>nd</sup> Street and 33<sup>rd</sup> Avenue

- 2) Comparative Impacts on Transportation Network as a result of reducing the number of units.

The following table provides a comparative analysis between the proposed development, a development of 85 units as well as a removal of 1 full floor from the proposed development. The table is based upon the Traffic Impact Assessment Report conducted by ISL and looks at the comparison based upon the Peak A.M. Trips per Minute (the P.M. Peak Hour comparison provides the same outcome).

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The following conclusions are made by this analysis:

- The proposed development traffic generation represents only 0.498% of the current Peak A.M. traffic currently at the intersection of 33<sup>rd</sup> Avenue and 22<sup>nd</sup> Street alone. That is ½ of 1 percent of the current volumes of traffic. (Current volumes of traffic at the other referenced intersection are also shown in the graph).
- If a development of 85 units were compared, then the traffic during this period would reduce by 1 vehicle every 2 minutes during the Peak period.
- If the proposed development were to be reduced to 4 stories, the resulting reduction in traffic would be less than 1 vehicle every 3 minutes during the Peak period.
- The development as proposed is likely to draw owners who desire to use their vehicles less given its excellent proximity to services as well as their employment. This is not accounted for in the Report.

The conclusions are that TIA report confirms that the proposed development is well supported by existing transportation infrastructure, with good connectivity for all modes. Further that by reducing the scale of the development; there will not be any significant reduction in traffic generation.

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**H. Services**

In addition to good connectivity from a transportation perspective, the proposed development is in excellent proximal location to services within very easy walking distance. That is to say that in less than 7 minutes walking distance there are a wide variety of services available as follows with more being developed:

- Medical – 15
- Grocery – 5
- Cafes/Wine & Liquor – 6
- Restaurants – 17
- Financial Services – 6
- Clothing – 7
- Food Services – 7
- Health & Fitness – 21
- Convenience – 2
- Drug Stores – 1
- Personal Services – 23
- Auto & Gas Services – 2

In addition:

- Mount Royal University is within 6 minutes by transit or 34 minutes walking time
- SunAlta C-Train Station is 13 minutes by transit.

**The proposed development is exceptionally located in terms of transportation infrastructure, connectivity for all modes, excellent proximity to both community and arterial networks (Crowchild Trail, 33<sup>rd</sup> Avenue and 14<sup>th</sup> Street).**

**I. Directions to Council**

The RKHCA makes reference to several directions that should be given by Council as specific conditions of the approval of the proposed development, which include the completion of a Mobility Plan, Land Use Re-designation of adjacent lands and a new Area Redevelopment Plan. If RKHCA means to suggest to Council that all of these studies should be completed or well underway before any land use changes take place in the area, then that position would effectively halt any redevelopment within MLARP. Clearly this is not desirable as the intent of the MLARP is to encourage redevelopment.

Additionally, RKHCA email references a 'Mobility Plan' which formal terminology does not appear in Section 6.2.1. The context of this section is with reference to the Public Realm, specifically:

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*'to meet the retail vitality and pedestrian-friendly design objectives of this Plan, a comprehensive streetscape design... should be undertaken. This design **could** include the following...'*

The following points should be made:

1. The section does not dictate pre-conditions related to development but suggests items that 'could' be included.
2. The proposed development is not at the intersection of 33<sup>rd</sup> Avenue and 22<sup>nd</sup> Street. As such it is not a part of the retail zone or Retail Corner as referenced in Figure 3.1 - Retail Corners.
3. The existing environment relating to the on ramp to Crowchild Trail and the related infrastructure such as the retaining wall, sidewalk as well as no on street parking are permanent conditions and as such are necessarily constrained by those permanent conditions.
4. The proposed development is not constrained in any respect relating to parking or access, nor does the TIA reference any such restraint in regard to transportation. There are no parking variances required as a part of the proposed development in any respect, including visitor or resident parking.

