



Calgary Planning Commission

Agenda Item: 7.2.6



LOC2022-0227/CPC2023-1268

Policy and Land Use Amendment

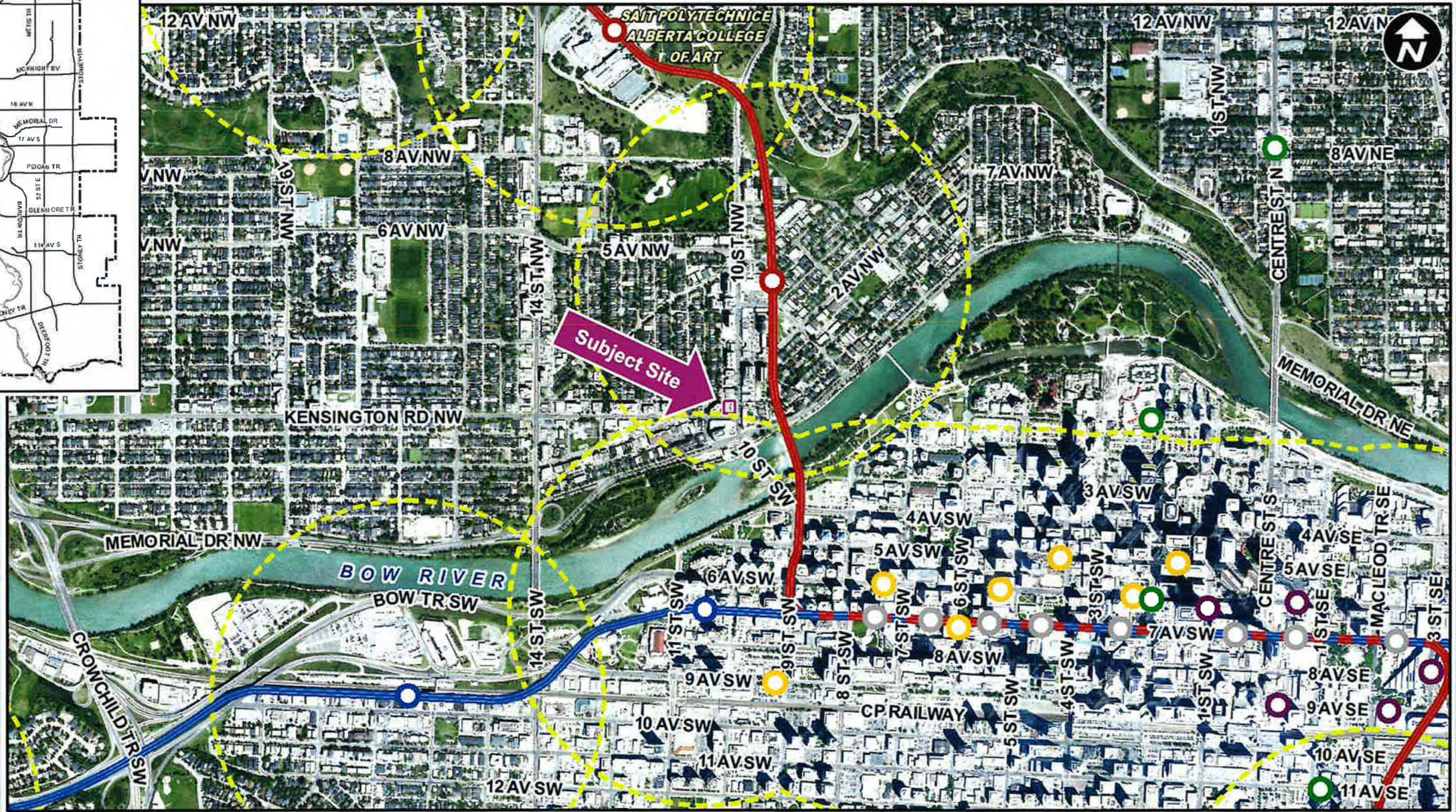
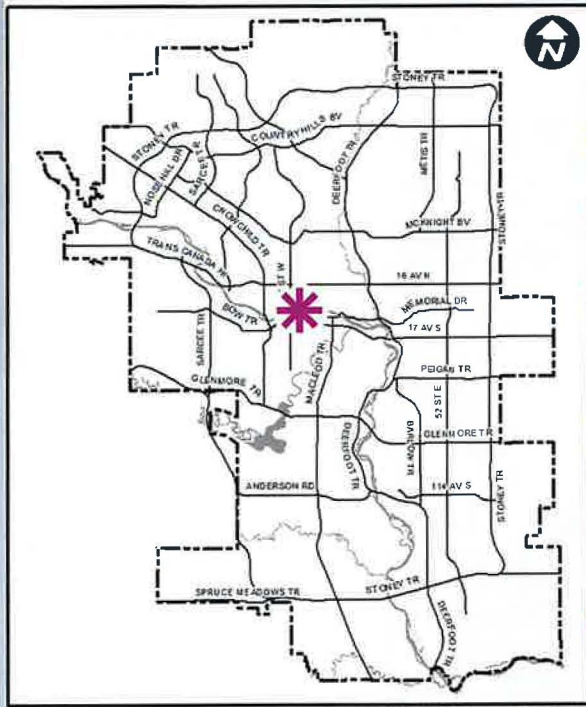
December 7, 2023

CITY OF CALGARY
RECEIVED
IN COUNCIL CHAMBER
DEC 07 2023
ITEM: 7.2.6 CPC2023-1268
DISTRIB-PRESENTATION
CITY CLERK'S DEPARTMENT

RECOMMENDATIONS:

That Calgary Planning Commission recommend that Council:

1. Give three readings to the proposed bylaw for the amendments to the Hillhurst/Sunnyside Area Redevelopment Plan (Attachment 2); and
2. Give three readings to the proposed bylaw for the redesignation of 0.12 hectares \pm (0.31 acres \pm) located at 201—10 Street NW(Plan 5609J, Block E, Lots 7 to 10) from Direct Control (DC) District **to** Direct Control (DC) District to accommodate mixed use development, with guidelines (Attachment 3).



LEGEND

600m buffer from LRT station

LRT Stations

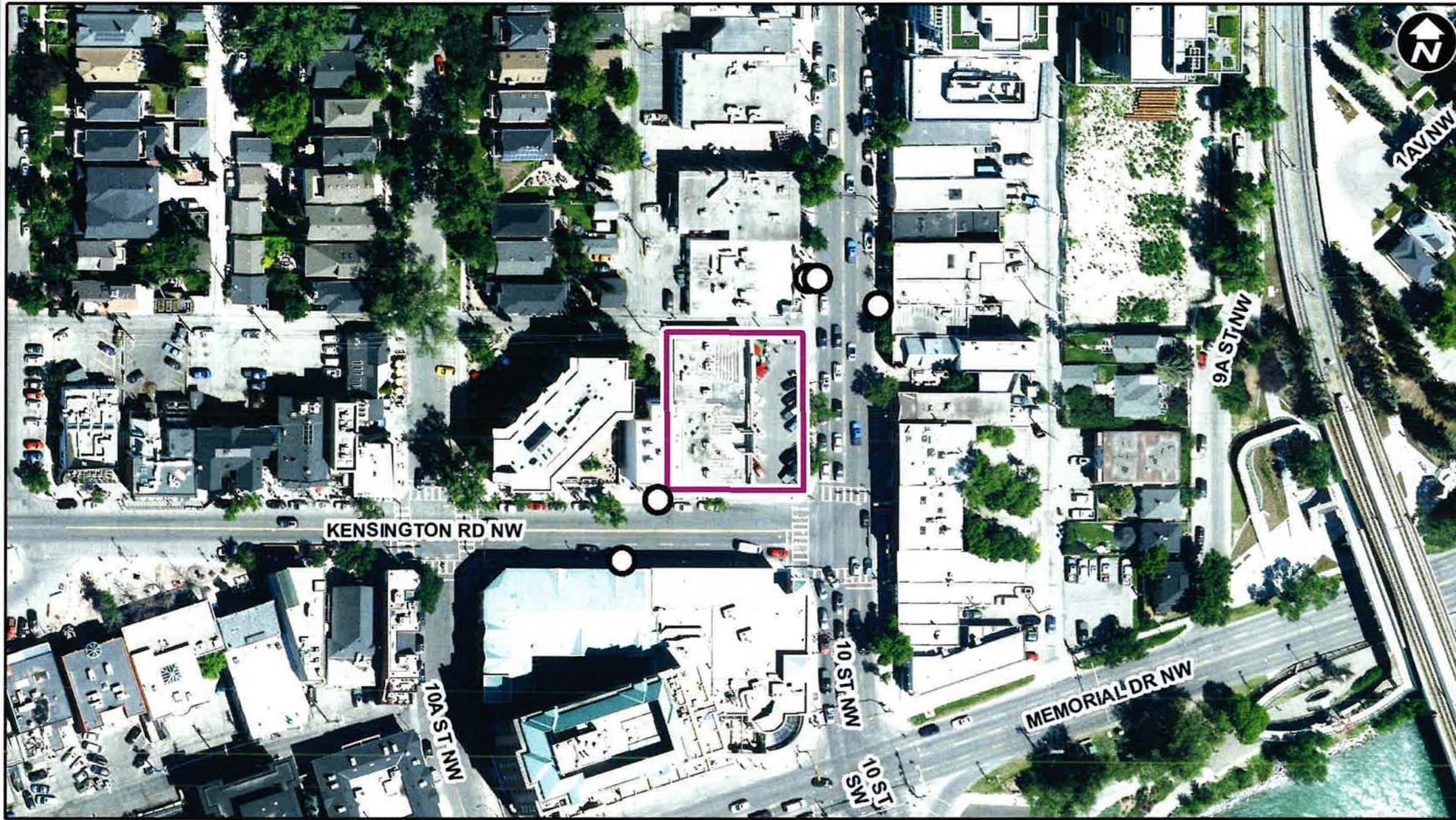
- Blue
- Downtown
- Red
- Green (Future)

