

Background and Planning Evaluation

Background and Site Context

The subject site is located in the northwest community of Hillhurst at the northwest corner of 10 Street NW and Kensington Road NW. The subject parcel is approximately 0.12 hectares (0.31 acres ±) in size with dimensions of approximately 38 metres north-south by 33 metres east-west. A 4.5 metre public lane is located on the north boundary and provides a connection from 10A Street NW exiting to 10 Street NW. The lane also provides access to “Norfolk Lane” which is a north-south lane that exits at 3 Avenue NW to the north. Current vehicular access to this site is provided through two driveway accesses from both 10 Street NW and Kensington Road NW to a parking lot that fronts the existing one-storey commercial plaza.

Directly west of the subject parcel is a three storey commercial building. Further to the west, at the corner of 10A Street NW and Kensington Road NW, is a mixed use building of five storeys. To the north, beyond the lane, is a single storey retail plaza with parking in the rear. Across 10 Street NW to the east are several one to two-storey retail buildings. To the south, across Kensington Road NW, and at the corner of Memorial Drive NW and 10 Street NW, is a nine storey mixed use building with structured public parking.

The site is located within approximately 425 metres (seven-minute walk) of the Sunnyside LRT station. A large grocery store is located adjacent to the station. Kensington Road NW and 10 Street NW provide a variety of shops, restaurants, and other amenities. The site is located in close proximity to downtown (approximately 500 metres/eight-minute walk) and the Bow River pathways are approximately 130 metres (two-minute walk) away. The Southern Alberta Institute of Technology, Alberta University of the Arts and Southern Alberta Jubilee Auditorium are located approximately one kilometre (17-minute walk) to the north.

Community Peak Population Table

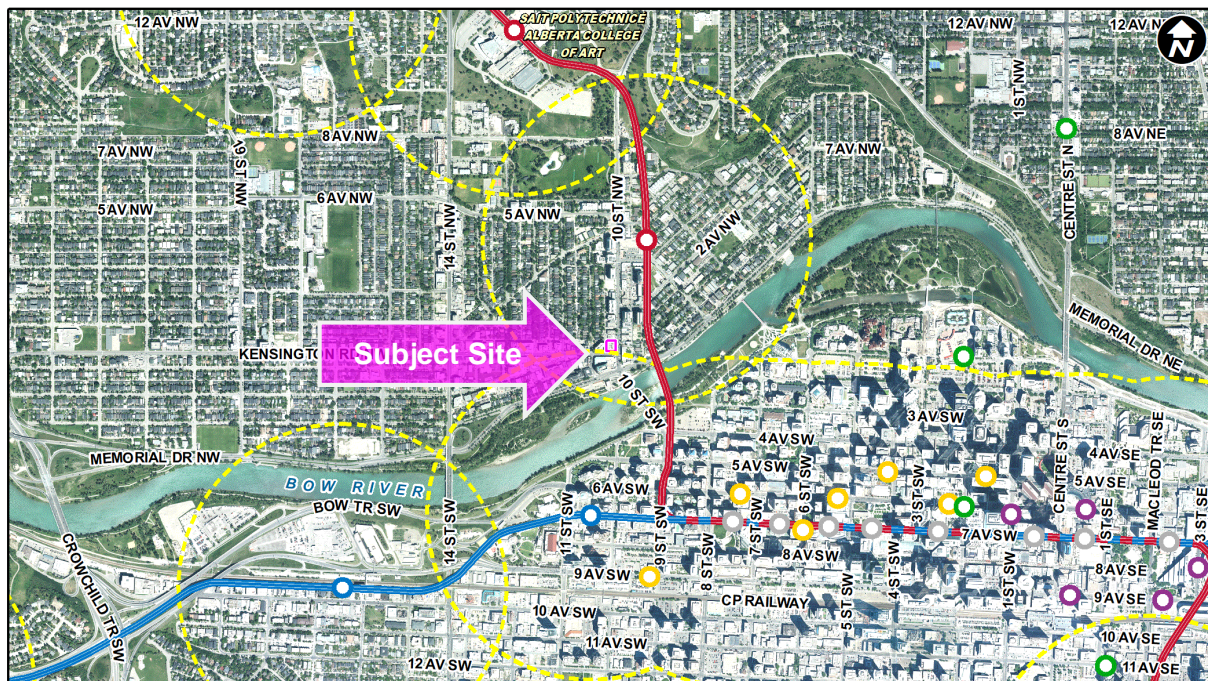
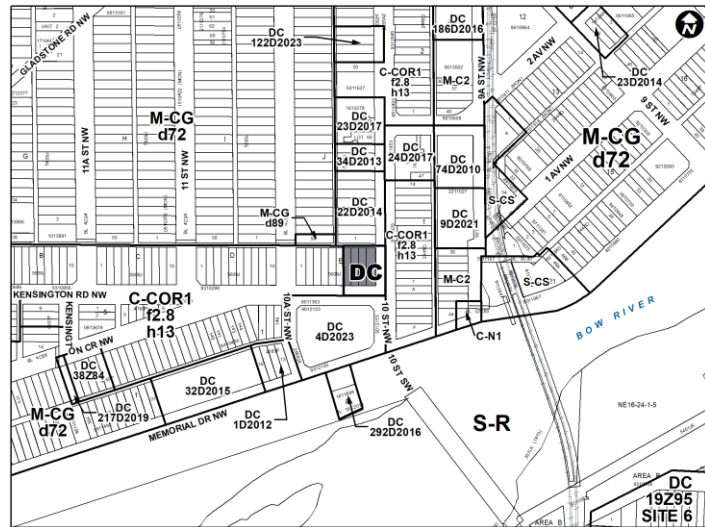
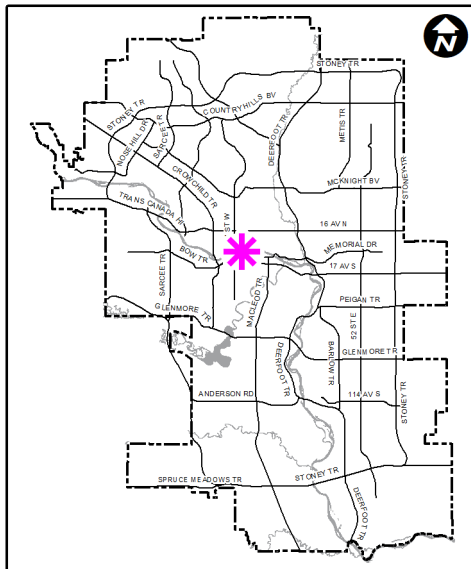
As identified below, the community of Hillhurst reached its peak population in 2015.

