

**POLICY AMENDMENT, ROAD CLOSURE AND LAND USE
AMENDMENT
INGLEWOOD (WARD 9)
9 AVENUE SE AND 9 STREET SE
BYLAWS 29P2015, 11C2015 AND 128D2015**

MAP 14C

EXECUTIVE SUMMARY

The subject site is located within the Inglewood Community situated along 9 Avenue SE in the western half of the block between 9 Street SE and 11 Street SE. The land use amendment application seeks to redesignate a parcel with a DC Direct Control District to Commercial – Corridor 1 f3.0h20 (C-COR1f3.0h20) District. An Area Redevelopment Plan (ARP) amendment is also required in order to accommodate this proposal which would allow for this site to be constructed up to 4 storeys, at which point a step back would be required. The amendment to the Area Redevelopment Plan would remove the prescribed three metre step back, and allow for a step back that is architecturally sensitive to the surrounding context. In addition a road widening setback along 9 Avenue SE is no longer required. This application is to close the road setback, which is the middle parcel for the subject site. The closed road would be consolidated with the adjacent lands.

PREVIOUS COUNCIL DIRECTION

None

ADMINISTRATION RECOMMENDATION(S)

2015 June 18

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

RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION

That Council hold a Public Hearing on Bylaws 29P2015, 11C2015 and 128D2015; and

1. **ADOPT** the proposed amendment to the Inglewood Area Redevelopment Plan, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 29P2015.
3. **ADOPT** the proposed closure of 0.004 hectares \pm (0.009 acres \pm) of road (Plan 1510551, Area A) adjacent to 1012 – 9 Avenue SE, in accordance with Administration's recommendation; and
4. Give three readings to the proposed Closure Bylaw 11C2015.

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5. **ADOPT** the proposed redesignation of 0.30 hectare \pm (0.74 acres \pm) located at 1006, 1012 and 1018 – 9 Avenue SE and the closed road (Plan A2, Block 8, Lots 25 to 32; Plan 1510551, Area A) from DC Direct Control District and Undesignated Road Right-of-Way **to** Commercial – Corridor 1 f3.0h20 (C-COR1f3.0h20) District, in accordance with Administration's recommendation; and
6. Give three readings to the proposed Bylaw 128D2015.

REASON(S) FOR RECOMMENDATION:

The proposed land use district is supportive of the policies for Neighbourhood Corridors contained within the Municipal Development Plan (MDP), as well as the policies found within the Inglewood Area Redevelopment Plan. The proposed land use designation provides for commercial development at grade with residential uses on upper storeys. The 9 Avenue SE corridor is characterized by commercial development on both sides of the street which is the intention of the Commercial – Corridor 1 district. The proposed amendment to the Area Redevelopment Plan ensures that the context of the surrounding area is maintained along the overall corridor.