LRT Line

- Blue
- Blue/Red
- Red

Max BRT Stops

- Orange
- Purple
- Teal
- Yellow



LEGEND

- Bus Stop

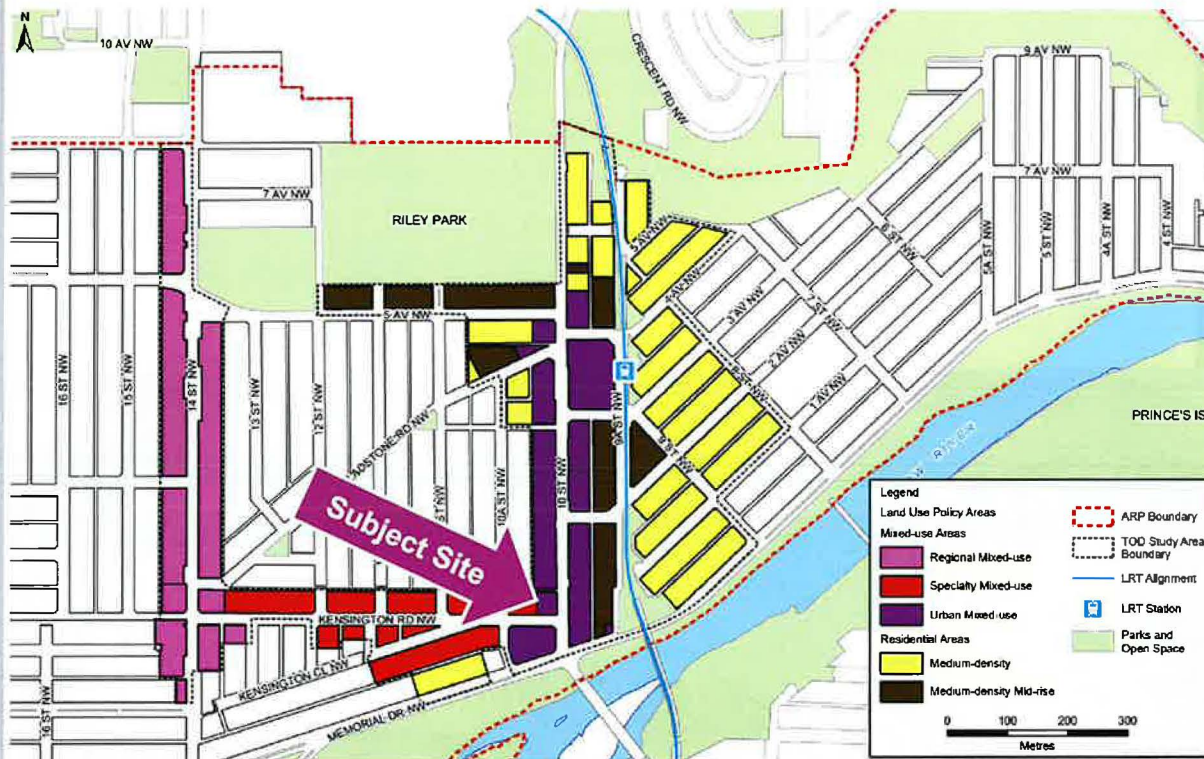
Parcel Size:

**0.12 ha
38m x 33m**



Map 3.1 Land Use Policy Areas

Approved: 19P/87
Amended: 43P/2021, 54P/2022, 20P/2023

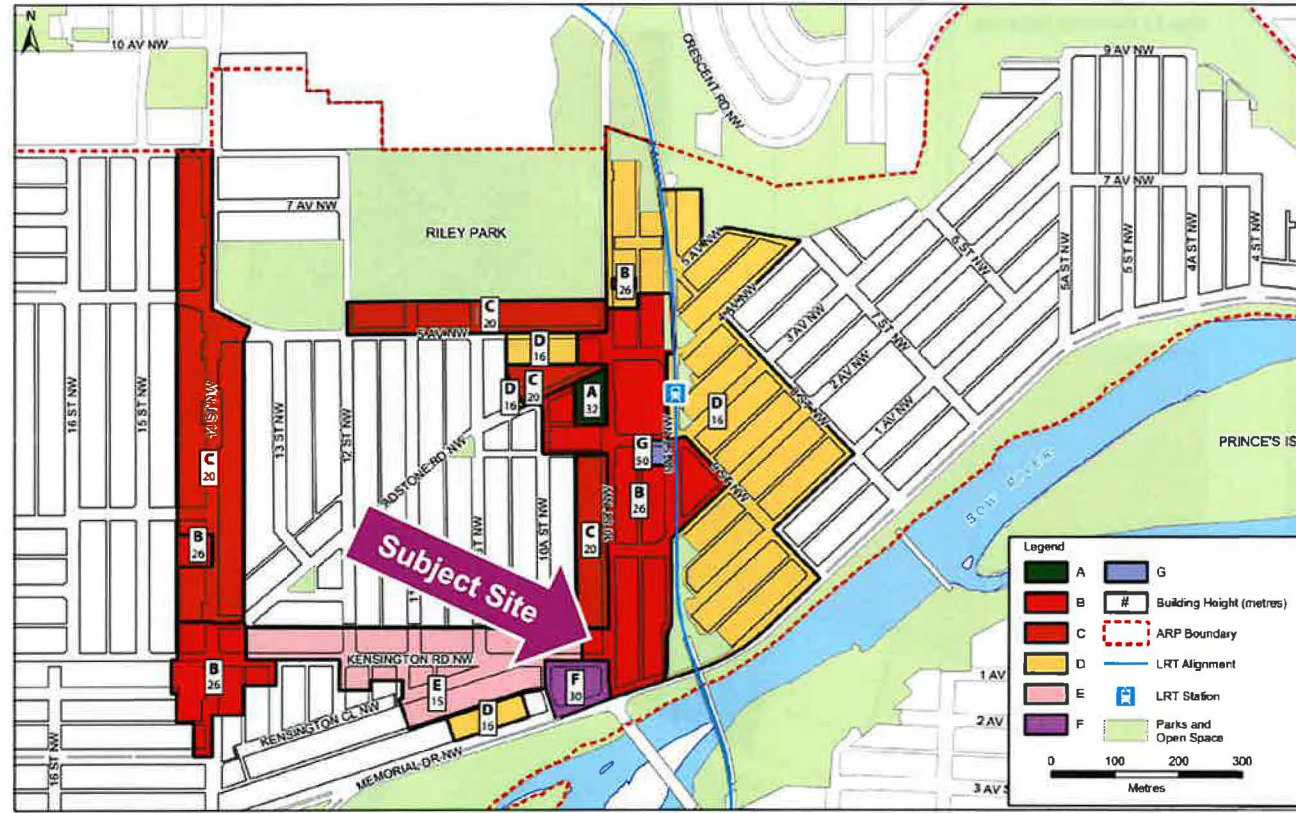


Urban Mixed-use area

- Mixed use in a multi-storey format with residential uses above street level
- Urban Mixed-Use Area recognizes the potential of 10 Street NW Corridor to accommodate the highest densities and building heights in the area
- Opportunities to locate taller buildings are limited to locations that will have minimal impact on existing residential areas.

