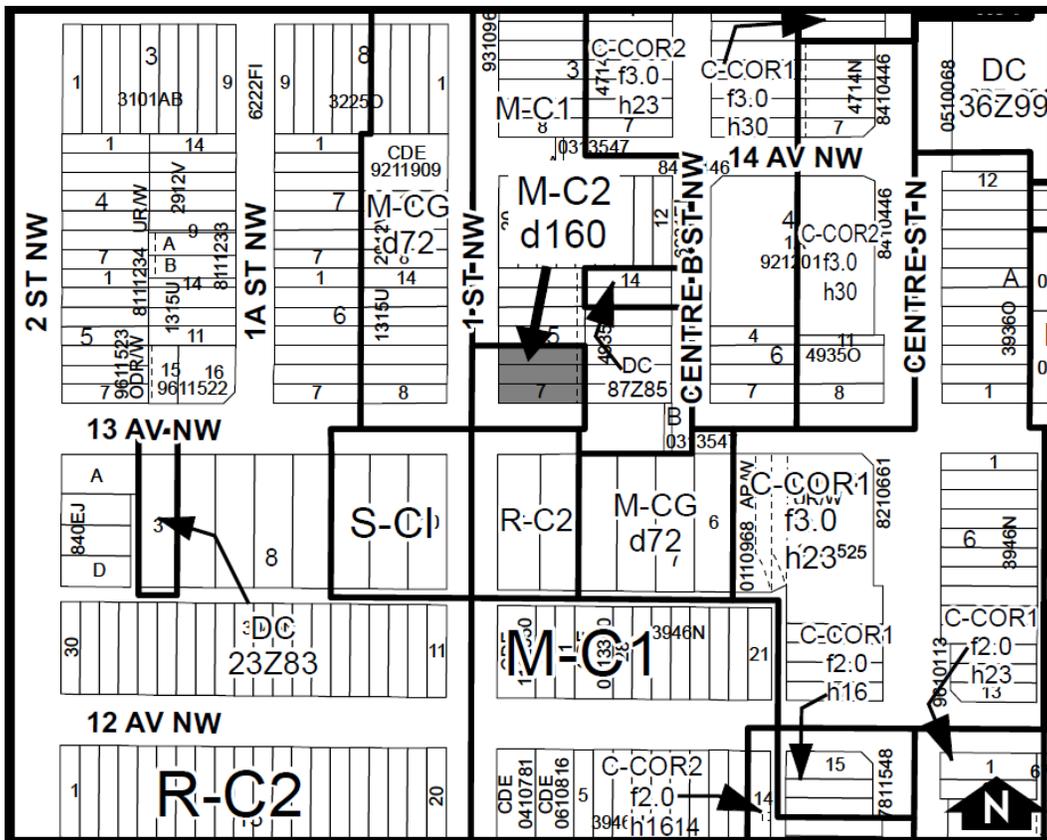


LAND USE AMENDMENT	ITEM NO: 07	
	FILE NO:	LOC2012-0086
	CPC DATE:	2013 February 28
	COUNCIL DATE:	2013 May 06
	BYLAW NO:	37D2013

CRESCENT HEIGHTS
(Ward 7 - Alderman Farrell)



RECOMMENDATION:

CALGARY PLANNING COMMISSION RECOMMENDATION TO COUNCIL:

That Council:

1. **ADOPT** the proposed redesignation of 0.08 hectares \pm (0.19 acres \pm) located at 1404 – 1 Street NW (Plan 4935O, Block 5, Lots 5 to 7) from Multi-Residential – Contextual Low Profile (M-C1) District **to** Multi-Residential – Contextual Medium Profile (M-C2d160) District, in accordance with the Corporate Planning Applications Group recommendation; and
2. Give three readings to the proposed Bylaw.

Moved by: M. Wade

Carried: 6 – 1

Opposed: M. Logan

Reasons for Opposition for Mr. Logan:

Applicant could amalgamate 2 units to create a larger family scaled unit with minimal building impacts yet be in compliance with zoning.

