



# Public Hearing of Council

## Agenda Item: 7.2.37



# LOC2022-0227 / CPC2023-1268

## Policy and Land Use Amendment

February 6, 2024

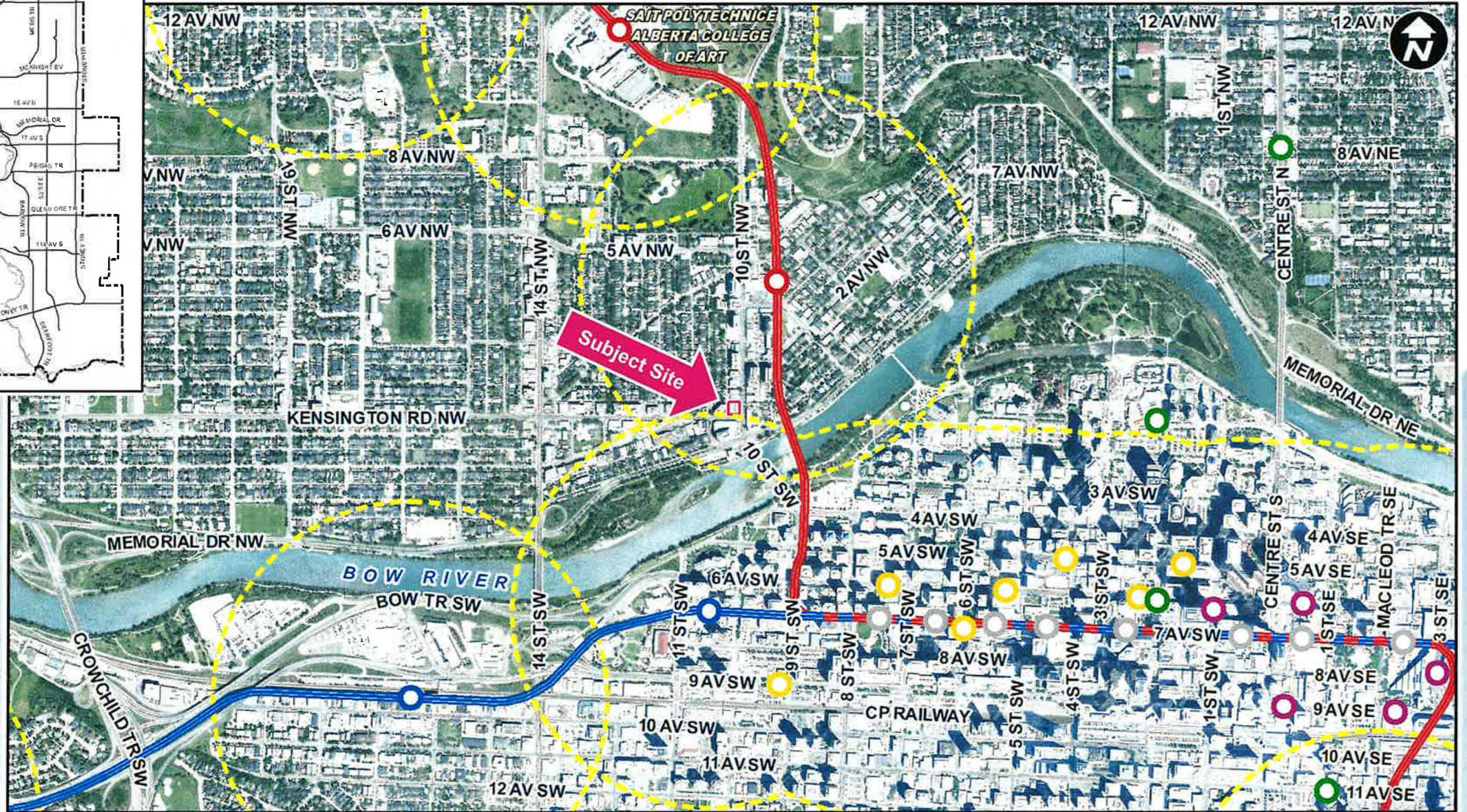
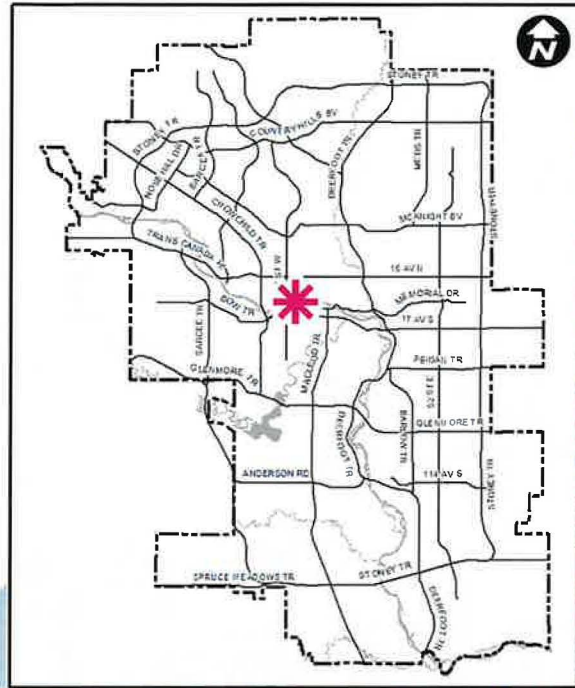
CITY OF CALGARY  
**RECEIVED**  
IN COUNCIL CHAMBER  
FEB 06 2024  
ITEM: 7.2.37-CPC2023-1268  
Distrib-Presentation 1  
CITY CLERK'S DEPARTMENT

## Calgary Planning Commission's Recommendation:

That Council:

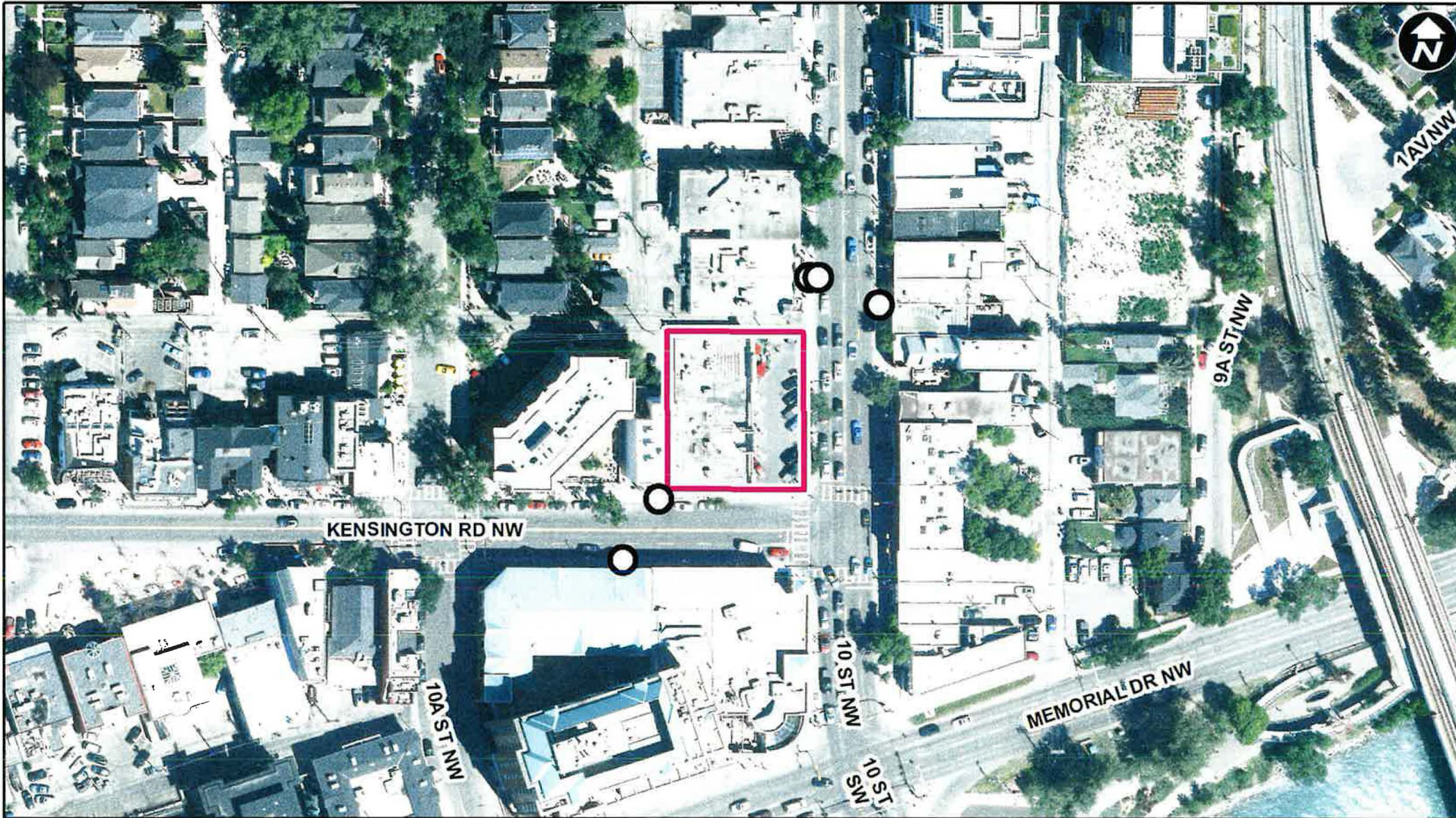
1. Give three readings to **Proposed Bylaw 6P2024** for the amendments to the Hillhurst/Sunnyside Area Redevelopment Plan (Attachment 2); and
2. Give three readings to **Proposed Bylaw 39D2024** for the redesignation of 0.12 hectares  $\pm$  (0.31 acres  $\pm$ ) located at 201 – 10 Street NW (Plan 5609J, 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