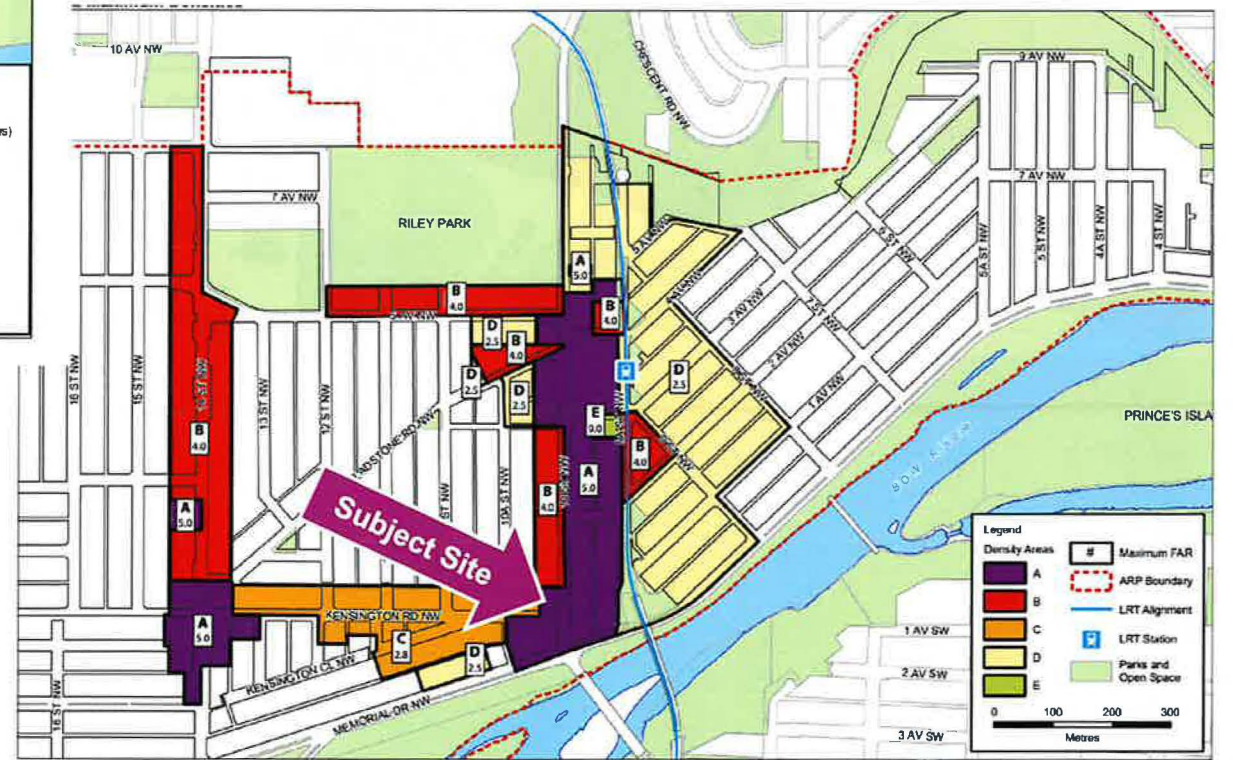
Map 3.3 Building Heights

Approved: 19P87
Amended: 43P2021, 1P2023, 15P2023, 20P2023

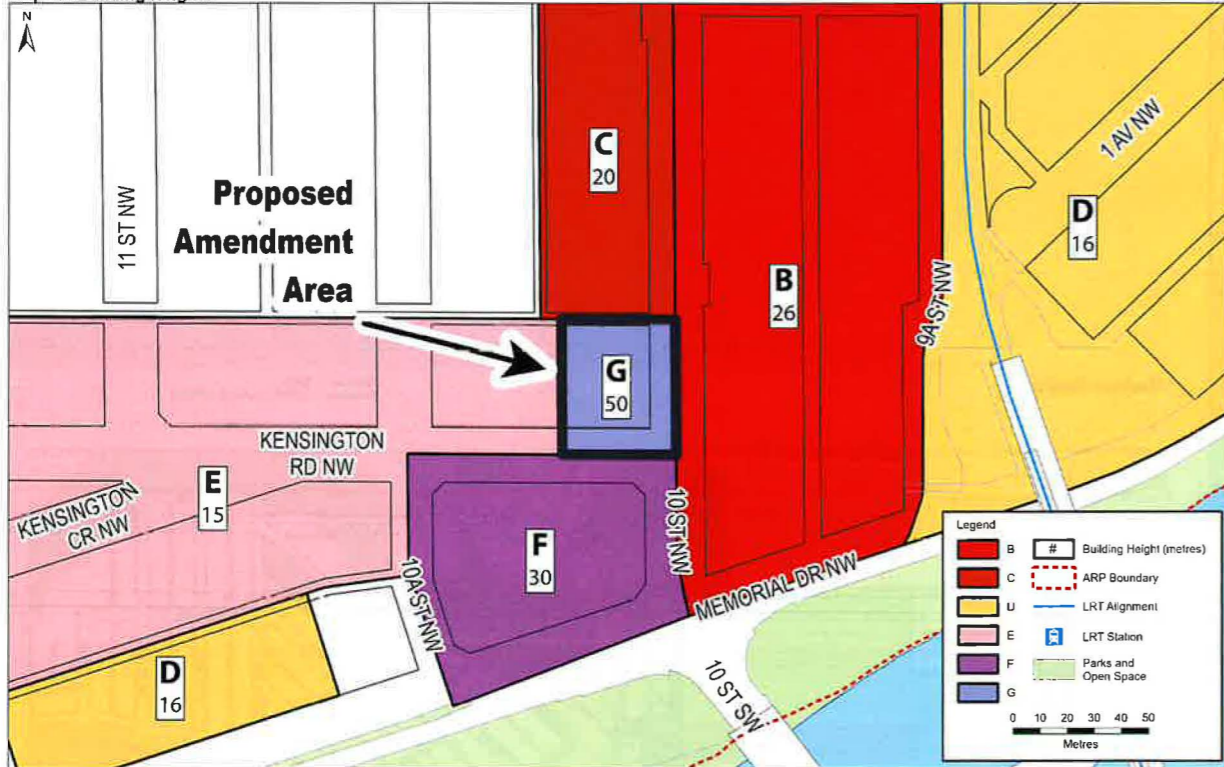


! Maximum Densities

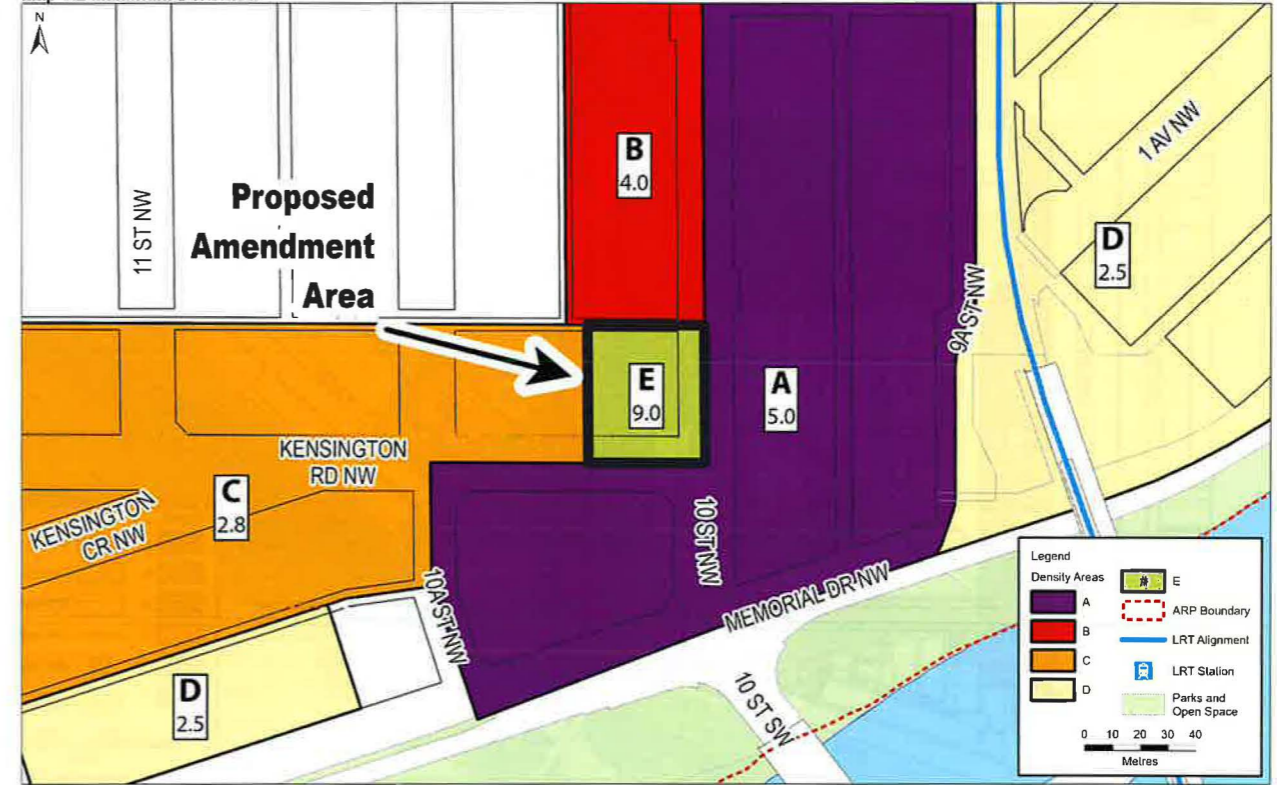
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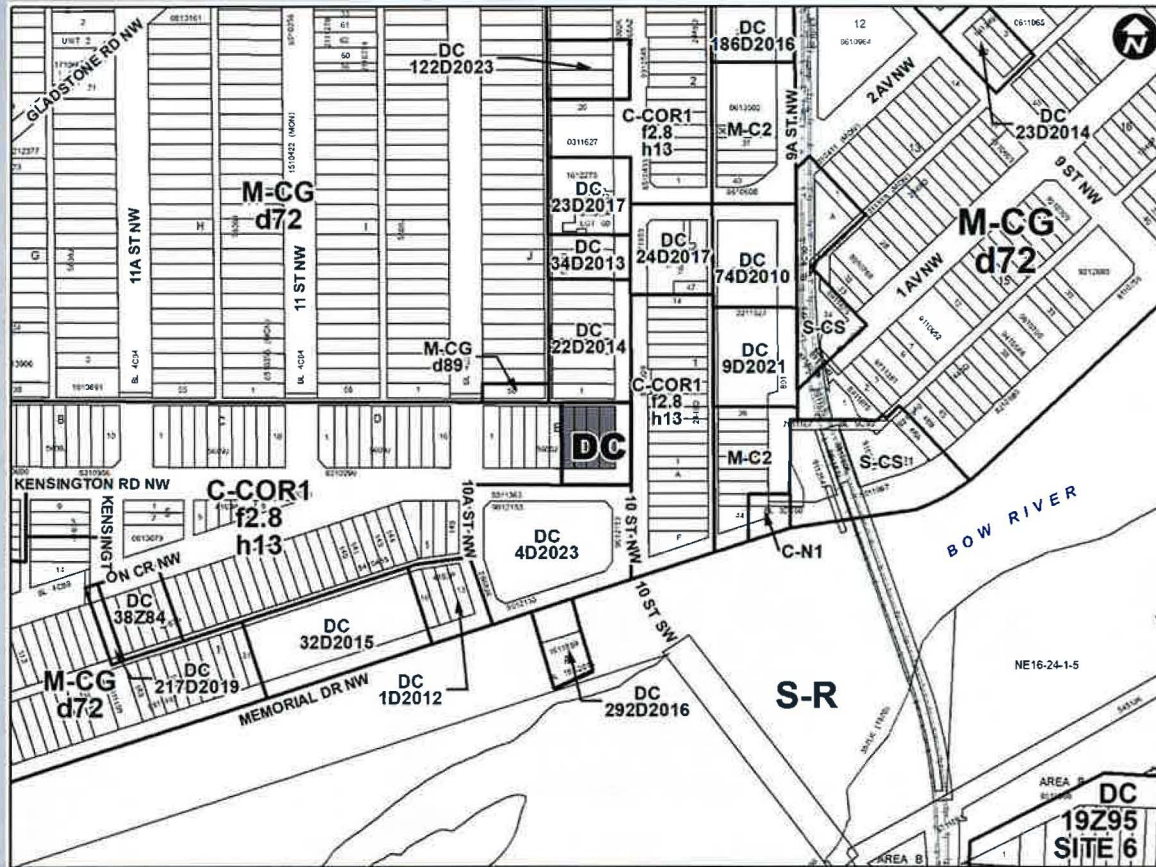


Map 3.3 Building Heights



Map 3.2 Maximum Densities





Proposed DC District:

Based on Mixed Use – Active Frontage (MU-2) District

- Maximum height of 50 metres (approx. 16 storeys)
- Maximum FAR (with bonusing) of 9.0

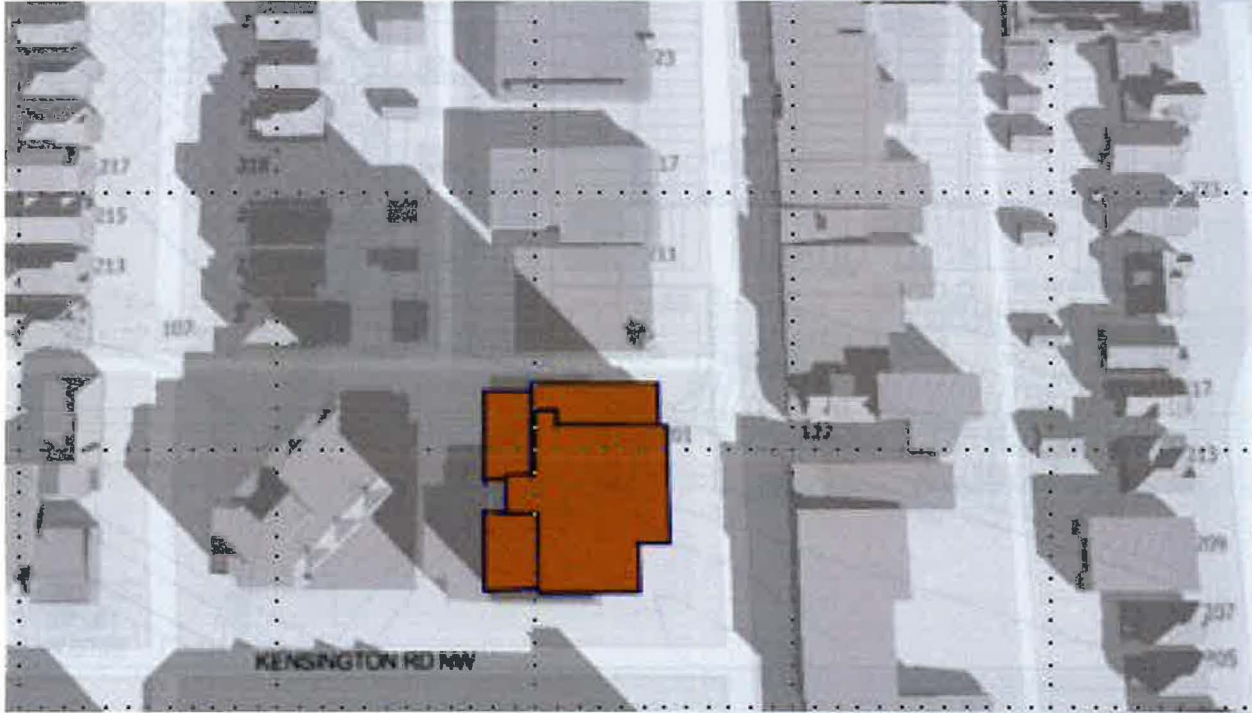
Implements density bonusing of ARP

- Contribution to amenity fund
- Provision of urban design initiative
- Bonusing rate:
 - 2.8 to 5.0 @ \$20.76/sq metre
 - 5.0 to 9.0 @ \$99.25/sq metre

