

**POLICY AMENDMENT, ROAD CLOSURE, DISPOSITION OF
RESERVE & LAND USE AMENDMENT
ROSSCARROCK (WARD 8)
17 AVENUE SW & 33 STREET SW
BYLAWS 35P2014, 15C2014 AND 128D2014**

MAP 18C

EXECUTIVE SUMMARY

The Applicant proposes a Land Use Redesignation, Road Closure and Policy Amendment for 4.18 hectares± (10.81 acres±) at 3500 - 17 Avenue SW, 1701 - 33 Street SW, 1651 - 35 Street SW, 1652 - 35 Street SW, and 49 Westbrook Green SW in the community of Rosscarrock. The proposed changes are to realize the vision of the Westbrook Village ARP while allowing for contemporary development measures to achieve the desired development outcome. Some changes to the Westbrook Village Area Redevelopment Plan (ARP) are housekeeping to clarify and refine the design of road sections and allow for the density provided for originally.

EXECUTIVE SUMMARY (FOR DISPOSAL OF RESERVE)

The property located at 49 Westbook Green SW is owned by The City of Calgary and is designated as Municipal Reserve. As part of the proposed redevelopment of the surrounding area, commonly known as Westbrook Station, the developer wishes to obtain the subject land, and in exchange, will provide an equal amount of land to be designated as Municipal Reserve within the southwest portion of the plan area, north of 17 Avenue SW and west of 33 Street SW. A land use redesignation and outline plan is also proposed.

PREVIOUS COUNCIL DIRECTION

2009 June 01 – Council Adopted Westbrook Village Area Redevelopment Plan

2009 June 01 – Council Redesignated 20.05 hectares (49.51 acres) including the subject site from C-R2f3.0 Commercial – Contextual low Profile District and S-CS Special Purpose – Community Service District to DC Direct Control Districts to accommodate mixed use commercial and residential development. (Bylaws 62D2009, 63D2009, 64D2009, 65D2009, 66D2009, 67D2009, and 68D2009)

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ADMINISTRATION RECOMMENDATION(S)

2014 September 25

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

RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION

That Council Adopt by Resolution, the proposed Disposition of Reserve and hold a Public Hearing on Bylaws 35P2014, 15C2014 and 128D2014; and

1. **ADOPT** the proposed amendments to the Westbrook Village Area Redevelopment Plan, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 35P2014.
3. **ADOPT** the proposed closure of 0.49 hectares \pm (1.21 acres \pm) of road (Plan 1412083, Areas A, B, C and D) adjacent to 1651, 1652 – 35 Street SW, 1701 – 33 Street SW, 3500 – 17 Avenue SW, 49 Westbrook Green SW and 51C Westbrook Plaza SW, in accordance with Administration's recommendation; and
4. Give three readings to the proposed Closure Bylaw 15C2014.
5. **ADOPT**, by Resolution, the proposed disposition of 0.134 hectares \pm (0.33 acres \pm) located at 49 Westbrook Green SW (Plan 1311160, Block A, Lot 6MR) in exchange for 0.134 hectares \pm (0.33 acres \pm) of Municipal Reserve within the lands located west of 33 Street SW and north of 17 Avenue SW, in accordance with Administration's recommendation, and
6. **DIRECT** a designated officer to notify the registrar of the Southern Alberta Land Titles Office that the requirements of the Municipal Government Act have been complied with and request the removal of the Municipal Reserve Designation.
7. **ADOPT** the proposed redesignation of 4.18 hectares \pm (10.32 acres \pm) located at 1651, 1652 – 35 Street SW, 1701 – 33 Street SW, 3500 – 17 Avenue SW, 49 Westbrook Green SW and 51C Westbrook Plaza SW and the closed road (Plan 1311160, Block A, Lots 1 to 4 and 6MR; Plan 1311889, Block A, Lot 7; Plan 1412083, Areas A, B, C and D) from DC Direct Control District and Undesignated Road Right-of-Way to DC Direct Control District to accommodate mixed use development, in accordance with Administration's recommendation; and
8. Give three readings to the proposed Bylaw 128D2014.

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REASON(S) FOR RECOMMENDATION:

The proposed changes are an augmentation from a 2009 Direct Control and ARP. These changes largely represent the original intent while allowing contemporary development practices to occur on site. The retention of major urban design elements including a pedestrian connection to the future central park, while the addition of new elements like a public/private park that will focus development around the station head, build upon existing policies and improve the plans previously approved.

REASONS FOR RECOMMENDATION (FOR THE DISPOSAL OF RESERVE):

The existing municipal reserve parcel has not been developed yet. It is envisioned that the location of the future municipal reserve parcel will be accessible to more people than the current location, due to the proximity of the LRT station. Therefore, it is recommended that the disposal of reserve for Lot 6MR, Block A, Plan 1311160 be approved.

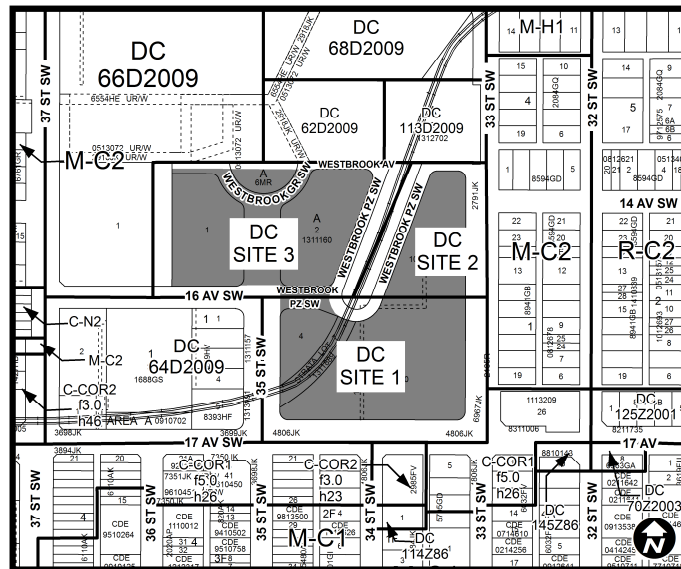
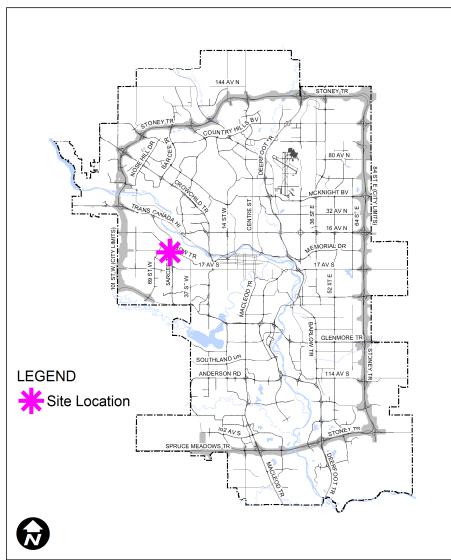
ATTACHMENTS