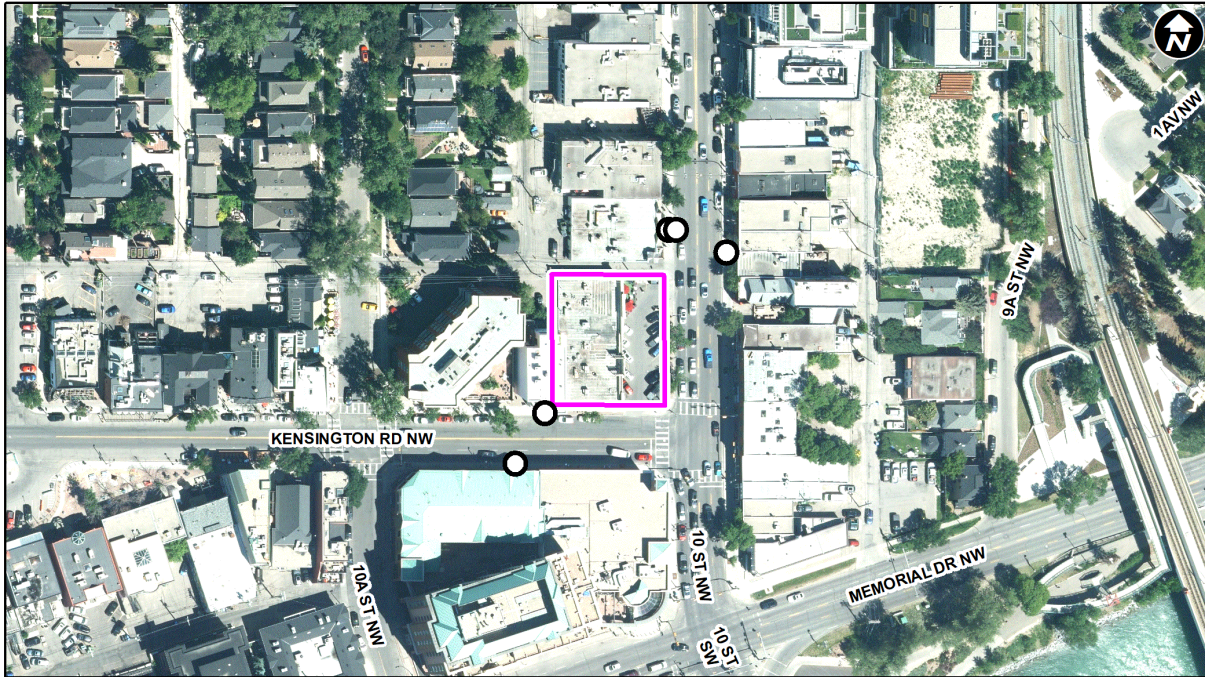
Hillhurst	
Peak Population Year	2015
Peak Population	6,737
2019 Current Population	6,558
Difference in Population (Number)	-179
Difference in Population (Percent)	-2.66%

Source: *The City of Calgary 2019 Civic Census*

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

Location Maps





Previous Council Direction

None.