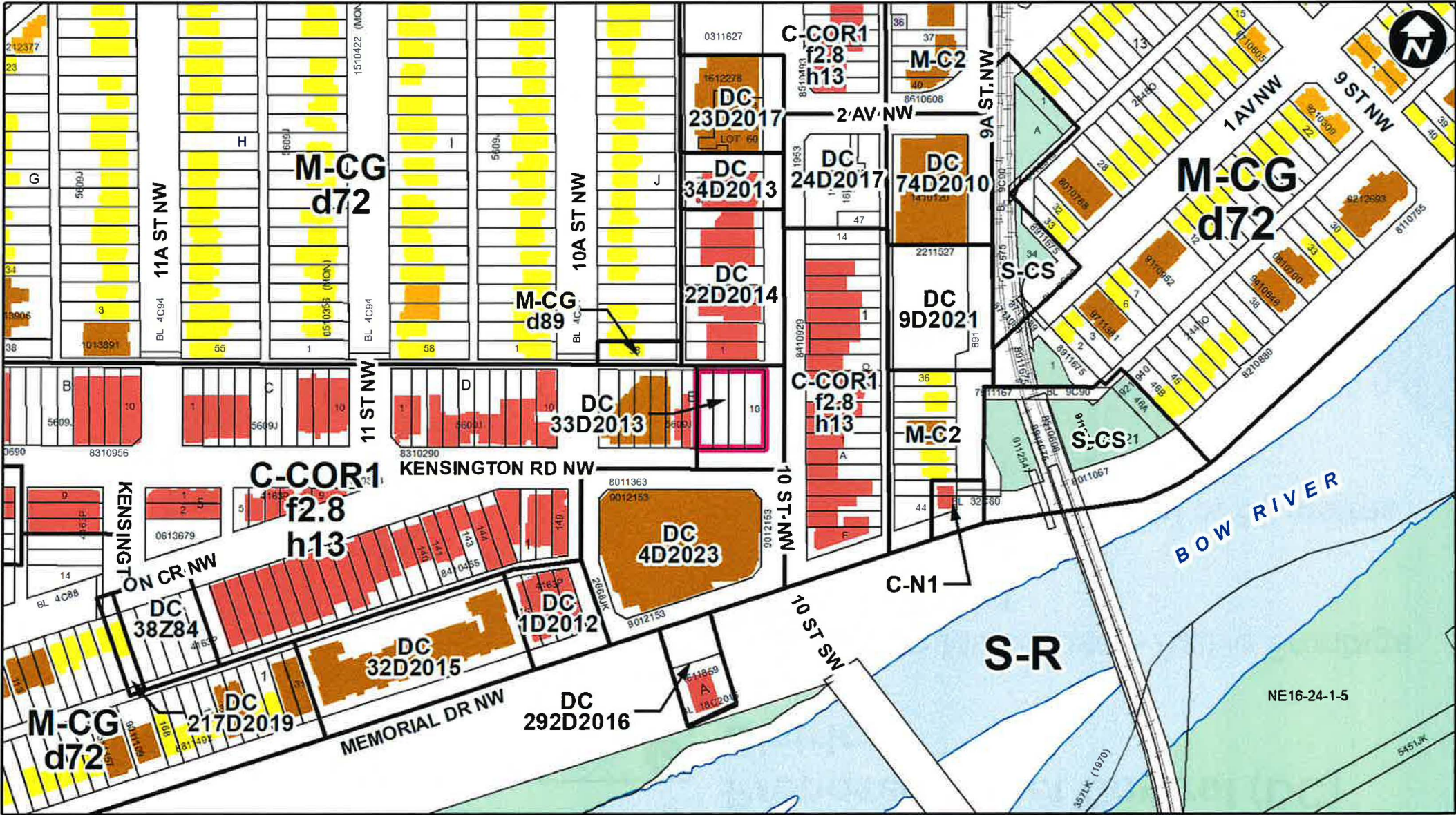
### LEGEND

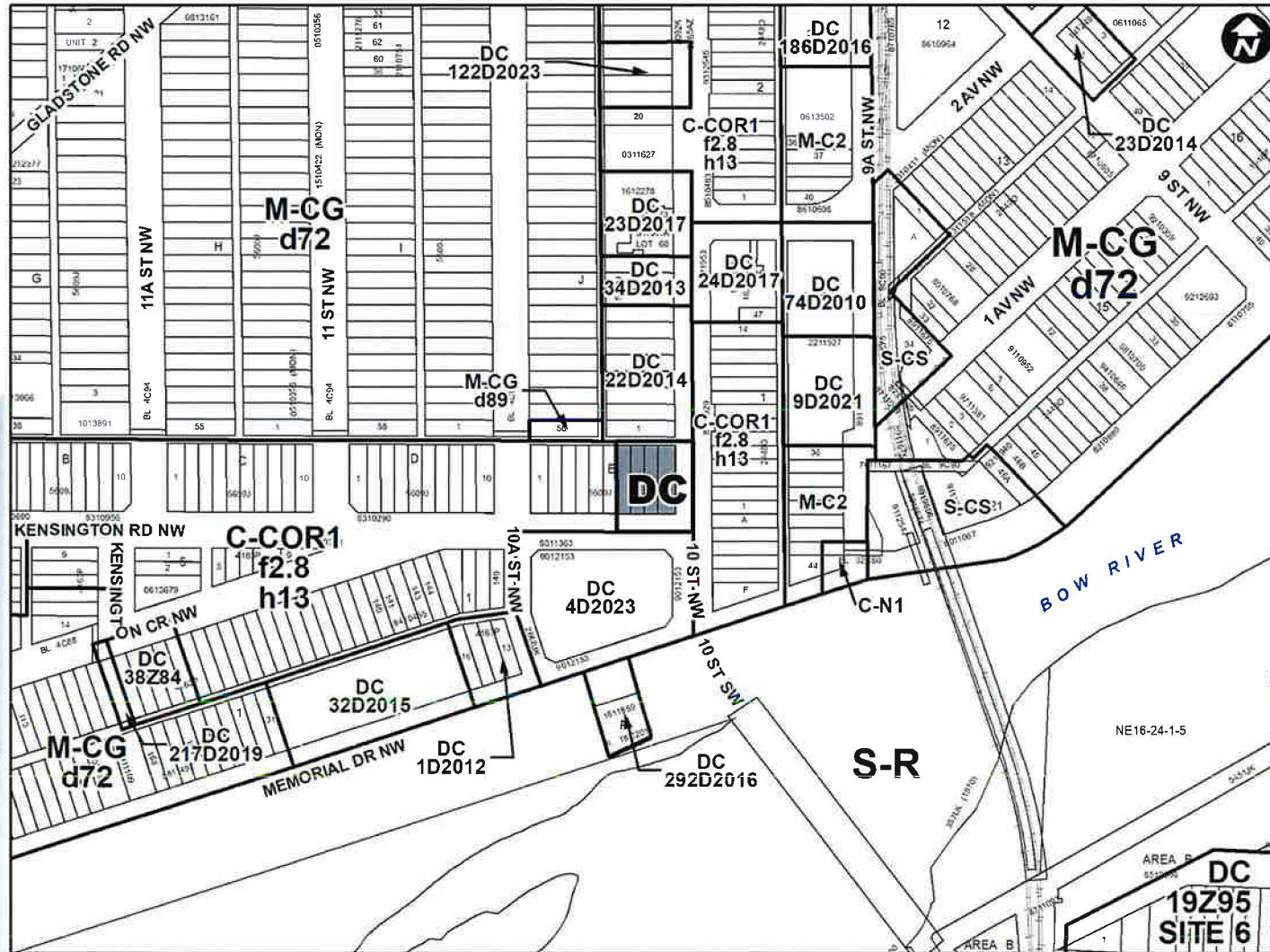
○ Bus Stop

**Parcel Size:**

0.12 ha  
38m x 33m

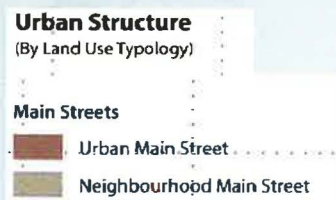
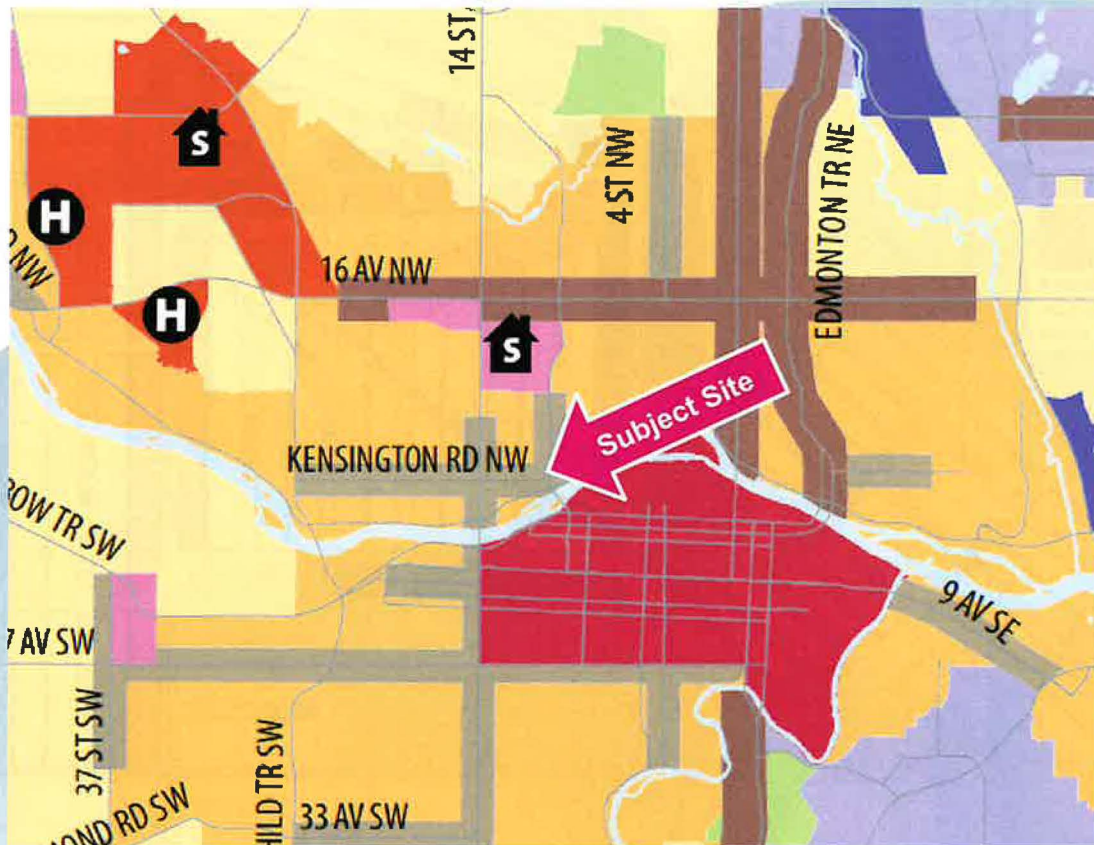
- LEGEND**
- Single detached dwelling
  - Semi-detached / duplex detached dwelling
  - Rowhouse / multi-residential
  - Commercial
  - Heavy Industrial
  - Light Industrial
  - Parks and Openspace
  - Public Service
  - Service Station
  - Vacant
  - Transportation, Communication, and Utility
  - Rivers,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





