

TABLED REPORT

MOUNT ROYAL VILLAGE WEST BYLAW 68D2013 UPDATE, C2014-0183
AND
BYLAWS 42P2013 AND 68D2013

BYLAW 42P2013

Being a Bylaw of The City of Calgary to Amend the Beltline Area Redevelopment Plan
Bylaw 2P2006

Second Reading

Third Reading

BYLAW 68D2013

Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use
Amendment LOC2012-0082)

Third Reading ONLY, **as amended**

BACKGROUND:

Bylaw 42P2013

Public Hearing:

The Public Hearing with respect to Bylaw 42P2013 was held at
the 2013 September 09 and 10 Combined Meeting of Council.

Ineligible to Vote:

The following Members of Council were absent from the public
hearing on Bylaw 42P2013 and are therefore not eligible to vote
on the matter:

Councillor S. Chu
Councillor J. Magliocca
Councillor W. Sutherland
Councillor E. Woolley

Bylaw 68D2013

Public Hearing:

The Public Hearing with respect to Bylaw 68D2013 was held at
the 2013 July 23, 24 and 26 Combined Meeting of Council.

Ineligible to Vote:

The following Members of Council were absent from the public
hearing on Bylaw 68D2013 and are therefore not eligible to vote
on the matter:

Councillor S. Chu
Councillor J. Magliocca
Councillor W. Sutherland
Councillor E. Woolley

“INELIGIBLE TO VOTE

Pursuant to Section 184(a) of the *Municipal Government Act*, the following Members of Council were absent from the public hearing and therefore ineligible to vote on Bylaws 42P2013 and 68D2013 and left the Chamber at 9:47 a.m.:

- Councillor S. Chu
- Councillor J. Magliocca
- Councillor W. Sutherland
- Councillor E. Woolley.

AMENDMENT, Moved by Councillor Farrell, Seconded by Councillor Pootmans, that the Agenda for today's meeting, as amended, be further amended, by bringing forward and tabling Item 6.1, Mount Royal Village West Bylaw 68D2013 Update, C2014-0183, to the 2014 May 12 Combined Meeting of Council, at the request of the applicant.

CARRIED

Councillors Chu, Magliocca, Sutherland and Woolley returned to their regular seats in the Council Chamber at 9:48 a.m.”

“INELIGIBLE TO VOTE

Pursuant to Section 184(a) of the *Municipal Government Act*, the following Members of Council were absent from the public hearing and therefore ineligible to vote on Bylaws 42P2013 and 68D2013 and left the Chamber at 10:46 a.m.:

- Councillor S. Chu
- Councillor J. Magliocca
- Councillor W. Sutherland
- Councillor E. Woolley.

AMENDMENT, Moved by Councillor Farrell, Seconded by Councillor Chabot, that the Agenda for today's meeting, as amended, be further amended by bringing forward and tabling the Report, Mount Royal Village West Bylaw 68D2013 Update, C2014-0183, to the 2014 April 14 Combined Meeting of Council.

CARRIED

Councillors Chu, Magliocca, Sutherland and Woolley returned to their regular seats in the Council Chamber at 10:47 a.m.”

With respect to Bylaw 42P2013

Excerpt from the Minutes of the Regular Meeting of Council, held 2013 September 09 and 10:

“9.1 AMENDMENTS TO THE BELTLINE AREA REDEVELOPMENT PLAN (BELTLINE)
BYLAW 42P2013, CPC2013-099

The public hearing was called and Tim Bardsley addressed Council with respect to Bylaw 42P2013.

AMENDMENT, Moved by Alderman Lowe, Seconded by Alderman Pootmans, that the Calgary Planning Committee Recommendations be amended by adding a Recommendation 4, as follows:

- “4. Direct Administration to bring a report on the status of adjacent parking in concurrence with 2nd and 3rd Readings of Bylaw 42P2013.”

CARRIED

ADOPT, AS AMENDED, Moved by Alderman Mar, Seconded by Alderman Stevenson, that the Calgary Planning Commission Recommendations contained in Report CPC2013-099 be adopted, **as amended**, as follows:

That Council:

1. ADOPT the proposed amendments to the Beltline Area Redevelopment Plan, in accordance with the Land Use Planning and Policy recommendation; and
2. Give first reading to the proposed bylaw 42P2013; and
3. WITHHOLD second and third reading pending agreements for the land exchange for the City.
4. **Direct Administration to bring a report on the status of adjacent parking in concurrence with 2nd and 3rd Readings of Bylaw 42P2013.**

CARRIED

INTRODUCE, Moved by Alderman Mar, Seconded by Alderman Stevenson, that Bylaw 42P2013, Being a Bylaw of The City of Calgary to Amend the Beltline Area Redevelopment Plan Bylaw 2P2006, be introduced and read a first time.