DC includes building stepbacks



26m current maximum



50m with proposed built form

10 am September 21 (equinox)



26m current max

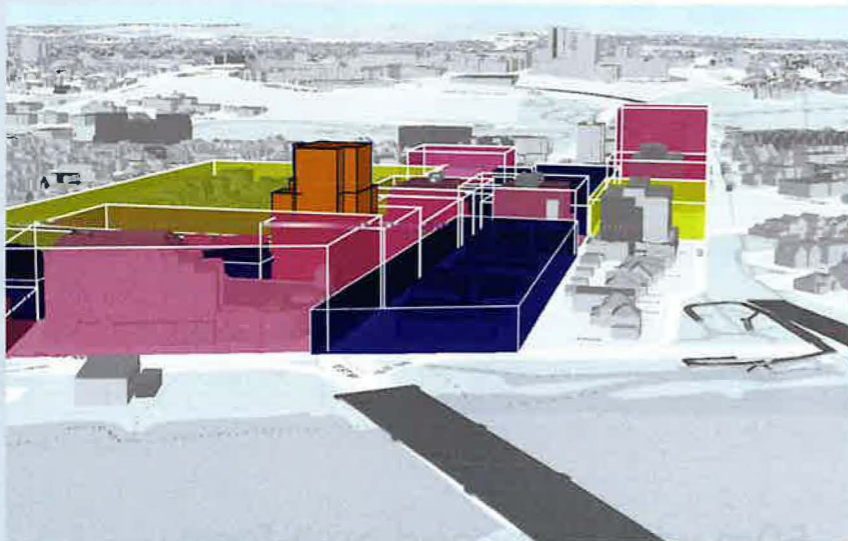


50m with proposed built form

12 pm September 21

Considerations for support:

- Shadowing and massing mitigated through building stepback rules in DC District
- Impacts on pedestrians at street level determined through DP design



Existing maximum land use heights context (approximate)



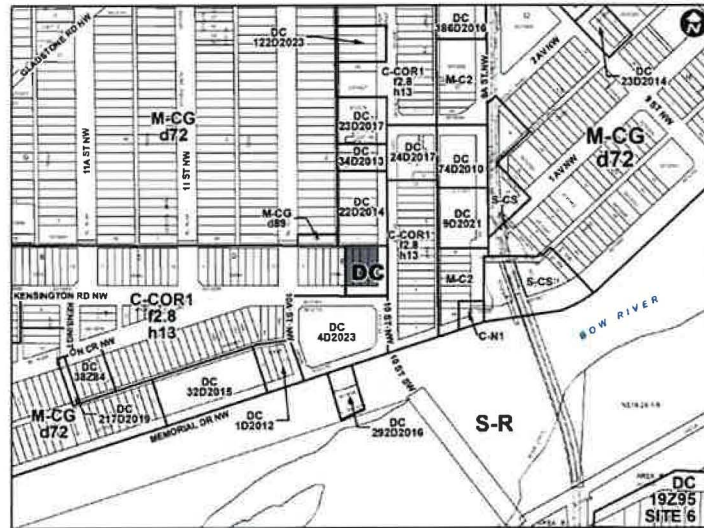
RECOMMENDATIONS:

That Calgary Planning Commission recommend that Council:

1. Give three readings to the proposed bylaw for the amendments to the Hillhurst/Sunnyside Area Redevelopment Plan (Attachment 2); and
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Supplementary Slides

SCHEDULE B



DIRECT CONTROL DISTRICT

Purpose

- 1 This Direct Control District Bylaw is intended to:
- (a) provide for pedestrian-oriented and transit supportive mixed-use development;
 - (b) allow for additional building height and floor area; and
 - (c) implement the density bonus provisions of the applicable Area Redevelopment Plan.

Compliance with Bylaw 1P2007

- 2 Unless otherwise specified, the rules and provisions of Parts 1, 2, 3 and 4 of Bylaw 1P2007 apply to this Direct Control District Bylaw.

Reference to Bylaw 1P2007

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

Permitted Uses

- 4 The **permitted uses** of the Mixed Use – Active Frontage (MU-2) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

- 5 The **discretionary uses** of the Mixed Use – Active Frontage (MU-2) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District.

Bylaw 1P2007 District Rules

- 6 Unless otherwise specified, the rules of the Mixed Use – Active Frontage (MU-2) District of Bylaw 1P2007 apply in this Direct Control District.

Floor Area Ratio

- 7 (1) Unless otherwise referenced in subsection (2), the maximum **floor area ratio** is 2.8.
- (2) The **floor area ratio** may be increased to a maximum of 9.0 in accordance with the **density bonus** provisions contained in Section 8 of this Direct Control District Bylaw.

Density Bonus

- 8 (1) For the purposes of this section:
- (a) “cash contribution rate” means: \$20.76 per square metre for the year 2023. The cash contribution rate will be adjusted annually on January 1 by the **Development Authority**, based on the Statistics Canada Consumer Price Index for Calgary.
 - (b) “incentive rate” means: \$99.25 per square metre for the year 2023. The incentive rate will be adjusted annually on January 1 by the **Development Authority**, based on the Statistics Canada Consumer Price Index for Calgary.
- (2) The maximum **floor area ratio** may be increased from 2.8 to 5.0 in accordance with any combination of the following:
- (a) a contribution to the Hillhurst/Sunnyside Community Amenity Fund, such that:

cash contribution amount = cash contribution rate x total floor area in square metres above the **floor area ratio** of 2.8.
 - (b) the provision of an urban design improvement in accordance with the applicable local area plan, where the allowable bonus floor area in square metres is equal to the cost of construction of the improvement divided by the cash contribution rate, such that:

allowable bonus floor area = total construction cost of the improvement/cash contribution rate.

CPC2023-1268
Attachment 3

Total construction cost will not include any construction costs necessary to fulfill the infrastructure requirements of a **development permit** for a **development** of equal to or less than a **floor area ratio** of 2.8. Details of the construction cost will be determined through the **development permit** process.

- (3) Where the maximum **floor area ratio** has been increased to 5.0 in accordance with subsection (2), the maximum **floor area ratio** may be further increased from 5.0 to 9.0 in accordance with any combination of the following:

- (a) a contribution to the Hillhurst/Sunnyside Community Amenity Fund such that:

cash contribution amount = incentive rate x total floor area in square metres above the floor area ratio of 5.0.

- (b) an urban design improvement in accordance with the applicable local area plan, where the allowable bonus floor area in square metres is equal to the cost of construction of the improvement divided by the incentive rate, such that:

allowable bonus floor area = total construction cost of the improvement/incentive rate.

Total construction cost will not include any construction costs necessary to fulfill the infrastructure requirements of a **development permit** for a **development** of equal to or less than a **floor area ratio** of 2.8. Details of the construction cost will be determined through the **development permit** process.

Building Height

- 9 The maximum **building height** is 50.0 metres.

Setback Area

- 10 (1) The minimum **building setback** from a **property line** shared with Kensington Road NW is:
- (a) 1.5 metres between **grade** and less than 12.0 metres above **grade**; and
- (b) 2.5 metres between 12.0 metres above **grade** and 50.0 metres.
- (2) The minimum **building setback** from a **property line** shared with 10 Street NW is:
- (a) 2.0 metres between **grade** and less than 12.0 metres above **grade**; and
- (b) 4.0 metres between 12.0 metres above **grade** and 50.0 metres above **grade**.

CPC2023-1268
Attachment 3

- (3) The minimum **building setback** from a **property line** shared with a **lane** is:
- (a) 3.5 metres between **grade** and less than 34.0 metres;
- (b) 8.0 metres between 34.0 metres above **grade** and less than 37.0 metres for a minimum of 65.0 per cent of the length of the **building** façade that faces the **lane**;
- (c) 10.5 metres between 37.0 metres above **grade** and 50.0 metres for a minimum of 60.0 per cent of the length of the **building** façade that faces the **lane**; and
- (d) 5.0 metres in all other cases.
- (4) The minimum **building setback** from a **property line** shared with a **parcel** designated as a **commercial district** is:
- (a) 7.5 metres between 37.0 metres above **grade** and 50.0 metres for 70.0 per cent the length of the **building** façade that faces that **property line**; and
- (b) In all other cases there is no requirement for a **building setback**.

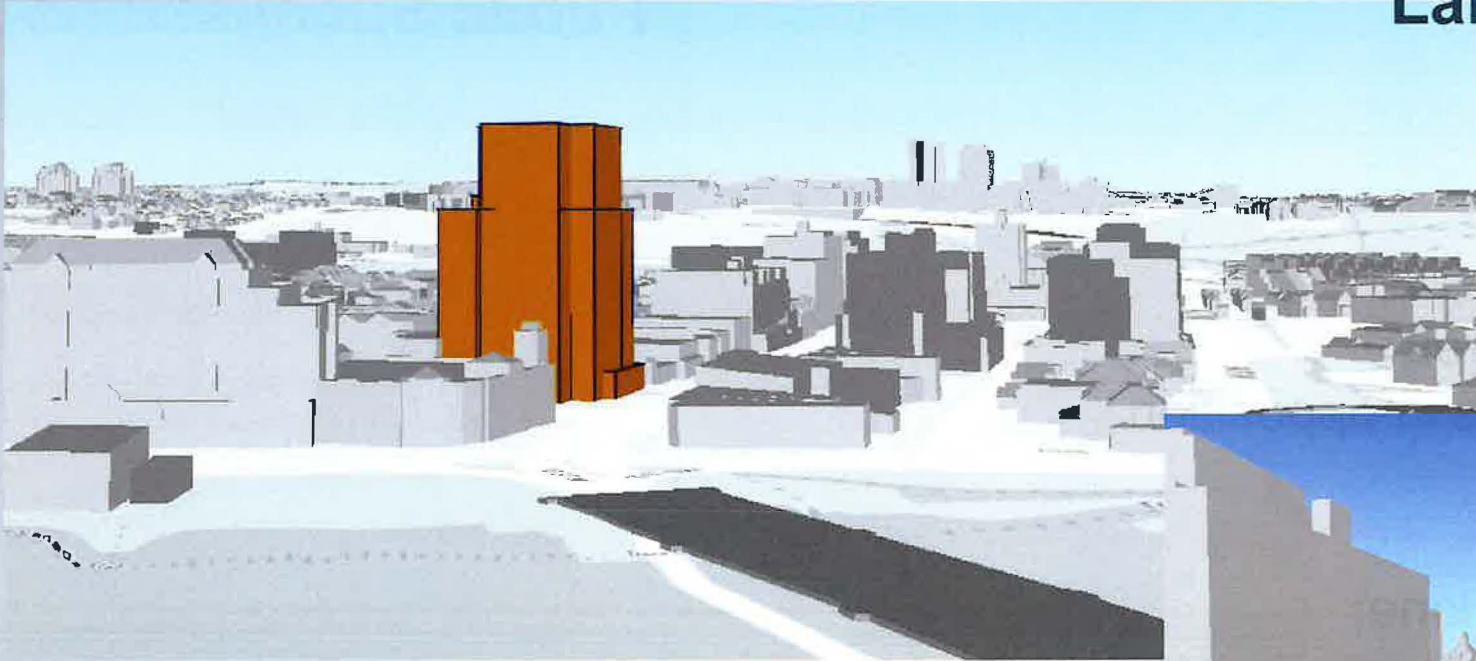
Relaxations

- 11 The **Development Authority** may relax the rules contained in Sections 6 and 10 of this Direct Control District Bylaw in accordance with Sections 31 and 36 of Bylaw 1P2007.

