

POLICY AMENDMENT AND LAND USE AMENDMENT
TUXEDO PARK (WARD 9)
CENTRE STREET N AND 20 AVENUE NE
BYLAWS 24P2015 AND 114D2015

MAP 27C

SUPPLEMENTARY REPORT

Calgary Planning Commission Directives:

The Calgary Planning Commission referred the proposed redesignation back to Administration to address an increase in height and density. Commission felt that the 17.0 metres and 1.8 FAR was not sufficient for the subject parcel.

ADMINISTRATION CONSULTATION WITH APPLICANT

Administration consulted with the applicant and they proposed an increase of height and density to 21.0 metres and 2.5 FAR respectively.

AMENDED PLANS:

Amended plans for DP2014-4899 have not been submitted at the time of writing this report; however, they will be required as the proposed increased height and density will allow for additional stories and dwelling units.

PREVIOUS COUNCIL DIRECTION

None.

ADMINISTRATION RECOMMENDATION

2015 June 04

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 24P2015, 114D2015; and

1. **ADOPT** the proposed amendments to the North Hill Area Redevelopment Plan, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 24P2015.
3. **ADOPT** the proposed redesignation of 0.23 hectares \pm (0.57 acres \pm) located at 2110 Centre Street NE (Plan 2129O, Block 20, Lots 1 to 4) from DC Direct Control District to DC Direct Control District to accommodate mixed use development, in accordance with Administration's recommendation; and
4. Give three readings to the proposed Bylaw 114D2015.

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REASON(S) FOR RECOMMENDATION:

The proposed land use district allows for a broad range of employment, commercial and retail uses as well as housing (form, tenure, and affordability) to accommodate a diverse range of population. The uses of the proposed Direct Control District are compatible with and complimentary to the established walkable pedestrian environment fronted by a mix of high intensity residential and business uses along Centre Street N. The mixed-use development and ground-oriented housing are consistent with the character of the neighbourhood; therefore, the Direct Control District is appropriate for the site. The proposal conforms to the relevant policies of the Municipal Development Plan, Calgary Transportation Plan and allows for a development that has the ability to meet the intent of the North Hill Area Redevelopment Plan.

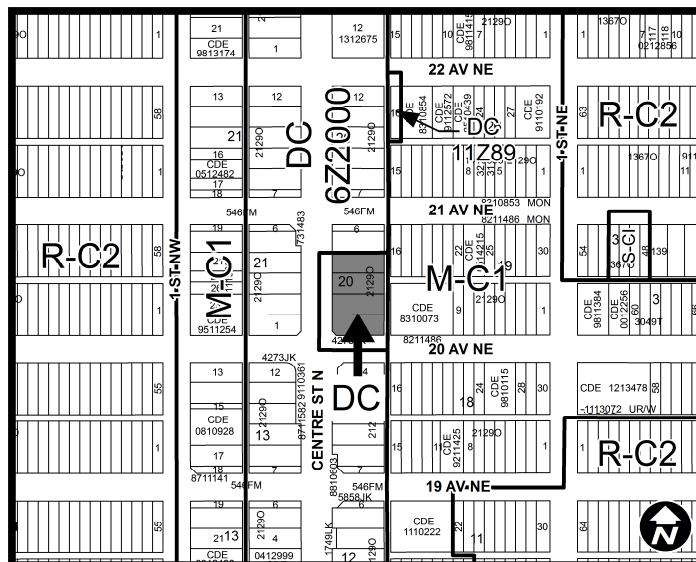
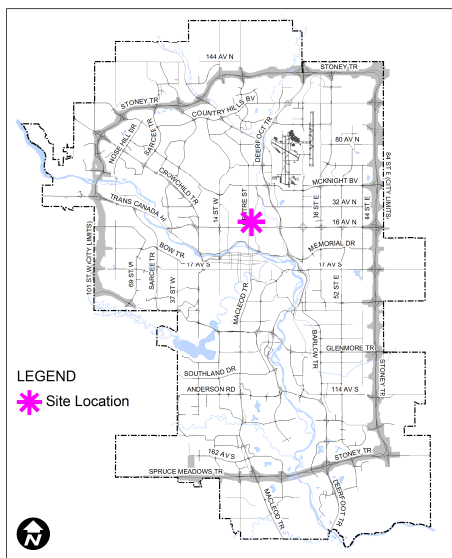
ATTACHMENTS

1. Proposed Bylaw 24P2015
2. Proposed Bylaw 114D2015
3. **Public Submission**

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LOCATION MAPS



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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

1. Recommend that Council **ADOPT**, by bylaw, the proposed amendments to the North Hill Area Redevelopment Plan (SUPPLEMENTARY APPENDIX I).