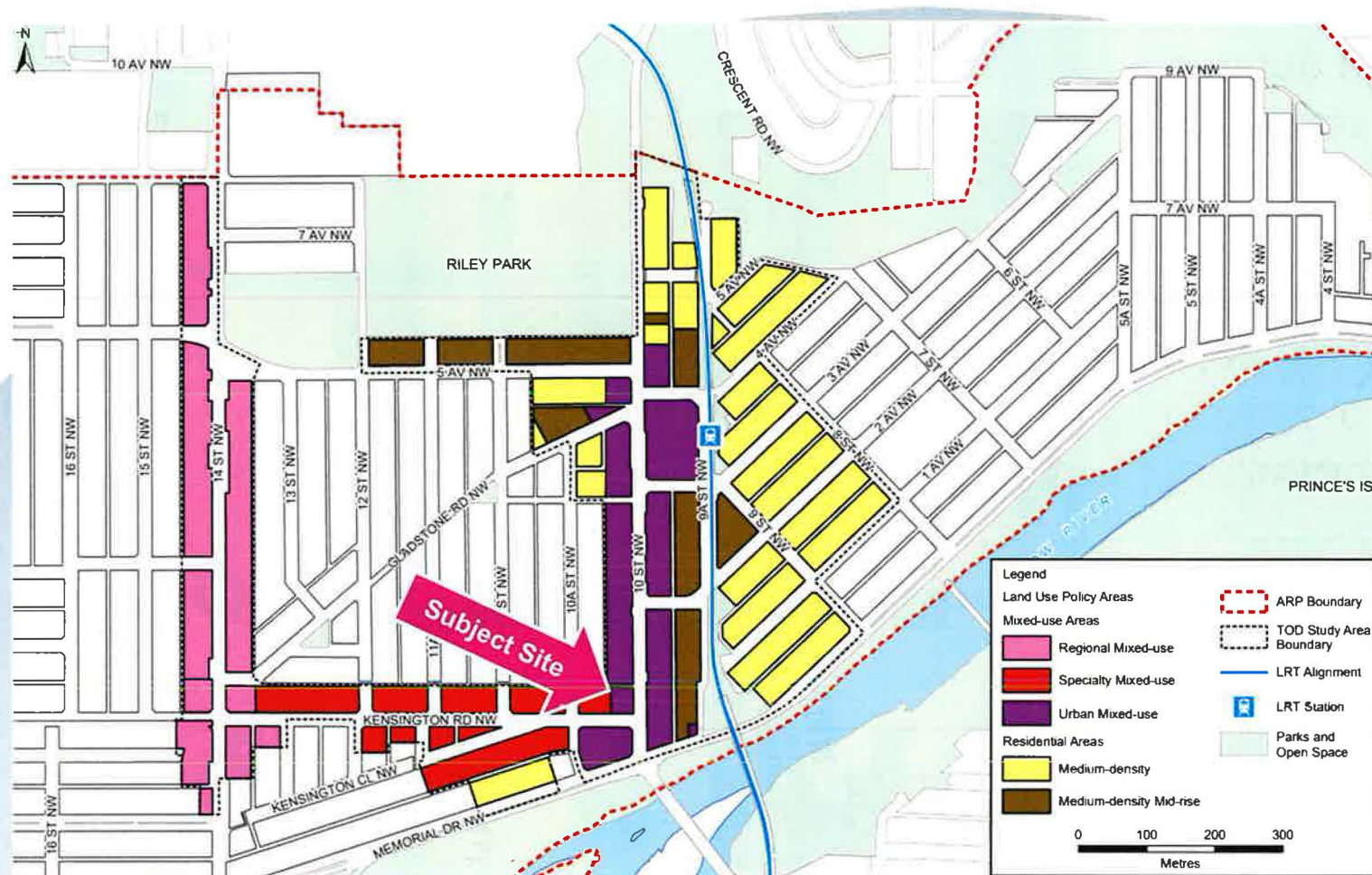
## Proposed Direct Control (DC) District:

- Based on Mixed Use – Active Frontage (MU-2) District
- Maximum building height of 50 metres (approximately 16 storeys)
- Maximum floor area ratio (FAR) of 9.0 (with bonusing)
- DC includes building setbacks
- Implements density bonusing:
  - Contribution to amenity fund
  - Provision of urban design initiative



## 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.

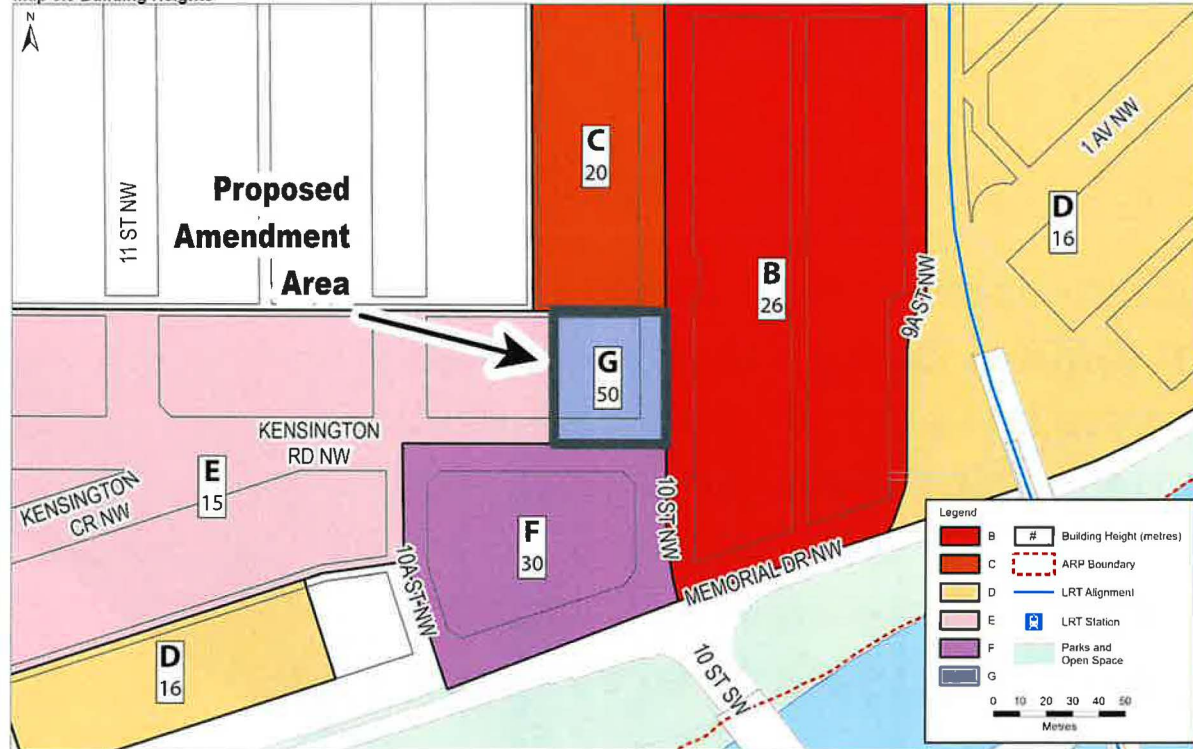


## Urban Mixed-use Area

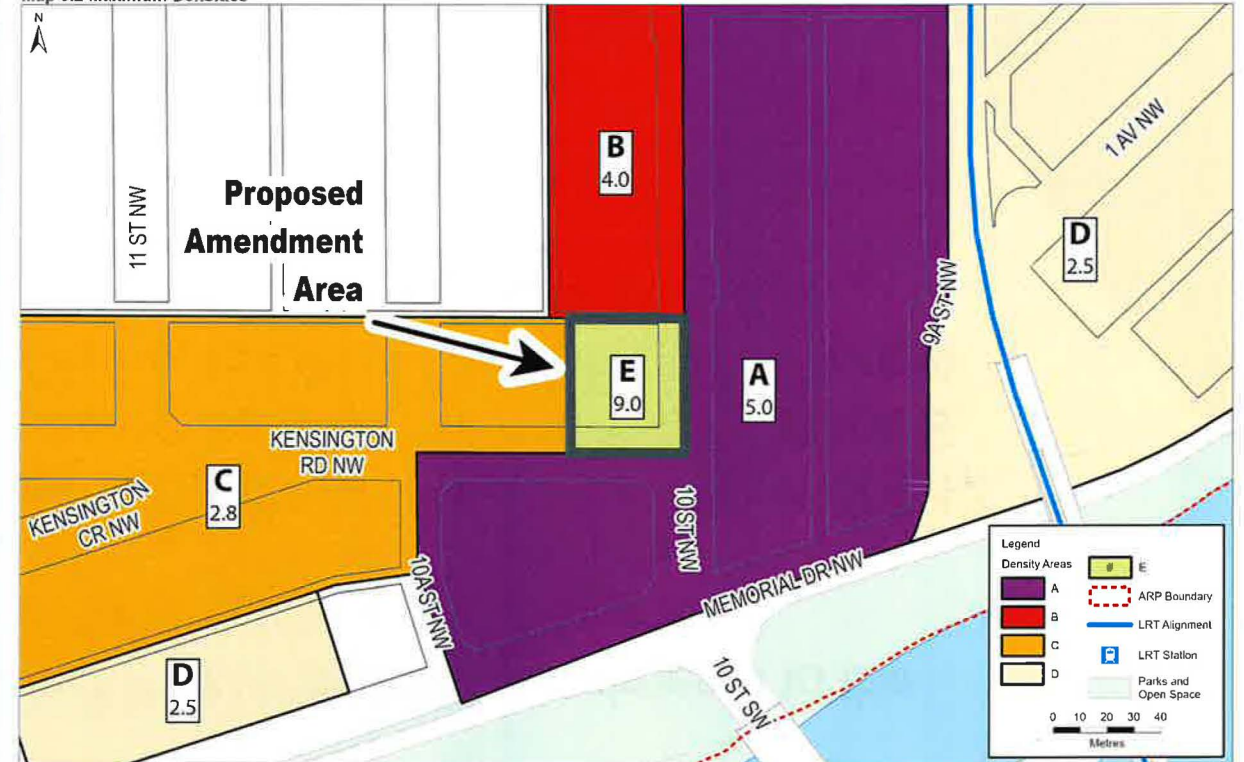
- Mixed use in a multi-storey format with residential uses above street level
- Urban Mixed-use Area recognizes the potential of 10 Street NW corridor to accommodate the highest densities and building heights in the area
- Opportunities to locate taller buildings are limited to locations that will have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



