

**Report CPC2014-136 (LOC2014-0028)**

**CALGARY PLANNING COMMISSION  
REPORT TO COUNCIL  
2014 NOVEMBER 03**

**POLICY AMENDMENT AND LAND USE AMENDMENT  
INGLEWOOD (WARD 9)  
9 AVENUE SE AND 10 STREET SE  
BYLAWS 34P2014 AND 124D2014**

**ISC: UNRESTRICTED  
CPC2014-136  
LOC2014-0028  
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MAP 14C**

**EXECUTIVE SUMMARY**

The subject site is located within the Inglewood Community situated along 9 Avenue SE and directly adjacent to the Fire Station Number Three historic site. The land use redesignation proposal seeks to redesignate a DC Direct Control District to Commercial – Corridor 1 (C-COR1f4.0h22.5) District. An Area Redevelopment Plan amendment is also required in order to accommodate this proposal which would allow for this specific site to be constructed higher than the indicated 5 storey limit. The amendment to the Area Redevelopment Plan utilizes maximum height in metres rather than storeys to determine the maximum height for the site.

**PREVIOUS COUNCIL DIRECTION**

None

**ADMINISTRATION RECOMMENDATION(S)**

2014 September 25

That Calgary Planning Commission recommends **APPROVAL** of the proposed amendment to the Inglewood Area Redevelopment Plan and Land Use Amendment.

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

That Council hold a Public Hearing on Bylaws 34P2014 and 124D2014; and

1. **ADOPT** the proposed amendments to the Inglewood Area Redevelopment Plan, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 34P2014.
3. **ADOPT** the proposed redesignation of 0.19 hectares  $\pm$ (0.46 acres  $\pm$ ) located at 1020 – 9 Avenue SE (Plan A2, Block 8, Lots 20 to 24) from DC Direct Control District to Commercial – Corridor 1 f4.0h22.5 (C-COR1f4.0h22.5) District, in accordance with Administration's recommendation; and
4. Give three readings to the proposed Bylaw 124D2014.

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### **REASON(S) FOR RECOMMENDATION:**