Planning Evaluation

Land Use

The existing Direct Control (DC) District ([Bylaw 33D2013](#)) is based on the Commercial – Corridor 1 (C-COR1) District. This land use district provides for a mixed-use development with commercial uses on the main floor with commercial and/or residential uses above. The maximum height is 26.0 metres and the maximum floor area ratio (FAR) is 2.8 which can be increased to 5.0 through the use of bonusing in alignment with the framework set out in the Hillhurst/Sunnyside Area Redevelopment Plan (ARP).

The proposed land use district is a DC District based on the Mixed Use – Active Frontage (MU-2) District. The MU-2 District is considered an appropriate base district as it requires active commercial uses at grade and it is intended for main street locations in close proximity to lower scale residential areas. It also has additional rules relating to amenity space provision for dwelling units, which is not provided in a C-COR1 District. The DC proposes a height modifier of 50.0 metres (approximately 16 storeys) and a maximum FAR of 2.8 which can be increased to 9.0 when bonusing is proposed. The main purpose of the DC District is to implement the bonus density provisions of the ARP.

This site benefits from its adjacency to commercial properties to the west and across the lane to the north. However, its proximity to a residential area on the northwest necessitated developing rules that reduced the massing and shadowing impact of the 50 metre height. To that end, the

DC District provides additional rules specifying height-based minimum building setbacks/stepbacks.

Pursuant to Section 20 of the 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 applicant's proposed development due to innovative ideas. The objective of providing community amenity through a density bonusing framework is considered an innovation that justifies the use of a DC District. This proposal would allow for the applicant's intended development while maintaining the MU-2 District base to accommodate a mixed-use development. The same result could not be achieved through the use of a standard land use district in the Land Use Bylaw.

The proposed DC District includes a rule that allows the Development Authority to relax Section 6 and 10. Section 6 incorporates the rules of the base district in Bylaw 1P2007 where the DC 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 rule is to ensure that rules regulating aspects of development that are not specifically regulated by the DC can also be relaxed in the same way that they would be in a standard district. Section 10 contains setback rules that the Development authority may wish to relax based on the ultimate building design and shadowing considerations at the time of development permit.

Development and Site Design

The rules of the proposed DC District along with the policies of the ARP will provide guidance for the future site development including building massing, height, landscaping and parking. Although no development permit has been submitted, given the specific context of the site, additional items that will be considered through the development permit process include, but are not limited to:

- further mitigation of shadowing, privacy, and massing impacts;
- building design to include stepbacks;
- green building and climate resiliency mitigation and adaptation considerations;
- bonusing valuation of a proposed publicly accessible plaza space;
- ensuring an engaging at-grade public realm and street interface which animates the building edges facing onto the public streets;
- a site design that reflects the importance of the corner site;
- public realm improvements, such as ensuring increased pedestrian waiting and social space at the intersection of 10 Street NW and Kensington Road NW, including wider sidewalks, new curb and gutter and wheel chair ramps;
- site access and operation of the lane;
- provision of high-quality amenity space for residents;
- quality building materials; and
- quality, quantity and location of bicycle parking.

This land use amendment application and a preliminary development concept were presented to the Urban Design Review Panel (UDRP) on 2023 January 18. UDRP noted support for the proposed density, but suggested that the height measurement is a limiting factor in achieving a successful outcome. With the design changes made through the DC District, the application did not go back to UDRP for review. However, at the time of development permit, UDRP will review and comment on the design.

Should a development permit be submitted, the application would be reviewed by Administration and presented to Calgary Planning Commission (CPC) for decision. It is standard practice for CPC to act as the Development Authority on applications implementing density bonusing.

Transportation

Pedestrian access to the site is available from the public sidewalk along 10 Street NW and Kensington Road NW. The future proposed building will be setback from the property line along 10 Street NW and Kensington Road NW to widen and enhance the public realm at this intersection.

The subject site is within 100 metres (two-minute walk) of the existing pathway along Memorial Drive NW, as indicated on the Always Available for All Ages and Abilities (5A) Network. North of 3 Avenue NW, there is an existing on-street bike lane along 10 Street NW and a bike lane along 9A Street NW from Memorial Drive to 4 Avenue NW.