Map 3.3 Building Heights



Map 3.2 Maximum Densities



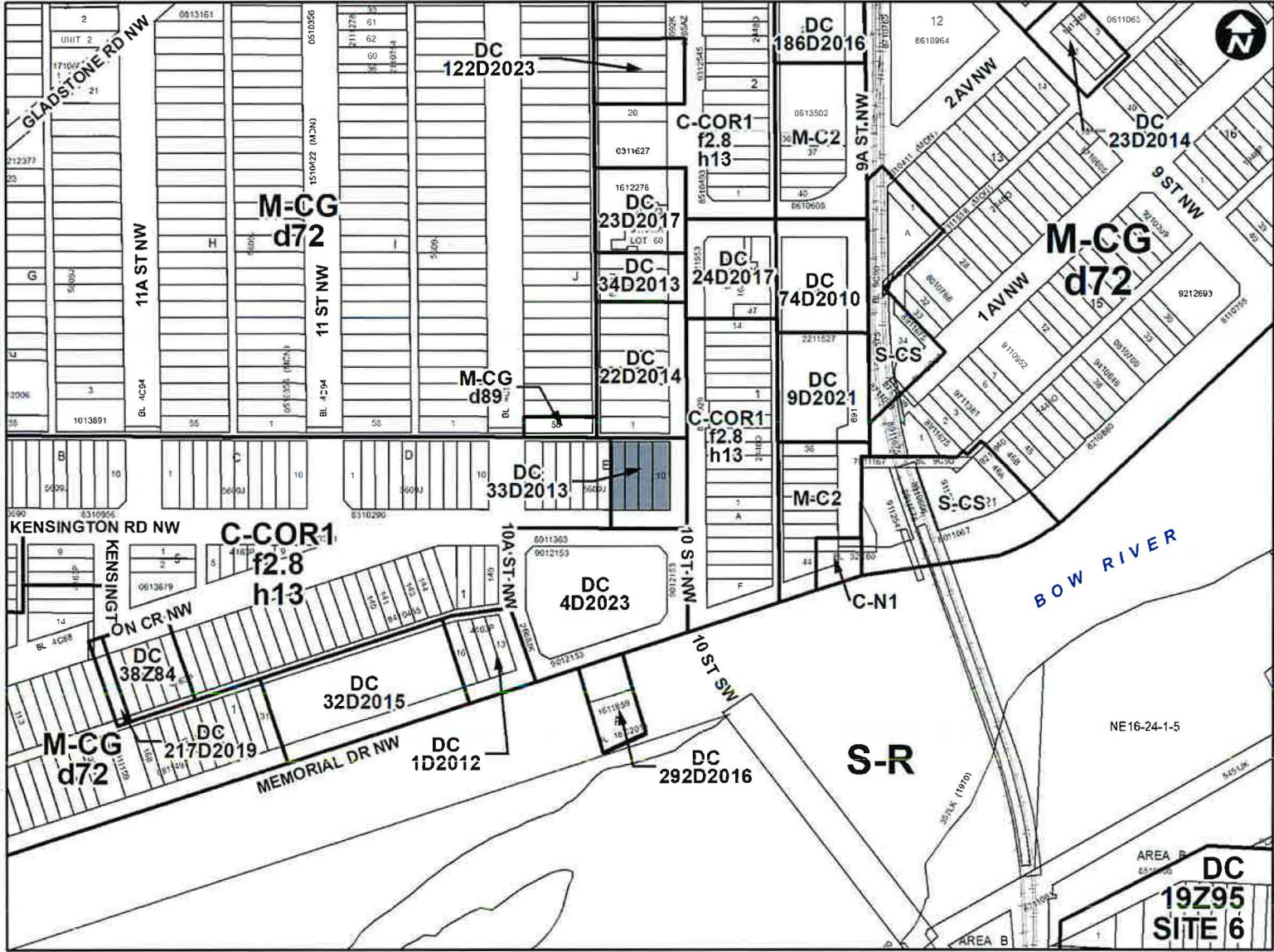
## Calgary Planning Commission's Recommendation:

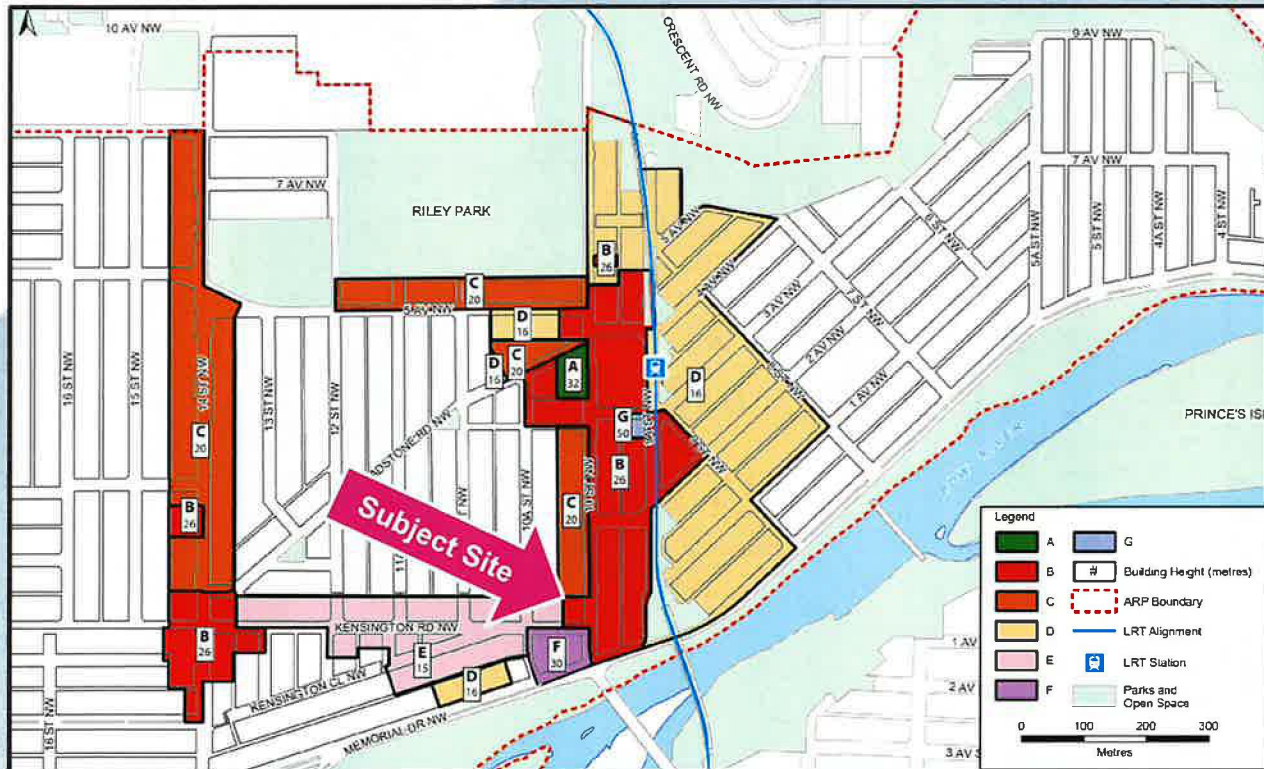
That Council:

1. Give three readings to **Proposed Bylaw 6P2024** for the amendments to the Hillhurst/Sunnyside Area Redevelopment Plan (Attachment 2); and
2. Give three readings to **Proposed Bylaw 39D2024** 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).

