

**POLICY AMENDMENT AND LAND USE AMENDMENT  
TUXEDO PARK (WARD 9)  
EAST OF CENTRE STREET N ON 22 AVENUE NE  
BYLAWS 41P2015 AND 185D2015**

**MAP 27C**

**EXECUTIVE SUMMARY**

This land use amendment application seeks to redesignate a single parcel located in the community of Tuxedo Park from DC Direct Control District to DC Direct Control District to allow for office use.

A mapping amendment to the North Hill Area Redevelopment Plan (ARP) is required to accommodate this land use application.

**PREVIOUS COUNCIL DIRECTION**

There is no previous Council direction that is applicable to this application.

**ADMINISTRATION RECOMMENDATION(S)**

2015 September 24

That Calgary Planning Commission recommends **APPROVAL** of the proposed Policy Amendment and Land Use Amendment.

**RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION**

That Council hold a Public Hearing on Bylaws 41P2015 and 185D2015; and

1. **ADOPT** the proposed amendment to the North Hill Area Redevelopment Plan, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 41P2015.
3. **ADOPT** the proposed redesignation of 0.03 hectares  $\pm$  (0.07 acres  $\pm$ ) located at 111 – 22 Avenue NE (Plan 2129O, Block 26, Lot 16) from DC Direct Control District to DC Direct Control District to accommodate office, in accordance with Administration's recommendation; and
4. Give three readings to the proposed Bylaw 185D2015.

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**REASON(S) FOR RECOMMENDATION:**

The proposal is in keeping with the applicable policies of the Municipal Development Plan (MDP) and the ARP as amended. The proposed Direct Control district is compatible and complementary with the established character of the area. The subject site is constrained by the adjacent sites and the relatively small parcel size, which limits its ability to develop into a viable multi-residential development. Small-scale office use on this parcel would therefore allow for an appropriate transition between the commercial and residential areas.

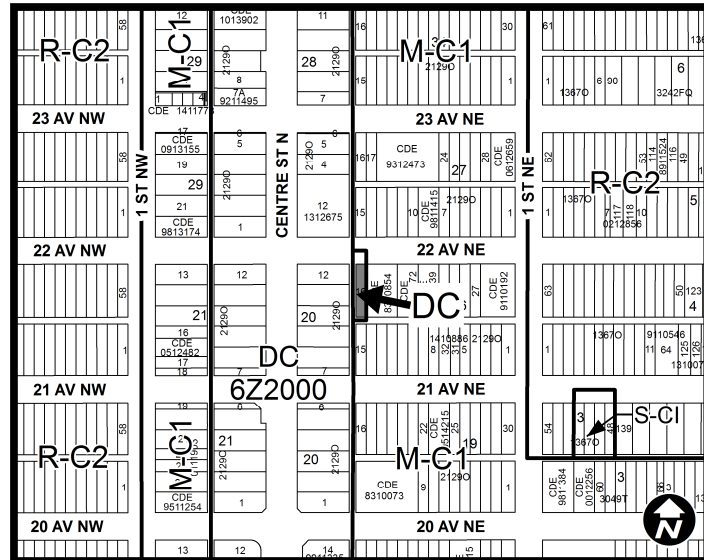
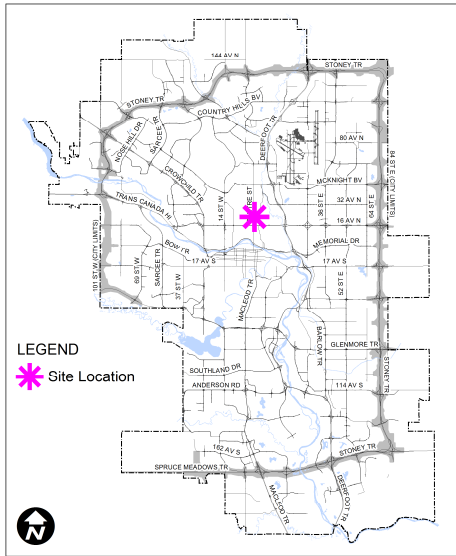
**ATTACHMENTS**

1. Proposed Bylaw 41P2015
2. Proposed Bylaw 185D2015
3. Public Submission

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LOCATION MAPS



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**ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION**