1. Proposed Bylaw 35P2014
2. Proposed Bylaw 15C2014
3. Proposed Bylaw 128D2014

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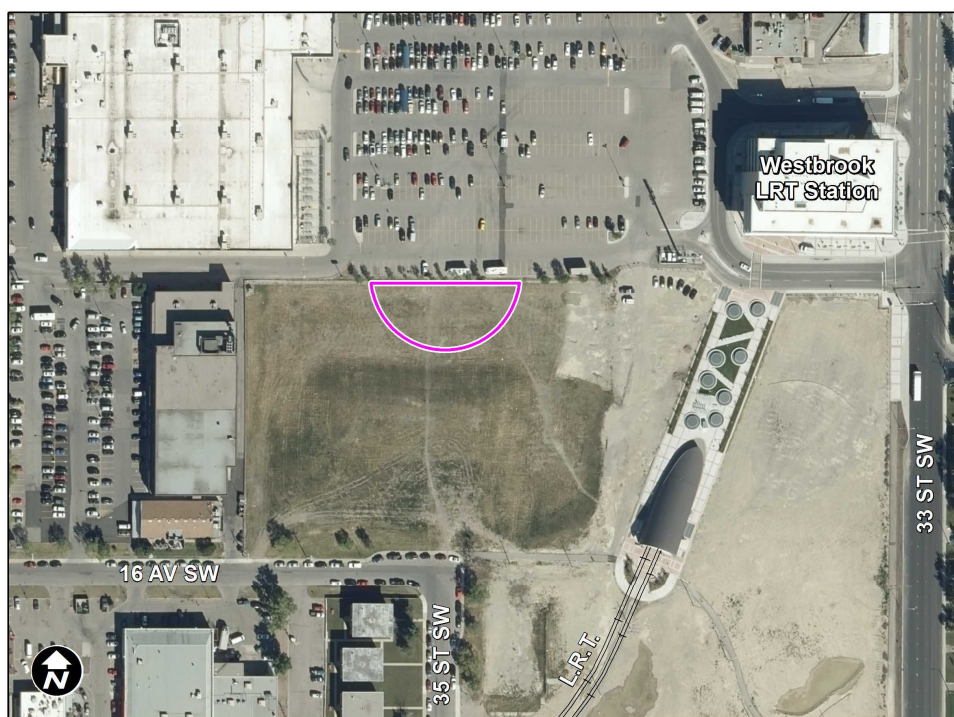
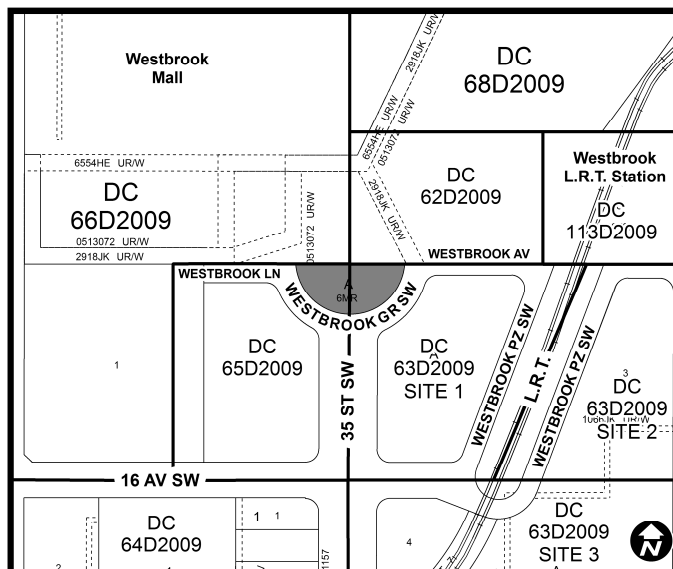
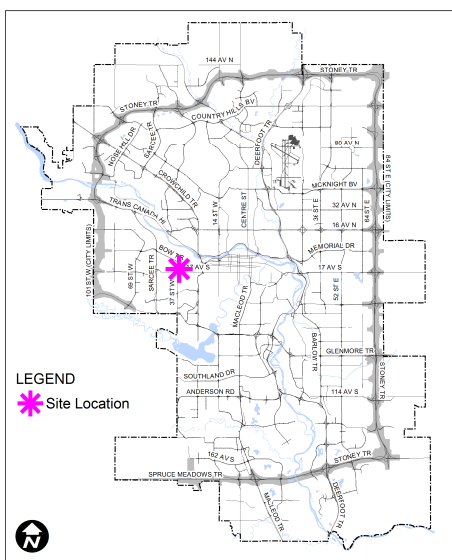
LOCATION MAPS (LAND USE AMENDMENT)



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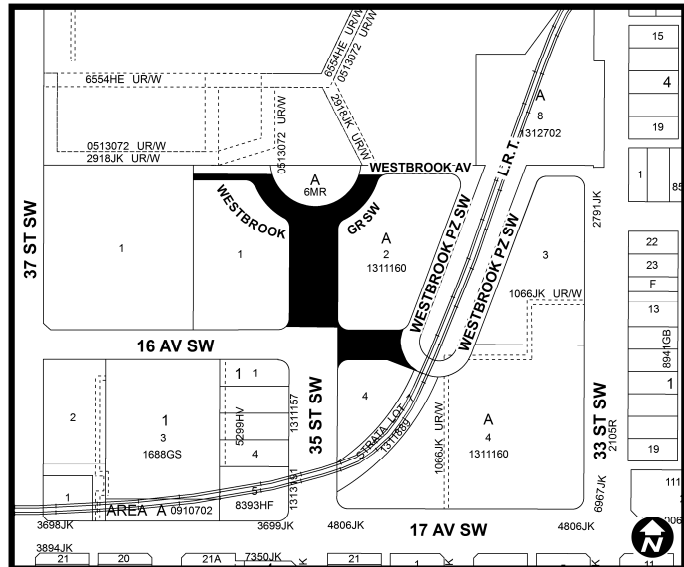
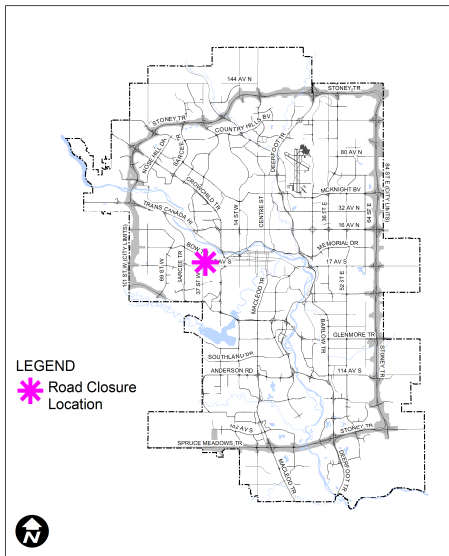
LOCATION MAPS (DISPOSITION OF RESERVE)



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LOCATION MAPS (ROAD CLOSURE)



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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

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

Moved by: M. Logan **Carried: 6 – 0**
2. Recommend that Council **ADOPT**, by bylaw, the proposed closure of 0.49 hectares \pm (1.21 acres \pm) of road (Plan 1412083, Areas A, B, C and D) adjacent to 1651, 1652 – 35 Street SW, 1701 – 33 Street SW, 3500 – 17 Avenue SW, 49 Westbrook Green SW and 51C Westbrook Plaza SW with conditions (APPENDIX X).

Moved by: M. Logan **Carried: 6 – 0**
3. Recommend that Council **ADOPT**, by Resolution, the proposed disposition of 0.134 hectares \pm (0.33 acres \pm) located at 49 Westbrook Green SW (Plan 1311160, Block A, Lot 6MR) in exchange for 0.134 hectares \pm (0.33 acres \pm) of Municipal Reserve within the lands located west of 33 Street SW and north of 17 Avenue SW.

Moved by: M. Logan **Carried: 6 – 0**
4. Recommend that Council **DIRECT** a designated officer to notify the registrar of the Southern Alberta Land Titles Office that the requirements of the Municipal Government Act have been complied with and request the removal of the Municipal Reserve Designation.

Moved by: M. Logan **Carried: 6 – 0**
5. Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 4.18 hectares \pm (10.32 acres \pm) located at 1651, 1652 – 35 Street SW, 1701 – 33 Street SW, 3500 – 17 Avenue SW, 49 Westbrook Green SW and 51C Westbrook Plaza SW and the closed road (Plan 1311160, Block A, Lots 1 to 4 and 6MR; Plan 1311889, Block A, Lot 7; Plan 1412083, Areas A, B, C and D) from DC Direct Control District and Undesignated Road Right-of-Way to DC Direct Control District to accommodate mixed use development with guidelines (APPENDIX XII).

Moved by: M. Logan **Carried: 6 – 0**

Reasons for Approval from Ms. Wade:
 - Report is analytical and illustrates a comprehensive approach to land use considering how road closure and MR can best be used to enhance the public realm and permit creative site planning.

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- Great plan and report! A good example of Administration and Applicant collaboration.