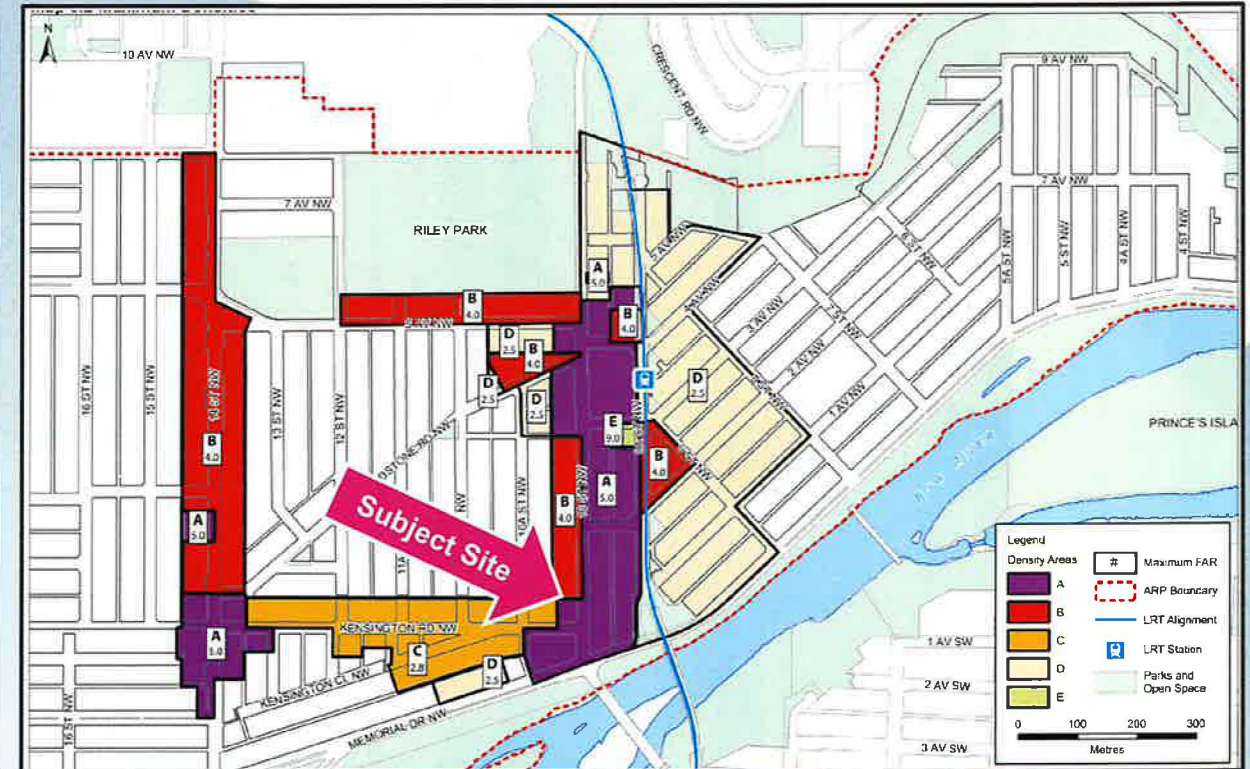


## Supplementary Slides





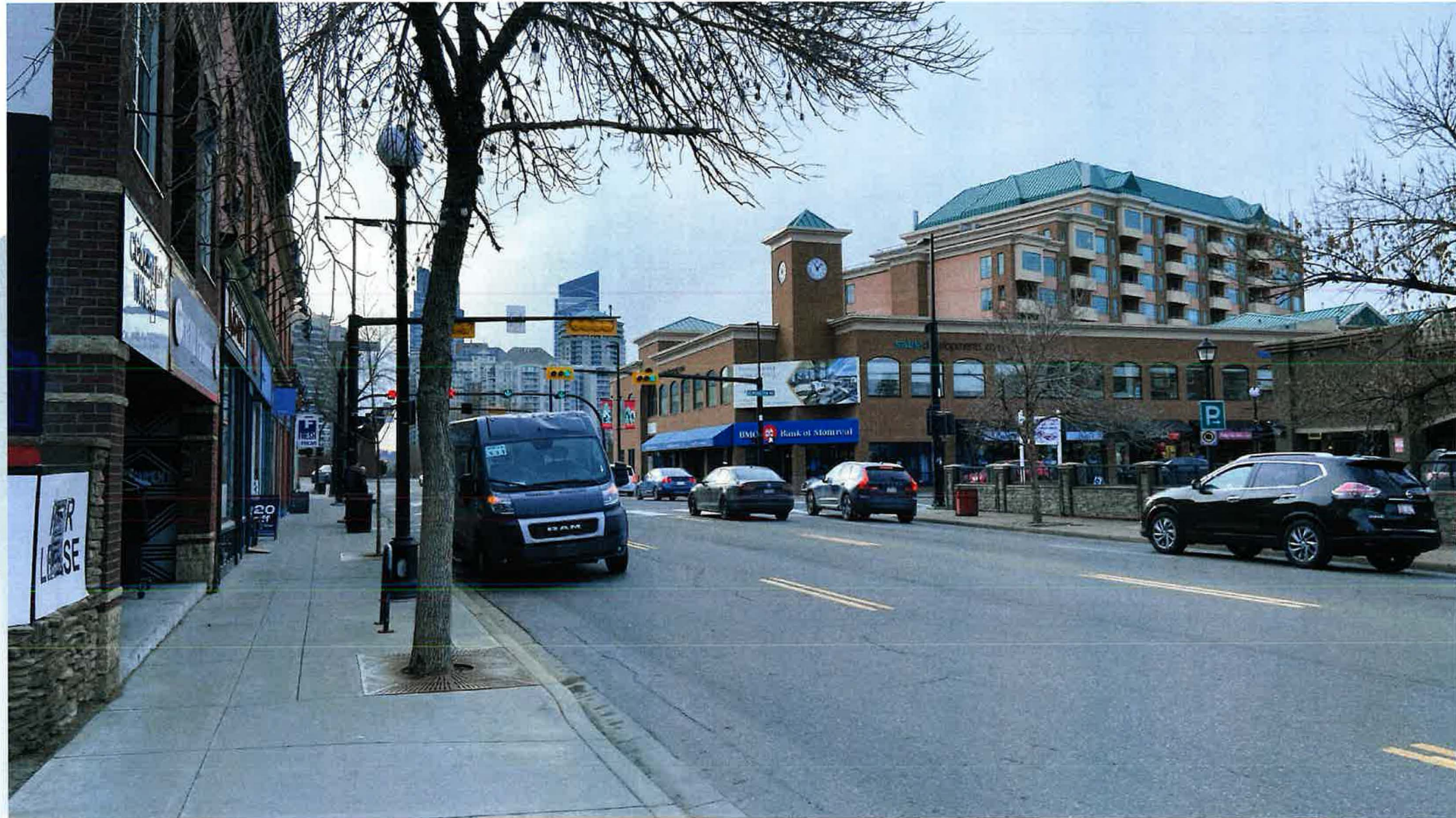
Map 3.3 Building Heights



Map 3.2 Max. Densities





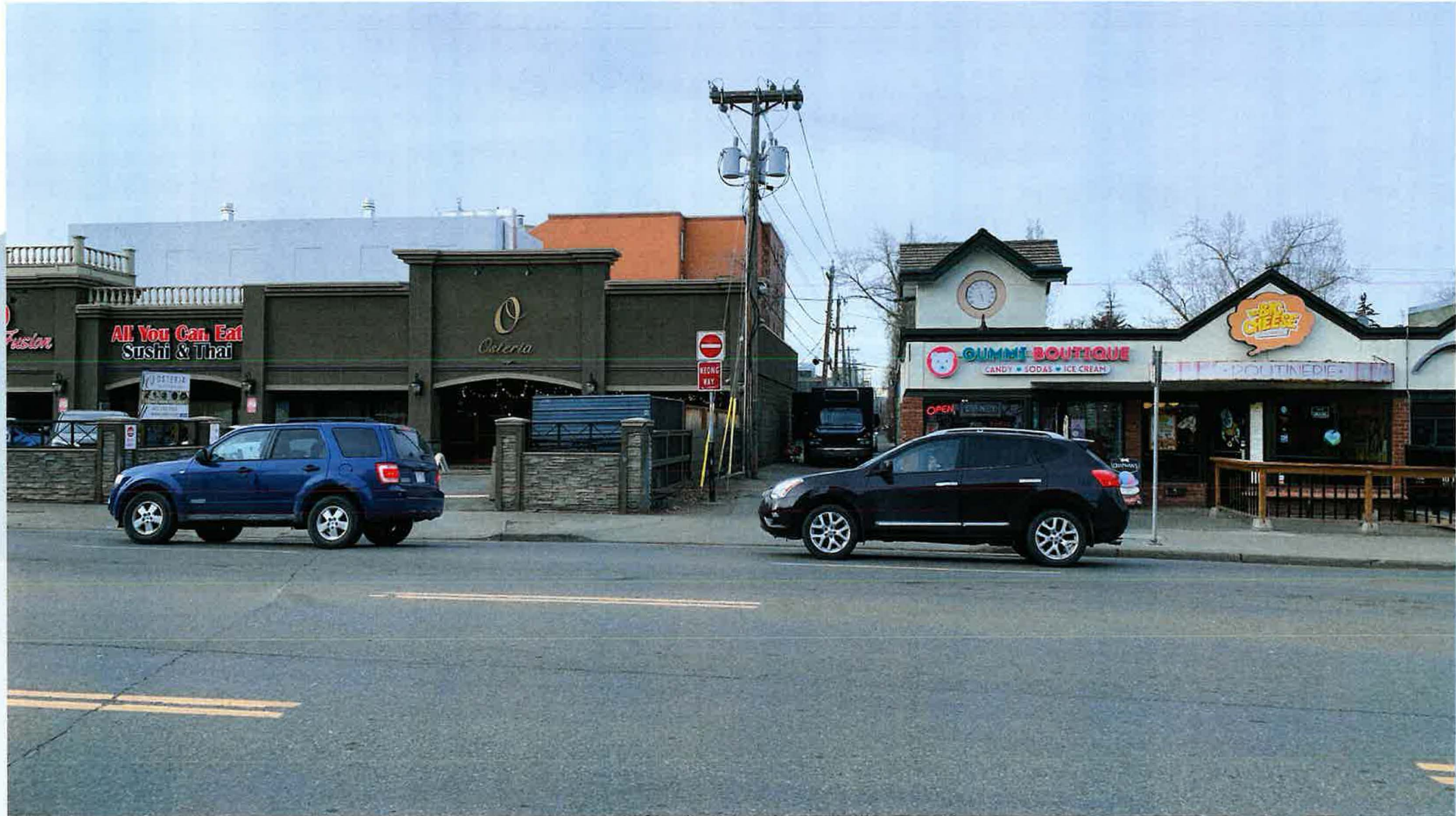








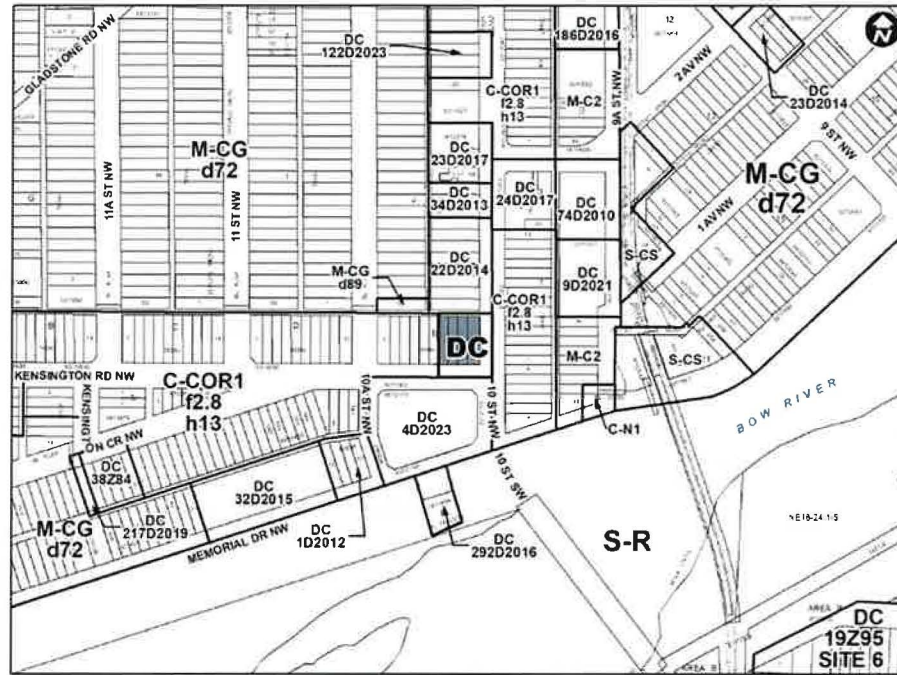








## SCHEDULE B



### DIRECT CONTROL DISTRICT

#### Purpose

- 1 This Direct Control District Bylaw is intended to:
- provide for pedestrian-oriented and transit supportive mixed-use development;
  - allow for additional building height and floor area; and
  - 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:
- "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.
  - "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 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.
  - 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.

