

HILLHURST/SUNNYSIDE COMMUNITY AMENITY FUND

EXECUTIVE SUMMARY

The Hillhurst/Sunnyside Area Redevelopment Plan (ARP) includes provisions for a density bonusing system as per Part II: Transit Oriented Development (TOD) Area 3.1.5 Density of the Area Redevelopment Plan (ARP). One of the bonusing options for sites located in the TOD Study Area boundary includes cash contributions to the Hillhurst/Sunnyside Community Amenity Fund (Fund), which is then used to finance public improvements in a defined area. This report seeks Council approval to establish a stakeholder committee and Terms of Reference for the Fund, similar to the existing and Council approved governance structures for the Beltline and Brentwood Station Area.

ADMINISTRATION RECOMMENDATION(S)

That the SPC on Planning and Urban Development recommend that Council approve the Hillhurst/Sunnyside Community Amenity Fund Terms of Reference of Reference in the Attachment.

RECOMMENDATION OF THE SPC ON PLANNING AND URBAN DEVELOPMENT, DATED 2016 JUNE 08:

That Council approved the Hillhurst/Sunnyside Community Amenity Terms of Reference in the Attachment.

PREVIOUS COUNCIL DIRECTION / POLICY

On 2016 April 11, Council approved an amendment to the Hillhurst/Sunnyside ARP to create a new Fund while retaining the existing method of calculation for allowable bonus density.

On 2015 December 07, Council referred Report, Policy Amendment, Hillhurst/Sunnyside (Ward 7), Transit Oriented Development Area, Bylaw 19P2015, CPC2015-098 to Administration to:

1. Retain the existing method of calculation for allowable bonus density in the current Section 3.1.5, Part II Transit Oriented Development Area of the Hillhurst/Sunnyside Area Development Plan;
2. Report back to Council through Calgary Planning Commission and advertise the Public Hearing by no later than April 11, 2016 with a revision to proposed Bylaw 19P2015 as indicated above; and
3. Report back to Council through SPC on Planning & Urban Development with a Terms of Reference for the Hillhurst/Sunnyside Community Amenity Fund concurrently.

On 2012 November 05, Council adopted the Calgary Planning Commission Recommendations contained in Report CPC2012-082, to amend the Hillhurst/Sunnyside Area Redevelopment Plan to the density bonusing options for developers to:

- a) Contribute to a "Hillhurst/Sunnyside Park Improvement Fund"; or
- b) Construct an entire, or portion of an "urban design initiative" as identified on Map 3.4 Urban Design Initiatives of the ARP, equivalent in value to the cash contribution. This could include a specific improvement in one of the triangular park areas.

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On 2012 June 25, Council approved the recommendations of the SPC on Planning and Urban Development with respect to report PUD2012-0266 Charges for Redeveloping Communities as follows:

- “3. Direct Administration to immediately cease applying the Hillhurst/Sunnyside Transit Oriented Development Area Park Improvement Development Charge; and
4. Pending further results from the Corporate Framework for Growth and Change project:
 - a) Explore options for an alternate development charge approach for the Hillhurst/Sunnyside Transit Oriented Development Area and report back through the October SPC on Planning and Urban Development concurrent with the next update on the Funding and financing component of the Corporate Framework for Growth and Change project; and
 - b) Direct Administration, through all future Land Use Redesignation applications through Council within the Hillhurst/Sunnyside Transit Oriented Development Area, to address Funding and financing options for the required public realm improvements identified in the Hillhurst/Sunnyside Area Redevelopment Plan with respect to Part 2 Transit Oriented Development Area, including, but not limited to density bonus opportunities”.

BACKGROUND

The new Fund allows Administration to implement density bonusing policies presented in the Hillhurst/Sunnyside ARP. The collected funds will facilitate and finance improvements to the public realm in the Hillhurst/Sunnyside community.

The previous Hillhurst/Sunnyside Park Improvement Fund (HSPIF) was established to implement physical improvements to the Triangle Parks; however, in November 2014 the ENMAX Legacy Fund allocated money to complete this Park Improvement project. As such, an amendment to the Hillhurst/Sunnyside ARP was required to update the policy to align with the models in the Beltline ARP and Brentwood Station Area Redevelopment Plan. The money collected by the HSPIF since 2012 (\$313,290.75) will remain in a Community Planning Capital Deposit account and the account will be renamed to the Hillhurst/Sunnyside Community Amenity Fund to reflect the policy amendment approved by Council on 2016 April 11. The Fund will consist of a broader scope of improvement projects, implementing a new Terms of Reference, and retain the existing method of calculation for allowable bonus density, to be automatically adjusted annually on January 01 of each year based on the Consumer Price Index for Calgary.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The Attachment, presents a detailed Terms of Reference for the Fund, including the approval and authorization process, funding sources, and any conditions and restrictions on use.