- **47** Letters of opposition
- Petition with **275** signatures
- Community Association is in opposition

Key concerns:

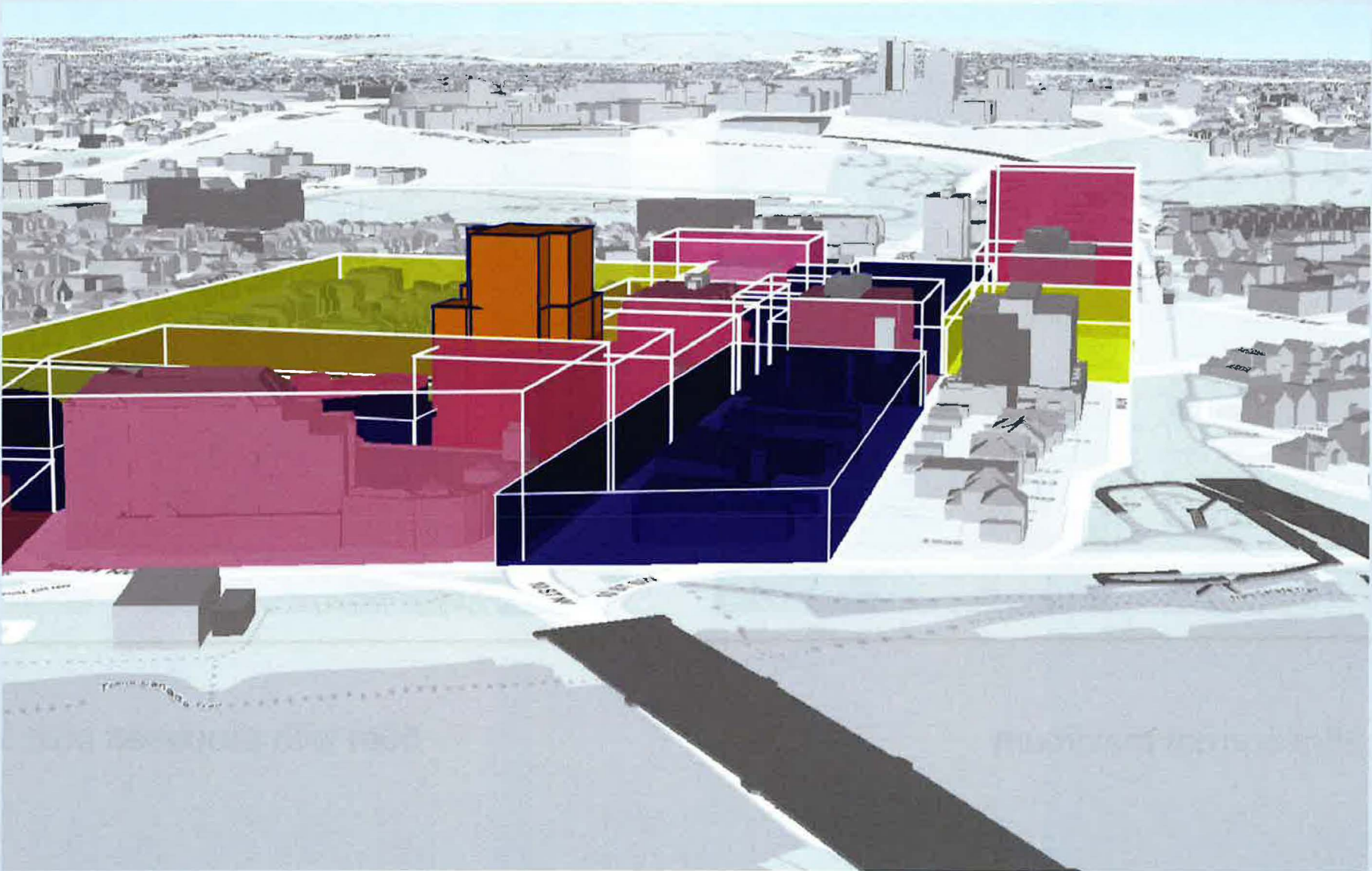
- operation of the lane;
- community benefit;
- impact of proposal on the intersection of Kensington and 10 Street NW;
- height and shadowing of existing low density residential areas;
- parking concerns;
- proposal does not meet the intent of the ARP;
- affordability of units; and
- questions about the methodology of the applicant online survey.



Looking north up 10 Street NW from downtown



Looking south on 10 Street NW towards downtown





26m current maximum



50m with proposed built form

10 am September 21 (equinox)



50m with proposed built form



40m approx. 12 stories



26m current max

10 am Sept 21

Shadow Study Comparison 26/40/50



50m with proposed built form



40m approx. 12 stories



26m current max

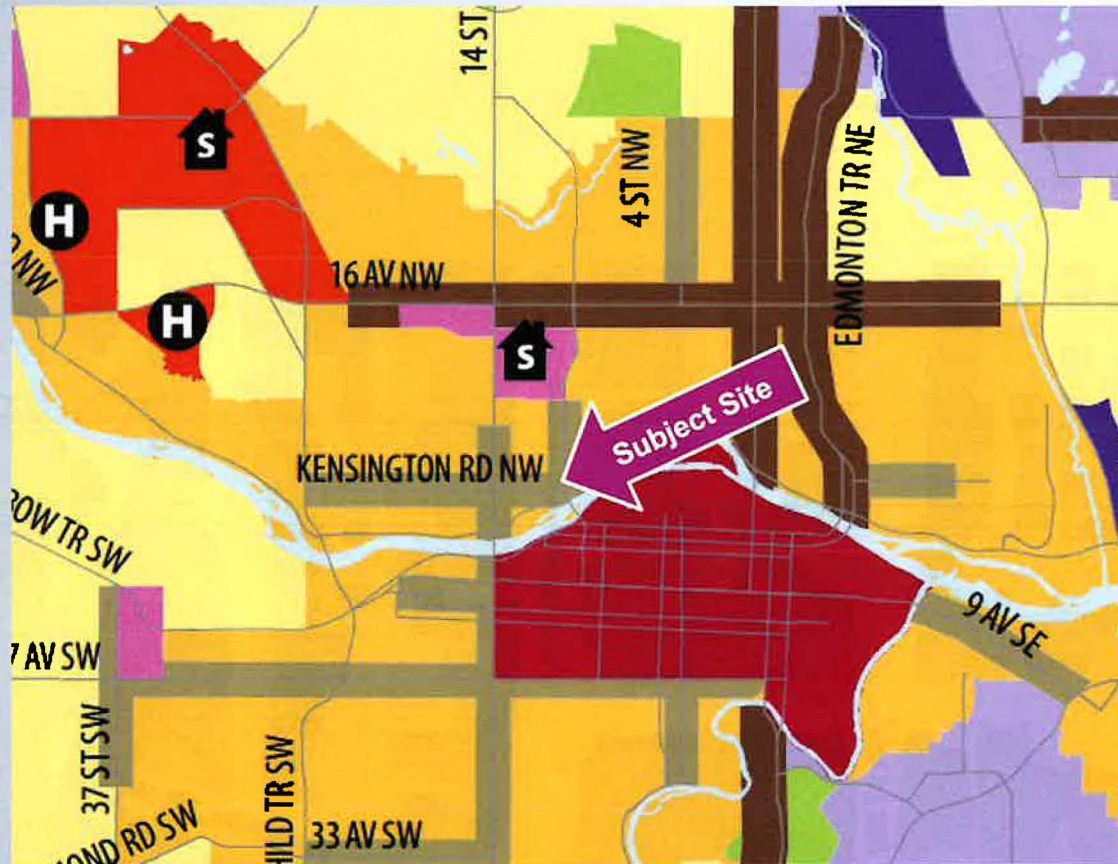
12 pm Sept 21



June 20 (solstice) 10am

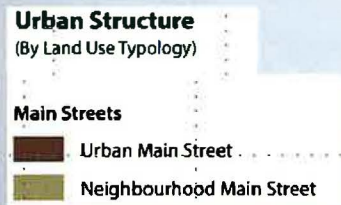


June 20 12pm



MDP - Neighbourhood Main Street

- Locate transit supportive land uses within Activity Centres and Main Streets.
- Encourages tallest buildings and highest densities closest to transit stops and stations and at strategic sites, such as the merging of two main streets supported by the Primary Transit Network.
- Provide an appropriate transition of scale, form and character between the Neighbourhood Main Street and the adjacent residential areas.