*'In summary, the TIA confirms that the proposed ML33 condo site is well supported by existing transportation infrastructure, with good connectivity for all modes.'*

*'The area surrounding ML33 Condo has complete pedestrian infrastructure in place, providing ready walking access to the urban core of Marda Loop and the surrounding areas'*

*'The site is located within two blocks of the 20 Street SW on-street cycling route, which in turn connects to the broader City cycling network, particularly via the Elbow River Pathway system. The site is also convenient to the 26 Avenue SW on-street route.'*

*II.III. No additional off-site improvements are recommended.'*

5. The proposed development complies with Section 4.1.3 of the MLARP - Parking Access

*'...vehicular access to on-site parking and loading facilities should be provide from rear lanes or flanking streets and not from 33<sup>rd</sup> and 34<sup>th</sup> Avenue'*

6. Public Realm concepts, design and enhancement is substantially if not already fully defined in the MLARP under Section 4 and the proposed design has been completed in close and ongoing consultation of Urban Planning and the Transportation department with the inclusion of:
  - a. The Sidewalk Zone and Boulevard Zone as referenced in Figure 4.1
  - b. Inclusion of boulevard trees to the fullest extent possible and permitted by the City given the existence of underground utilities as well as the aforementioned permanent infrastructure constraints of the onramp to Crowchild Trail.

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- c. The Street Furniture Handbook referenced as incomplete by the RKHCA is complete and is referenced in Appendix D Potential Street Furniture and has been referenced and utilized in consultation with the Urban Design Department.

J. Contribution

The RKHCA references a contribution as a result of a “density bonusing”. There is no policy in place for such contribution. This concept needs further study and consultation with all affected stakeholders.

On a one off basis, as is suggested here, the argument for reducing the development made by RKHCA, significantly impairs not only the economic feasibility of the development as well the ability to provide the enhanced common amenities and landscaping for the development, it also negates any ability of the developer to *offer* to contribute to enhance public realms as it had already done.

K. Unit Mix

The Current DTR point 2 a) requests that we look at ‘including larger 2 bedroom (+den?) and some 3 bedroom units’. Our interpretation of the 2 bedroom + den amounts to the same product as the 3 bedroom. The applicant conducted a survey to demonstrate that amongst the 15 City Centre low rise (woodframe) multifamily developments as defined by the Altus Group, (excluding high rise) that approximately 1% have any 3 bedroom product, that being 9 units out of 833 and the majority of that product is located in executive high end product. It also represents the lowest absorption of all apartment style product types.

Calgary Centre Section - Active Apartment Style Low Rise Product  
3 Bedroom

| Project Name                | Total Units | Total 3 Bedroom Units | Percent of Total | Area (SF) | Avg Price/SF | Sale Price | Category/Comments   |
|-----------------------------|-------------|-----------------------|------------------|-----------|--------------|------------|---|
| 1741                        | 56          | 0                     | 0%               |           |              |            | ** One 4 bed, 4 bath, 1 den   |
| The Alex                    | 17          | 1                     | 6%               | 1,770     | \$418        | \$740,000  | Estiamted as it is unlisted - Stated as being low \$700's Unique Configuration - Remains Unsold |
| Armory                      | 58          | 2                     | 3%               | 1,695     | \$428        | \$725,969  | Penthouse   |
| Avli                        | 70          | 1                     | 1%               |           |              |            |   |
| Axess                       | 183         | 0                     | 0%               |           |              |            |   |
| The Block                   | 60          | 0                     | 0%               |           |              |            |   |
| District                    | 59          | 0                     | 0%               |           |              |            |   |
| Duke                        | 47          | 0                     | 0%               |           |              |            |   |
| I.D. Inglewood              | 19          | 0                     | 0%               |           |              |            |   |
| Lucida                      | 20          | 2                     | 10%              | 1,353     | \$545        | \$736,844  | Penthouse   |
| Mission 34                  | 47          | 0                     | 0%               |           |              |            |   |
| Overture at Currie Barracks | 63          | 3                     | 5%               | 1,347     | \$533        | \$717,547  | Penthouse   |
| Riviera on the Bow          | 31          | 0                     | 0%               |           |              |            |   |
| Scollen House               | 52          | 0                     | 0%               |           |              |            |   |
| Tela                        | 51          | 0                     | 0%               |           |              |            |   |
| Total                       | 833         | 9                     | 1%               |           |              |            |   |