- |    |  |                       |
|----|--|-----------------------|
| 1. | Recommend that Council <b>ADOPT</b> , by bylaw, the proposed amendment to the North Hill Area Redevelopment Plan (APPENDIX IV).  |                       |
|    | <b>Moved by: G.-C. Carra</b><br>Absent: R. Wright  | <b>Carried: 6 – 0</b> |
| 2. | Recommend that Council <b>ADOPT</b> , by bylaw, the proposed redesignation of 0.03 hectares $\pm$ (0.07 acres $\pm$ ) located at 111 – 22 Avenue NE (Plan 2129O, Block 26, Lot 16) from DC Direct Control District <b>to</b> and DC Direct Control District to accommodate office with guidelines (APPENDIX II). |                       |
|    | <b>Moved by: G.-C. Carra</b><br>Absent: R. Wright  | <b>Carried: 6 – 0</b> |

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**Applicant:**

Hallett Architect

**Landowner:**

Antonio Masone Professional  
Corporation

Planning Evaluation Content	Issue	Page
<b>Density</b> <i>Is a <b>density increase</b> being proposed.</i>	No	5
<b>Land Use Districts</b> <i>Are the changes being proposed <b>housekeeping</b> or <b>simple bylaw amendment</b>.</i>	No	5
<b>Legislation and Policy</b> <i>Does the application comply with policy direction and legislation.</i>	Yes	5
<b>Transportation Networks</b> <i>Do different or specific <b>mobility considerations</b> impact this site</i>	No	6
<b>Utilities &amp; Servicing</b> <i>Is the site in an area under <b>current servicing</b> review and/or has <b>major infrastructure</b> (water, sewer, storm and emergency response) concerns.</i>	No	6
<b>Environmental Issues</b> <i>Other considerations eg. sour gas or contaminated sites</i>	No	6
<b>Growth Management</b> <i>Is there growth management direction for this site. Does the recommendation create capital budget impacts or concerns.</i>	No	6
<b>Public Engagement</b> <i>Were <b>major comments</b> received from the circulation</i>	No	7

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**PLANNING EVALUATION**

**SITE CONTEXT**

The parcel is located within the community of Tuxedo Park near the corner of Centre Street N and 22 Avenue NE. The parcel currently has a single-detached house on it, which was approved for office use in 1989. The building is currently being used for offices.

In the future, this parcel is unlikely to convert to residential use, due to the site constraints with the commercial building and lane to the west, the large multi-residential building to the east, and the relatively small parcel size.

**LAND USE DISTRICTS**

Under the current direct control district the office use is tied to the existing building. At present, any redevelopment of the subject site in which the building no longer remains would forfeit the office use and any future development must comply with the Residential Medium Density Multi-Dwelling (RM-4) District within Bylaw 2P80. The parcel owner would like to construct a new office building, which this proposed land use amendment would accommodate.

The proposed direct control land use district (APPENDIX II) is based on the Multi-Residential – Low Profile (M-C1) District with the addition of office use. Utilizing the base M-C1 district in this direct control bylaw would allow the option for this site to convert to residential in the future while being used for office in the meantime. Using a commercial base district instead of a direct control district would have opened up the possibility for a range of higher intensity commercial uses, whereas the office use is seen as lower intensity in this location and therefore minimizes the commercial creep on the existing residential neighbourhood.

**LEGISLATION & POLICY**

**Municipal Development Plan (MDP) (Statutory / Approved by Council – 2009)**

The subject parcel is located within the Developed Residential –Inner City Area as identified on Map 1 of the MDP. Both City-Wide policies and Inner City Area policies apply. In general, these policies encourage moderate redevelopment in inner city communities that is similar in scale and built-form to existing development. In addition, MDP policies encourage redevelopment in predominantly multi-family areas to be compatible with the established pattern of development and feature appropriate transitions between adjacent areas. The MDP also notes that redevelopment should support the revitalization of local communities by adding population and a mix of commercial and service uses.

This application is in keeping with the MDP, as it acts as an appropriate transition from the commercial building on the west to the multi-residential building to the east. In addition, the subject site is located within 400 metres of a transit stop and has direct lane access.

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North Hill Area Redevelopment Plan (ARP) (Statutory / Approved by Council – 2000)

The subject parcel falls under the Medium Density Multi Dwelling area within Map 2 of the North Hill Area Redevelopment Plan (ARP). The lane to the west of the parcel acts as a clear delineating line on Map 2 between the Medium Density Multi Dwelling area and the Medium Density Multi Dwelling and/or General Commercial. The ARP discourages expansion of commercial uses into residential areas; however this is a unique situation due to the existing nature of this commercial use and its site-specific constraints. The ARP also notes that land use redesignations may be appropriate if they are evaluated very carefully and are well integrated into the existing neighbourhood fabric.

In order to accommodate the proposed land use amendment, a minor map amendment to the North Hill ARP is required. This proposed amendment would identify the site as “Medium Density Multi Dwelling and/or General Commercial” (See APPENDIX IV).