Reasons for Approval from Ms. Gondek:

- There is an agreement between the Applicant and OLSH the affordable housing units will be provided in the development. This deserves to be recognized and commended, especially in light of the socio-demographic profile of neighbouring communities. Between 45 percent and 67 percent of households are rental in Rosscarrock, Shaganappi and Killarney/Glengarry. Of these, approximately 40 percent spend more than 30 percent of their household income on shelter costs. More affordable housing units are needed in this area.

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Applicant:

Brown & Associates Planning Group

Landowner:

The City of Calgary

Planning Evaluation Content	*Issue	Page
Density <i>Is a density increase being proposed.</i>	No	8
Land Use Districts <i>Are the changes being proposed housekeeping or simple bylaw amendment.</i>	Yes	8
Legislation and Policy <i>Does the recommendation create capital budget impacts or concerns.</i>	No	8
Transportation Networks <i>Do different or specific mobility considerations impact this site</i>	Yes	8
Utilities & Servicing <i>Is the site in an area under current servicing review and/or has major infrastructure (water, sewer and storm) concern</i>	No	9
Environmental Issues <i>Other considerations eg. sour gas or contaminated sites</i>	No	10
Growth Management <i>Does this site have the appropriate growth management direction.</i>	Yes	10
Public Engagement <i>Were major comments received from the circulation</i>	Yes	10

*Issue - Yes, No or Resolved

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PLANNING EVALUATION

SITE CONTEXT

The Subject Site is within the centre of the Westbrook Village Area Redevelopment Plan area. The land comprises of the remaining parcels of the Ernest Manning High School site, located in the southwest quadrant of the City, south of Bow Trail SW, west of 33 Street SW, north of 17 Avenue SW and east of 37 Street SW. Currently the south station head of the Westbrook LRT Station rests in the centre of the subject site.

LAND USE DISTRICTS

The proposed land uses are a replacement of the current DC Direct Control Districts. The existing DC's did not include a bonus structure for publically accessible private open space. The addition of these elements, used in locations like the City Centre and Beltline, allows the development of new private open space accessible to the public.

The proposed DC allow reduces setbacks from 3.0 metres to 1.5 metres along 17 Avenue SW. This change is in effort to provide a tighter urban framework along 17 Avenue SW. This reduction in concert with modifications of the cross section of 17 Avenue SW will result in primarily the same outcome originally desired while achieving some efficiencies on the design of the vehicle, pedestrian and bicycle components.

Lastly a provision to allow for the transfer of bonus density from site to site within the DC was added to capture the investment of public benefits proposed on the Outline Plan. Without this provision, the addition of some publically accessible private open spaces would not be feasible in the development.

The proposed DC Direct Control District guidelines can be referenced in APPENDIX XII.

LEGISLATION & POLICY

The subject site is within the Westbrook Village Area Redevelopment Plan. Approved in 2009, this plan envisions a broader area of redevelopment that includes the Westbrook Mall site and surrounding parcels to eventually become a high density mixed used transit oriented development. The subject site begins this redevelopment effort and is the first test case of redevelopment within the ARP. The Applicant has proposed some minor changes to the ARP as it provides a very rigid urban design policy that needed some housekeeping amendments to help facilitate the proper construction of building typologies. Generally the plan follows the ARP. The revisions of the plan include amending the streetwall typologies to allow for the development of density provided for, amending map character areas to reflect the Outline Plan changes to block structures and clarification of open space elements as identified by the Outline Plan.

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TRANSPORTATION NETWORKS

The subject site sits directly adjacent to the Westbrook LRT station, bound by 17 Avenue SW to the south, 33 Street SW to the east, 35 Street and the Westbrook Professional Building to the west and the Wal-Mart parking lot to the north. As part of this application, the applicant will be closing some existing road right-of-way (ROW) that has not been constructed yet, and providing some pedestrian only plaza spaces to ensure the area is fully accessible to all modes of travel.

Aside from being directly adjacent to the West LRT, 7 bus routes also use the Westbrook Station as a transfer point, including the 72/73 circle route and the 306 BRT. The site is also bordered by an existing regional pathway that runs along 17 Avenue SW, and turns north on 33 Street SW. This is a critical link in the City's cycle network that allows cyclists from the west end of Calgary to access the existing cycling infrastructure on 14 Avenue SW and in the river valley, giving access to the downtown core. This existing cycle infrastructure will be retained and upgraded as part of this redevelopment, as the proposed outline plan design includes upgrading all existing roads adjacent to the site to be Complete Streets.

The site will have vehicle access off of 33 Street SW, 35 Street SW, 16 Avenue SW, 17 Avenue SW and the future Westbrook Avenue SW to the north. Westbrook Avenue will be fully constructed once the parcel to the north of this application applies for redevelopment, but until that time a temporary access will be determined and utilized at the time of development permit.

Because of the existing infrastructure on site for this application, the Applicant's Transportation Impact Assessment (TIA) and Parking Study assumed a higher modal split for trips to and from the site than would be typical of a suburban setting. This was submitted in support of the application, and has been accepted by the Transportation Department. Data in the TIA indicates that by 2039, approximately 65 percent of the trips in the PM peak to and from this development will be by personal vehicle, with 35 percent utilizing alternate modes. Further projections show that by 2076, single occupant vehicles will have decreased to 50 percent, as more development occurs making alternate modes even more attractive. This is directly in line with the Calgary Transportation Plan's recommended direction of having only 55-65 percent of all daily trips by personal vehicles by 2070.

Recommended improvements to the transportation network include the construction of new signals at the intersections of 17 Avenue SW and 35 Street SW, 37 Street and 16 Avenue SW, and the site access and 33 Street SW. There will also be a modification to the intersection of Bow Trail and 37 Street SW to allow for dual northbound left turn lanes, and an extension of the dual westbound left turn lanes at the intersection of Bow Trail and 33 Street SW.

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UTILITIES & SERVICING

Water, Sanitary, and Storm is available for the plan area. All extensions and minor upgrades to service the plan area are to be done at the expense of the Applicant.

ENVIRONMENTAL ISSUES

This application does not present any concerns with regard to environmental issues.

ENVIRONMENTAL SUSTAINABILITY

The application is environmentally sustainable on many levels in that the concentration of development around public rapid transit will promote its use and the dependency of the automobile for single trips will be less. Additionally the redevelopment of inner city sites promotes growth in a manageable format that helps reduce the dependency of new lands on the edge of the city.

GROWTH MANAGEMENT

This application does not present any concerns with regard to the City of Calgary's Growth Management policies and does not require an adjustment of the capital budget.

PUBLIC ENGAGEMENT

Westbrook Station is technically within the Rosscarrock Community; however this site is the hub of Shaganappi, Killarney/Glengarry, Glendale, Spruce Cliff, and Westgate communities as well. In an effort to ensure proper engagement with the broader community, all six Community Associations were engaged by the applicant prior to submission of their application.

Attached in APPENDIX XIII are the letters from Community Associations. Generally all Community Associations that submitted letters were in support, with some broader concerns relating to the Westbrook Station area.

Aside from Community Association engagement, Administration developed a web portal (www.calgary.ca/westbrookstation) to highlight the proposed project, and the major policy changes being proposed. All information from the 2014 June 24 Open House was published online and this was communicated to the general public through a mailer sent to nearly 8,500 addresses within the immediate area.

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A community Open House was held 2014 June 24 in the Rosscarrock Community Hall. Nearly 180 residents appeared and 56 survey forms were returned that evening. Generally of the project most were supportive and eager for development to begin. Questions about the lack of a Calgary Transit Park-n-ride, the timing of the potential relocation of the Shaganappi Library Branch to the station, and some expressed concern about density. All of these broader items were not the primary discussion of the Open House but are noted and will be evaluated throughout the life of the broader plan.

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APPENDIX I

APPLICANT'S SUBMISSION

The Westbrook Station Transit Oriented Development (TOD) site offers a unique opportunity in Calgary to create a vibrant, walkable, mixed use development which will be a benefit to both future and existing residents of the area and the city as a whole. In 2011 The City of Calgary issued a Request for Proposal (RFP) for the Acquisition and Development of Property at Westbrook Station in order to facilitate the development of these lands and achieve the vision for the property.