[Source: The Altus Group - Nov 2015]

This product is typically categorized as ‘penthouse’ or ‘executive’ product or is a product of a unique configuration restrictions rather than a strategic product offering. Overture and Armory are both in closest proximity to the proposed development being in Curry Barracks.



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This product type within the inner city or city centre has been in a sustained decline over time due to the lack of interest by the consumer as well as the unaffordability of this product in this built form which is clearly demonstrated as currently ranging from \$717,000 and \$740,000.

- The applicant did introduce the 3 bedroom product as approximately 7.5% of its' mix in its' Bridgeland project. However this was abandoned as only 1 unit representing 1% of the total was sold.
- Similarly Bridgeland Hill has 2 -3 bedroom units, which remain unsold.
- While not in the Category of low rise – Centre Section, Sobow in Inglewood has 3 bedroom product ranging from \$625,000 to \$700,000. Marketing began in 2013 with occupancy in January of 2015. There remain 3, 3 bedroom units available ranging from between \$635,000 and \$700,000.

**As such, the suggestion of introducing this product type represents the imposition of economic hardship on the proposed development, which is not supportable by market demand.**

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# THE PROVIDENCE GROUP

**Victory & Venture**  
 Bridgeland  
 515 4 Ave NE  
*Construction estimated completion 2016*



**Victory & Venture**  
 Marda Loop  
 1521 26 Ave SW  
*Construction completed 2015*



**Providence of Kensington**  
 Hillhurst  
 1321 Kensington Close NW  
*Construction completed 2008*



**Providence on Bankview**  
 Bankview  
 2307 14 Street SW  
*Construction completed 2007*



The Providence Group is a Calgary based, multi-family development company, with an inner city focus in creating boutique communities. Providence has an experienced management team with a solid track record of delivering high quality and distinctive multi-family residential projects.

A development company focused on creating value for our homeowners, The Providence Group has a disciplined yet unique approach to implement leading innovation with a commitment to excellence in design. Adjusting to the realities and opportunities of today's economy, The Providence Group remains value focused to provide a high quality product at a price point that exceeds homeowner's expectations.

## THIS IS WHO WE ARE

## THIS IS WHAT WE BUILD





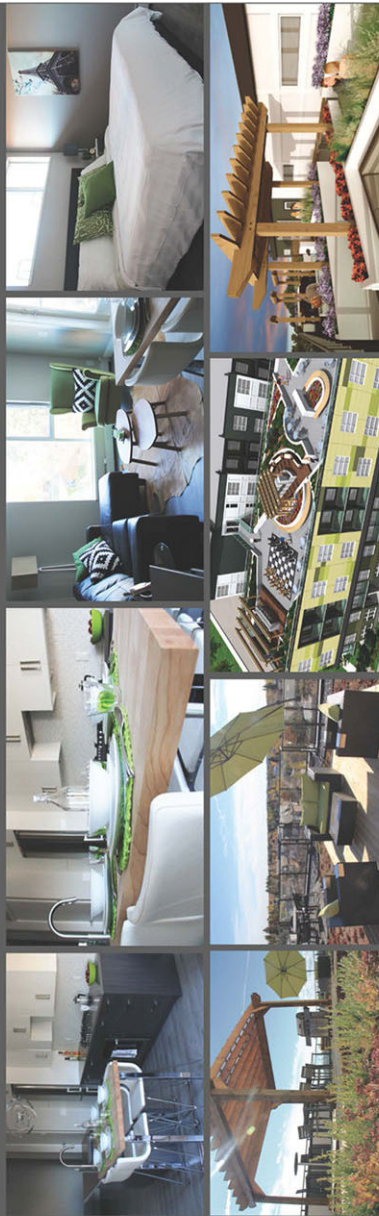
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## THE PROVIDENCE GROUP SPACE SAVVY FEATURES & ROOFTOP SPACES