PLANNING COMMISSION DECISION: 2013 February 28

RECONSIDERATION: Motion to reconsider the vote on the Land Use Redesignation.

Moved by: R. Honsberger

Carried: 7 – 0

PROPOSAL:
To redesignate 0.08 ha ± (0.19 ac ±) located at 1404 – 1 Street NW (Plan 4935O, Block 5, Lots 5 to 7) from Multi-Residential – Contextual Low Profile (M-C1) District to Multi-Residential – Contextual Medium Profile (M-C2d160) District.
(Map 22C)

APPLICANT: Rick Balbi Architect	OWNER: Kaleidoscope Holdings Corporation
CURRENT DEVELOPMENT: Twelve unit multi-residential walk-up building	

ADJACENT DEVELOPMENT:
NORTH: Multi-residential Dwelling
SOUTH: 13 Avenue NW, Single Detached Dwelling Unit
EAST: Multi-residential Dwelling
WEST: 1 Street NW, Single Detached Dwelling Unit

SUMMARY OF CIRCULATION REFEREES	
ENVIRONMENTAL MANAGEMENT	Not Applicable
LAND USE PLANNING AND POLICY	No Objection
COMMUNITY ASSOCIATION Crescent Heights	Comments Received (See APPENDIX IV)

PLANNING EVALUATION

Introduction

The purpose of this land use application is to redesignate the subject site from Multi-Residential Contextual Low Profile (M-C1) District to Multi-Residential – Contextual Medium Profile (M-C2d160) District with a density modifier of 160 units per hectare to allow for the existing twelve unit development on the site.

Site Context

The site is located in the northeast community of Crescent Heights. The subject site lies within a low and medium density residential area. This corner block parcel is adjacent on two sides to two multi-residential buildings and adjacent to low density residential on the remaining two sides, although the parcel to the west is designated to allow for multi-residential development, is currently developed with low density residential.

In 2009, a development permit for this site was applied for to increase the units from ten units to twelve units. Upon review of the site, Administration had determined that given the current land use, the maximum allowable density was eleven units, and approval was given for eleven units. Upon completion of the development permit process, the inspector noted that two additional units had been constructed within the building bringing the total number of units to twelve and in excess of one unit from allowable density on the site given the current land use district.

Proposed Land Use District

The proposed land use district is Multi-Residential – Contextual Medium Profile (M-C2d160) District with a density modifier of 160 units per hectare which would allow for a maximum unit density of 12 units on this site, and a maximum height of 16.0 metres, which is 2 metres higher than the existing M-C1 District.

Legislation & Policy

The subject site is located within the Crescent Heights Area Redevelopment Plan (ARP). Within the ARP, the site is identified as medium density multi dwelling, which is designed to “provide for a variety of housing types up to 4 storey apartments.”

The site is currently identified as Developed Inner City by the Municipal Development Plan (MDP). The MDP includes the following relevant policies:

- 2.2 Shaping a more compact urban form directing growth to strategic areas that can support neighborhood and economic vitality reinforcing the character, quality and stability of neighborhoods.
- 2.2.5.c. Strong residential neighbourhoods encourage higher residential densities in areas of the community that are more extensively served by existing infrastructure, public facilities and transit, appropriate to the specific conditions and character of the neighbourhood.
- 3.5.1.a. Developed residential area policies recognize the predominantly low density, residential nature of developed residential areas and support retention of housing stock, or moderate intensification in a form and nature that respects the scale and character of the neighbourhood.

Although the M-C2 District allows for a maximum height of 16.0 metres, given that the approved ARP is a statutory document, the height of the building is effectively limited to “4 storeys”. Therefore, because the proposed land use district would not allow for additional dwelling units above what currently exists, and that the approved policy is in support of the current development, this proposed land use is considered appropriate.

Site Layout & Building Design

This application is not tied to plans. There currently exists a three storey multi-residential building on the site.

Site Access & Traffic

A Traffic Impact Assessment was not required.

Parking

A Parking Study was not required. The development currently provides nine off-street parking spaces for the existing units.