Through this publically tendered process, the Westbrook Station site has been acquired by Matco Investments Ltd. (Matco)/EMWS Holdings Ltd. (EMWS), as the Owner of the Westbrook Station lands, is an entity of Matco's created specifically to administer the project and oversee its development. It is the intention of Matco/EMWS to build an outstanding example of a mixed use, transit oriented development on the Westbrook Station lands.

To ensure the success of the Westbrook Station development and achieve the broader vision and goals for these lands, a detailed evaluation of the existing Direct Control designations, Outline Plan and companion subdivision have been performed by Matco and their team of consultants. The findings from this investigation is that a set of minor changes to the existing land use and outline plan are necessary to both realize the vision of the Westbrook Village Area Redevelopment Plan and deliver a high quality pedestrian oriented development that can proceed and prosper independent of the redevelopment timing of the surrounding adjacent lands.

The intent for the Westbrook Station lands is to develop a comprehensively designed, phased TOD that will be realized over time. The proposed alterations to the site layout and land use districts are intended to enable the realization of the density anticipated for a successful mixed use development at this site and provide for the following:

- A more flexible land use is proposed to enable stand-alone development of the site that takes into consideration future development of the surrounding lands;
- A more extensive and coordinated public/private pedestrian realm throughout the development including relocation of the Municipal Reserve parcel to better address the Westbrook LRT Station the closure of a portion of 35 Street, a portion of Westbrook Plaza, Westbrook Lane and Westbrook Green SW; and
- The improved alignment of Westbrook Avenue.

In order to achieve the intended development an application to amend the Westbrook Village Area Redevelopment Plan (ARP), Land Use, and Outline Plan is necessary. We look forward to Calgary Planning Commission's & Council's support of this application.

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APPENDIX II

PROPOSED AMENDMENTS TO THE WESTBROOK VILLAGE
AREA REDEVELOPMENT PLAN

1. Delete the existing Map 3.1 entitled "Land Use Precincts" and replace with the revised Map 3.1 entitled "Land Use Precincts" (APPENDIX III).
2. In Section 3.1.1 General Policies, Policy 5, delete the last sentence.
3. In Section 3.1.6 Urban Residential/Retail Precinct, in the first paragraph, delete the last sentence.
4. Delete the existing Map 3.2 entitled "Density Areas" and replace with the revised Map 3.2 entitled "Density Areas" (APPENDIX IV).
5. In Section 3.1.9 Density and the Bonus System, after Policy 1 add the following:
 - "2. At the discretion of the Development Authority, the maximum bonus FAR available for a site may be transferred to another site if these sites are part of a comprehensive development."
6. Delete the existing Map 3.3 entitled "Height of Streetwall & Location of Towers" and replace with the revised Map 3.3 entitled "Maximum Building Heights" (APPENDIX V).
7. In Section 3.2.1 Built Form, in the third paragraph, second sentence, delete the following:

"with the lower building heights situated along the perimeter"
8. In Section 3.2.1 Built Form, in the fourth paragraph, delete the second, third and fourth sentences.
9. In Section 3.2.1 Built Form, General Policies, delete Policy 1 and replace with the following:
 - "1. New development should comply with the maximum building heights indicated on Map 3.3 *Maximum Building Heights*."
10. In Section 3.2.1 Built Form, General Policies, Policies 3, 5, 6, delete reference to "Map 3.3 Height of Streetwall & Location of Towers" and replace with "Map 3.3 Maximum Building Heights".
11. In Section 3.2.1 Built Form, General Policies, in Policy 20, replace "700" with "930" and replace "1,850" with "2,400".

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12. In Section 3.2.1 Built Form, General Policies, delete the subtitle “17th Avenue SW” immediately after Policy 24, and replace it with the subtitle “17th Avenue SW & 33rd Street SW”.
13. In Section 3.2.1 Built Form, General Policies, delete Policy 25 and replace with the following text:

“A minimum setback of 1.5 metres should be maintained along the northside of 17th Avenue SW between 35th Street SW and 33rd Street SW.”
14. In Section 3.2.1 Built Form, General Policies, Policy 26, delete the words “right-of-way” and replace with “tunnel”.
15. In Section 3.2.1 Built Form, General Policies, Policy 27, delete the word “frontage” and replace with “and 33rd Street SW frontages”.
16. Delete the existing Map 3.4 entitled “Urban Design & Public Realm” and replace with the revised Map 3.4 entitled “Urban Design & Public Realm” (APPENDIX VI).
17. In Section 3.3.3 Park & Open Spaces, Policies, in Policy 12, first sentence, delete the word “two” and replace with “several”.
18. In Section 3.3.5 Formal Boulevard (35th Street SW), in the third sentence, delete the “and sidewalk bulb-outs at intersections”.
19. In Section 3.3.5 Formal Boulevard (35th Street SW), Policies, in Policy 1 delete the first paragraph and replace with the following:

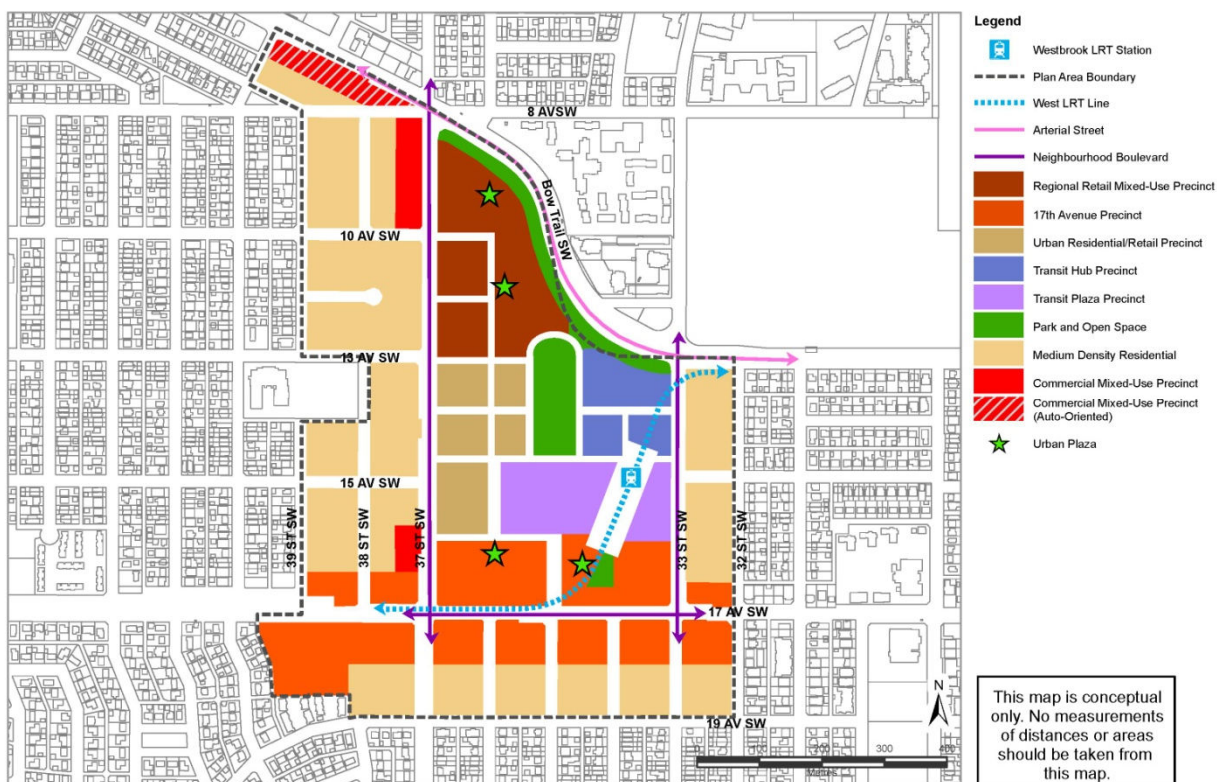
“Improve 35th Street SW north of 17th Avenue SW to include the following design features:”
20. Delete the existing Map 3.5 entitled “Mobility – Vehicles & Public Transit” and replace with the revised Map 3.5 entitled “Mobility – Vehicles & Public Transit” (APPENDIX VII).
21. In Section 3.4.1 Street Typology, in the second paragraph, delete the last sentence.
22. Delete existing Figures 3.3, 3.4 and 3.5.
23. In Section 3.4.2 Street Network, Policies, in Policy 10, delete the words “those shown in Figures 3.3, 3.4 and 3.5 and”.
24. Delete the existing Map 3.6 entitled “Mobility – Bicycles & Pedestrians” and replace with the revised Map 3.6 entitled “Mobility – Bicycles & Pedestrians” (APPENDIX VIII).

