

Background and Planning Evaluation

Background and Site Context

The subject site is a full block located in the northwest community of Hillhurst, directly north of the Louise Bridge. The site is bounded by 10 Street NW to the east, Kensington Road NW to the north, Memorial Drive NW to the south and 10A Street NW to the west. The site is approximately 0.41 hectares (1.02 acres) in size and is approximately 80 metres wide by 50 metres long. Known as ‘Kensington Gate’, the parcel is currently developed with main floor commercial/retail development, with up to seven storeys of residential apartments above and a building height of 30 metres. The existing building on site was constructed in 1990.

Surrounding development is a mix of retail and residential in the Commercial – Corridor 1 (C-COR1) District. There is publicly available parking at grade and on the second level of the building accessed from both westbound Memorial Drive NW and 10A Street NW. Commercial uses are located along all four frontages of the building.

The site is a landmark building at the heart of Kensington, which offers a range of goods and services to the Hillhurst community. There is a bus stop for Route 1 (Bowness/Forest Lawn) directly outside the building on Kensington Road NW. Sunnyside LRT Station is approximately 430 metres to the north (a five-minute walk) and Downtown is approximately 600 metres (a 10-minute walk) south across the Louise Bridge. Directly to the south is the Bow River Pathway, with the Peace Bridge approximately 520 metres to the east (a six-minute walk). Riley Park is about 600 metres to the north (approximately a 10-minute walk).

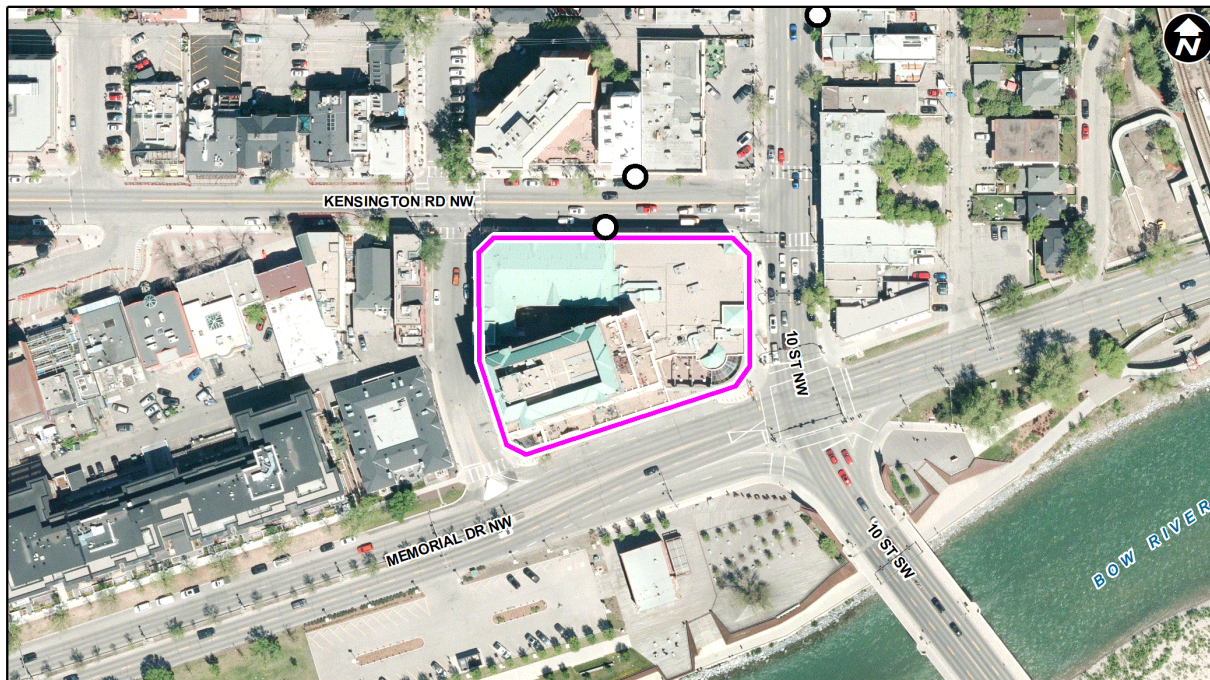
Community Peak Population Table

As identified below, the community of Hillhurst reached its peak population in 2015.

