

# Community Association Response



January 20, 2023

Development Circulation Controller  
Planning & Development #8201  
P.O. Box 2100 Station M  
Calgary, AB T2P 2M5

Emailed to: [lucas.sherwin@calgary.ca](mailto:lucas.sherwin@calgary.ca)

**RE: LOC2022-0116 | 528 & 628 10 St NW | M-C2 to DC/MU1  
DP2022-05542 | 528 10 St NW | DP2023-00196 | 628 10 St NW | Multi Residential  
Development**

The Hillhurst Sunnyside Planning Committee (HSPC) would like to thank you for the opportunity to comment on the above application. We understand that this is a joint LOC/DP application and that the applicant/developer intends to re-designate the site from M-C2 to DC/MU1. This rezoning would accommodate two 6-storey residential buildings with commercial ground floors. The HSPC previously submitted feedback on September 15, 2022 that includes further detail on our comments relating to height and density, built form, parking, and laneway activation. Our feedback within this letter includes what we heard from the Hillhurst Sunnyside Planning Committee following the virtual presentation by the developer at HSPC's meeting on January 12, 2023.

Firstly, we want to acknowledge the engagement efforts that the developer has undertaken with the HSPC. The most recent changes presented on January 12, 2023 were well received by the HPSC as well as impacted community members. We appreciate the change they have made with relocating the Class one bicycle storage to the ground level improving access significantly and encouraging cycling in a building so close to LRT and other amenities. Some of the other positive changes are highlighted below in addition to additional opportunities.

## **EXECUTIVE SUMMARY**

Our detailed comments below will focus on the following concerns and/or opportunities:

1. Insufficient density bonusing proposed
2. Proposed built form imposes significant shadow on the pedestrian realm
3. Commercial space should include secondary access

### **1. DENSITY BONUSING**

The applicant has indicated that their proposed density bonusing sits at an insufficient \$19.77/m<sup>2</sup> to match the Hillhurst Sunnyside Community Amenity Fund contribution calculated for 2022. Although this contribution is above potential laneway improvements, the HSPC is opposed to this contribution rate for the north building at 628 10 St NW. The Hillhurst Sunnyside ARP designates the site of the north building at a maximum FAR of 2.5 compared to the proposed FAR of 4.5 by the applicant. This variance requires a bonusing rate of \$270/m<sup>2</sup> rate as recommended by Administration for the proposed development at 1001 3 Ave NW. The HSPC understands that the scale of this proposed project is not necessarily comparable to the proposed development at 1001 3 Ave NW, the previously established rate of 19.77/m<sup>2</sup> does not mitigate the effects of the proposed variance to the FAR. The HSPC would like to see greater contribution through density bonusing by the applicant to accommodate the proposed changes.

### **2. SHADOW MITIGATION**

The HSPC recognizes the work completed to improve the impacts of shadowing and privacy imposed by the previously proposed cantilevers. However, the HSPC would like to see stepbacks, as recommended in the ARP, pushed on higher floors to further mitigate the shadow effects of the development. In addition, the HSPC would like to see the setback of the south building align with the existing setback at 620 10 St NW. These changes will improve the public realm and ensure consistency for community members and visitors. Relevant ARP policy was highlighted in our previous letter dated September 15, 2022.

### **3. COMMERCIAL ACCESS**

The HSPC appreciates the work and collaboration completed with the City in regards to laneway access and improvements. To enhance these improvements further, the HSPC would like to see a secondary access added to the back, or side, of the ground floor commercial spaces. This access would facilitate loading near the back of the unit, or along the side, to encourage that all loading occurs here rather than at the front.

Please keep us informed as this important application progresses.