Providence continues to build unique 'boutique' condos in highly desired locations resulting in strong investment and community outcomes. With a focus on value and affordability, Providence strives to create homes for inner-city professionals. Through innovative design Providence has advanced the popularity of Euro style condos, with their smaller square footage and luxury finishes, in the inner-city Calgary condo market.

Style, design, quality and high end finishings are Providence trademarks which are the foundation for the Victory & Venture (V&V) developments. V&V is the first condo development of its kind in Calgary to offer 2 bedrooms and 2 bathrooms in under 700 sq. ft. By maximizing every square inch and thinking about a space's functionality V&V has created a home of efficiency. V&V space saving and multi-use design is highlighted by our Euro bath, wardrobes and flex table.



Providence has a reputation for creating great communal spaces, such as beautiful rooftop patios. The V&V developments are no exception, with rooftop patios featuring stunning down town views, lounging areas and interactive outdoor spaces.



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**APPENDIX IV**

**CITY'S FEEDBACK SUMMARY**



**What we've heard**

Public feedback primarily gathered during the Open House (June 17, 2015) spanned a range of concerns for both the Land Use Amendment and Development Permit applications.

Some of the public concerns were included as comments or conditions in our Detailed Team Review (DTR) issued in June 2015. Other concerns, however, were not reflected in the DTR because they fall outside the scope of Council adopted policy (Marda Loop Area Redevelopment Plan). The Corporate Planning Applications Group (CPAG) will attempt to explain why we have not chosen to advocate those particular public concerns.

Please keep in mind that this reflects Administration's responsibility to provide Council with an independent recommendation that adheres to existing policies, standards and practices used by The City of Calgary. However, you will continue to have a voice in the process, ultimately having the opportunity to voice your concerns when this application eventually goes to a Public Hearing of Council.

**FEEDBACK #1 – The proposed density is too high**

|                                | M-C1 (Existing District)         | M-H1 (Proposed District)                      |
|--------------------------------|----------------------------------|---|
| Density                        | Max: 148 units per hectare (UPH) | Min: 150 UPH<br>Proposed Development: 409 UPH |
| Maximum Floor Area Ratio (FAR) | None                             | 4.0 FAR<br>Proposed Development: 3.0 FAR      |

**Current land use (M-C1) - density potential**

The current land use designation of the site is Multi-Residential – Contextual Low Profile (M-C1). These districts are intended to provide for multi-residential development, typically containing higher numbers of dwelling units and traffic generation than low density residential dwellings. Six residential parcels form the site for the proposed redevelopment. These parcels are currently occupied by six single-detached dwelling units that were built long before the current land use district (M-C1) was implemented. The potential for these parcels to redevelop and accommodate residential development of higher density has existed for a long time.

Furthermore, the recently adopted Marda Loop Area Redevelopment Plan (ARP) provides for specific building form and design policies that guide Administration's implementation of new land use districts once proposed.

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What the Marda Loop ARP says about density

CPAG is responsible for ensuring that the vision of Council is fulfilled through its review and evaluation of planning applications and its scope of review is limited to the policies contained within this plan. In this instance, CPAG's role is to review the proposed increase in density (see table on previous page), and evaluate if it meets ARP policies. The ARP is the community plan that establishes the long term vision of Council.