CARRIED”

With respect to Bylaw 68D2013

Excerpt from the Minutes of the Combined Meeting of Council, held 2014 January 13:

“10.1.2 MOUNT ROYAL VILLAGE WEST BYLAW 68D2013 UPDATE, C2014-0020

ADOPT, Moved by Councillor Woolley, Seconded by Councillor Pincott, that the Administration Recommendations contained in Report C2014-0020 be adopted, as follows:

That Council receive this report for information.

CARRIED”

Excerpt from the Minutes of the Regular Meeting of Council, held 2013 September 09 and 10:

“8.1 FOLLOW UP TO BYLAW 68D2013, C2013-0649

ADOPT, Moved by Alderman Mar, Seconded by Alderman Pincott, that the Administration Recommendations contained in Report C2013-0649 be adopted, as follows:

That Council:

1. Receive this report for information; and
2. Further withhold third reading of Bylaw 68D2013, pending a parking agreement, resolution of the land exchange and adoption of the required amendments to the Beltline Area Redevelopment Plan, and return with a report to Council no later than 2014 January.

CARRIED”

Excerpt from the Minutes of the Regular Meeting of Council, held 2013 July 23, 24 and 26:

“7.15 LAND USE REDESIGNATION (BELTLINE) BYLAW 68D2013, CPC2013-077

The public hearing was called, and the following addressed Council with respect to Bylaw 68D2013:

1. Terry Evans
2. Tim Bardsley

DISTRIBUTION

At the request of Mr. Bardsley and with the concurrence of the Mayor, the Acting City Clerk

distributed copies of a letter from Dentons Canada LLP dated 2013 July 23, with respect to Report CPC2013-077.

3. Owen Craig
4. Rob Taylor.

ADOPT, Moved by Alderman Mar, Seconded by Alderman Keating, that the Calgary Planning Commission Recommendations contained in Report CPC2013-077 be adopted, **after amendment**, as follows:

That Council:

1. ADOPT the proposed redesignation of 0.60 hectares \pm (1.48 acres \pm) located at 1515 – 8 Street SW, 916, 918, 920, 928 and 936 – 16 Avenue SW (Plan A1, Block 111, Lots 21 to 40) from Centre City Commercial Corridor District (CC-COR) and Centre City Multi-Residential High Rise Support Commercial District (CC-MHX) to DC Direct Control District to accommodate commercial development, residential development and a city park; and
2. Give first and second reading to the proposed Bylaw 68D2013; and
3. WITHHOLD third reading pending the agreement with the parking and the land exchange being resolved and adoption of the required amendments to the Beltline Area Redevelopment Plan, **to return with a report to the 2013 September 09 Combined Meeting of Council.**

CARRIED

INTRODUCE, Moved by Alderman Mar, Seconded by Alderman Keating, that Bylaw 68D2013, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2012-0082), be introduced and read a first time.

CARRIED

AMENDMENT, Moved by Alderman Pincott, Seconded by Alderman Lowe, that Bylaw 68D2013 be amended in Schedule B, as follows:

On page 5 of 12

- Amend Section 7 'Density', as follows:

"Density

7

- (1) Subject to section 14, the maximum commercial **Site FAR** allowed within Site 1 and Site 2 combined is 3.0.
- (2) Subject to section 23, the maximum residential **Site FAR** allowed within Site 1 and Site 2 combined is 5.0.

- (3) The maximum cumulative **Site FAR** pursuant to section 7(1) and 7(2) is 5.0, subject to the bonusing as set out in section 14 and section 23.
- (4) For the purposes of this Direct Control District Bylaw, maximum residential **Site FAR** is calculated to include only the following **uses**:
- (a) **Addiction Treatment;**
 - (b) **Assisted Living;**
 - (c) **Custodial Care;**
 - (d) **Duplex Dwelling;**
 - (e) **Dwelling Unit;**
 - (f) **Live Work Unit;**
 - (g) **Multi-Residential Development;**
 - (h) **Residential Care;** and
 - (i) **Semi-detached Dwelling.**
- (5) For the purposes of this Direct Control District Bylaw, maximum commercial **Site FAR** is calculated to include only the **uses** not listed in subsection (4)."