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APPENDIX III

Proposed Map 3.1: Land Use Precincts

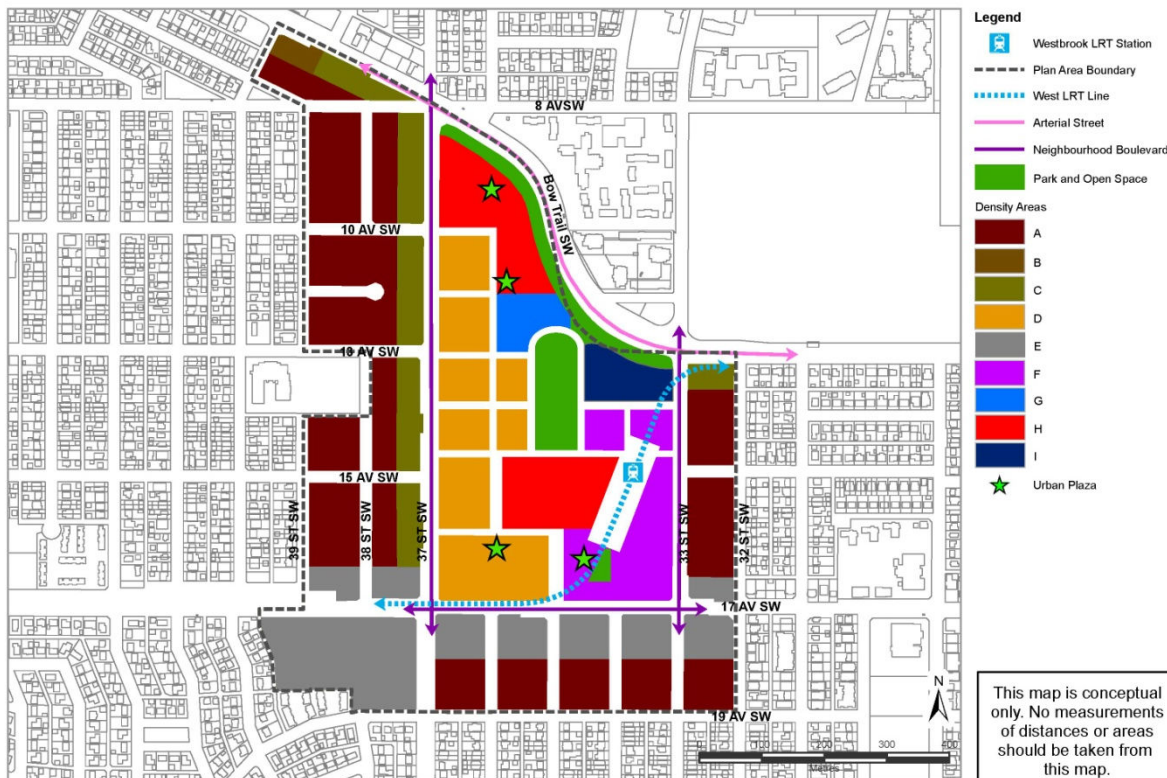


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APPENDIX IV

Proposed Map: 3.2 Density Areas



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APPENDIX V

Proposed Map 3.3: Maximum Building Heights

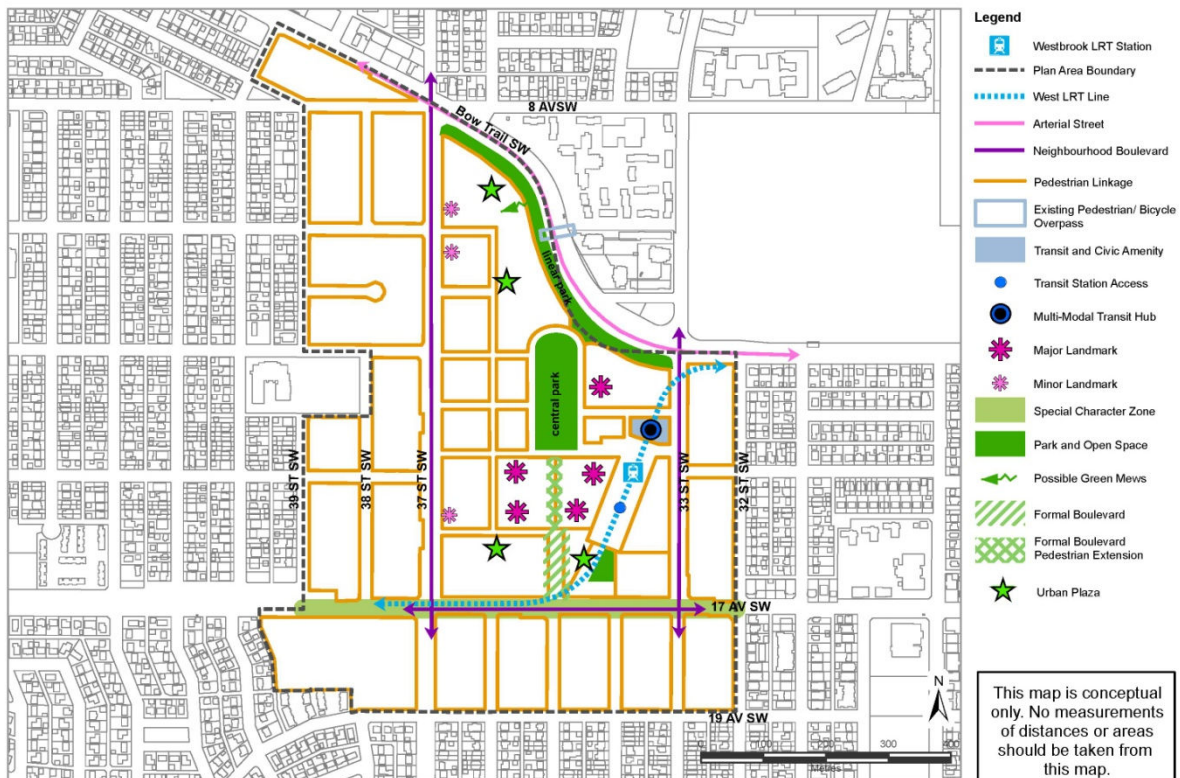


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APPENDIX VI

Proposed Map 3.4: Urban Design & Public Realm

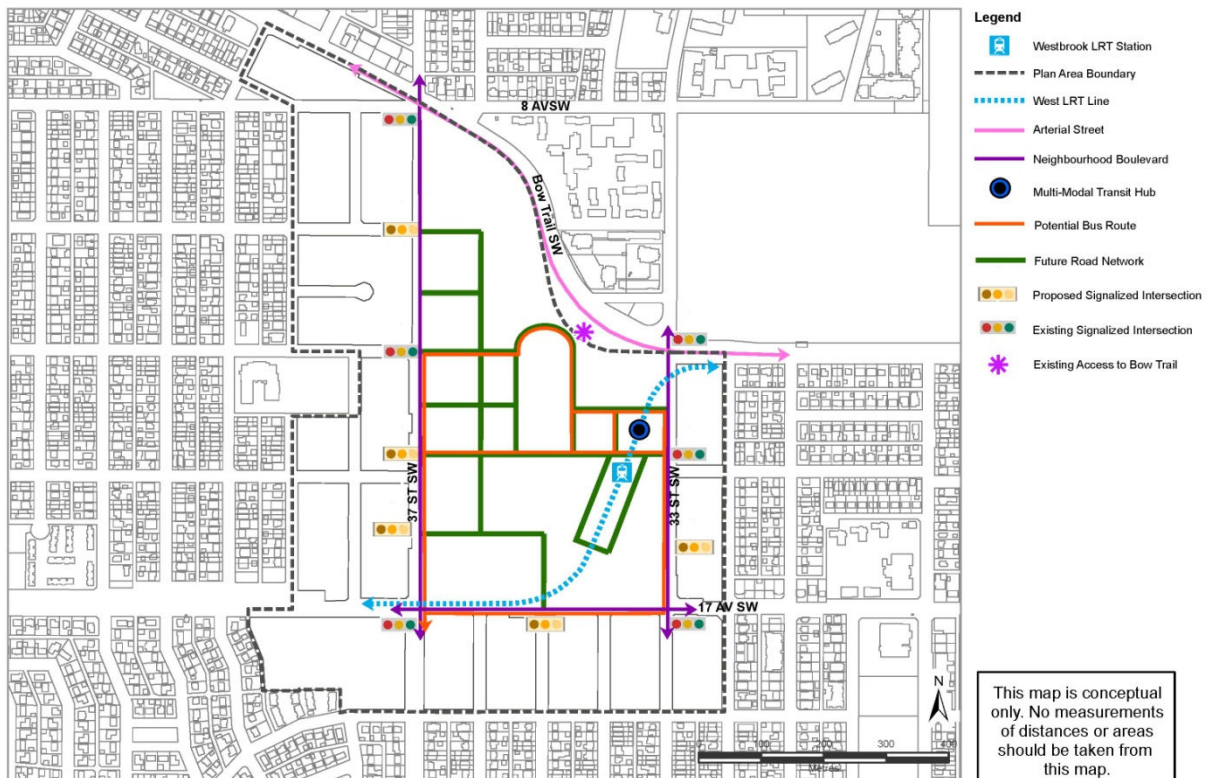