Section 3.0 Land Use & Density

This section provides general policies and establishes the make-up of land uses that are appropriate within the Marda Loop plan boundaries. However, this section does not provide specific density limits for each block. Simply put, the Marda Loop ARP does not provide specific numbers for what the density limits should be for each block. What the ARP policies provide for are a series of general policies when considering land use amendment and development permit applications. Listed below are some of the general policies considered within its review:

*"3.1.1 Land use redesignations must be consistent with the general land use classifications identified on map 3.1 (Land Use Policy Areas)."*

*"3.1.3 The provision of a broad range of housing types is encouraged for different types of household, income levels, age groups and lifestyles. Provision of larger unit sizes and ground oriented units appropriate for families with children is strongly encouraged."*

*"3.1.4 A mix of land uses is encouraged for all development projects, including:*

- Residential uses (e.g., townhouses and apartments).....etc."*

CPAG's first Detailed Team Review states the proposed land use and development permit applications satisfy these general policies.

**Non-statutory components of the ARP**

*Section 6.1.3 (Implementation – Non-Statutory Components of the Plan)*

Many concerns were raised at the first open house (and in formal written submissions) of the numbers identified within Appendix A (Planned Development Capacity) within the ARP.

*Appendix A (Planned Development Capacity)*

This section confirms that all appendices attached to the plan are to be used as supporting information only and do not form part of the Statutory Area Redevelopment Plan.

The intent of providing a proposed build-out scenario (for each block) was to provide **one** example of how the ARP policies would implement **one** sequence of assumptions made. It does not tie future redevelopment to occur within each block to the numbers provided in this table. Therefore, the public should be informed that the figures contained in Appendix A (Planned Development Capacity) do not establish maximum thresholds for units or density within each block area.

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CPAG aims to evaluate each application with regard to all pertinent policies of the ARP. Since specific density limits aren't established in Section 3.0, this makes Section 4.0 of the ARP essential in the evaluation of Land Use Amendment applications.

**Section 4.2.1 - Building height**

*"New Development should comply with the maximum building heights indicated in Map 4.2 Maximum Building Heights unless otherwise specified."*

Map 4.2 shows the maximum building heights to be four storeys and 16 metres. A five storey, 16 metre building is proposed on the subject site. CPAG finds that the proposed development would generally be in conformance to this policy. Of note is the addition of a partial fifth storey that steps back from the lane, reducing the shadowing impacts to the existing residential development north of the lane.

**CPAG Exercises Discretion**

CPAG is exercising its discretion when considering the building height. CPAG is tasked to evaluate proposed buildings based on the constraints and opportunities available on each site, in addition to relevant policies. In this case, significant grading challenges exist along 33 Avenue SW (being the Crowchild Trail overpass), which were part of CPAG's considerations.

Ultimately, CPAG finds that the 16 metre limit of the policy is the key measure of the building mass, which is being respected. Careful consideration has been made by the applicants to set the floorplate of the fifth storey away from the lane. For these reasons, CPAG finds that the addition of the fifth storey, (without a step-back at the fourth storey), meets the intent of this policy and thus fulfills the vision of Council.

**FEEDBACK #2 – Increased traffic and congestion**

Many residents expressed concern about already-increasing traffic through the community, and feel that this development will only exacerbate the situation. While Calgary has grown dramatically in the past 15 years, traffic levels in the Marda Loop area have remained relatively constant. The following data can be found from the City of Calgary's Traffic Volume Flow Maps, available on [calgary.ca](http://calgary.ca).

| Street                  | Average Annual Weekday Traffic (yr) |        |        |         |        |
|-------------------------|-------------------------------------|--------|--------|---------|--------|
|                         | 2000                                | 2005   | 2008   | 2011    | 2014   |
| 33 <sup>rd</sup> Avenue | 13,000                              | 14,000 | 14,000 | 12,000  | 13,000 |
| 26th Avenue             | 15,000                              | 10,000 | 10,000 | 8,000   | 10,000 |
| 14th Street             | 26,000                              | 17,000 | 17,000 | 19,000  | 16,000 |
| Crowchild Trail         | 91,000                              | 87,000 | 94,000 | 104,000 | 90,000 |