Moved by: R. Wright

Carried: 6 – 0

Absent: G.-C. Carra and J. Gondek

2. Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.23 hectares \pm (0.57 acres \pm) located at 2110 Centre Street NE (Plan 21290, Block 20, Lots 1 to 4) from DC Direct Control District **to** DC Direct Control District to accommodate mixed use development with guidelines (SUPPLEMENTARY APPENDIX II).

Moved by: R. Wright

Carried: 6 – 0

Absent: G.-C. Carra and J. Gondek

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SUPPLEMENTARY APPENDIX I

PROPOSED AMENDMENTS TO THE NORTH HILL AREA REDEVELOPMENT PLAN

- (a) Under Section 4.4.3 Policies, under Policy 22 at the end of the paragraph, add the following text:

“For the site at 2110 Centre Street, a maximum building height of 21 metres may be considered appropriate.”

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SUPPLEMENTARY APPENDIX II

REVISED PROPOSED DC DIRECT CONTROL GUIDELINES

Purpose

- 1 This Direct Control District is intended to provide for a mixed use **development** within the **parcel** comprising this Direct Control District:

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 Uses

- 4 The **permitted uses** of the Commercial – Corridor 1 (C-COR1) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

- 5 The **discretionary uses** of the Commercial – Corridor 1 (C-COR1) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District.

Bylaw 1P2007 District Rules

- 6 Unless otherwise specified, the rules of the Commercial – Corridor 1 (C-COR1) District of Bylaw 1P2007 apply in this Direct Control District.

Building Height

- 7 The maximum **building height** is 21.0 metres.

Density

- 8 The maximum **floor area ratio** is 2.5.

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Locations of Uses within Buildings

- 9 (1) The following **uses** must not be located on the ground floor of **buildings**:
- (a) **Assisted Living;**
 - (b) **Catering Service – Minor;**
 - (c) **Child Care Service;**
 - (d) **Counselling Service;**
 - (e) **Dwelling Unit;**
 - (f) **Health Services Laboratory – With Clients;**
 - (g) **Instructional Facility;**
 - (h) **Medical Clinic;**
 - (i) **Office;**
 - (j) **Place of Worship – Small;**
 - (k) **Post-secondary Learning Institution;**
 - (l) **Residential Care;**
 - (m) **Social Organization;** and
 - (n) **Veterinary Clinic.**
- (2) A minimum of 18.0 percent of the **gross floor area** of **buildings** must contain “Commercial Uses”.
- (3) “Commercial Uses” and **Live Work Units** must not be located above the ground floor of **buildings** and may share an internal hallway.
- (4) Where this section refers to “Commercial Uses”, it refers to the **discretionary uses** and the **permitted uses** of the Commercial – Corridor 1 (C-COR1) District, other than **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Unit, and Residential Care**.
- (5) The provisions of subsections (1), (2), and (3) may be relaxed by the **Development Authority** provided the relaxation test of Land Use Bylaw 1P2007 is met.

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EXECUTIVE SUMMARY

This land use amendment application seeks to redesignate a single parcel from DC to DC to allow for a mixed-use development consisting of 48 dwelling units; five live-work units at grade; and a restaurant in the Community of Tuxedo Park.

PREVIOUS COUNCIL DIRECTION

None.