Kensington Road NW and 10 Street NW are both one of Calgary's 24 Main Streets, with 10 Street NW identified as one of the Primary Transit Network lines. The site is well served by Calgary Transit. The southbound transit stop for bus route 5 (North Haven) is within 100 metres (two-minute walk), the westbound transit bus stop for bus route 1 (Bowness/Forest Lawn) is within 50 metres (one-minute walk) and the Sunnyside LRT station is within 425 metres (seven-minute walk).

Parking restrictions are in place along 10 Street NW southbound and Kensington Road NW. Parking is banned along 10 Street NW southbound and Kensington Road NW westbound along the site. Parking north and west of the site is time restricted with ParkPlus in place.

The motor vehicle access and parking will be via the lane. The lane north of the subject property is one way eastbound. Existing driveway access onto 10 Street NW southbound and Kensington Road NW will be closed and rehabilitated with a future development application.

A Transportation Impact Assessment (TIA) was submitted, updating a previous study from 2012, for this development. It was reviewed and accepted by Administration for this land use application, additional assessment and design will be required at development application.

Environmental Site Considerations

A Phase 1 Environmental Site Assessment was submitted and reviewed with no further assessments required.

Utilities and Servicing

Water, sanitary sewer and storm sewer mains are available to service the subject site. Details of site servicing, as well as appropriate stormwater management will be considered and reviewed as part of a development permit review stage.

Legislation and Policy

South Saskatchewan Regional Plan (2014)

Administration's recommendation aligns 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)

Administration's 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 at the intersection of two Neighbourhood Main Street areas as identified on Map 1: Urban Structure in the [Municipal Development Plan](#) (MDP). The site is also located along a Primary Transit Network route as identified on Map 2: Primary Transit Network. The MDP (Section 2.2.2(a) and (b)) encourages locating transit-supportive land uses, including higher density residential and employment developments within Activity Centres and Main Streets supported by the Primary Transit Network. General policies for Main Streets (Section 3.4.1b) encourages the highest densities and tallest buildings be concentrated into "nodes" occurring at the intersection of the Main Street with other major transit streets. This site is at the intersection of two Neighbourhood Main Streets, one of which is identified as part of the Primary Transit Network.

Urban Design policies in the MDP (2.4.2(e)) suggest that taller buildings are appropriate in Greater Downtown, Major Activity Centre or Community Activity Centre and Urban Main Street where deemed appropriate through a local area plan. While this site is not on an Urban Main Street, it is on the confluence of two Neighbourhood Main streets and is not directly adjacent to low density residential. Through the rules around massing incorporated in the DC District, it is felt that the additional height on this site is appropriate as a gateway element.

Calgary Climate Strategy (2022)

The applicant has indicated that they plan to pursue Built Green certification a part of a future development permit. Additionally, this application proposes the implementation of transit-oriented development by contributing transit-supportive densities along a primary transit network. These align with the objectives of the [Calgary Climate Strategy – Pathways to 2050](#) (Programs A and G).

Hillhurst/Sunnyside Area Redevelopment Plan (Statutory – 1988)

The subject site falls within the Transit Oriented Development Area of the [Hillhurst/Sunnyside Area Redevelopment Plan](#) (ARP) and is subject to the policies contained within Part II of the Plan, which was added as an amendment in 2009. The site is identified on Map 3.1: Land Use Policy Areas as being within the Urban Mixed-Use Area. Development within this area is intended to incorporate mixed-use development in a multi-storey format with residential uses above the street level. The proposed development conforms with this policy.

The maximum building height prescribed in the ARP for this site is currently 26 metres (Map 3.3: Building Heights). The maximum floor area ratio (FAR) prescribed for this site is 5.0, subject to bonusing (Map 3.2: Maximum Densities). An amendment to the ARP is required to allow for the proposed height of 50.0 metres and FAR of 9.0.

The ARP recognizes the potential of the 10 Street NW Corridor to accommodate the highest densities and building heights in the area with minimal impact on the character or quality of the nearby residential districts. This site is unique on 10 Street NW as it sits at the intersection of two main streets and does not fully back onto residential parcels. This site is a gateway site into the Kensington and 10 Street NW shopping areas from downtown, is located on the primary transit network, and is located close to employment and educational centres. Though the height

and FAR exceed the current maximums of the ARP, the policy amendment is supported as the DC District rules reduce the shadowing impact on the residential parcels to the northwest while allowing additional housing in a transit supported main street location.

Riley Communities Local Area Planning Project

Administration is currently working on the [Riley Communities local area planning project](#) which includes Hillhurst and surrounding communities. The proposed land use is in alignment with the draft urban form category. However, the 50 metre (16 storey) height does not align with the building scale modifier found in the draft Riley Communities Local Area Plan as it indicates a Mid scale modifier, which is up to 12 storeys. Planning applications are being accepted for processing during the local area planning process and are reviewed using existing legislation and Council approved policy.