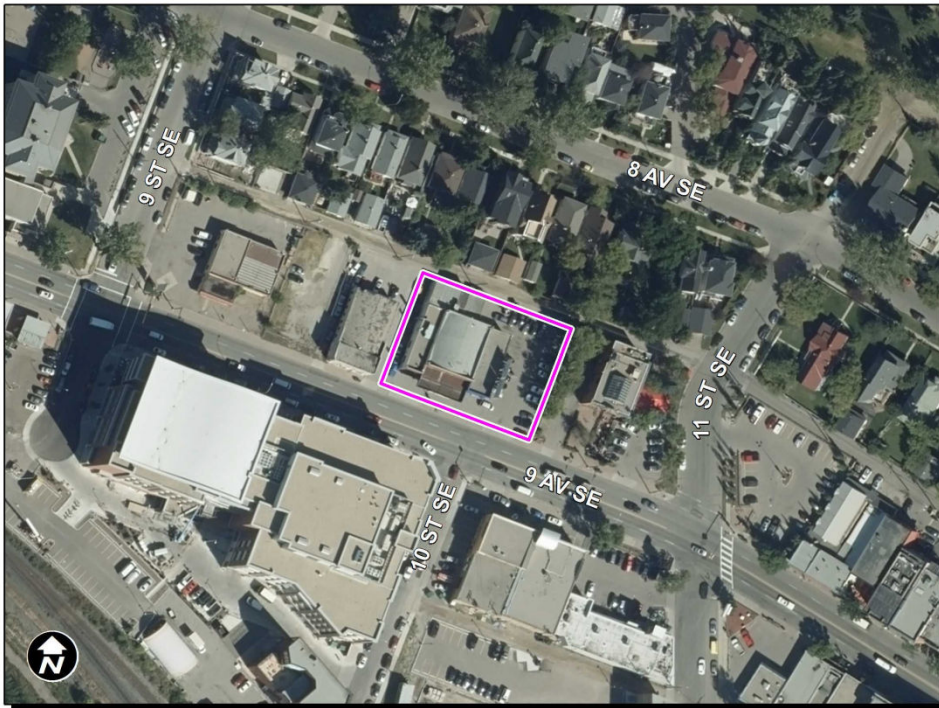
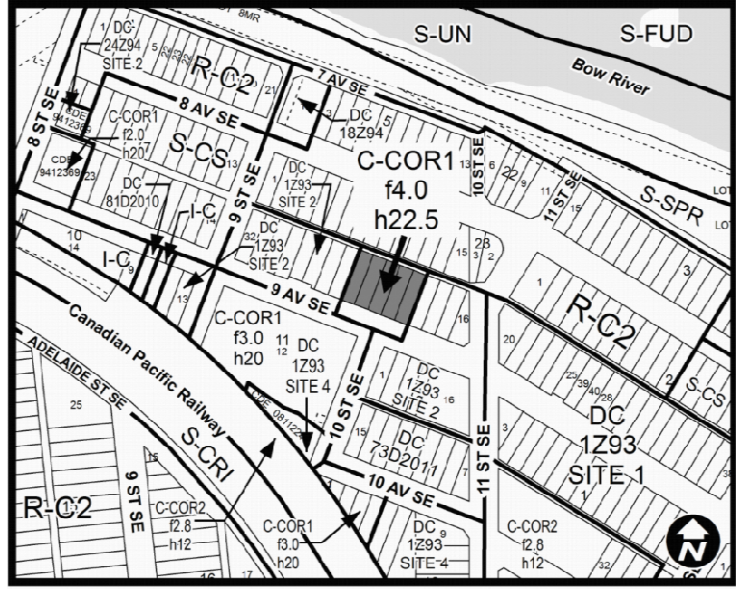
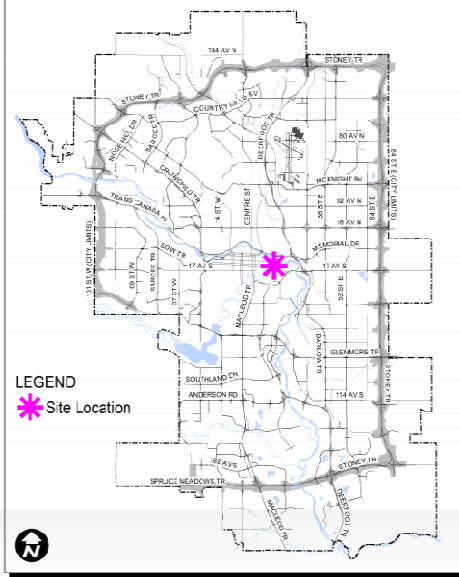
The proposed land use district is in keeping with the Neighbourhood Corridor policies within the Municipal Development Plan as well as the policies found within the Inglewood Area Redevelopment Plan. The proposed land use designation provides for commercial development at grade with residential above. 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 is also in keeping with the context of the site and the adjacent approved and constructed land uses. The intention of the Area Redevelopment Plan amendment is to provide for a similar form development across the 9 Avenue SE corridor to the south.

### **ATTACHMENTS**

1. Proposed Bylaw 34P2014
2. Proposed Bylaw 124D2014
3. Public Submissions

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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 amendment to the Inglewood Area Redevelopment Plan (APPENDIX II); and

**Moved by: J. Gondek**

**Carried 5 – 0**

Absent: Mr. Sturgess left the room due to a pecuniary conflict of interest and did not take part in the discussion or voting.

- 2 Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.19 hectares  $\pm$  (0.46 acres  $\pm$ ) located at 1020 – 9 Avenue SE (Plan A2, Block 8, Lots 20 to 24) from DC Direct Control District to Commercial – Corridor 1 f4.0h22.5 (C-COR1f4.0h22.5) District.

**Moved by: J. Gondek**

**Carried 5 – 0**

Absent: Mr. Sturgess left the room due to a pecuniary conflict of interest and did not take part in the discussion or voting.