Hillhurst	
Peak Population Year	2015
Peak Population	6,737
2019 Current Population	6,558
Difference in Population (Number)	-179
Difference in Population (Percent)	-2.7%

Source: *The City of Calgary 2019 Civic Census*

Additional demographic and socio-economic information may be obtained online through the [Hillhurst Community Profile](#).



Previous Council Direction

None

Planning Evaluation

Land Use

The existing Commercial – Corridor 1 f2.8 h13 (C-COR1f2.8h13) District is typified by ground floor commercial development. The existing District also includes provisions for public parking, together with office and residential above the ground floor. The C-COR1 District recognises varying heights and densities of buildings, applied through modifiers.

The existing development was approved in 1990 by Calgary Planning Commission (CPC). In reaching its decision, Commission noted that the prominent location of the building warranted height and density relaxations allow for a building height of 30 metres and FAR of 3.4, as stands today. That decision was challenged, and the Appeal Board of the day upheld CPC's decision. At the time, the land use designation was Direct Control 785, approved by Council in 1979 based on the Development Control Bylaw 8600, which applied to a relatively large area encompassing sections of Kensington Road NW, Kensington Crescent NW and 10 Street NW. The maximum height and FAR were limited to 12.2 metres and 2.8 respectively.

With the advent of the current Land Use Bylaw 1P2007 in 2008, this Direct Control District was replaced over the same area with the stock district C-COR1f2.8h13. While this district closely aligned with the Direct Control District it replaced, it did not reflect the legally approved and built condition of Kensington Gate, which has a built height and FAR of 30 metres and 3.4, respectively. Many Direct Control Districts were replaced with stock districts with the adoption of Land Use Bylaw 1P2007.

This application is to establish the appropriate land use for this 32-year-old building under current Land Use Bylaw 1P2007, while recognising the as-built development in terms of height and density. In addition, an amendment to the *Hillhurst/Sunnyside ARP* is proposed to allow for an appropriate density bonusing framework to recognize the existing built condition, while also establishing density bonusing provisions in alignment with the current policy for the area.

The proposed DC District references the C-COR1 District as a base district and provides for a height and density that exactly reflects the existing building, with an FAR of 3.4 and a building height of 30 metres. In addition, it provides for density bonusing above the base density of 3.4 up to an FAR of 5.0, which is reflected in the provisions in this area of the *Hillhurst/Sunnyside ARP*. This land use amendment does not contemplate any redevelopment. The principal intent of the land use redesignation is to bring the existing building into conformance with Land Use Bylaw 1P2007; however, it also provides a flexible land use, and confirms the density bonusing framework in alignment with existing local area policy, for some flexibility in the future.

Pursuant to Section 20 of Land Use Bylaw 1P2007, this application for a DC District has been reviewed by Administration and the use of a Direct Control District is necessary to provide for the unique nature of the situation, where a building was approved in 1989 on appeal, under Development Control Bylaw 8600. The site was a Direct Control District under Land Use Bylaw 2P80 (DC785), but this did not alter the previous designation. Again, the Bylaw transitioned to 1P2007 and the previous land use, with height and density modifiers of 12 and 2.8 respectively was carried forward into the current C-COR1 District designation.

The proposed DC District includes a rule that allows the Development Authority to relax Section 6 of the DC District Bylaw. Section 6 incorporates the rules of the C-COR1 District in Bylaw 1P2007 where the DC District does not provide for specific regulation. In a standard district, many of these rules can be relaxed if they meet the test for relaxation of Bylaw 1P2007. The intent of this DC District rule is to ensure that rules of Bylaw 1P2007 that regulate aspects of development that are not specifically regulated in this DC District can also be relaxed in the same way that they would be in a standard district.