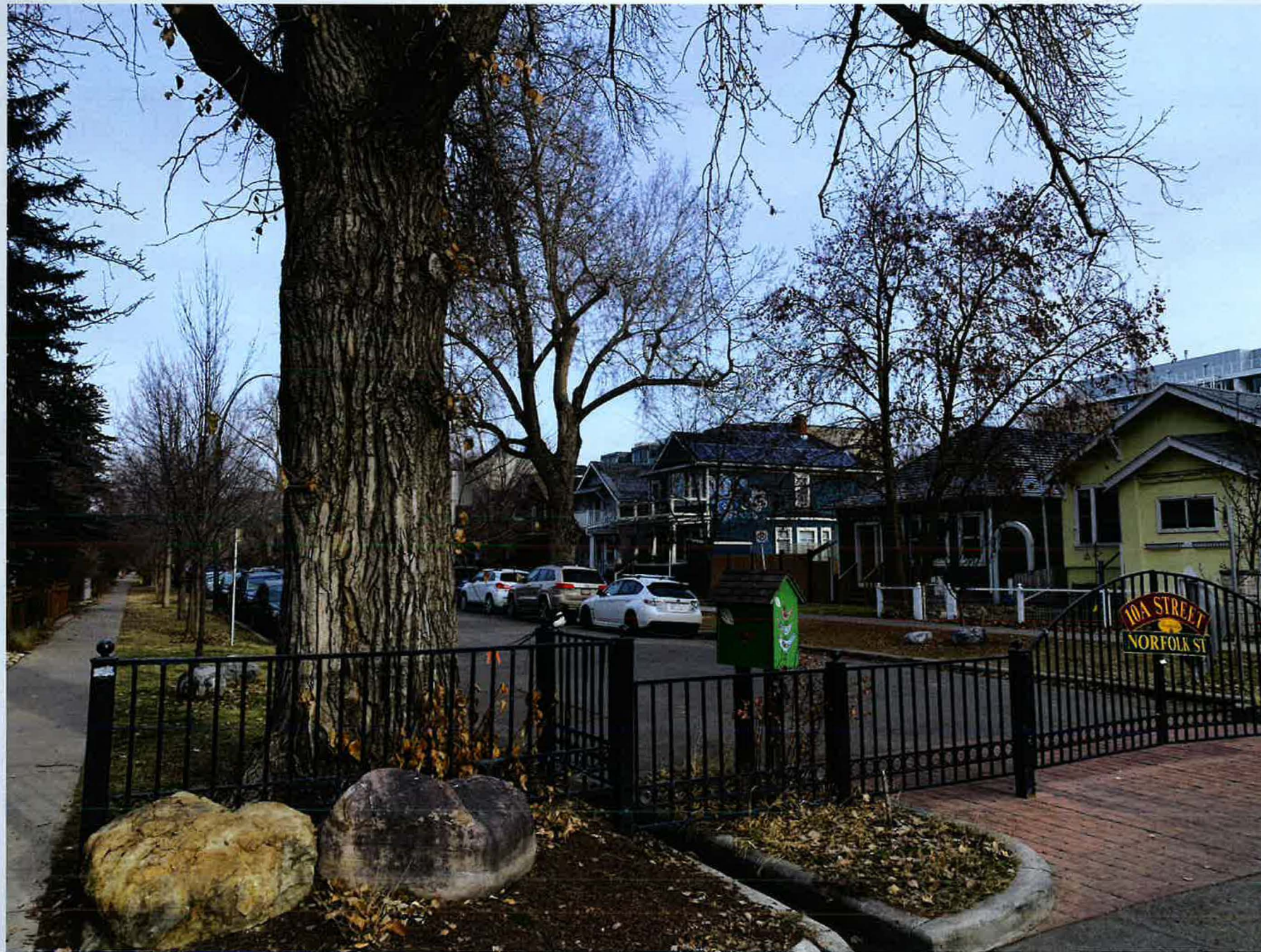


Considerations for support:

- Shadowing and massing mitigated through building stepback rules in DC District
- Impacts on pedestrians at street level determined through DP design
- Intersection of two Main Street typologies and forms a type of gateway
- Proximity to large employment and educational centres
- On the primary transit network
- Excellent active mobility connections
- Shops and services meeting day to day needs











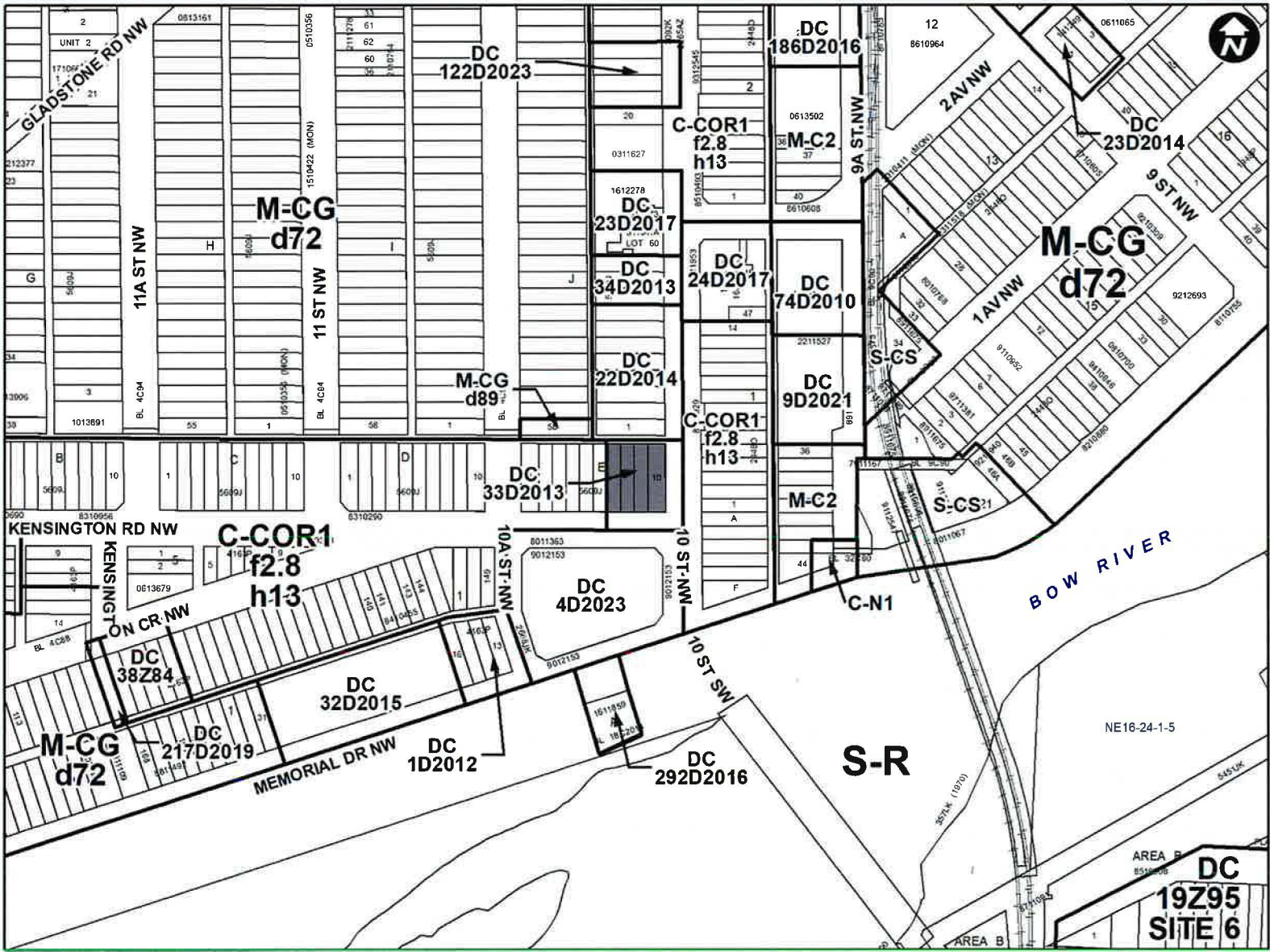




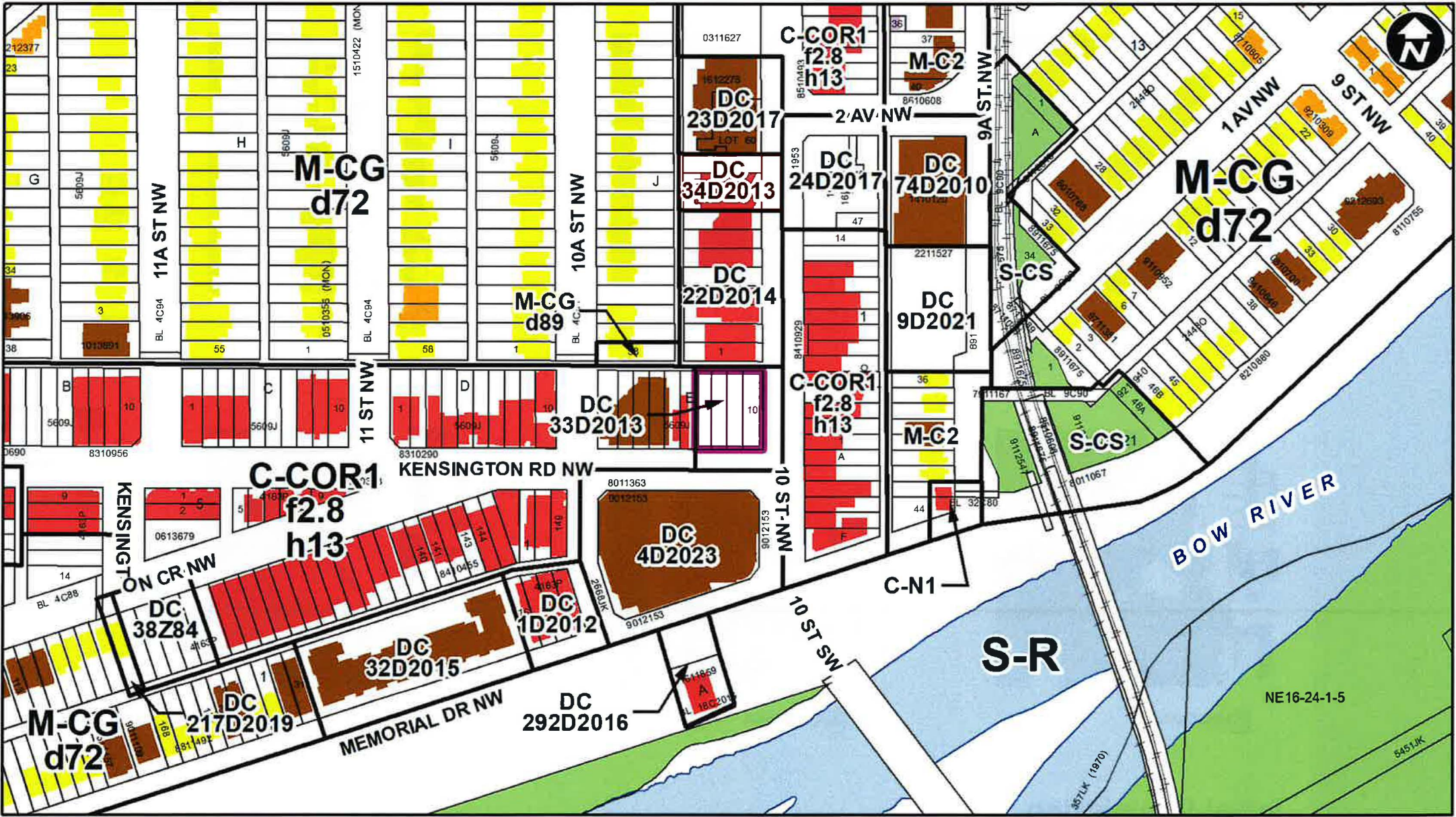
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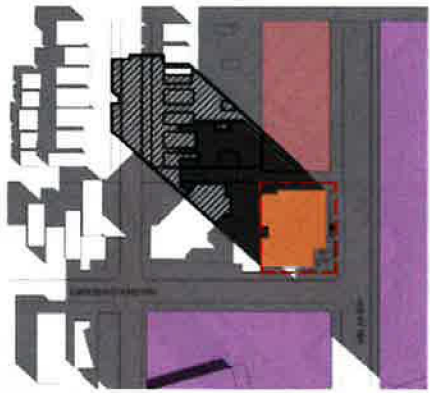
Expressing the following concerns:

- the proposal's impact on the operation of the lane with regard to width, congestion and blind corners;
- the proposed mural and publicly accessible plaza not providing sufficient benefit for the increased scale of development;
- impact of proposal on pedestrians, cyclists, and drivers at the intersection of Kensington and 10 Street NW;
- height proposed is not in scale with adjacent context and other recent development;
- shadowing of existing low density residential areas;
- bonus rate does not sufficiently compensate for additional development;
- site is not a significant site in the community and the existing ARP limits additional height to areas that have minimal impact on existing residential areas;
- parking concerns;
- proposal does not meet the intent of the ARP;
- affordability of units; and
- questions about the methodology of the applicant online survey.