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APPENDIX VII

Proposed Map 3.5: Mobility – Vehicles & Public Transit

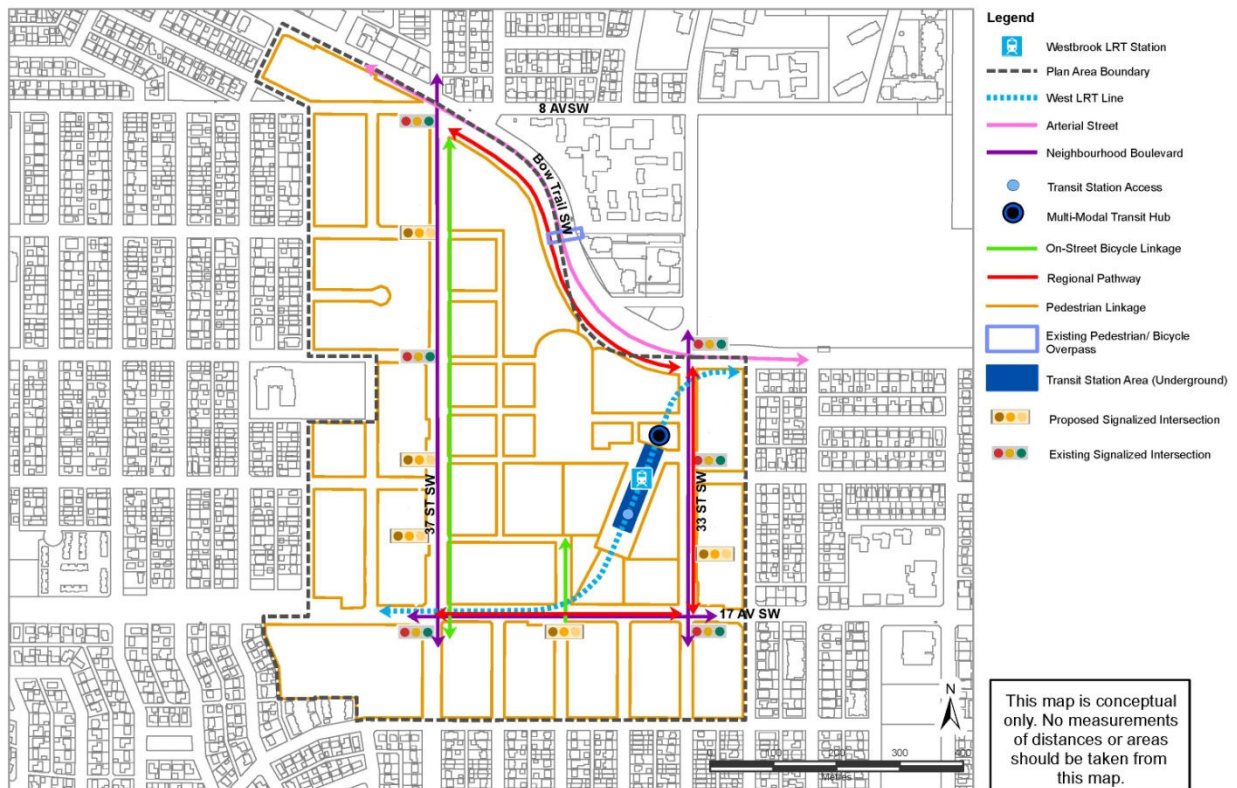


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APPENDIX VIII

Proposed Map 3.6 Mobility – Bicycles & Pedestrians

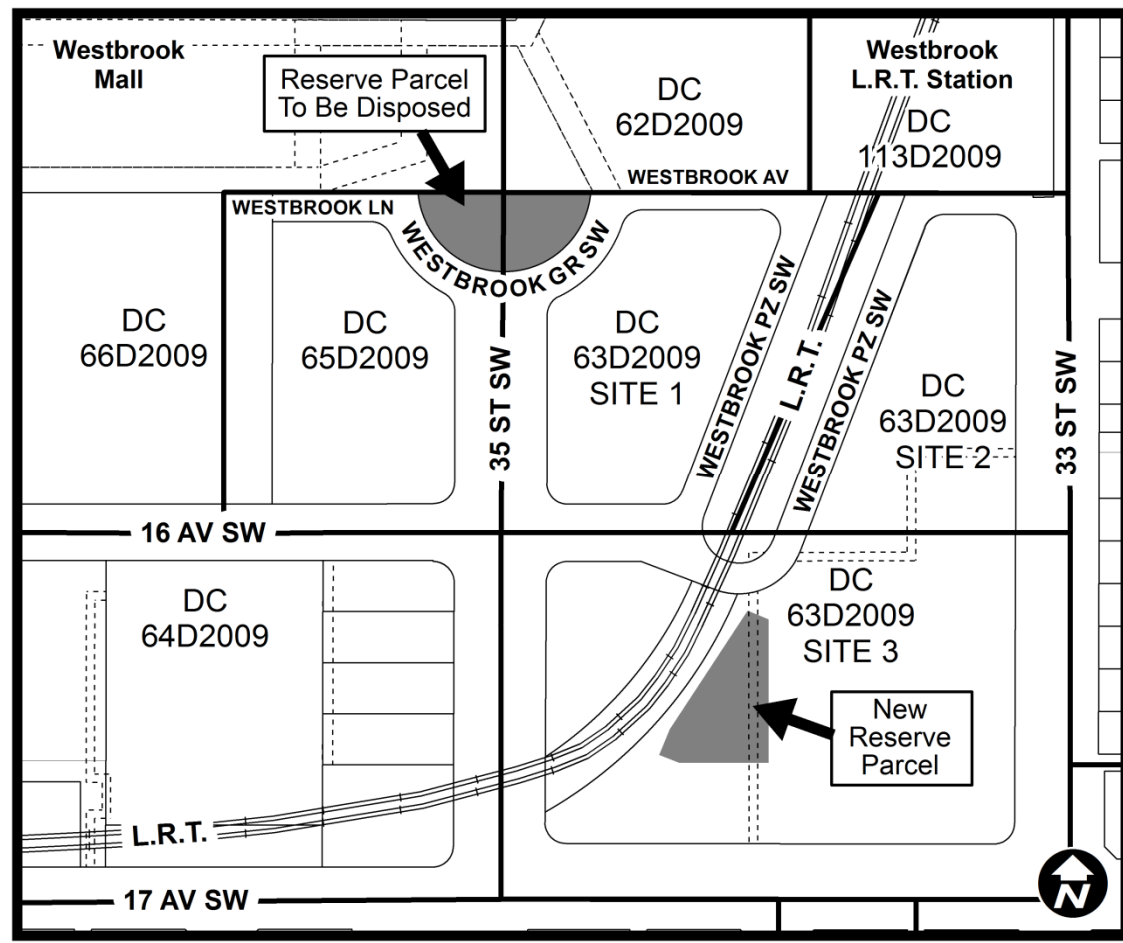


POLICY AMENDMENT, ROAD CLOSURE, DISPOSITION OF
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ROSSCARROCK (WARD 8)
17 AVENUE SW & 33 STREET SW
BYLAWS 35P2014, 15C2014 AND 128D2014