The creation, use and management of a Terms of Reference in a formalized document are a best practice and consistent feature of most large cities in Canada. To ensure the Fund becomes a sustainable ongoing Fund, the Terms of Reference will define the roles, responsibilities of all parties associated with administering this interest-bearing capital Fund. The Terms of Reference is a written roadmap for the Administrative Committee and contains

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clear and specific information on how the committee is organized, what the committee is trying to achieve, who the members are and when they meet. A clear and understandable Terms of Reference is the first step to a successful committee.

It is proposed that the Fund be managed by an Administrative Committee consisting of five representatives from The City (Community Planning, Calgary Growth Strategies (CGS) Urban Design & Heritage, Transportation Planning, and Parks) and four representatives of community stakeholders (Ward 7 Councillor, local contributing developers, the Kensington Business Revitalization Zone (BRZ) and the Hillhurst/Sunnyside Community Association). The Administrative Committee is responsible for recommending which projects should receive funding from the Fund and reports to Council on the allocation of funds and the status of the Fund.

The Funding objective is to utilize collected monies in a timely manner to enhance the public realm as densities increase in Hillhurst/Sunnyside. Projects may include both long-term multi-phase projects (such as improvements to public parks or public open spaces), and short-term small scale projects (such as community gardens or planning studies to support public realm improvement projects).

Stakeholder Engagement, Research and Communication

In addition to input from relevant City business units, these Terms of Reference were prepared in consultation with various community stakeholders including the Hillhurst/Sunnyside Community Association, Kensington BRZ, and local contributing developers. Individual meetings were held and a draft was circulated among these stakeholders for their comments. Where possible their proposals were incorporated into the proposed Terms of Reference.

Strategic Alignment

In establishing the Fund and Terms of Reference, improvements to the public realm will help align with the recent private investments being made in Hillhurst/Sunnyside. Funds can be directed to improve key amenities while construction continues on adjacent properties as redevelopment continues.

Social, Environmental, Economic (External)

Social

An attractive and safe public realm offers residents, visitors and employees places to interact and supports a vibrant urban community. Further to this one of the objectives of the Terms of Reference is to develop rational and transparent policies and administrative procedures. This will allow members of the public to understand how Hillhurst/Sunnyside Community Amenity Fund projects are selected.

Environmental

Projects that receive Fund support the development and enhancement of cultural landscapes and natural areas within Hillhurst/Sunnyside.

Economic (External)

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City of Calgary interest-bearing deposits are part of The City's operating capital budget. Rational and transparent investment Funds will allow citizens, communities and businesses to understand how investment funds are administered.

Financial Capacity

Current and Future Operating Budget:

The operating expenditure associated with the Hillhurst/Sunnyside Community Amenity Fund will be determined and approved by the HSCAP Administrative Committee as per the attached Terms of Reference.

Current and Future Capital Budget:

Fund contributions received as a bonusing incentive as outlined in the Hillhurst/Sunnyside ARP ensure that funds are in place for improvements to public infrastructure within the Transit Oriented Development (TOD) Study Area, as defined in the Hillhurst/Sunnyside ARP. To facilitate operation of the Fund, the Administrative Committee shall have the authority to decide upon projects and allocate funds to a total amount of \$200,000.00 per individual expenditure without approval by Council. This supports the timely allocation of funds and the implementation of the allocation principles, as illustrated above. All projects and allocations to receiving projects that exceed \$200,000.00 must be approved by Council and must be identified in the relevant City business unit's Capital Budget, if Capital Funds are to be allocated to a project. Any improvement Funding that exceeds the funds collected could be supplemented by other revenue sources.

Risk Assessment

If the SPC on Planning and Urban Development does not accept the recommendation of Administration as outlined in this report and/or Council does not approve the Terms of Reference, this would be counter to the previous Council direction from 2015 December 07. Administration would not have a mechanism to facilitate and finance improvements to the public realm in the Hillhurst/Sunnyside community. Further direction from Council would be required to transfer the existing funds from the HSPIF to Parks to supplement the \$5.9 ENMAX Legacy Fund contribution for the Bow to Bluff project.

REASON(S) FOR RECOMMENDATION(S):

As contributions have been made to achieve density bonuses in the Hillhurst/Sunnyside ARP – TOD Study Area, a Terms of Reference for the Hillhurst/Sunnyside Community Amenity Fund needs to be established to provide guidance for these and future funds to be used for local public infrastructure improvement purposes.

ATTACHMENT(S)

Hillhurst/Sunnyside Community Amenity Fund Terms of Reference