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

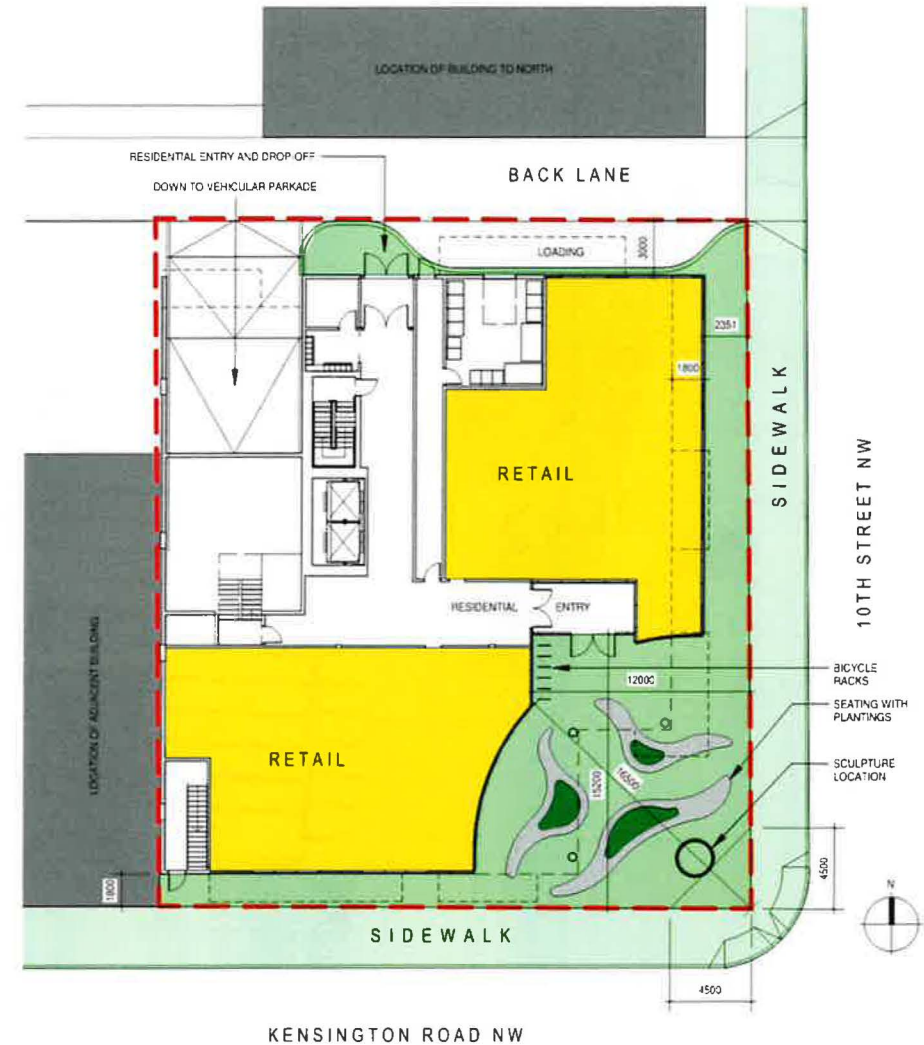
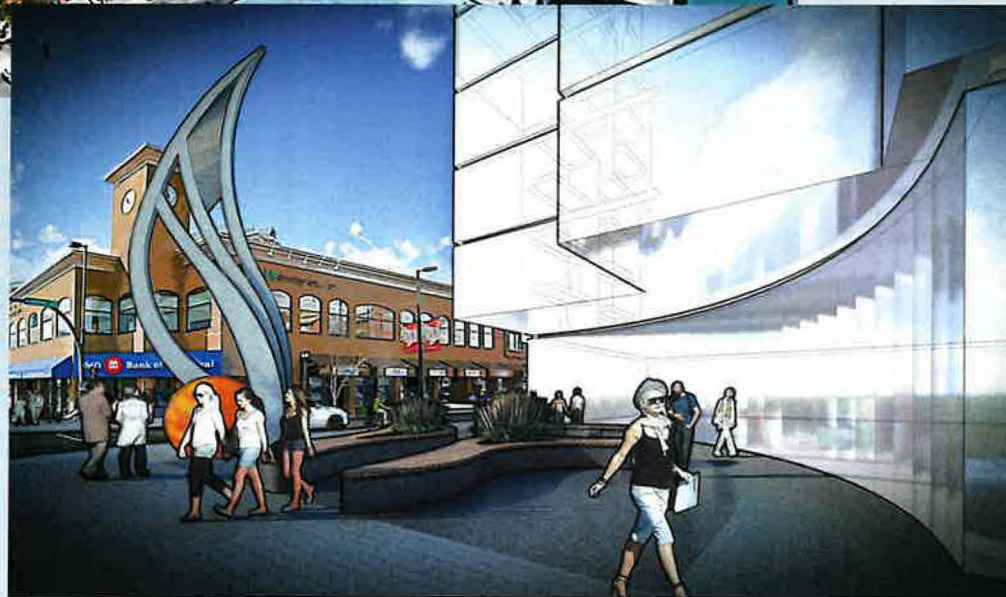
- 10 (1) The minimum **building setback** from a **property line** shared with Kensington Road NW is:
- (a) 1.5 metres between **grade** and less than 12.0 metres above **grade**; and
- (b) 2.5 metres between 12.0 metres above **grade** and 50.0 metres.
- (2) The minimum **building setback** from a **property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

- (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.

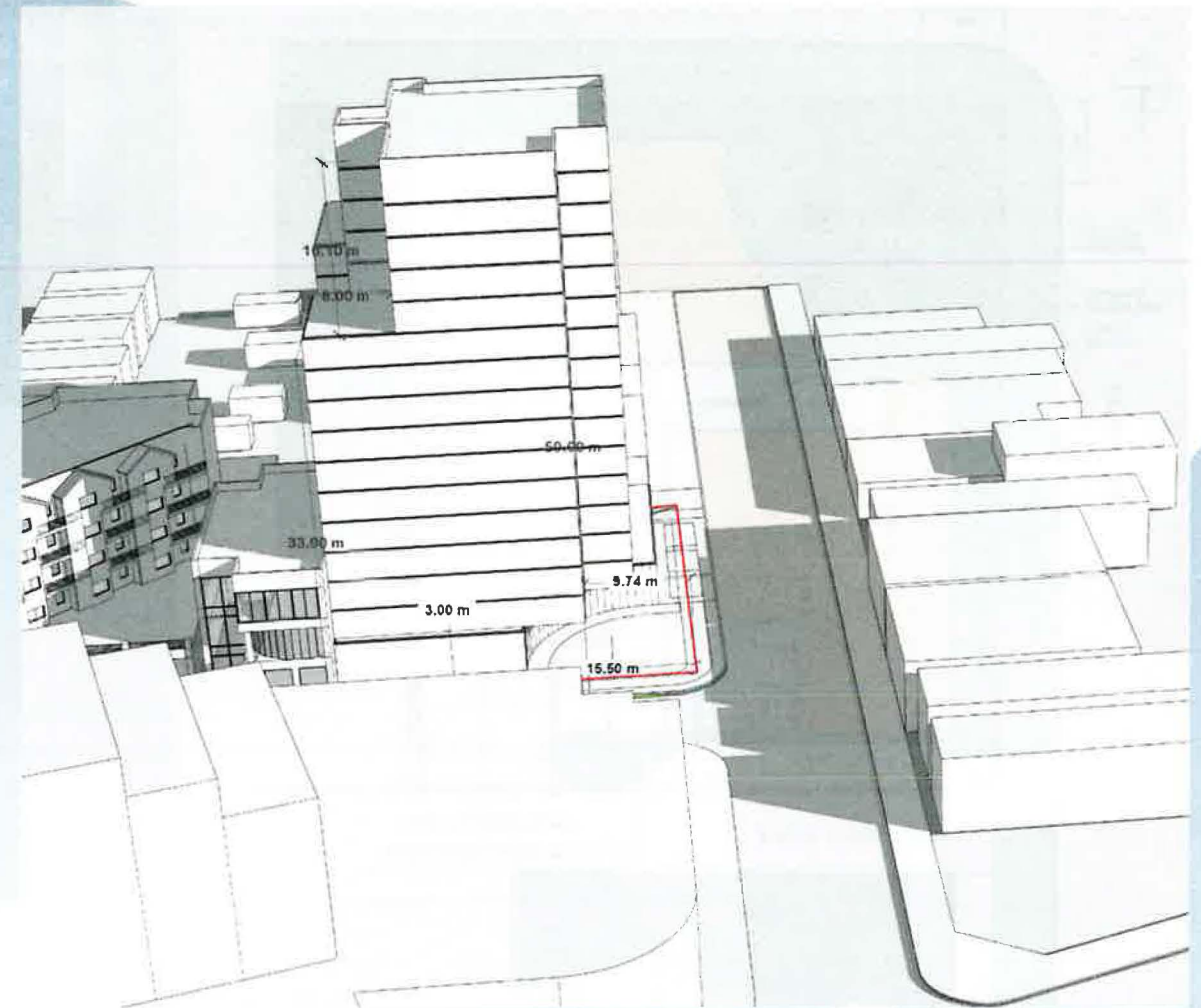




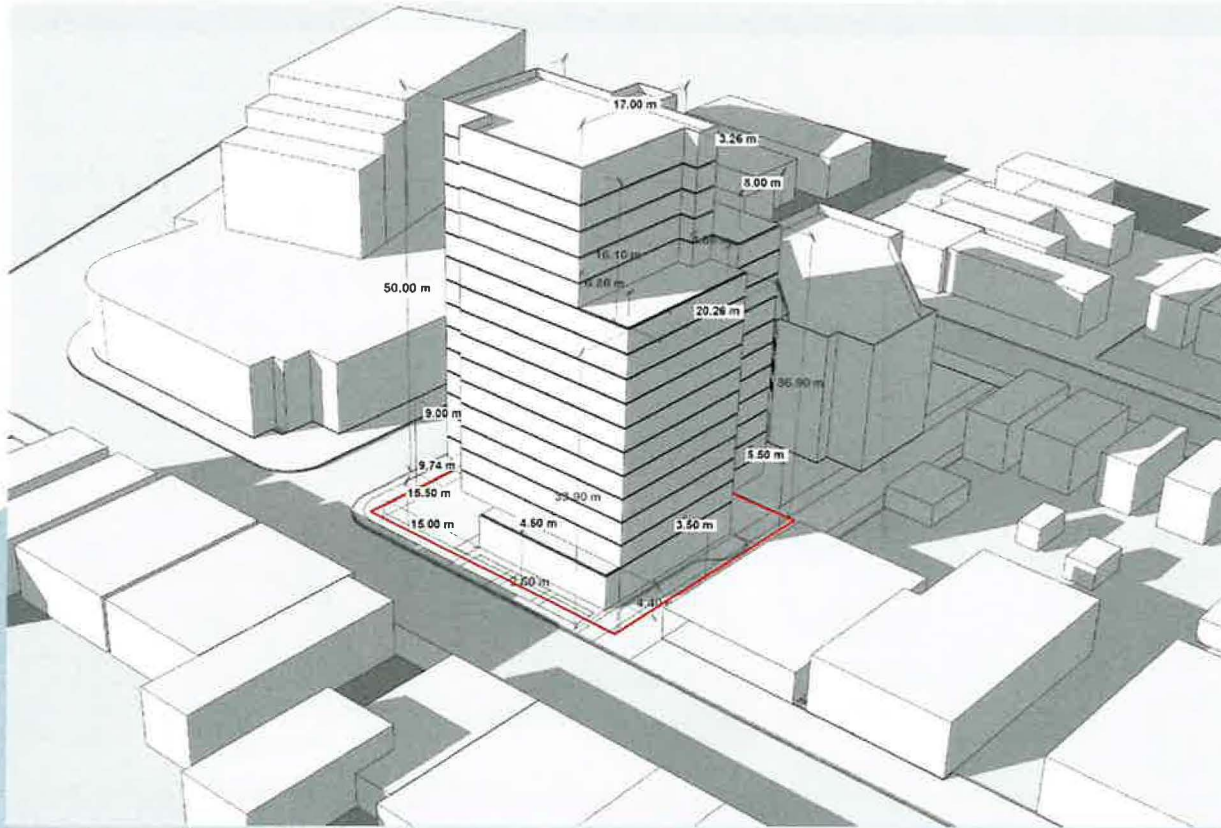
OVERALL SITE AREA: 1,249 SQ.M.  
 PUBLICLY ACCESSIBLE PRIVATE SPACE PROVIDED:  
 PLAZA AREA = 209 SQ.M.  
 ALL SPACE INCLUDING PLAZA = 321 SQ.M.