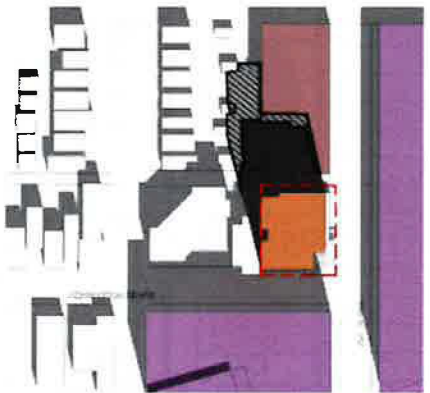


- LEGEND**
- Single detached dwelling
 - Semi-detached / duplex detached dwelling
 - Rowhouse / multi-residential
 - Commercial
 - Heavy Industrial
 - Light Industrial
 - Parks and Openspace
 - Public Service
 - Service Station
 - Vacant
 - Transportation, Communication, and Utility
 - Rivers, Lakes
 - Land Use Site Boundary

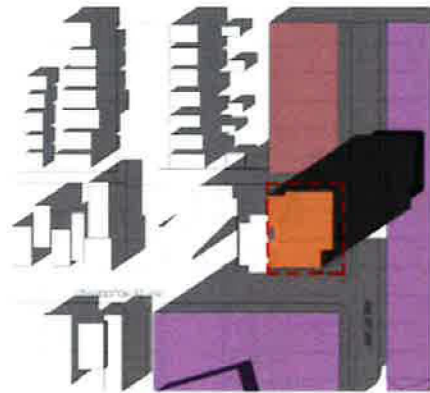




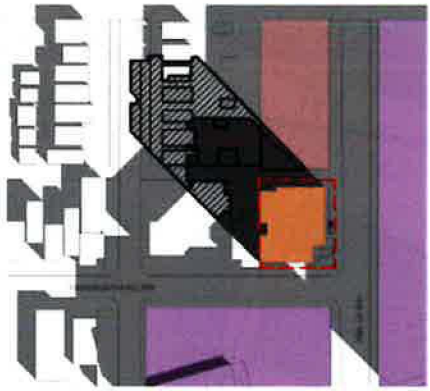
1 MARCH 21 10 AM
SCALE: 1:500



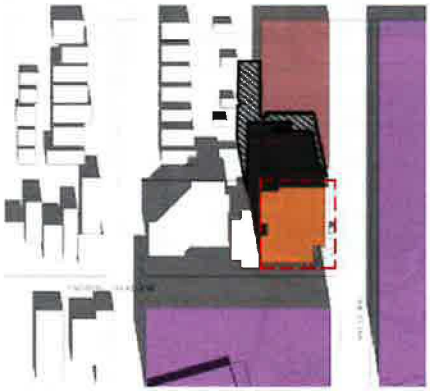
2 MARCH 21 12 PM
SCALE: 1:500



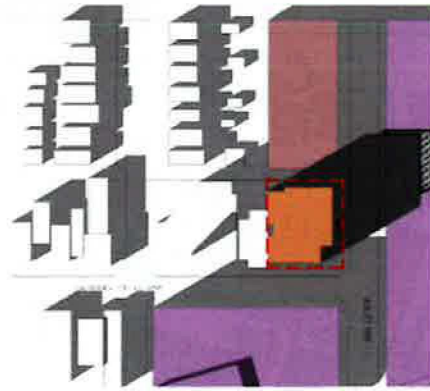
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4 SEPTEMBER 21 10 AM
SCALE: 1:500



5 SEPTEMBER 21 12 PM
SCALE: 1:500



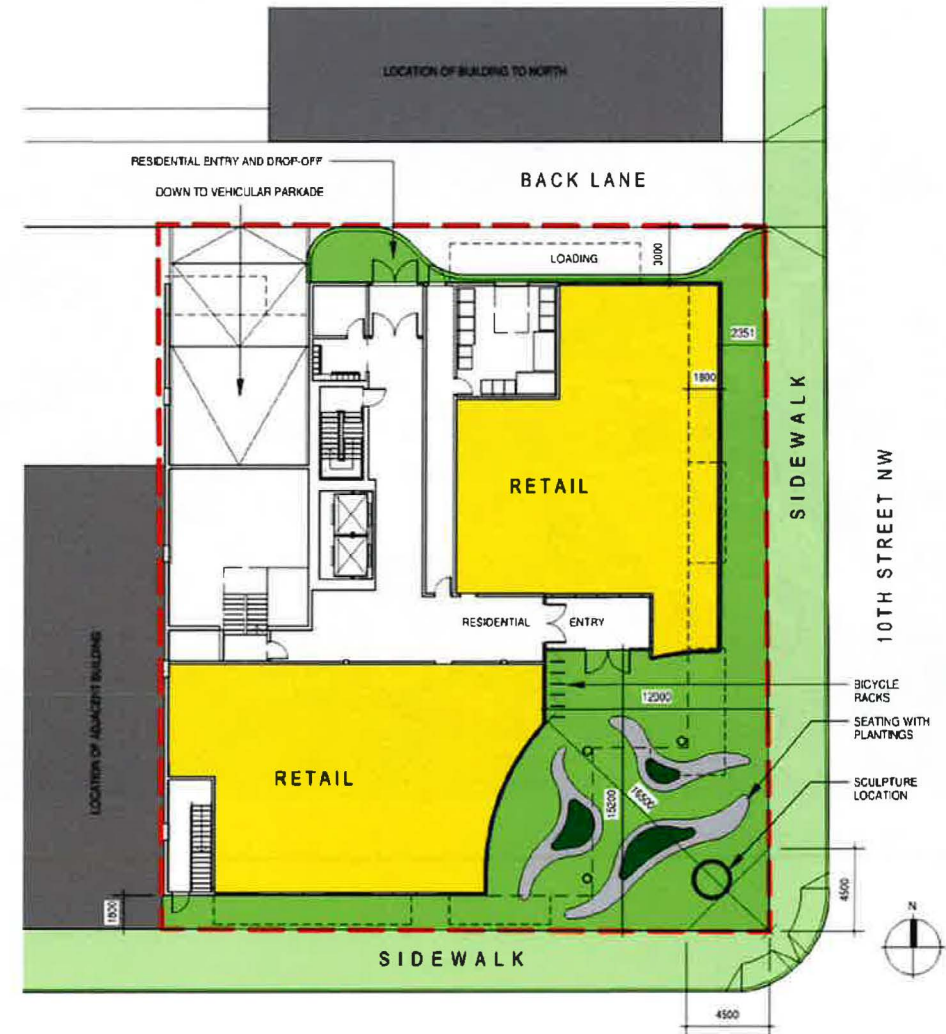
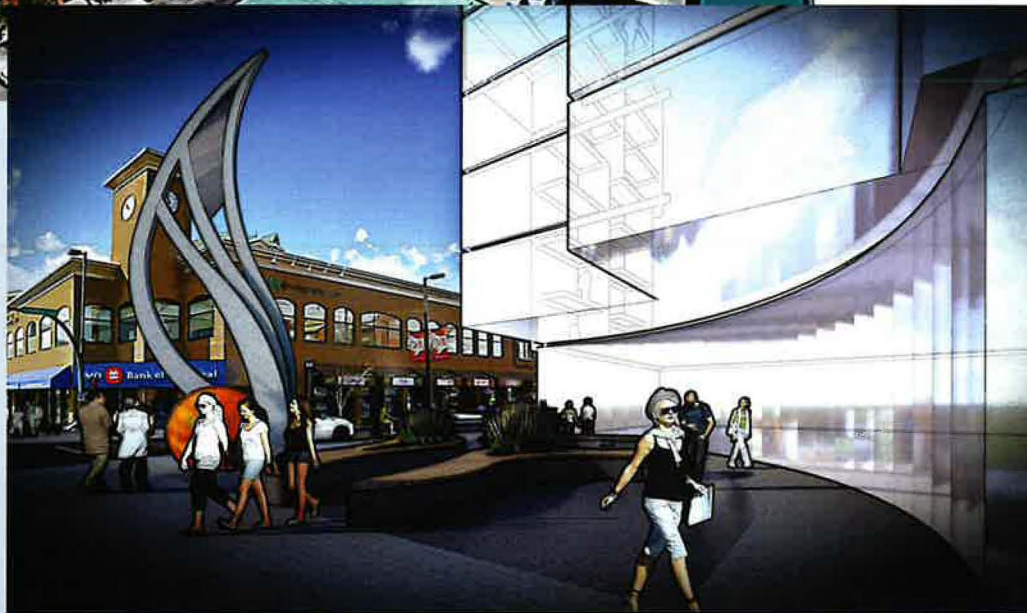
6 SEPTEMBER 21 4 PM
SCALE: 1:500

BUILDING SHADOW STUDY COMPARISON
26M VS 50M

-  SUBJECT BUILDING: FAR 9 - HEIGHT 50M
-  The difference in shadow area (50m vs 26m height)
-  Property Line
-  ARP: FAR - 4 HEIGHT - 20M
-  ARP: FAR - 5 HEIGHT - 26M

Initial Submission





OVERALL SITE AREA: 1,249 SQ.M.