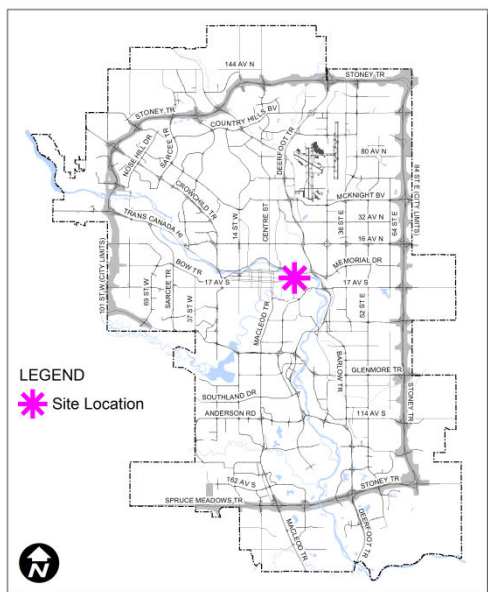
ATTACHMENTS

1. Proposed Bylaw 29P2015
2. Proposed Bylaw 11C2015
3. Proposed Bylaw 128D2015

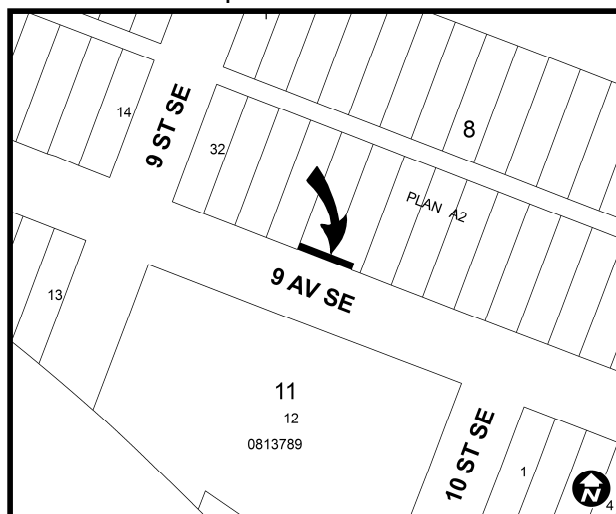
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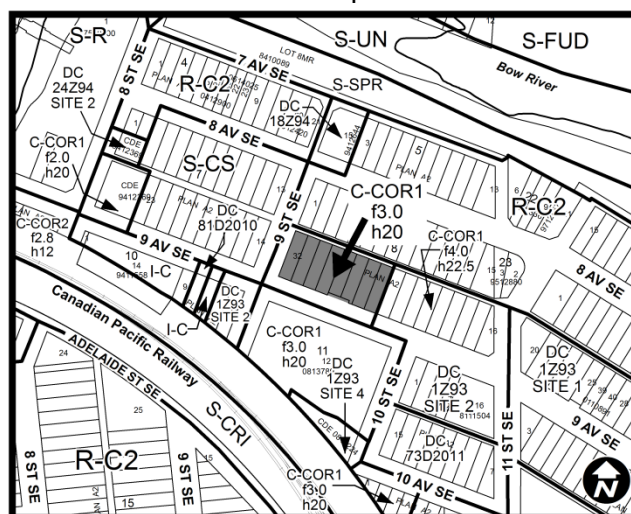
LOCATION MAPS



Road Closure Map



Land Use Amendment Map



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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

1. Recommend that Council **ADOPT**, by bylaw, the proposed amendment to the Inglewood Area Redevelopment Plan (APPENDIX II).

Moved by: G.-C. Carra **Carried: 8 – 1**
Opposed: R. Honsberger
2. Recommend that Council **ADOPT**, by bylaw, the proposed closure of 0.004 hectares ± (0.009 acres ±) of road (Plan 1510551, Area A) adjacent to 1012 – 9 Avenue SE, with conditions (APPENDIX III).

Moved by: G.-C. Carra **Carried: 8 – 1**
Opposed: R. Honsberger
3. Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.30 hectare ± (0.74 acres ±) located at 1006, 1012 and 1018 – 9 Avenue SE and the closed road (Plan A2, Block 8, Lots 25 to 32; Plan 1510551, Area A) from DC Direct Control District and Undesignated Road Right-of-Way to Commercial – Corridor 1 f3.0h20 (C-COR1f3.0h20) District.

Moved by: G.-C. Carra **Carried: 8 – 1**
Opposed: R. Honsberger

Reasons for Opposition from Mr. Honsberger:
 - Have at north edge identified as sub-standard (5.5 metres in width)
 - I can support the idea of driving all access to this site from the lane. I understand the desire to protect the pedestrian area on 9 Avenue SE but believe the impact on neighbours to north (of lane) will be severe.

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Applicant:

Belyea Consulting

Landowner:

J D Hill Investments Ltd

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

*Issue - Yes, No or Resolved

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PLANNING EVALUATION

SITE CONTEXT

The subject site is located along the 9 Avenue SE corridor within the community of Inglewood. The site is currently developed with an Inglewood Art Supply store and a used book store. The topography is generally flat. The site is located on the north side of 9 Avenue SE and is served by a rear lane. Across 9 Avenue SE, a recently developed mixed use exists the height of the building is approximately 23 metres at the highest point, not including the mechanical penthouse area. The Alexandra Centre building is located immediately to the west across 9 Street SE.

LAND USE DISTRICTS

The proposed land use district is the Commercial – Corridor 1 f3.0h20 (C-COR1f3.0h20) District with a maximum floor area ratio of 3.0 and a maximum height of 20 metres. No maximum dwelling units exist within the Commercial Corridor 1 District. The Commercial – Corridor 1 land use district is designed for areas where commercial uses are located on both sides of the street with the opportunity to incorporate residential uses above the at-grade retail. The district also requires a minimum of 20 percent of the gross floor area be dedicated to commercial uses.