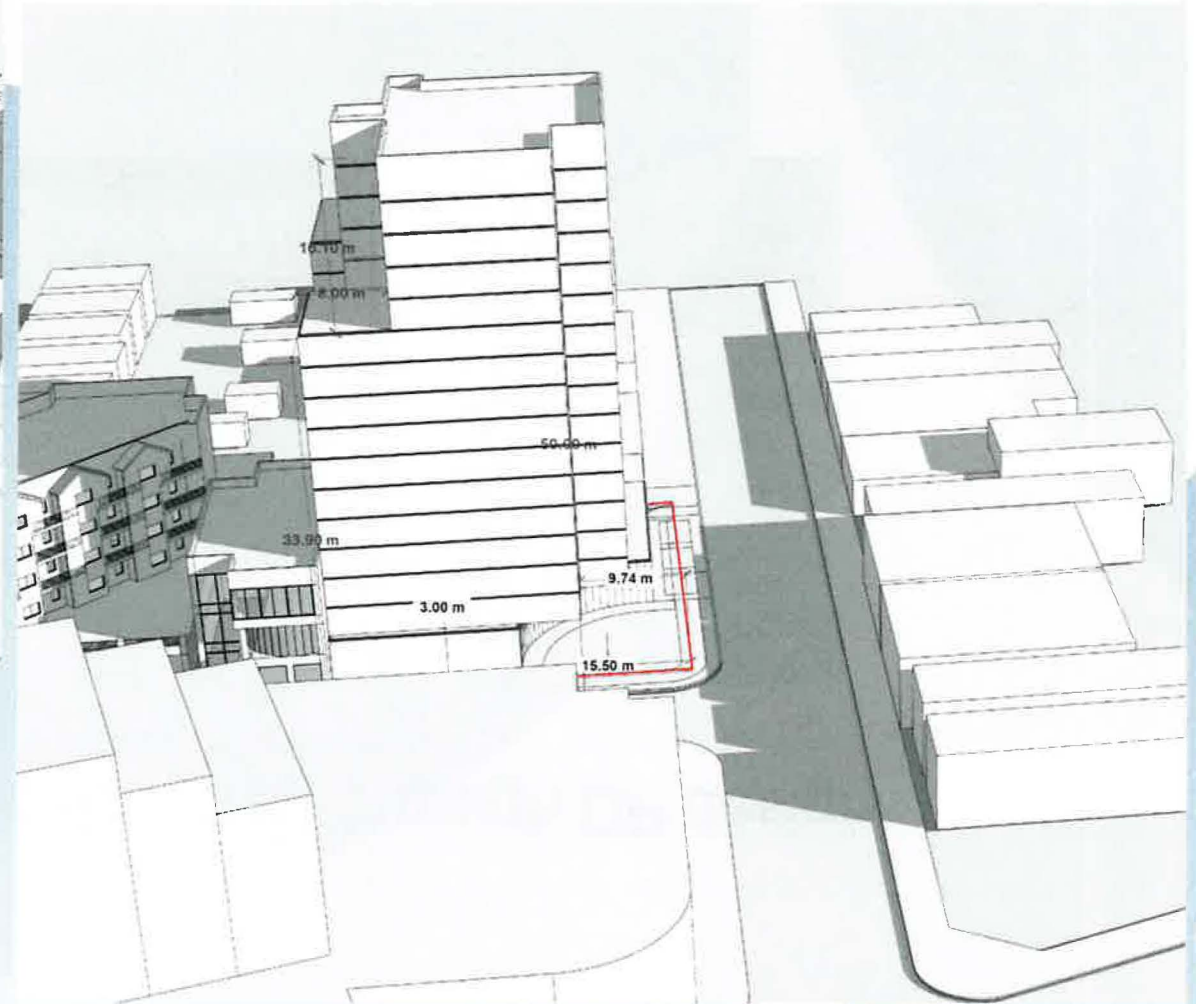
Initial submission



Massing used to inform DC District setback rules



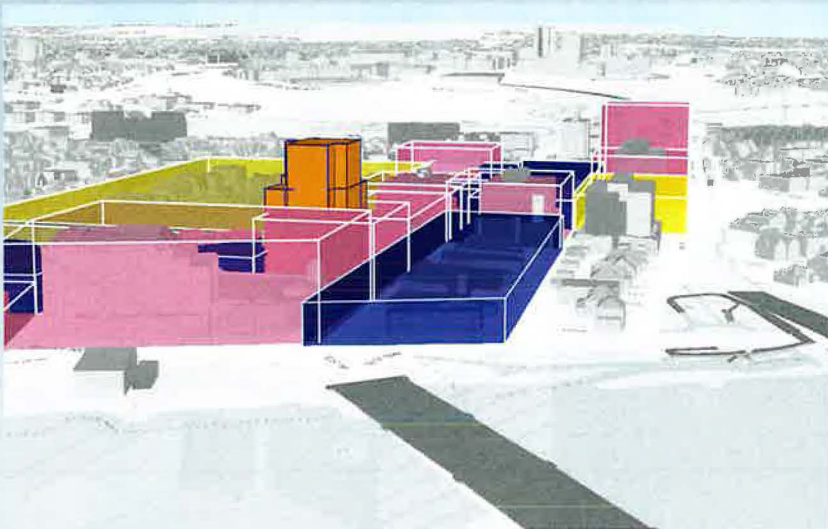
10 Street NW and Lane interface



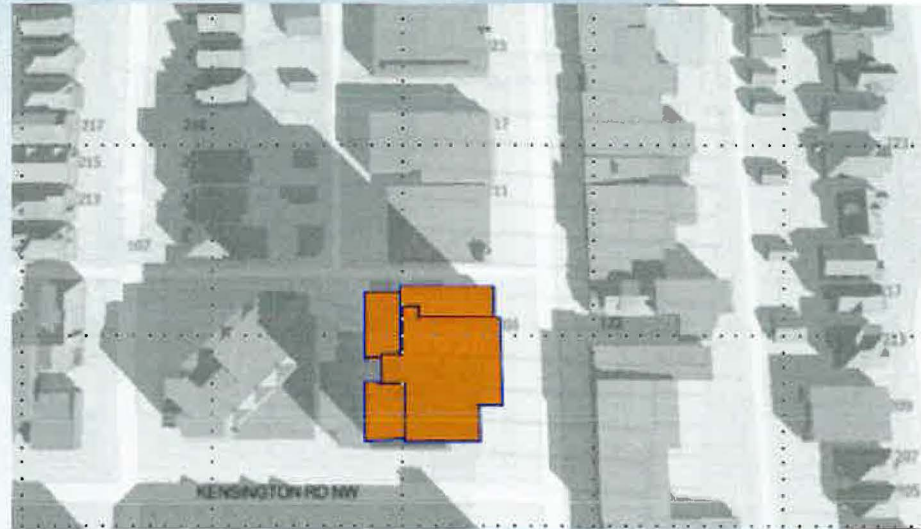
Interface with 10 Street NW and Kensington Road NW