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**Applicant:**

Sturgess Architecture

**Landowner:**

Domna Investments Inc

| <b>Planning Evaluation Content</b>  | <b>*Issue</b> | <b>Page</b> |
|---|---------------|-------------|
| <b>Density</b><br><i>Is a <b>density increase</b> being proposed.</i>   | Yes           | 5           |
| <b>Land Use Districts</b><br><i>Are the changes being proposed <b>housekeeping</b> or <b>simple bylaw amendment</b>.</i>  | No            | 5           |
| <b>Legislation and Policy</b><br><i>Does the recommendation create <b>capital budget</b> impacts or concerns.</i>   | No            | 5           |
| <b>Transportation Networks</b><br><i>Do different or specific <b>mobility considerations</b> impact this site</i>   | No            | 6           |
| <b>Utilities &amp; Servicing</b><br><i>Is the site in an area under <b>current servicing</b> review and/or has <b>major infrastructure</b> (water, sewer and storm) concern</i> | No            | 7           |
| <b>Environmental Issues</b><br><i>Other considerations eg. sour gas or contaminated sites</i>   | No            | 7           |
| <b>Growth Management</b><br><i>Does this site have the appropriate <b>growth management</b> direction.</i>  | Yes           | 7           |
| <b>Public Engagement</b><br><i>Were <b>major comments</b> 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 auto-body and paint shop with the topography being generally flat without variations in slope. The site is located on the north side of 9 Avenue SE and is served by a rear lane. Across the 9 Avenue SE corridor, a newer mixed use building has been constructed with a height of approximately 23 metres at the highest point, not including the mechanical penthouse area.

#### **LAND USE DISTRICTS**

The proposed land use district is the Commercial – Corridor 1 (C-COR1f4.0h22.5) District with a maximum floor area ratio of 4.0 and a maximum height of 22.5 metres. No maximum dwelling units exist within the Commercial Corridor 1 District. The Commercial – Corridor 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 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 (see page 50). The policy, as amended in 3P2008 allows a maximum of 5 storeys, with a 3 metre step back at the fourth storey as well as a maximum height of 20 metres is encouraged through land use amendments. Given these restrictions, a minor amendment to the Inglewood Area Redevelopment Plan is required as part of this land use redesignation proposal to allow for additional height.

The intent of these restrictions is in part to limit the sun shadowing on the residential neighbours to the north of the corridor. The applicant has supplied a sun shadowing study indicating no greater sun shadowing on the neighbours to the north than the allowable 20 metre height with a step back on the building at the top floor.

### **TRANSPORTATION NETWORKS**

A 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.

Six bus transit routes service the 9 Avenue SE corridor with the closest stop being a half block away from the subject site on 11 Street SE.

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### **UTILITIES & SERVICING**

A servicing study was not required as part of this land use application. All required services are available at the site.

### **ENVIRONMENTAL ISSUES**

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

### **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**

#### **Community Association Comments**

The Inglewood Community Association submitted a letter in opposition to the application with the height above 20 metres and potential shadowing of the properties to the north of the site being their concern. Their letter is attached in APPENDIX III.

#### **Citizen Comments**

Nine letters of opposition were submitted for this land use redesignation proposal. The main areas of concerns from these opposition letters include:

- Shadowing of the properties to the north
- Loss of privacy for overlooking into the properties to the north
- Increased traffic within the rear lane accessing the site.

#### **Public Meetings**

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

##### 2014 January 07

The applicant presented their concept to the Inglewood Community Association prior to submitting their application to the City.

##### 2014 April 02

The applicant made a presentation to the Inglewood Redevelopment Committee and adjacent landowners



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2014 April 07

The applicant made a final presentation to the Community Association at their General Meeting.