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APPENDIX IX

PROPOSED DISPOSITION OF RESERVE



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APPENDIX X

PROPOSED ROAD CLOSURE CONDITIONS

1. The Developer is responsible for all costs associated with the road closure, including all necessary physical construction, removal, rehabilitation, utility relocation, etc.
2. Consolidation must occur on all parcels

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PROPOSED ROAD CLOSURE



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APPENDIX XII

PROPOSED DC DIRECT CONTROL DISTRICT GUIDELINES

Purpose

- 1** This Direct Control District is intended to accommodate **development** that is characterized by:
- (a) land **uses** that support transit **use**;
 - (b) a comprehensively designed and phased transit oriented development;
 - (c) shared parking strategy that accommodates centralized parking facilities for all sites;
 - (d) community focused temporary **uses** provided during the phased build out of the sites;
 - (e) mixed use **development** with active street oriented **uses**;
 - (f) a built form that will accommodate mid to high rise **development** and is sensitive to adjoining **residential districts**;
 - (g) a minimum and a maximum **floor area ratio** excluding the Municipal Reserve parcel; and
 - (h) the opportunity to earn additional **floor area ratio**, over and above the maximum base **floor area ratio** through one or more bonus items including a contribution to a **community investment fund**, the provision of **publicly accessible private open space, affordable housing units** or **community amenity space**, with such bonus density to be transferable from one site to another.

Compliance with Bylaw 1P2007

- 2** Unless otherwise specified, the rules and provisions of Parts 1, 2, 3 and 4 of Bylaw 1P2007 apply.

Reference to Bylaw 1P2007

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

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General Definitions

4 In this Direct Control District:

- (a) **“affordable housing units”** means non-market housing units provided within the **development** operated in conjunction with the **City** or a bona fide non-market housing provider recognized by **the City**;
- (b) **“average land value”** means the average land value per square metre of buildable floor area for the area, or areas, so approved by **Council** and as amended from time to time;
- (c) **“community amenity space”** means floor area made available within the proposed development, in perpetuity to The City, in a form acceptable to The City for not-for-profit community purposes including but not limited to: offices, meeting rooms, assembly spaces, recreation facilities, cultural facilities, daycares and other social services.
- (d) **“community investment fund”** means a fund established by Council used for projects related to public realm improvements, including but not limited to park acquisition, park design, redevelopment or enhancement, streetscape design and improvements within **City** rights-of-way, implementation of urban design strategies and public art on public land.
- (e) **“publicly accessible private open space”** means a portion of a private **development parcel** that is made available to the public through a legal agreement acceptable to the **Development Authority**, and is in a location, form, configuration and constructed in a manner acceptable to the **Development Authority**.

Publicly Accessible Private Open Space Requirements

- 5
- (1) **Development** within this Direct Control District may provide **publicly accessible private open space** between each **building**.
 - (2) A **publicly accessible private open space** must be provided **at-grade** between **buildings** on Site 3 (with the exception of potential above-**grade** pedestrian walkway system connections between these sites) to accommodate a pedestrian connection from 35 Street SW to the park space to be located north of this site.
 - (3) A **publicly accessible private open space** must be provided **at-grade** between **buildings** on Site 1 and Site 3 (with the exception of potential above-**grade** pedestrian walkway system connections between these sites) to accommodate a pedestrian connection from 16 Avenue SW to Westbrook Plaza SW.

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- (4) A **publicly accessible private open space** must be provided in Site 1 and be located adjacent to and contiguous with the municipal reserve **parcel**.

Permitted Uses

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

Discretionary Uses

- 7 The **discretionary uses** of the Commercial – Corridor 1 (C-COR1) District of Bylaw 1P2007 are the **discretionary uses** of this Direct Control District with the addition of:

- (a) **Community Entrance Feature;**
- (b) **Community Recreation Facility;**
- (c) **Food Kiosk;**
- (d) **Market;**
- (e) **Outdoor Recreation Area;**
- (f) **Parking Lot Grade (Temporary);**
- (g) **Performing Arts Centre;**
- (h) **Power Generation Facility – Large;**
- (i) **Restaurant: Food Service Only – Large;**
- (j) **Restaurant: Licensed – Large;**
- (k) **Sign – Class G; and**
- (l) **Temporary Residential Sales Centre.**

Bylaw 1P2007 District Rules

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

Use Area

- 9 (1) Unless otherwise referenced in subsection (3) and (4), the maximum **use area** for any **uses** on the ground floor of **buildings** in this Direct Control District is 1900.0 square metres.
- (2) There is no maximum **use area** requirement for **uses** located in the upper floors in this Direct Control District.
- (3) The maximum **use area** on the ground floor of a:
- (a) **Catering Service – Minor**, or a **Catering Service – Minor** combined with any other **use**, is 300.0 square metres;
 - (b) **Cinema** or a **Cinema** combined with any other **use**, is 550.0 square metres; and

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- (c) **Supermarket** or a **Supermarket** combined with any other **use**, is 5500.0 square metres.
- (4) The following **uses** do not have a **use area** restriction on the ground floor:
 - (a) **Addiction Treatment;**
 - (b) **Community Recreation Facility;**
 - (c) **Custodial Care;**
 - (d) **Dwelling Unit;**
 - (e) **Hotel;**
 - (f) **Library;** and
 - (g) **Live Work Unit.**

Location of Uses Within Buildings

- 10 (1) **Dwelling Units** must not be located on the ground floor of **buildings** fronting onto 17 Avenue SW.
- (2) “Commercial Uses” and **Live Work Units**:
- (a) may be located on the same floor as **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units, and Residential Care;** and
 - (b) must not share an internal hallway with **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units, and Residential Care.**
- (3) Where this section refers to “Commercial Uses”, it refers to the listed **uses** in the Commercial – Corridor 1 (C-COR1) District of Bylaw 1P2007 and section 7 of this Direct Control District, other than **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units, and Residential Care.**

Front Setback Areas

- 11 (1) Unless otherwise referenced in subsection (2), (3), or (4), there is no minimum requirement for **front setback areas**, but where a **front setback area** is provided, it must have a maximum depth of 3.0 metres.
- (2) Where the **parcel** shares a **front property line** with an **LRT Corridor**, there is no requirement for a **front setback area**.
- (3) Where the **parcel** shares a **front property line** with 33 Street SW, the **front setback area** must have a minimum depth of 1.5 metres.
- (4) Where the **parcel** shares a **front property line** with 17 Avenue SW, the **front setback area** must have a minimum depth of 1.5 metres.

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Rear Setback Areas

- 12 (1) Unless otherwise referenced in subsection (2), (3), or (4), there is no minimum requirement for **rear setback areas**, but where a **rear setback area** is provided, it must have a maximum depth of 3.0 metres.
- (2) Where the **parcel** shares a **rear property line** with an **LRT Corridor**, there is no requirement for a **rear setback area**.
- (3) Where the **parcel** shares a **rear property line** with 33 Street SW, the **rear setback area** must have a minimum depth of 1.5 metres.
- (4) Where the **parcel** shares a **rear property line** with 17 Avenue SW, the **rear setback area** must have a minimum depth of 1.5 metres.