## Considerations for support:

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

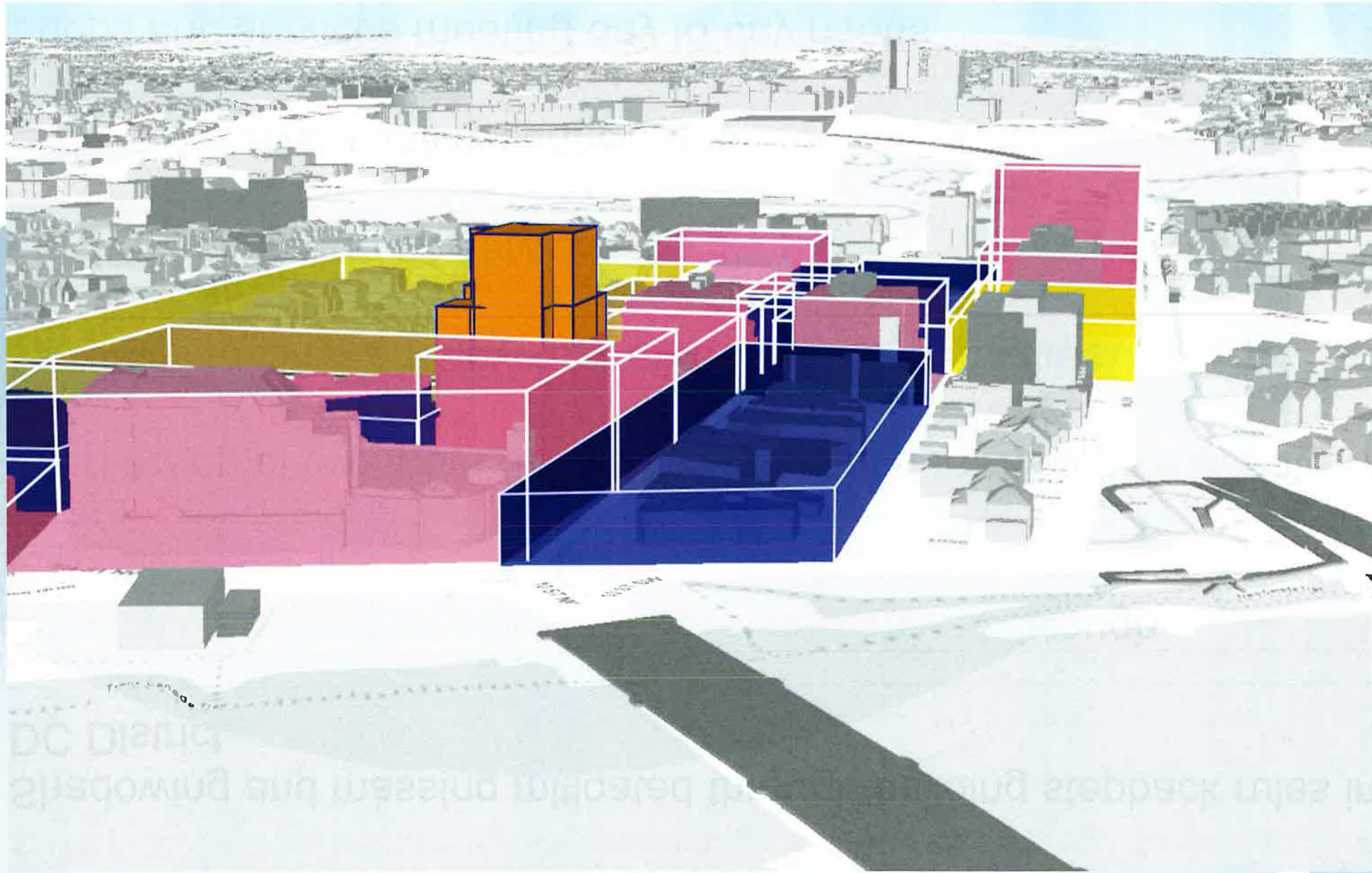


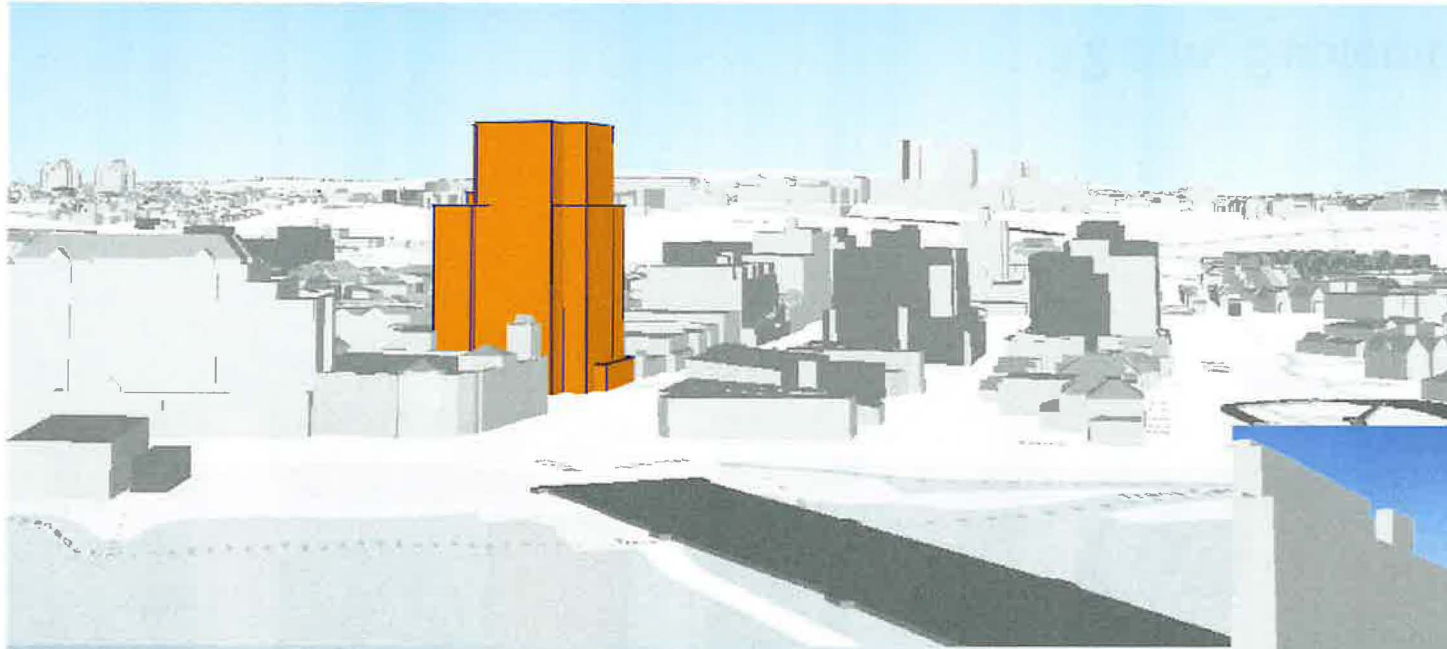
Existing maximum land use heights context (approximate)



## Considerations for support:

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





Looking north up 10 Street NW from downtown



Looking south on 10 Street NW towards downtown



26 metre current maximum



50 metre with proposed built form

12 p.m. September 21





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



50m with proposed built form



40m approx. 12 stories

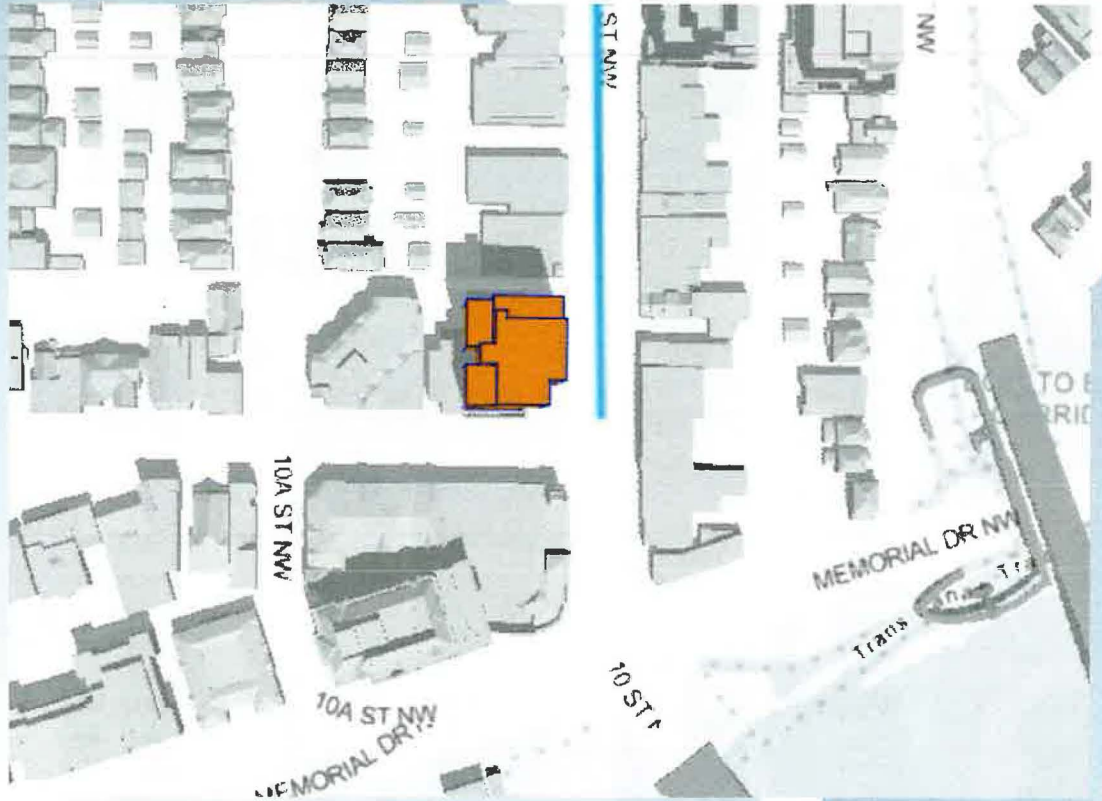


26m current max

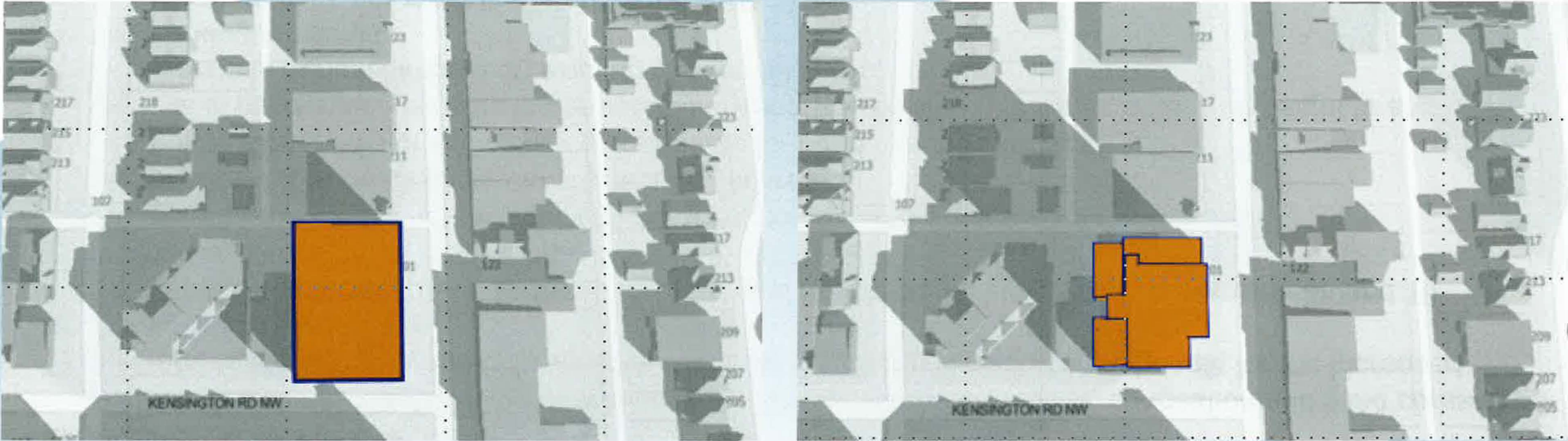
12 pm Sept 21



June 20 (solstice) 10am



June 20 12pm



26m current maximum

50m with proposed built form

10 am September 21 (equinox)

- **47** Letters of opposition
- Petition with **275** signatures
- Community Association provided comments expressing the strengths and challenges of the application

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.