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A Transportation Impact Assessment was prepared by ISL Engineering and submitted as part of the development application. It uses the standard trip generation rates and methodology used to evaluate all transportation studies submitted to The City. This report concluded, and the City concurs with the results, that without changing any of the surrounding infrastructure, the road network would continue to function at acceptable levels with the modest increase in traffic this development would generate. While it would result in an increase in traffic on 32 Avenue and 21 Street SW, given the restricted nature of the intersection at 33 Avenue and 22 Street, this increase would be well within the capacity of those roads and not cause any performance or safety issues.

The City, applicant and the community are still investigating several options that would help alleviate some of the traffic from this, and future, developments from needing to access 32 Avenue. These options include modifying the currently restricted intersection of 33 Avenue and 22 Street, to allow vehicles to access the laneway between 32 and 33 avenues.

The City of Calgary is also making further investments into the transportation network in the Marda Loop area. There are plans to expand the current Route 107 bus route to run the entire length of 33 Avenue and access the community of Currie Barracks. This increase in service is targeted for 2017, depending on availability of roads (Queensway Wood Drive), funding availability and Council deliberations. Transit is also in the early design stages of the Southwest Transitway BRT, which will include a stop at the intersection of Crowchild Trail and 33 Avenue SW to serve Marda Loop. The City has also begun the Crowchild Trail Corridor Study, which will determine a solution to the current pinch point that occurs on Crowchild Trail as it crosses the river. Bicycle lanes are also being installed on 20 Street SW, in order to increase connectivity with other regional cycling infrastructure.

### **FEEDBACK #3 – Additional demand for street parking**

The City's Land Use Bylaw has set requirements for parking minimums, which need to be met for developments. These requirements have been determined through analysis of equivalent developments, to set the level that should minimize any development's impact on the surrounding neighbourhood. The proposed application exceeds their minimum required parking stalls, providing a surplus of 23 parking stalls for residents of the building. The development will also have 23 dedicated visitor parking stalls as well, for guests to the building to access before utilizing on-street spaces.

If parking spillover becomes an issue, residents can request the creation of a new residential parking permit zone. The steps to do so are available on [calgary.ca](http://calgary.ca), or listed below. Residents of the proposed development would not qualify for any parking permits within the newly created zone.

1. Contact your community association or City Councillor with your request.
2. The community association or Councillor's office will contact the Transportation Department with the request in a formalized letter to the Traffic Engineering Division, P.O. Box 2100, Station M, #4008, Calgary, Alberta, T2P 2M5.
3. A parking survey will be conducted to determine if the area meets one or more of the following zoning criteria:
  - o Adjacent to a 5,000 vehicle trips per day generator, e.g., hospitals, educational institutions.



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- o A minimum zone size of 10 blocks and 70 per cent of the vehicles are non-resident.
- 4. The Transportation and Transit Committee (T&T) and City Council must approve an amendment to the Traffic Bylaw prior to establishing a zone.
- 5. If approved, the community is designated a Residential Parking Permit Zone.
- 6. Residents must then request implementation and enforcement by requesting and then conducting a City of Calgary official petition of individual blocks. Call 311 to request a Residential Parking Permit Zone Petition.

**FEEDBACK #4 – Impact of shadowing and lost privacy to homes across the lane**

The applicants have been tasked to demonstrate how the proposed building massing impacts existing development within its immediate context. In this instance, the most significant visual impact will be felt by the existing residential development to the north, across the lane. Careful considerations have been made to limit the extent of shadowing to the edge of the existing garage footprints – along the north side of the lane – for the vast majority of the year. As shown within submitted plans, there will be periods of the year (winter months) where shadowing may encroach into the rear-yards of these homes.