## **TRANSPORTATION NETWORKS**

There are four parking stalls on-site for the current building, which are located at the rear of the parcel and accessed from the lane. Street parking is available on both sides of the street, and is affected by the JJ Residential Parking Zone. The office use within Land Use Bylaw 1P2007 requires a minimum of 2.0 motor vehicle parking stalls per 100.0 square metres of gross usable floor area and 1.0 bicycle parking stalls – class 1 per 1000.0 square metres of gross usable floor area. Transportation is not prepared to support any parking relaxations.

This parcel is served by the number 3 Calgary Transit bus route, located 100 metres away on Centre Street N. The parcel is also located directly between the planned Centre Street LRT Green Line stations at 16 Avenue N and 28 Avenue N.

## **UTILITIES & SERVICING**

Water, sanitary and sewer services are available and can accommodate the potential development without the need for off-site improvements at this time.

## **ENVIRONMENTAL ISSUES**

An Environmental Site Assessment was not required as part of this application.

## **ENVIRONMENTAL SUSTAINABILITY**

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

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**GROWTH MANAGEMENT**

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

**PUBLIC ENGAGEMENT**

**Community Association Comments**

The Tuxedo Park Community Association supports this application (See APPENDIX III).

**Citizen Comments**

Administration received three letters of objection to the proposal that raised the following concerns:

- Additional height could block views and lighting from neighbouring property;
- Limited on-street parking;
- Privacy for adjacent residential units; and,
- Perceived decrease in property value.

**Public Meetings**

No meetings were held by the Applicant or Administration.



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**APPENDIX I**

**APPLICANT'S SUBMISSION**

We would like to expand our existing office building which is located at 111 – 22 Avenue NE (Lot 16. Block 26, Plan 2129).

This building was gutted in 1989 and was completely renovated for use as a professional accounting office, yielding a floor area of 1022 s.f. (95.0s.m.).

It is now 2015 and my accounting business has expanded. The addition of a second floor above the existing main floor plate would double our usable floor space and solve our space problems.

Under the current direct control district, DC11Z89, a second storey addition for office use is not permitted. The DC is based on the RM-4 Land Use District from the old bylaw, 2P80. This land use would accommodate a second floor addition for residential use only. To add a second storey for office use, a land use amendment would be required, likely a new direct control district, potentially based on M-C1 as per bylaw 1P2007.

We have been a resident of the Tuxedo Park Community for twenty five (25) years now and we intend to stay in this community. A substantial and significant number of our clients are from this community. Furthermore, we service the Italian community here in Tuxedo Park of which I am a part.

In conclusion, we are in desperate need of larger professional accounting office space, and the present location is an ideal place to build a second floor for our commercial clients.

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APPENDIX II

PROPOSED DIRECT CONTROL GUIDELINES

**Purpose**

- 1 This Direct Control District is intended to:
- (a) allow for **Office** as a *discretionary use*; and
  - (b) allow for **multi-residential development** on the *parcel* in the future.

**Compliance with Bylaw 1P2007**

- 2 Unless otherwise specified, the rules and provisions of Parts 1, 2, 3 and 4 of Bylaw 1P2007 apply to this Direct Control District.

**Reference to Bylaw 1P2007**

- 3 Within this Direct Control District, a reference to a section of Bylaw 1P2007 is deemed to be a reference to the section as amended from time to time.

**Permitted Use**

- 4 The *permitted uses* of the Multi-Residential – Contextual Low Profile (M-C1) District of Bylaw 1P2007 are the *permitted uses* in this Direct Control District.

**Discretionary Uses**

- 5 The discretionary uses of the Multi-Residential – Contextual Low Profile (M-C1) District of Bylaw 1P2007 are the discretionary uses in this Direct Control District with the addition of:
- (a) **Office.**

**Bylaw 1P2007 District Rules**

- 6 Unless otherwise specified, the rules of the Multi-Residential – Contextual Low Profile (M-C1) District of Bylaw 1P2007 apply in this Direct Control District.

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**APPENDIX III**

**TUXEDO PARK COMMUNITY ASSOCIATION LETTER**

We support this change as the owner has approached us and worked with us and we feel this is a good fit for the neighbourhood.

regards,

Darren Rempel  
Tuxedo Park Community Association  
403-771-7154

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**APPENDIX IV**

**PROPOSED AMENDMENT TO THE NORTH HILL  
AREA REDEVELOPMENT PLAN**

- (a) Delete the existing Map 2 entitled “Future Land Use Policy” and replace with the revised Map 2 entitled “Future Land Use Policy” (APPENDIX V).

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APPENDIX V

Proposed Map 2 – Future Land Use Policy