LEGISLATION & POLICY

Municipal Development Plan (MDP)

The MDP identifies 9 Avenue SE as a Neighbourhood Corridor. The policies included in the Neighbourhood Corridor section which directly apply to the subject site are:

- 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.
- 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.
- Auto-oriented uses and designs that generate high volumes of traffic, consume large amounts of land in a low density form, require extensive surface parking, and create negative impacts for pedestrian travel and access should be discouraged.

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Inglewood Area Redevelopment Plan (ARP)

The site is within the Inglewood ARP, which identifies the site within the 9 Avenue SE Commercial area. Ninth Avenue SE is at the core of the “Inglewood Special Character District”. The positive elements of the area’s character should be recognized, respected and enhanced whenever appropriate and possible. New automotive uses are prohibited. The ARP states:

- Encourage “the upgrading and intensification of the 9 Avenue commercial area”
- Ninth Avenue SE developments should reflect the historic roots of Inglewood. Development on sites need not be in keeping with any particular historic era however proximity to historic structures should be considered in design approvals.
- Section 3.3.g. Residential development is encouraged along 9 Avenue in low rise apartment form above grade level retail. (page 39)
- Section 3.3.j. Maximum height of buildings on both sides of 9 Avenue should be established to ensure reasonable sun exposure to the north sidewalk and the rear of the properties along 8 Avenue. (page 39).

The site is located within area C19 as shown in the ARP. The policy, as amended by Bylaw 3P2008 allows a maximum of 5 storeys, with a 3 metre step back at the fourth storey. Given these restrictions, a minor amendment to the Inglewood Area Redevelopment Plan is required as this land use redesignation proposal seeks to allow a smaller step back at the fourth storey.

The intent of this restriction is in part to break up the massing of the buildings, and create a more interesting façade treatment along 9 Avenue SE. The applicant has proposed a greater setback of the building façade from the property line then normally required (minimum required 1.5 metres, applicant provided 4.5 metres for ninety percent of the building facade), while further setting the building façade on the fourth story an average of 1.5 metres

TRANSPORTATION NETWORKS

Neither Traffic Impact Assessment nor a Parking Study were required as part of this land use application. At the Development Permit stage, access will be required off the lane to protect the pedestrian realm along 9 Avenue SE.

There are six bus transit routes that service the 9 Avenue SE corridor. The closest stop being approximately 65 metres away from the subject site, located near 11 Street SE. Also the future Green Line South East (GLSE) Inglewood station is located within 600 metres radius from the subject site.

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UTILITIES & SERVICING

A servicing study was not required. All required services are available.

ENVIRONMENTAL ISSUES

An Environmental Site Assessment was not required.

ENVIRONMENTAL SUSTAINABILITY

Not applicable.

GROWTH MANAGEMENT

This land use amendment proposal does not require additional capital infrastructure investment and therefore, no growth management concerns have been identified at this time. In addition, the proposal is in alignment with the MDP references associated with growth management matters.

PUBLIC ENGAGEMENT

Citizen Comments

No comments received by CPC Report submission date.

Public Meetings

Four public meetings were held by the applicant to present their proposal to the community. These meetings included:

2014 November 05

The applicant presented to the Inglewood Redevelopment Committee on land use and proposed design.

2014 November 27

The applicant held a meeting with adjacent neighbours to the north of the property to share the proposed land use concept and design.

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2015 February 04

The applicant made a presentation to Inglewood Redevelopment Committee confirming status of land use application and the proposed design (being consistent what was presented in November 2014).

2015 May 12

The applicant made a final presentation to Inglewood BRZ on Land Use application and proposed design.

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APPENDIX I

APPLICANT'S SUBMISSION

Land Use Redesignation Application:

The proposed development is for a mixed use development with a main floor of retail/restaurant along 9th Avenue SE with possibility of Artist Studio, Live Work and/or Dwelling Units along the laneway. Above the 1st level would be 4 storeys of residential units consisting of one bedroom, one bedroom with studio and two bedroom units as rental apartments. By setting the height of the building above the retail close to 9th Avenue it reduces the shadowing effect on the residential lots north across the lane.