### **APPENDIX I**

#### **APPLICANT'S SUBMISSION**

##### Introduction

The site is a prominent location in the community of Inglewood, located at 10 Street SE and 9 Avenue SE adjacent to the historic Fire Station Number Three and across the street from the Esker Foundation. The project proposes a mixed use building of approximately 64 residential units, between 750 - 950 square meters of commercial space and approximately 88 parking stalls in a below grade parkade. Live work, studio units and engaging urban use are proposed fronting the lane, promoting the opportunity to transform the alley into a vibrant and active "mews." A hardscaped plaza directly on 9<sup>th</sup> Avenue will provide amenity space for both the residents of the development as well as the larger community.

##### Current Zoning

The site is currently zoned as a Direct Control District Bylaw No. 1Z93 – Site 2 and the rules that apply are those of C-2 (20) of 2P80. The zoning is outdated in relation to current policy, which allows higher density and greater support for mixed-use.

##### Proposed Zoning

The proposed zoning is Commercial – Corridor 1 (C-COR1f4.0h22.5).

##### Urban Design

In tandem with the Inglewood Area Redevelopment Plan, the project aims to accommodate and support population growth in the neighborhood, through the provision of a variety of unit types. The project is also designed to provide active retail frontage on 9 Avenue and the potential for the urban design features of the plaza to be extended east to the Fire Station.

The proposed building has a 6.5 meter tall retail podium with residential above to a height of

22.5 meters (the Esker Foundation building across 9<sup>th</sup> Avenue has a height ranging between 18 and 23 meters). The entry to the building aligns with the juncture of 10 Street and the building massing above the podium rotates to align with the bend in 9 Avenue at this point. Above level three, the south-facing residential units are setback between three and eight meters from 9 Avenue to provide opportunities for views, to reduce noise and to provide a more pleasant scale at the pedestrian level.

Similarly, the north-facing residential units are setback three to twelve meters from the lane, minimizing overlook and potential shadow for the houses on 8 Avenue. Due

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to the massing of the proposed building and the greater setback above the podium from the rear property line, the increase in height of 2.5 metres will not create a shadow any greater than that of the allowable zoning.

### **Community Engagement**

Beginning in January of 2014, Sturgess Architecture and the client group participated in three community meetings both with the Inglewood Redevelopment Committee and at the General Meeting. While there was some concern from the neighbors across the lane about the height of the building and shadow impact, a shadow study proved that the proposed building will cast a shadow with no greater impact than that cast by the envelope allowed under the current zoning.

## **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 1020 – 9 Avenue SE the maximum building height is 22.5 metres. At the discretion of the Development Authority, development on this site may exceed the maximum 5 storey height limit."

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**APPENDIX III**

**LETTERS SUBMITTED**



**INGLEWOOD COMMUNITY ASSOCIATION**  
**1740 24<sup>TH</sup> AVE SE CALGARY,**  
**ALBERTA T2G 1P9**  
**PHONE: 403-264-3835**  
**FAX: 403-261-2724**  
**EMAIL: [ica@shawbiz.ca](mailto:ica@shawbiz.ca)**

August 6, 2014

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

Dear Brad Bevill:

Re: LOC 2014-0028, 1020 9 Avenue SE

The Redevelopment Committee has received the recirculation of the above rezoning wording. We find that very little has changed since our comments of June 10 responding to the draft wording. The shadowing impact on the Eighth Avenue neighbors remains. The open space provision does not mitigate this in any way. The ARP principles outlined in 3.3.1 (j) have not been addressed adequately. Regarding limitations specific to the site C19, the height and setback are both being relaxed considerably – without reference to a specific set of plans, this seen as most inappropriate. We continue to support the 20 meter height as striking a good balance for this and future development.

We reiterate that the ICA is adamant that an increase in the maximum height anywhere along Ninth Avenue, especially on the north side, would set a dangerous precedent. As such, the motion passed by the general meeting on June 9 to not support the proposed DC stands.

If you have any questions, please call me at 604-8283.

Yours very truly,

INGLEWOOD COMMUNITY ASSOCIATION  
Redevelopment Committee  
“signed”  
L.J. Robertson  
Chair