Side Setback Areas

- 13 (1) Unless otherwise referenced in subsection (2), (3), or (4), there is no minimum requirement for **side setback areas**, but where a **side setback area** is provided, it must have a maximum depth of 3.0 metres.
- (2) Where the **parcel** shares a **side property line** with an **LRT Corridor**, there is no requirement for a **side setback area**.
- (3) Where the **parcel** shares a **side property line** with 33 Street SW, the **side setback area** must have a minimum depth of 1.5 metres.
- (4) Where the **parcel** shares a **side property line** with 17 Avenue SW, the **side setback area** must have a minimum depth of 1.5 metres.

Landscaping In Setback Areas

- 14 (1) Unless otherwise referenced in subsection (2) or (3), where a **setback area** shares a **property line** with a **street**, the **setback area** must be a **hard surfaced landscaped area**.
- (2) Where the **setback area** of a ground floor **Dwelling Unit** shares a **property line** with a **street**, the **setback area** must be landscaped with either a **hard surfaced landscaped area** or a **soft surfaced landscaped area**, or a combination of both.
- (3) Where a **setback area** shares a **property line** with an **LRT Corridor**, the **setback area** must be landscaped with either a **hard surfaced landscaped area** or a **soft surfaced landscaped area**, or a combination of both.

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Centralized Motor Vehicle Parking Requirement

- 15 The minimum number of **motor vehicle parking stalls** may be reduced by 25.0 per cent or more where a **building** that generates the parking requirement is located within 400.0 metres of an existing or approved capital funded **LRT platform** when supported by a parking study to the satisfaction of the **Development Authority**.
- 16 **Motor vehicle parking stalls** and **bicycle parking stalls** required for **uses** on Sites 1, Site 2 and Site 3 may be shared and supplied on any one Site or combination of Sites.

Bonus Floor Area Ratio Earning Items

- 17 Any of the following items or combination thereof may be used to earn a density bonus up to 1.0 **floor area ratio**:
- (a) provision of **publicly accessible private open space** within the **development**, where the allowable bonus floor area in square metres is equal to the total construction cost (excluding land costs) of the **publicly accessible private open space**, divided by the **average land value** per square metre buildable floor area multiplied by 0.75, such that:

$$\text{Allowable bonus floor area} = \text{total construction cost} / (\text{average land value} \times 0.75);$$
 - (b) provision of **affordable housing units** within the **development**, where the allowable bonus floor area in square metres is equal to the total construction cost (excluding land costs) of the **affordable housing units**, divided by the **average land value per square metre** buildable floor area multiplied by 0.75, such that:

$$\text{Allowable bonus floor area} = \text{total construction cost} / (\text{average land value} \times 0.75);$$
 - (c) provision of **community amenity space** within the **development**, where the allowable bonus floor area in square metres is equal to the total construction cost (excluding land costs) of the **community amenity space**, divided by the **average land value** per square metre buildable floor area multiplied by 0.75, such that:

$$\text{Allowable bonus floor area} = \text{total construction cost} / (\text{average land value} \times 0.75);$$

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- (d) contribution to a **community investment fund**, as established by Council, where the allowable bonus floor area in square metres is equal to the contribution to the **community investment fund**, divided by the **average land value** per square metre of buildable floor area, such that:

$$\text{Allowable bonus floor area} = \text{contribution} / (\text{average land value})$$

Bonus Density Transfer

- 18 The 1.0 **floor area ratio** earned through satisfying one or more of the bonus earning items may be transferred among Site 1, Site 2 or Site 3

Maximum Allowable Development Area

- 19 The maximum combined **development** on Site 1, Site 2 and Site 3 shall not exceed 253,122 square metres **gross floor area**.

Site 1 (1.83 ha)

- 20 The provisions in sections 21 through 23 apply only to Site 1.

Floor Area Ratio

- 21 (1) The minimum **floor area ratio** is 2.0.
- (2) The maximum **floor area ratio** is 5.0.
- (3) The maximum **floor area ratio** specified in subsection (2) may be increased in accordance with the bonus provisions contained in section 17, 18 and 19 of this Direct Control Bylaw.

Building Height

- 22 (1) The minimum **building height** is 6.0 metres.
- (2) The maximum **building height** is 38.0 metres.

Building Stepbacks

- 23 **Buildings** fronting onto 17 Avenue SW shall be stepped back a minimum of 3 metres above 20 metres above **grade**.

Site 2 (0.60 ha)

- 24 The provisions in sections 25 through 27 apply only to Site 2.

Floor Area Ratio

- 25 (1) The minimum **floor area ratio** is 2.0.
- (2) The maximum **floor area ratio** is 5.0.

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- (3) The maximum **floor area ratio** specified in subsection (2) may be increased in accordance with the bonus provisions contained in section 17, 18 and 19 of this Direct Control Bylaw.

Building Height

- 26 (1) The minimum **building height** is 6.0 metres.
- (2) The maximum **building height** is 38.0 metres.

Building Stepbacks

- 27 **Buildings** fronting onto 33 Street SW shall be stepped back a minimum of 3 metres above 20 metres above **grade**.

Site 3 (1.75 ha)

- 28 The provisions in sections 29 through 31 apply only to Site 3.

Floor Area Ratio

- 29 (1) The minimum **floor area ratio** is 2.0.
- (2) The maximum **floor area ratio** is 8.0.
- (3) The maximum **floor area ratio** specified in subsection (2) may be increased in accordance with the bonus provisions contained in section 17, 18 and 19 of this Direct Control Bylaw.

Building Height

- 30 (1) The minimum **building height** is 6.0 metres.
- (2) The maximum **building height** is 100.0 metres.

Floor Plate Restrictions

- 31 (1) Each floor of a **building** located partially or wholly above 38.0 metres above **grade** and containing **Dwelling Units** or **Live Work Units** may have a maximum **floor plate area** of 930 square metres.
- (2) Each floor of a **building** located partially or wholly above 38.0 metres above **grade** that does not contain **Dwelling Units** or **Live Work Units** may have a maximum **floor plate area** of 2400 square metres.

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APPENDIX XIII

LETTERS SUBMITTED

Sklenar, Craig D.

From: KNH [khoulgate@shaw.ca]
Sent: Sunday, August 17, 2014 2:55 PM
To: Sklenar, Craig D.
Cc: Naz Virani; Mike Cundall
Subject: Westbrook Station

Craig:

We have reviewed the proposed changes to the Westbrook ARP and the proposed Direct Control District. The Killarney Glengarry Community Association is fully in support of the proposed changes and have no concerns with the changes to road structure within the boundaries of the Westbrook ARP nor to the proposed housing density.

Regards,

Keren Houlgate
Director, Development
Killarney Glengarry Community Association
403-807-2075

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August 17, 2014

Craig Slenar; Planner
The City of Calgary
700 Macleod Trail South
Calgary AB T2G 2M3

Dear Sir:

**Re: Matco Development Proposal
Westbrook ARP**

This is to advise you that the Shaganappi Community Association is generally in favour of the changes proposed for the ARP on the Matco lands located in the south east corner of Westbrook.

We look forward to seeing more details of the proposal as they are released and trust that the changes requested in the massing for the site will result in sensitive solutions that will not negatively affect the quality of the 33rd St streetscape or the amount of afternoon light falling on the east side of 33rd Street. In that regard, where there is some discretion, more density to the west of the 33rd St blockface would be preferable to having it placed along 33rd St.

While we understand the demand for a north bound turning lane out of the proponents underground parking lots, we are concerned about adding another traffic light between 12th Ave and 17th Ave. Could you take a look at other exiting solutions that could address this concern?

We are also concerned about the apparent lack of a parking/drop-off lane along the east side of 33rd St. This issue seems to have been overlooked by the original ARP and it seems logical that a parking or drop-off lane in front of the forthcoming residential blocks is a requirement for the comfort of the residents and for the success of these projects.

Yours truly,

Ron Goodfellow, FRAIC (retired)
Director of Community Development
Shaganappi Community Association
403 233 0179

Beth Tingle
Vice President
Shaganappi Community Association

Cc: Michael Wilhelm, Shaganappi Community Association
Shaganappi Community Association
2608 - 14 Avenue SW
Calgary AB T3C 3V2