ADMINISTRATION RECOMMENDATION(S)

2015 April 23

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

REASON(S) FOR RECOMMENDATION:

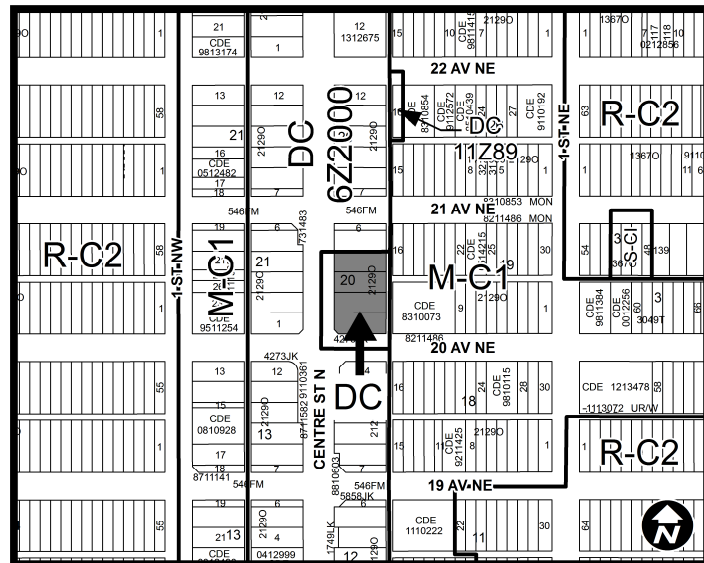
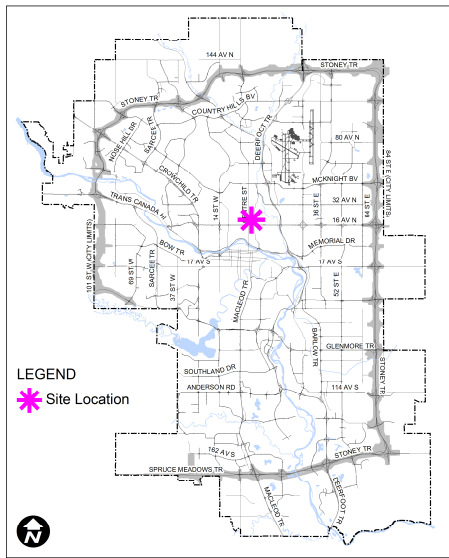
The proposed land use district allows for a broad range of employment, commercial and retail uses as well as housing (form, tenure, and affordability) to accommodate a diverse range of population. The uses of the proposed Direct Control District are compatible with and complimentary to the established walkable pedestrian environment fronted by a mix of high intensity residential and business uses along Centre Street N. The mixed-use development and ground-oriented housing are consistent with the character of the neighbourhood; therefore, the Direct Control District is appropriate for the site.

The proposal conforms to the relevant policies of the Municipal Development Plan, Calgary Transportation Plan and allows for a development that has the ability to meet the intent of the North Hill Area Redevelopment Plan.

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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 0.23 hectares \pm (0.57 acres \pm) located at 2110 Centre Street NE (Plan 2129O, Block 20, Lots 1 to 4) from DC Direct Control District **to** DC Direct Control District to accommodate mixed use development with guidelines (APPENDIX II).

2015 April 23

MOTION: The Calgary Planning Commission **REFERRED** the proposed redesignation 0.23 hectares \pm (0.57 acres \pm) located at 2110 Centre Street NE (Plan 2129O, Block 20, Lots 1 to 4) from DC Direct Control District **to** DC Direct Control District to accommodate mixed use development back to the Administration to address the following:

- An increase in height and density.

Moved by: G.-C. Carra

Carried: 9 – 0

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Applicant:

The Tarjan Group

Landowner:

2102 Centre Street 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>	Yes	5
Legislation and Policy <i>Does the application comply with policy direction and legislation.</i>	Yes	6
Transportation Networks <i>Do different or specific mobility considerations impact this site</i>	Yes	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>	Resolved	7
Public Engagement <i>Were major comments received from the circulation</i>	No	8

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PLANNING EVALUATION

SITE CONTEXT

The site was in use as a gas bar for many years before closing approximately fifteen years ago and has been in remediation, since then that process has concluded. A three storey multi-residential development is located to the east and a two storey multi family residence is located immediately to the north. Single storey commercial developments are located across Centre Street to the west. A church is located to the southwest of the site. The introduction of this four storey building will represent an increase in density in the immediate vicinity.