On page 6 of 12

- In Section 14 'Floor Area Ratio', amend Subsection (a) as follows:

"(a) Only **developments** containing **units** totaling a minimum **gross floor area** equal to a **Site FAR** of 2.0 are eligible for bonusing under this section."
- In Section 14 'Floor Area Ratio', amend Subsection (b) as follows:

"(b) Subject to subsection (a), the maximum **Site FAR** with bonuses, calculated in accordance with sections 7(1) and this section, is 9.0 for **developments** containing **units** when the bonusable **Site FAR** is provided as **units**."

On page 8 of 12

- In Section 23 'Floor Area Ratio', un-italicize the word "provided", following the words "maximum residential **Site FAR**".

On page 10 of 12

- Amend Section 24 'Maximum Floor Area Ratio', as follows;

"Maximum Floor Area Ratio

- 24** Subject to Section 1202 of Bylaw 1P2007, the maximum residential **Site FAR** on Site 2 with bonuses, calculated in accordance with sections 7(2) and 23, is 7.0."

CARRIED

SECOND, Moved by Alderman Mar, Seconded by Alderman Keating, that Bylaw 68D2013 be read a second time, **as amended in Schedule B**, as follows:

On page 5 of 12

- Amend Section 7 'Density', as follows:

"Density

7

- (1) Subject to section 14, the maximum commercial **Site FAR** allowed within Site 1 and Site 2 combined is 3.0.
- (2) Subject to section 23, the maximum residential **Site FAR** allowed within Site 1 and Site 2 combined is 5.0.
- (3) The maximum cumulative **Site FAR** pursuant to section 7(1) and 7(2) is 5.0, subject to the bonusing as set out in section 14 and section 23.
- (4) For the purposes of this Direct Control District Bylaw, maximum residential **Site FAR** is calculated to include only the following **uses**:
 - (a) **Addiction Treatment;**
 - (b) **Assisted Living;**
 - (c) **Custodial Care;**
 - (d) **Duplex Dwelling;**
 - (e) **Dwelling Unit;**
 - (f) **Live Work Unit;**
 - (g) **Multi-Residential Development;**
 - (h) **Residential Care; and**

(i) **Semi-detached Dwelling.**

- (5) For the purposes of this Direct Control District Bylaw, maximum commercial **Site FAR** is calculated to include only the **uses** not listed in subsection (4)."

On page 6 of 12

- In Section 14 'Floor Area Ratio', amend Subsection (a) as follows:
 - "(a) Only **developments** containing **units** totaling a minimum **gross floor area** equal to a **Site FAR** of 2.0 are eligible for bonusing under this section."
- In Section 14 'Floor Area Ratio', amend Subsection (b) as follows:
 - "(b) Subject to subsection (a), the maximum **Site FAR** with bonuses, calculated in accordance with sections 7(1) and this section, is 9.0 for **developments** containing **units** when the bonusable **Site FAR** is provided as **units**."

On page 8 of 12

- In Section 23 'Floor Area Ratio', un-italicize the word "provided", following the words "maximum residential **Site FAR**".

On page 10 of 12

- Amend Section 24 'Maximum Floor Area Ratio', as follows;
 - "Maximum Floor Area Ratio**
 - 24** Subject to Section 1202 of Bylaw 1P2007, the maximum residential **Site FAR** on Site 2 with bonuses, calculated in accordance with sections 7(2) and 23, is 7.0."

CARRIED

MOTION ARISING, Moved by Alderman Carra, Seconded by Alderman Mar, that with respect to Report CPC2013-077, the following be adopted:

Given the need for high quality park space in Calgary's inner city neighbourhoods, the high value and scarcity of park space, as well as the funding constrained nature of parks management, direct Administration to review current Council Policy governing park interfaces with private interests with the intent of allowing a greater range of options to deliver park space while continuing to protect park interests and mitigate risks, to return to the SPC on Planning and Urban Development, no later than the end of the year.

ROLL CALL VOTE

For:

D. Hodges, R. Jones, S. Keating, G. MacLeod, J. Mar, B. Pincott, R. Pootmans, G-C. Carra, N. Nenshi

Against:

G. Lowe, J. Stevenson, A. Chabot, D. Colley-Urquhart, P. Demong, D. Farrell

CARRIED"