The subject lands are currently zoned 1Z93 which is the “standard” zoning for the “mainstreet” commercial section of Inglewood. The Direct Control District is based on the C-2 (20) District of 2P80 and has some are specific characteristics such as:

- It excludes some undesirable uses;
- It requires a minimum 10% of retail area for other uses;
- It has an FAR of 2;
- It has a maximum building height of 4 storeys not to exceed 15 metres at eaveline;
- If 3 levels of residential are included in the development then the maximum storeys is 6 with eaveline height of 20 metres.
- C-2 has a limitation of density of 150 units per ha – which for the subject site would be a maximum of approximately 45 units.
- Requires a commercial component of a minimum of 25% based on the gross building floor area.

This Land Use Redesignation Application is proposing a C-COR1 f3h20 District. Thus the height is in keeping with the existing DC, the Inglewood ARP and the Inglewood Design Initiative. Where the change in zoning improves opportunities for the desired mixed use development is that it:

- Allows for the approximate 75 to 80 residential units;
- Allows for the main floor retail/restaurant area to be approximately 15% of the gross building floor area;
- Increases the FAR to 3; and
- Brings the permitted and discretionary uses for a “mainstreet” in line with 1P2007 and other parcels within the vicinity which have removed the 1Z93 zoning and replaced it with C-COR1 with varying modifiers.

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Road Closure Application:

Previously, there was a road widening setback requirement along 9 Avenue SE. This setback requirement no longer exists. In 1996, a Roadway plan, as a result of a development permit application, was registered against one of the parcels, 1012 – 9 Avenue SE, which is the middle parcel for the subject site. The depth of the roadway plan is approximately 2.13 metres and which equates to approximately 37 sq. m.

In order for the underground parkade to be developed and function efficiently it needs to be built to the property line. A consistent property line along 9th Avenue is therefore essential.

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APPENDIX II

AMENDMENT TO THE INGLEWOOD AREA REDEVELOPMENT PLAN

- (a) In Table 3, Site C19, Development Guidelines, after the last bullet, add the following:
- "• For the site at 1006, 1012 and 1018 – 9 Avenue SE the height of the portion of the building closest to 9 Avenue shall be no higher than four storeys, at which point a step back is required. At the discretion of the Development Authority, development on this site may have a step back of less than 3 metres."

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APPENDIX III

PROPOSED ROAD CLOSURE CONDITIONS

1. That all costs associated with the closure be borne by the applicant;
2. That the closed road right-of-way be consolidated with the adjacent lands located at 1012 – 9 Avenue SE.

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APPENDIX IV

LETTERS SUBMITTED



INGLEWOOD COMMUNITY ASSOCIATION
1740 24TH AVE SE
CALGARY, ALBERTA
T2G 1P9
PHONE: 403-264-3835
FAX: 403-261-2724
EMAIL: info@icacalgary.com

April 7, 2015

Development Circulation Controller
Development and Building Approvals #8201
Box 2100, Station M
Calgary, Alberta
T2P 2M5

Dear Rafal Cichowlas:

Re: LOC2014-0202, 1012 9 Avenue SE

The Redevelopment Committee (RDC) has reviewed the application regarding Land Use Amendment and road closure at the above location.

We understand that the land use change from DC to C-COR1 is being made to increase the FAR from 2 to 3 and to set the by-lawed height of 20 m. Road closure has to do with a portion of the block which is zoned for road widening that is now obsolete. We have confirmed with yourself and the applicant representative that there will be a setback in the front of at least 1.5 m. per the ARP. We support the application.

We were not able to present our motion to the general meeting as it had been postponed until April 13 (to accommodate Easter Monday) so this unratified support is not our usual protocol. The motion will be put to the general meeting on the 13th and any difference in results will be reported to you.

On a process level, we would like to indicate that we highly regret the absence of a bylaw checklist as it is essential to a fulsome review of any project. We also consider that the Community Context Questionnaire is an unsubstantive addition to the community circulation and no substitute for the complete assessment and related correspondence that accompanies each of our responses to any given permit.

Please advise me once the queries noted above are addressed. If you have any questions, please call me at 403-263-4896.

Yours very truly,

INGLEWOOD COMMUNITY ASSOCIATION
Redevelopment Committee

“signed”
L.J. Robertson
Chair

R. Cichowlas