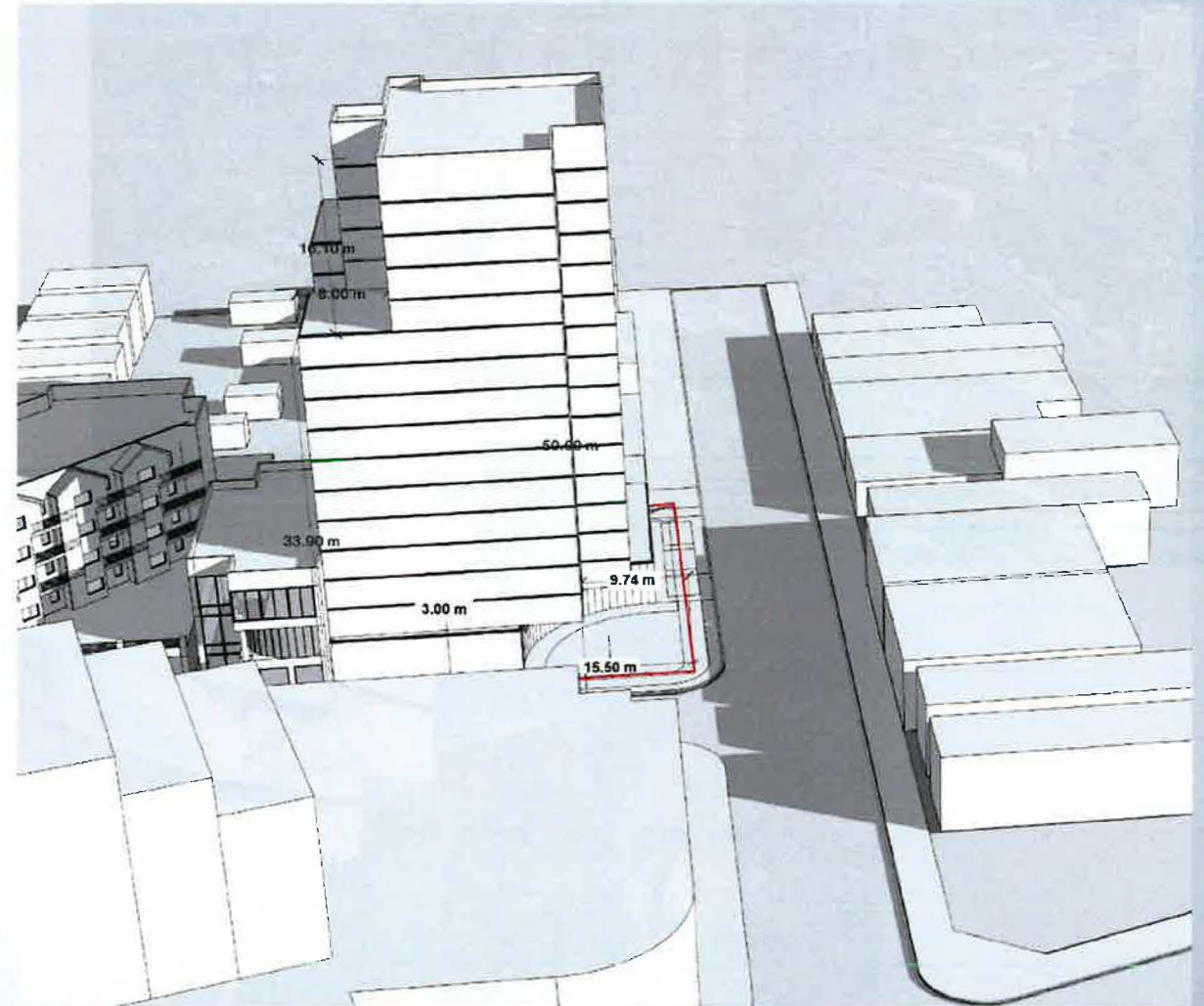
PUBLICLY ACCESSIBLE PRIVATE SPACE PROVIDED:

PLAZA AREA = 209 SQ.M.

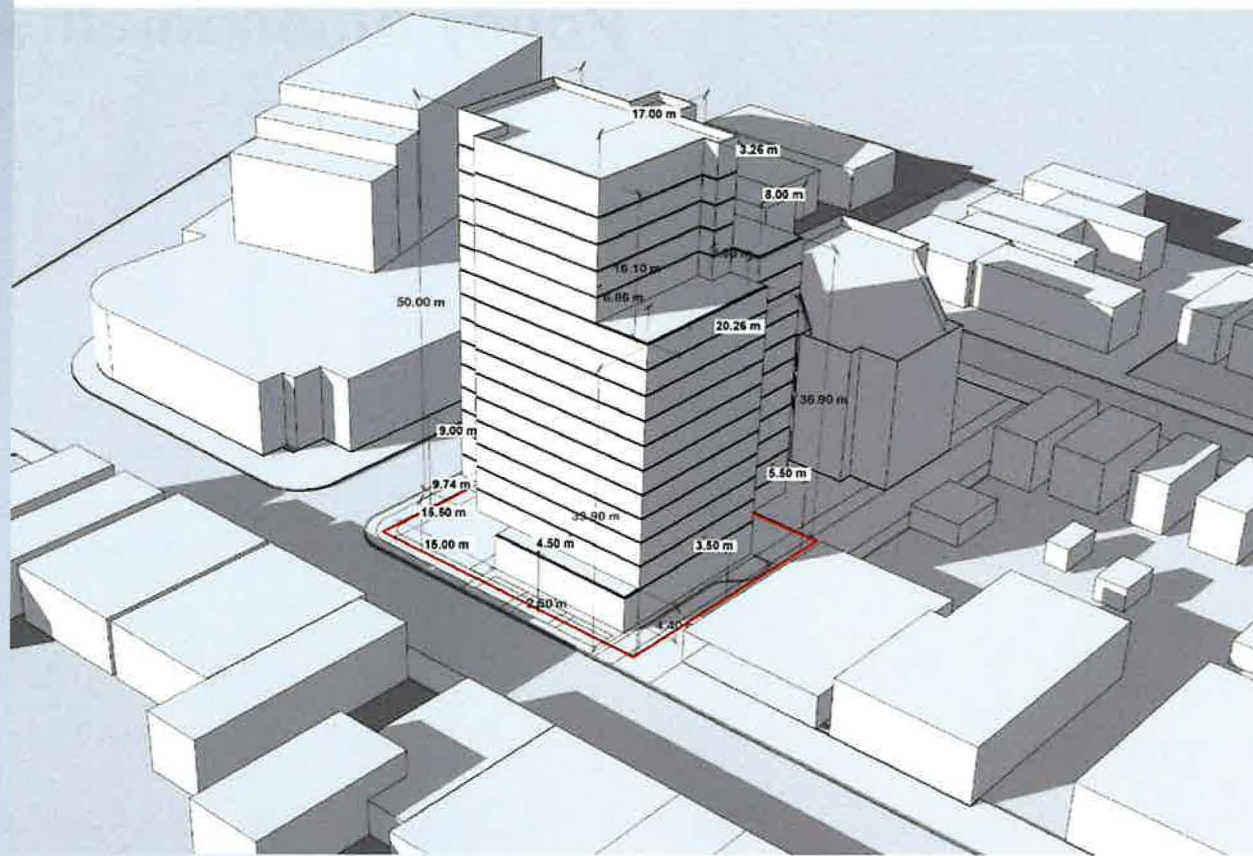
ALL SPACE INCLUDING PLAZA = 321 SQ.M.



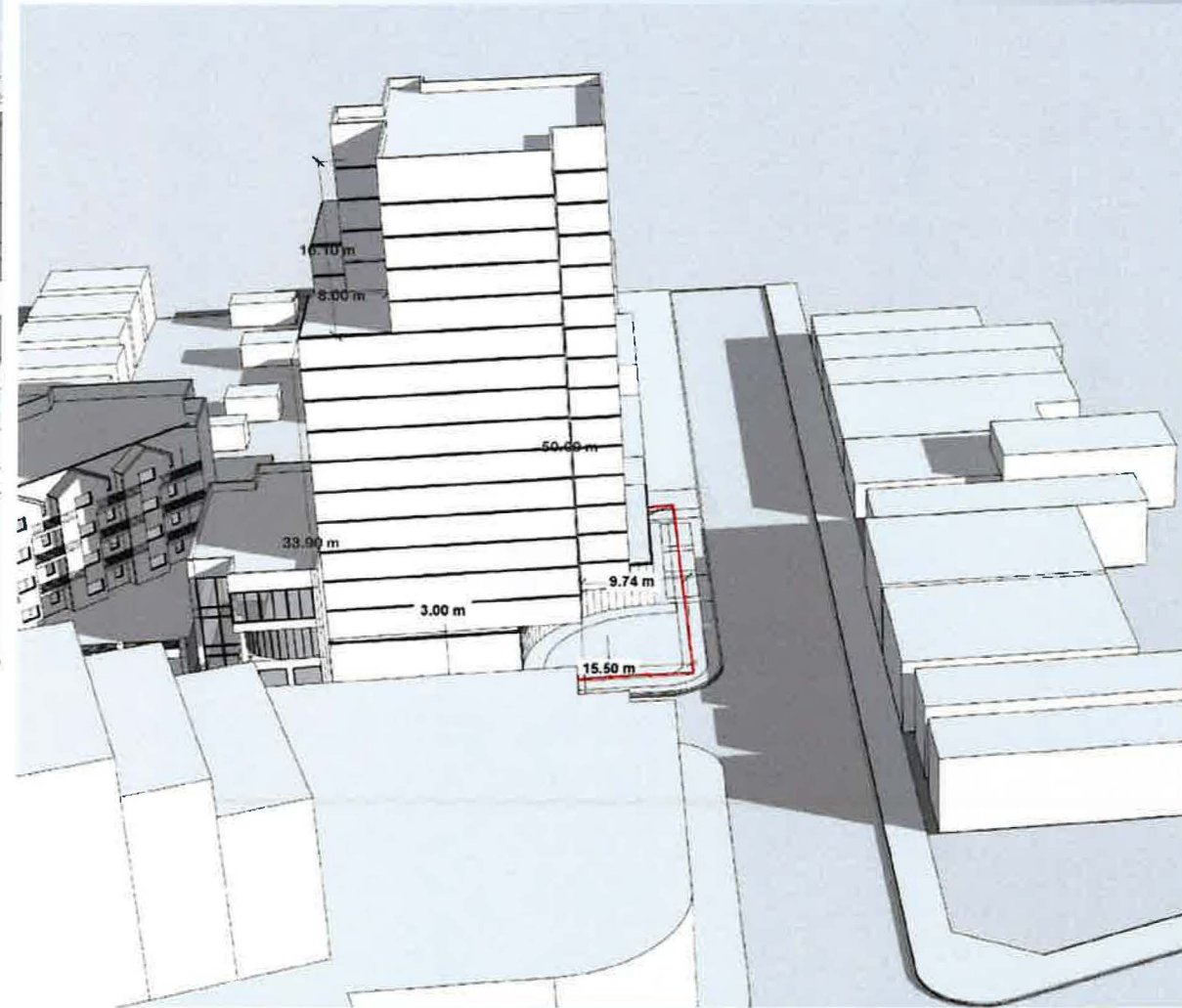
Initial submission



Massing used to inform DC District setback rules



10 Street NW and Lane interface



Interface with 10 Street NW and Kensington Road NW