Thank you for the opportunity to comment,

Hillhurst Sunnyside Planning Committee

Hillhurst Sunnyside Community Association

cc: Executive, Hillhurst Sunnyside Planning Committee  
Rachel Smigelski, Planning Specialist, HSCA  
Ward 7 Councillor's Office  
Development Permit Circulation Controller



September 15, 2022

Development Circulation Controller  
Planning & Development #8201  
P.O. Box 2100 Station M  
Calgary, AB T2P 2M5

Emailed to: [lucas.sherwin@calgary.ca](mailto:lucas.sherwin@calgary.ca)

**RE: LOC2022-0116 | 528 & 628 10 St NW | M-C2 to DC/MU1  
DP2022-05542 | 528 & 628 10 St NW | Multi-Residential Development (2 Buildings)**

The Hillhurst Sunnyside Planning Committee (HSPC) would like to thank you for the opportunity to comment on the above application. We understand that this is a joint LOC/DP application and that the applicant/developer intends to re-designate the site from M-C2 to DC/MU1 to accommodate two 6-storey residential buildings with commercial ground floors. We reviewed this application based on the Hillhurst-Sunnyside ARP. Our feedback includes what we heard from the Hillhurst Sunnyside Planning Committee as well as resident feedback.

### **EXECUTIVE SUMMARY**

Our detailed comments, including references to relevant ARP policy, are discussed in the sections following. High priority overall observations are listed here:

#### **STRENGTHS**

1. Increased density in TOD area in proximity to CTrain
2. Pedestrian realm activation fronting 10<sup>th</sup> Street
3. Amenity and community garden space for future residents

#### **CHALLENGES**

1. Insufficient bonusing and community contribution with variance to ARP
2. Laneway poses historic and contemporary challenges that need to be addressed by both the developer and the City of Calgary
3. Shadowing on the buildings to the adjacent north of both proposed developments

### **HEIGHT and DENSITY**

The proposal seeks a map-based amendment to the ARP that would provide the northern site of this application, located at 628 10 St NW, with a maximum height of 26 metres and maximum FAR of 5.0. The southern site of this application already allows these maximums. We are supportive of this change as it works towards the vision of the ARP through increased densification, as well as of the TOD study area. However, the proposed bonusing for the community is insufficient given the increase in both height and density. This will be further explored below in the Public Benefits / Density Bonusing section of this letter.

Additionally, the Applicant has indicated that the maximum height of 26 metres includes the mechanical structures on the rooftop. We are requesting that this height condition is codified in the LOC land use amendment approval.

### **USE**

We are supportive of the mid-rise residential use as it provides increased density in the community in alignment with the ARP and TOD guidelines. However, there is some concern regarding the addition of commercial uses to the ground floors of these buildings and the impact on traffic. With the commercial space fronting the portion of 10th Street that has no public parking and very limited parking being provided in the back, we anticipate significant traffic issues with customers and deliveries pulling over in the bicycle lane along 10th Street. A live-work space would be a better use of the ground floor area.

### **BUILT FORM**

The DP portion of this application indicated a cantilevered design approach above the third floor on both buildings. Relevant policy regarding built form, as included below, consistently refers to the use of setbacks to reduce massing on the pedestrian realm and high-quality architectural design in order to maintain the urban village feel of the community. The use of cantilevers does not align with the ARP and increases the shading on adjacent buildings. In addition, this variance in design from what is outlined in the ARP is inconsistent with the existing built form along this block and will not allow for a sensitive transition for buildings adjacent to the proposed developments.

ARP Section 3.2 Built form and site design requires that *“Buildings will be designed with setbacks on the upper floors in order to reduce the perception of large building masses and to provide opportunities to view open sky.”*

If a Mixed-Use land use is approved, ARP Section 3.2.2 Mixed Use Area states *“To create consistent streetwalls buildings taller than 12 metres should setback along street frontages a minimum of 3 metres at a cornice line set to a maximum height of 12 metres above grade (Figure B). Exceptions may be allowed for distinctive corner elements.”*

Similarly for mid-rise residential, ARP Section 3.2.3 Residential Areas states *“To create a consistent streetwall, building facades should maintain a uniform cornice line of 3 storeys or a maximum height of 10 metres. Building elements above the 10 metre cornice should maintain a minimum setback of 3 metres.”*

### **PARKING**

We appreciate the bike repair station, bike wash, and number of Class one stalls included in the design, access to the bike stalls in the basement is via elevator or stairway. We would encourage the installation of a ramp to improve access.