Site Servicing for Utilities

All required services are available for the proposed land use.

Environmental Site Assessment

An Environmental Site Assessment was not required.

Community Association Comments

The Crescent Heights Community Association submitted a letter in response to the file circulation, indicating the following: (Please refer to APPENDIX IV)

- The Community Association believes the existing building is compatible with the other buildings in the immediate area.

Administration has identified that the designation being applied for will not increase the amount of dwelling units from what currently exists. The density modifier of 160 units per hectare limits the amount of units on this parcel to twelve units, although the M-C2 District does allow for a maximum building height greater than that existing on the site, the ARP limits the height of the building on the site to four storey, thereby mitigating the potential impact on the community.

Adjacent Neighbour Comments

Six letters of objection from nearby residents were received indicating the following concerns:

- Lack of parking
- Perceived setting of a precedence for future parking relaxations
- Perceived setting of a precedence for future unapproved development

CONCLUSION:

The proposal is supported for the following reasons:

1. It is in conformance with and implements policies outlined in the Municipal Development Plan.
2. It is in conformance with the Crescent Heights Area Redevelopment Plan.
3. It is compatible with adjacent land uses and adjacent development.

CORPORATE PLANNING APPLICATIONS GROUP RECOMMENDATION: APPROVAL

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.08 hectares ± (0.19 acres ±) located at 1404 – 1 Street NW (Plan 4935O, Block 5, Lots 5 to 7) from Multi-Residential – Contextual Low Profile (M-C1) District **to** Multi-Residential – Contextual Medium Profile (M-C2d160) District.

Brad Bevill
2013 February

APPLICANT'S SUBMISSION

This application is for a proposed Land Use Redesignation in the Crescent Heights Community, from M-C1 (Multi-Residential – Contextual Low Profile) to M-C2 (Multi-Residential – Contextual Medium Profile) with a proposed maximum density of 160 units per hectare (d160).

The site is located in northwest Calgary, located at the northeast corner of 13 Avenue NW and 1 Street NW, and has a total site area of approximately 0.19 acres. This site is occupied by an existing two story apartment building that was built in approximately 1964. The site is bounded by a mix of low density and medium density residential to the immediate North, West and South, transitioning to high intensity commercial approaching Centre Street North to the East and 16 Avenue NW to the North. There is an existing church located kitty-corner to the subject building. The land use designations in the area encompass a wide variety, with a significant mix of multi-residential designations. Many of these sites are occupied by single family homes, older in nature. It should be noted that vehicle access to and from Centre Street North is restricted in the area in an effort to reduce the impact of traffic 'shortcutting' through the residential areas.