**CPAG's assessment of shadowing impacts**

No specific policies exist within the Marda Loop ARP that prohibit some form of shadowing to be cast onto existing residential development. There are certain locations within The City of Calgary where public benefits are identified in prohibiting significant open spaces from being shadowed. Some examples include City Parks, The Bow River, and The City's Regional Pathways. Private residential development is not within this list.

Notwithstanding the exclusion of residential developments from protected spaces, CPAG continues to work with the applicant in achieving a building mass that minimizes shadowing impacts to the existing residential development to the north. These sites may be inconvenienced in certain periods of the year by shadows extending beyond the existing garage lines. However, CPAG does not see such periods being detrimental to the private enjoyment of these privately owned lands.

**FEEDBACK #5 – Increase in area crime rate**

**Role of Calgary Police - development review**

The application was circulated to the Calgary Police Service Crime Prevention Team. No comments were initially received from this group; however, a further conversation with Calgary Police Services confirmed that no significant concerns were raised in their Crime Prevention Through Environmental Design (CPTED) review. Typically, a CPTED assessment is provided where concerns are identified. Based on their initial review, no comments were deemed necessary as the standard details of passive surveillance, security and 'eyes on the street' are raised during CPAG's review period.

**CPTED summary**

Nevertheless, the applicants have been tasked to provide CPAG with a summary that explains how the proposed development has been designed through the principles of CPTED. CPAG anticipates this summary to be provided as part of the applicant's response to the first Detailed Team Review.

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Projecting an increase or decrease in the area crime rate does not form part of CPAG's consideration when reviewing a development permit application. This would require CPAG to formulate a series of socio-economic assumptions, which do not form part of Council's direction to CPAG in evaluating planning applications. It is CPAG's role to advocate developers to consider CPTED principles in building design to simply discourage future behavioural issues that may arise within both interior and exterior spaces. Measuring crime rates would require assumptions on the end user, where CPAG's sole concern is evaluating the use itself. For these reasons, CPAG cannot advocate for the community for this particular concern.

**FEEDBACK #6 – Impact to resale value to existing homes within immediate area**

The Marda Loop ARP does not provide policies to evaluate the financial impacts of proposed development to the immediate area. CPAG is here to speak on behalf of Council's policies and plans, which do not speak to considering financial impacts specific to private real estate holdings when rendering planning decisions. For these reasons, CPAG cannot advocate for the community for this particular concern.

**FEEDBACK #7 – Lack of retail/services on the main floor and potential for future conversion to retail**

**What the Marda Loop ARP says about retail uses**

**Section 3.3 – Residential/retail area**

While ground floor retail uses are encouraged, they are not mandatory. Nevertheless, design of buildings should allow for future conversion of retail-commercial uses. Retail uses in general are highly encouraged at the corners of neighbourhood intersections. However, the subject site does not have the benefit of the corner parcel, which does not form part of the two subject applications. The applicants will endeavour to provide an explanation as to the constraints along 33 Avenue that discourages ground-floor uses on the site. Much of the explanation will pertain to the grade challenges that exist between the site and the rising condition of 33 Avenue approaching the Crowchild Trail overpass. In principle, CPAG accepts the applicant's design rationale that speaks to the challenges that exist with the current site.

**FEEDBACK #8 – Lack of understanding of, and input to, the Development Approval Process**

We understand that the City's Land Use and Development Permit Application processes may be new and complex to many of the residents. All information related to processes and details of providing input throughout each application process is described in detail in **The Community Guide to the Planning Process** available for free to download from The City of Calgary website. This document has been produced in partnership between The City and the Federation of Calgary Communities (FCC) to help community associations guide their residents through the wide range of planning processes The City undertakes.

The document can be found using the search function on [calgary.ca](http://calgary.ca).

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**Conclusion**

These comments do not represent the entire range of comments we received from the public, but they do represent the most common concerns identified. We hope that the explanations and rationale we have provided in this summary have been of help for you to understand the position Administration is taking and the reasons for our position.

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