Development and Site Design

If approved by Council, the rules of the proposed DC District and the applicable rules of the C-COR1 District would provide guidance for any future development of the site. The 'potential improvements', noted in the Applicant Submission refers to the possibility of minor changes to the balconies for residential units.

Transportation

The area is well served by Calgary Transit. There is a bus stop immediately outside the building on the north side (Kensington Road NW) for Route 1 (Bowness/Forest Lawn). There is a transit stop for bus Route 4 (Huntington) on the west side of 10 Street NW, approximately 70 metres from the site (a one-minute walk). Sunnyside LRT Station is approximately 430 metres (a five-minute walk) with direct access to Downtown and north to destinations such as McMahon Stadium, SAIT/Alberta University of the Arts, University of Calgary and the Jubilee Auditorium. The subject site also incorporates a two-storey publicly accessible parkade.

Environmental Site Considerations

No environmental concerns were identified.

Utilities and Servicing

The existing building is fully serviced with water, sanitary and storm sewer mains.

Legislation and Policy

South Saskatchewan Regional Plan (2014)

The recommendation by Administration in this report has considered, and is aligned with, the policy direction of the [South Saskatchewan Regional Plan](#) which directs population growth in the region to cities and towns, and promotes the efficient use of land.

Growth Plan (2022)

The recommendation aligns with the policy direction of the Calgary Metropolitan Region Board's [Growth Plan](#) (GP). The proposed land use and policy amendment builds on the principles of the GP by promoting efficient use of land and regional infrastructure, and establishing strong, sustainable communities.

Municipal Development Plan (Statutory – 2009)

The subject site is located within the Main Streets – Neighbourhood Main Street area as identified on Map 1: Urban Structure in the [Municipal Development Plan](#) (MDP). The applicable MDP policies encourage redevelopment and moderate intensification of Neighbourhood Main Streets to make more efficient use of existing infrastructure, public amenities and transit. Neighbourhood Main Streets should achieve a minimum intensity of 100 people and jobs per gross developable hectare. The status quo of residential and commercial development will be retained.

Calgary Climate Strategy – Pathways to 2050 (2022)

This application does not include any specific actions that address the objectives of the [Calgary Climate Strategy - Pathways to 2050](#). Any future development permits submitted for the site or existing building will include an ask from Administration on what potential climate resilience measures can be included.

Hillhurst/Sunnyside Area Redevelopment Plan (Statutory – 1988)

The subject site is identified on Map 1.1, within the Transit Oriented Development Area (TOD) of the [Hillhurst/Sunnyside Area Redevelopment Plan](#) (ARP). Part II of the ARP deals with the TOD Area and identifies the site within the 600-metre TOD radius from Sunnyside LRT Station. The site is also within the Urban Mixed Use area, noted on Map 3.1 – Land Use Policy Areas. Map 3.2 – Maximum Densities, indicates the site in 'Area A' with a maximum density of 5.0 FAR. This application warrants a textual amendment to Table 3.1 – Maximum and Minimum Densities to include text for Area A, in the Base Density column, that states:

“For the site located at 120 – 10 A Street, Condominium Plan 9211275, Units 1 to 81, the base density is 3.4 FAR”.

The table currently notes the minimum base density as 2.0. This textual amendment will establish the base density for this site to reflect the existing built condition, while retaining the additional bonus FAR (up to 5.0) for any increase of density on the site.

The site is also identified on Map 3.3 – Building Heights, within Area A, with a building height of 26 metres. An amendment to Map 3.2 is required to reflect the as-built situation, specifically identifying the site and labelling it 'Area E' with a height of 30 metres.

Riley Communities Local Area Planning Project

Administration is currently working on the [Riley Communities Local Area Planning project](#) which includes Hillhurst and surrounding communities. Planning applications are being accepted for processing during the local area planning process.