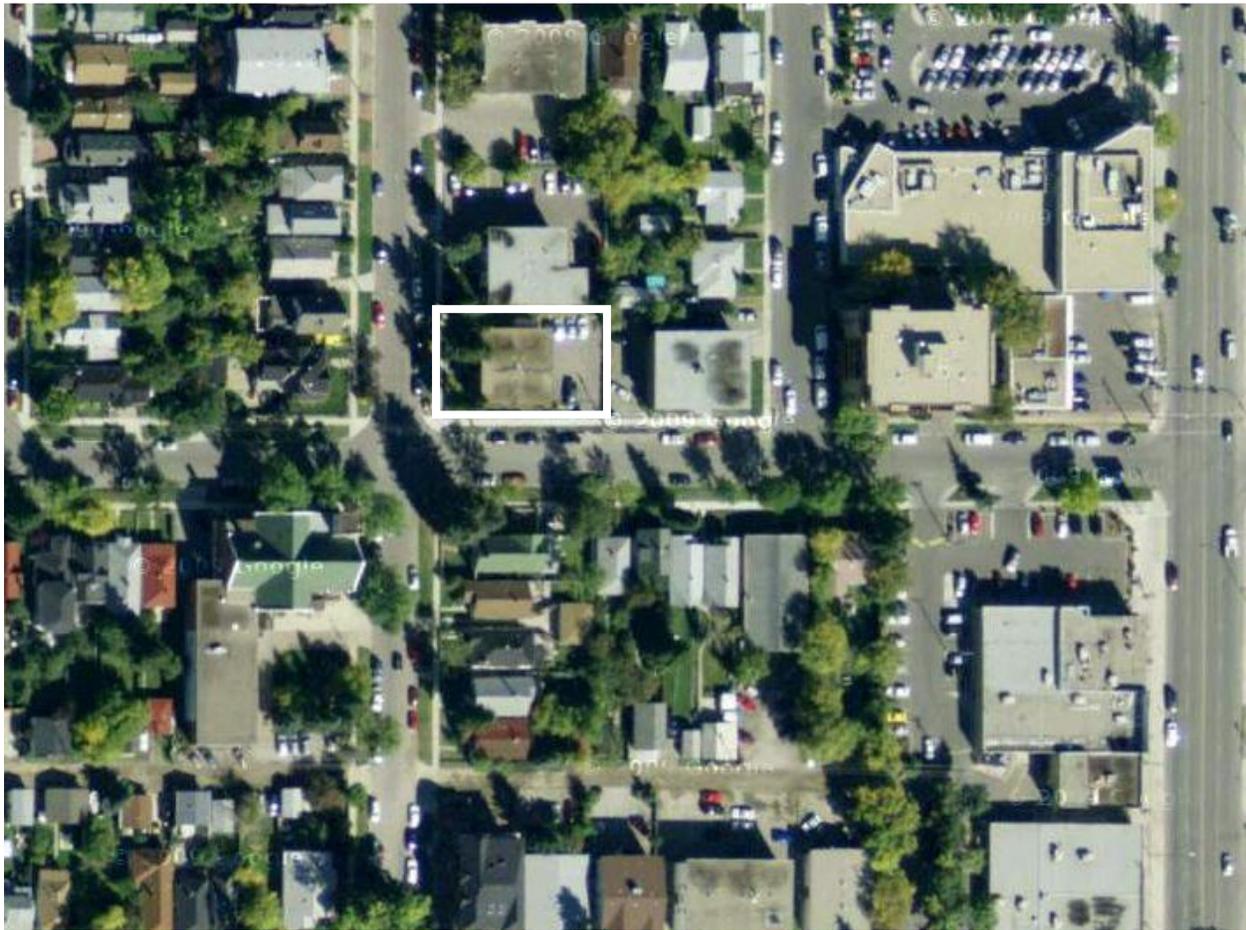
The site is currently identified within the Crescent Heights Area Redevelopment Plan as medium density residential, intended to provide a range of housing types up to four-storey apartments. It is located in close proximity to the Primary Transit Networks of 16 Avenue North and Centre Street North, both heavily served by local transit facilities.

The building currently existing on the site is comprised of twelve units, which have been in continual existence since approximately 1965, ten of which were approved with the original building, and two that can be considered non-conforming. Under the current land use designation, the maximum units the site can sustain based on its area is eleven units. The intent of this application is to redesignate the site in order to sustain the existing units. While the proposed M-C2 designation supports a higher density development and building form than what currently exists, the density modifier of 160 is intended to restrict the number of units to twelve dictated by the site dimensions.

It is further recognized that the parking existing on the site is slightly deficient for this number of units, but this is mitigated and supported by the proximity to transit and its inner city location, and is additionally supported by the inner City policies supporting alternative modes of transportation. There is currently street parking available along both 1 Street NW and 13 Avenue NW, and on a regular basis this does not seem to be used to capacity, with the possible exception of the nearby church's assembly hours.

Given that the twelve units have been in existence for an extended period of time, that the intent of the application is to accommodate an existing situation in its existing form, and the insignificant impact to the adjacent residents and the community as a whole, we would request your support of this application.

Aerial Overview



Community Association Response

Brad,

Our Planning Committee met tonight but didn't feel we could support this application.

We feel the change will open the door for larger buildings to be built on the site. The group felt the current building is compatible to the other buildings on the street and the current zoning provides a better transition to the single family homes.

Thanks again for the extension.

Darlene Jones
Crescent Heights Community Association