A development permit was approved in 2014 for a 53 unit residential development with a very similar proposed built form and site layout. A previous Development Permit (DP2013-0010) was unsuccessfully appealed to the Subdivision Development Appeals Board by a neighbour. During the SDAB hearing, it was determined that as written, Bylaw 6Z2000 would not support the future introduction of the commercial elements. The joint application for DP2014-4899 and LOC2014-0162 are intended to create land use controls for full commercial uses to be introduced to the main floor in the future.

The introduction of the dwelling units represents an increase in density to the site and surrounding environs and this supports the sustainability goals of the Municipal Development Plan and the Calgary Transportation Plan.

LAND USE DISTRICTS

The proposed Direct Control District (base C-COR1) has the ability to accommodate a mixed use development on a parcel that is currently zoned for residential only. The Direct Control District allows for Live Work Units and Commercial Uses at grade with Residential Uses above. While the stock C-COR1 District allows for mixed-use, it is not required. The proposed Direct Control District ensures that the goals of the MDP and North Hill ARP are met. Council's potential approval of this application does not constitute approval of the development permit's plans presented for information, but it allows for the proposed mixed use development to be considered under the development permit process.

The proposed land use district is appropriate as it is complimentary to the established land use pattern of the area and allows for a more efficient use of the land. In addition, the development of Live Work Units and commercial uses at grade with residential uses above on this site can meet the intent of Land Use Bylaw 1P2007 with or without relaxations at the development permit stage.

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Site Specific Considerations

The parcel is of sufficient size and has the capacity to accommodate:

- Five (5) live work units and a retail space at grade;
- Forty-eight (48) residential dwelling units on floor(s) 2 to 4; and
- A total of fifty-five (55) parking stalls (thirty-three (33) underground stalls and twenty-two (22) surface stalls);

LEGISLATION & POLICY

Municipal Development Plan (MDP)

The subject site is located within the *Corridor* and more specifically the *Urban Corridor* as identified on Map 1 of the Municipal Development Plan (MDP). Although the MDP makes no specific reference to the subject site, the land use proposal is in keeping with the applicable, overarching residential policies of the MDP.

More specifically, the general MDP description of the *Urban Corridor* refers to a high level of residential and employment intensification along an Urban Boulevard street type, as defined in the Calgary Transportation Plan (CTP). Urban Corridors emphasize a walkable pedestrian environment fronted by a mix of high intensity residential and business uses.

The *Urban Corridor* should contain a broad range of employment, commercial and retail uses as well as housing (form, tenure, and affordability) to accommodate a diverse range of population. Apartments, mixed-use developments and ground-oriented housing are encouraged.

North Hill Area Redevelopment Plan (2000)

This plan suggests that mixed use development should be located along major transportation routes in order to create an interesting pedestrian environment. Traffic, access and parking should not overly impact adjacent low density houses; and the building design must be compatible with, and contribute to, the streetscape.

The North Hill Area Redevelopment Plan encourages appropriate land use intensification so that Centre Street can develop into a more compact, mixed use environment that supports residential, commercial and transit supportive uses.

The North Hill Area Redevelopment Plan restricts building height to three stories but allows the Development Authority to permit an additional storey in mixed use projects which meet the goals of the ARP and enhance the streetscape along Centre Street.

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Both the Municipal Development plan and the Calgary Transportation Plan encourage mixed use development along major transit corridors. There should not be any capital impacts associated with this application.

TRANSPORTATION NETWORKS

Pedestrian access is available from Centre Street N and 20 Avenue NE and vehicular access is provided by a lane off 20 Avenue NE. Parking is provided in the rear and in an underground parkade.

The subject site is approximately 100 metres from the nearest Calgary Transit stop (Route 3). This site is classified as a Transit Oriented Development area; as it is located along frequent transit service and future LRT. High density, mixed use is encouraged in the Transit Oriented Development area.

On 2015 January 13, City Council approved the North Central LRT alignment on Centre Street N., details of the design have not been established. Calgary Transit will proceed with public engagement and a functional study in 2015.

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. Adjustments to on-site servicing may be required and will be determined at the development permit stage.