Although this development is in close proximity to the Sunnyside LRT Station, which helps to fulfill the TOD Plan for the area by adding appropriate density in this location, we do not support the relaxation of onstreet parking requirements. There are concerns about the spillover effect of the ground floor commercial use as highlighted under the Use section above, no onstreet parking permits should be given out to this building. We request that the following ARP policy be enforced by City of Calgary Roads/Calgary Parking Authority and have policy written into the Direct Control bylaw to ensure compliance: *“Dwellings in new multifamily developments are not to receive parking passes regardless of their off-street parking provisions” (ARP Section 3.4.3)*. There is no onstreet parking in this area.

### **LANEWAY ACTIVATION / IMPROVEMENTS**

We have identified continuous issues with the laneway located directly east of the proposed development; many of these issues were created by the legacy installation of the Northwest LRT line in the 1980's that have never been addressed. These issues are summarized as follows:

- (i) 9A St NW Access - Residents with an address along 9A St NW only have access to their homes through this laneway as 9A St NW is the LRT line. This laneway is the only access route for all fire, rescue, and police services for residents along 9A St NW. This has posed a serious health and safety risk for residents which will only be amplified with the proposed developments along both 10 St and 9A St NW.
- (ii) Traffic Shortcutting – The laneway is commonly used as shortcut into Sunnyside for 10th traffic looking to avoid the congestion further south along 10th Street.
- (iii) Limited Public Parking – With no physical 9A St NW and no public parking available on this section of 10th Street, the only public available in this area is a small lot on the north end of the laneway.

There are a number of concurrent LOC / DP applications along this laneway which will exacerbate these issues: LOC2022-0116 / DP2022-05542 528 & 628 10 St NW, DP2022-05303 613 9A St NW, and LOC2022-0037 510 10 St NW. The HSCA suggests that significant improvements are made along this laneway through the use of an increased community density bonusing provided by the developer(s) / applicant(s). Areas of focus should include

creating a pedestrian friendly environment with ample lighting and landscaping, as well as repaving the laneway and ensuring its use as an emergency access route is feasible.

### **CYCLE INFRASTRUCTURE**

The community has highlighted an ongoing concern with vehicles parking within the bicycle lane running along 10 St NW in this area. We would like to see the cycle infrastructure in this area improved drastically to provide visibility and safety for cyclists.

### **PUBLIC BENEFITS / DENSITY BONUSING**

We expect the new Direct Control designation will include wording to enact the density bonusing provisions per the ARP. At the time of writing, the Hillhurst Sunnyside Community Amenity Fund contribution is set at \$18.14, which was recognized in the City/Coriolis report to be lower than other areas experiencing significant redevelopment. The HSCA agrees that this contribution rate is insufficient given the number of concurrent applications in this area and the public infrastructure improvements introduced above. Additionally, these applications are close to or exceed the maximum height, maximum density, and built form per the ARP providing the grounds for this increase in bonusing. One of the suggested uses for density bonusing per the ARP is "*streetscape design and improvements within City rights-of-way*" (ARP Section 3.1.5)

As such, the HSCA would like to see greater community bonusing dedicated towards improvements to the laneway to the adjacent east of the proposal and as discussed above in the Laneway Activation / Improvement section of this letter.

### **COMMUNITY ENGAGEMENT**

We appreciate the applicants' continued approach to engaging with the community and community association. Conversations have remained productive and positive.

Please keep us informed as this important application progresses.

Thank you for the opportunity to comment,

Hillhurst Sunnyside Planning Committee  
Hillhurst Sunnyside Community Association

cc: Executive, Hillhurst Sunnyside Planning Committee  
Rachel Smigelski, Planning Specialist, HSCA  
Ward 7 Councillor's Office  
Development Permit Circulation Controller