ENVIRONMENTAL ISSUES

Conclusions of the Environmental Site Assessment (ESA):

- No major issues identified
- The site was formerly occupied by the Skyline ESSO service station
- The site was remediated in 2009, and impacted soils were removed from the site and transferred to a secure landfill facility
- Post-remediated samples indicated that the soil and groundwater on site meet the applicable remediation criteria, established by Alberta Environment & Sustainable Resource Development (Government of Alberta)

ENVIRONMENTAL SUSTAINABILITY

The proposal does not entail any LEED or Build-Principles.

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PUBLIC ENGAGEMENT

Community Association Comments

The Tuxedo Park Community Association (CA) provided comments on November 18, 2014. The CA fully supports the proposed land use redesignation, their comments are included in APPENDIX III. In their opinion, this fits into the Community's long term vision of transforming Centre Street N into a pedestrian-friendly corridor with residential buildings that have commercial units on the main floor with parking in the rear.

Citizen Comments

The Planning Department received one letter against the application. Perceived issues and concerns in the letter can be summarized as follows:

- Shadowing created by building height.

Administration Response: A shadow study was provided during the DP2013-0010 review process and no significant impact was determined by the Development Authority and SDAB.

- Increased traffic generated by the proposed development
- Lack of parking along Centre Street N and on adjacent avenues

Administration Response: The proposed development provides sufficient underground parking and surface parking in the rear – no relaxations are required at the time of DP approval.

- Increase in total unit count from 49 under previous DP to 53 (plus main floor commercial) and the addition of a 5th floor.

Administration Response: The proposed development is 4 floors and the overall building size has not increased from DP2013-0010.

Public Meetings

No public meetings were held by the applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

This is an application to change the land use designation for this site from DC 6Z2000 to a new direct control district based on C-COR1. The rationale for the application is to recognize the building which was approved by the SDAB under DP 2013-0010, SDAB 2014-0011 but allow for principally ground floor commercial and live work uses. The current Land Use District does not permit these uses, and although DP2013-0010 was approved to include them, as they were determined by CPAG to meet the prevailing policies for this area, these uses could not be approved under that DC. Consequently the SDAB issued an approval for the building as an apartment building with 53 units.

This application is to ensure that these commercial elements can be introduced into the site through a development permit application.

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APPENDIX II

PROPOSED DIRECT CONTROL GUIDELINES

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Building Height

- 7 The maximum **building height** is 17.0 metres.

Density

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- (5) The provisions of subsections (1), (2), and (3) may be relaxed by the **Development Authority** provided the relaxation test of Land Use Bylaw 1P2007 is met.

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APPENDIX III

TUXEDO PARK COMMUNITY ASSOCIATION COMMENTS

From: [darren](#)
To: [Huber, Morgan J.](#)
Cc: [Executive Assistant - Ward 9; president@tuxedoparkcommunity.ca](#)
Subject: LOC2014-0162 Land Use Amendment for Center St and 20th Ave NE.
Date: Tuesday, November 18, 2014 7:38:40 AM

Morgan,

Tuxedo Park Community Association fully supports this change of land use designation. This fits into the Community's long term vision of transforming Center Street into a pedestrian friendly corridor with residential buildings that have commercial units on the main floor with parking in the rear.

regards,

Darren Rempel
Tuxedo Park Community Association

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From: [darren](#)
To: [Huber, Morgan J.](#)
Cc: [MacDonald, Neil J.](#); [Commn. & Community Liaison - Ward 9](#); president@tuxedoparkcommunity.ca
Subject: Proposed Apartment on corner of Center St and 20th Ave North in Tuxedo Park
Date: Tuesday, November 18, 2014 8:14:13 PM

Morgan,

The Strategic Group gave us revised drawings (dated 10/10/2014) for their proposed development at 2110 Centre Street NE (related to LOC2014-0162 and DP2013-0010). I was looking at the live work units proposed for the main floor - to me they pretty much look like condo units that could possibly be used to have some very small home based business. Based on your experience and that of your colleagues, is this new design that they are proposing typical? How does this compare with the live/work units that have been done in Bridgeland and other neighborhoods?

thanks,

Darren