

**Planning & Development Report to  
Calgary Planning Commission  
2018 July 26**

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CPC2018-0841  
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**Policy Amendment and Land Use Amendment in Bridgeland-Riverside (Ward 9) at  
438 - 8 Street NE, LOC2017-0127**

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**EXECUTIVE SUMMARY**

This land use redesignation application was submitted by O2 Planning and Design on 2017 April 27 on behalf of the landowners Yasmin Kanji and Shafik Kanji. This application proposes to change the designation of this property from Residential – Contextual One / Two Dwelling (R-C2) District to a ‘tied to plans’ DC Direct Control District to allow for a specific multi-residential development on this property. The intent of the land use approach is twofold, one of which is to enable moderate intensification of two additional units, as well as enable redevelopment of this site without presupposing the planning outcomes or Council decision on the new policy planning work Bridgeland-Riverside community is currently undergoing.

To evaluate the feasibility of a ‘tied to plans’ land use approach, a development permit level of analysis is required. As such, this redesignation application is accompanied by a development permit application (DP2017-1699) submitted on 2017 April 27. The development permit proposes a three-storey multi-residential building with four residential units. A simplified version of the development permit drawings are ‘tied’ to the proposed DC Direct Control District as Schedule C. The Development Authority is prepared to approve the development permit application, subject to Council’s decision on this land use and policy amendment application.

An amendment to the *Bridgeland-Riverside Area Redevelopment Plan* (ARP) is required to accommodate the proposed land use redesignation discussed further. The proposal conforms to the ARP as amended, and is in keeping with applicable policies of the *Municipal Development Plan*.

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**ADMINISTRATION RECOMMENDATION:**

That Calgary Planning Commission recommend that Council hold a Public Hearing; and

1. ADOPT, by bylaw, the proposed amendments to the Bridgeland-Riverside Area Redevelopment Plan (Attachment 2); and
2. Give three readings to the proposed bylaw.
3. ADOPT, by bylaw, the proposed redesignation of 0.05 hectares  $\pm$  (0.11 acres  $\pm$ ) located at 438 – 8 Street NE (Plan 4647V, Block 115, Lot 11) from Residential – Contextual One / Two Dwelling (R-C2) District to DC Direct Control District to accommodate a specific multi-residential development as a permitted use with guidelines (Attachment 3); and
4. Give three readings to the proposed bylaw.

**RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, DATED 2018 JULY 26:**

That Council:

1. **Hold a Public Hearing during a 2018 September Public Hearing of Council;**
2. Adopt, by Bylaw, the proposed amendments to the Bridgeland-Riverside Area Redevelopment Plan (Attachment 2);
3. Give three readings to the proposed **Bylaw 65P2018;**
4. Adopt, by Bylaw, the proposed redesignation of 0.05 hectares  $\pm$  (0.11 acres  $\pm$ ) located at 438 – 8 Street NE (Plan 4647V, Block 115, Lot 11) from Residential – Contextual One / Two Dwelling (RC2) District to DC Direct Control District to accommodate a specific multi-residential development as a permitted use with guidelines (Attachment 3); and
5. Give three readings to the proposed **Bylaw 246D2018.**

**PREVIOUS COUNCIL DIRECTION / POLICY**

None.

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## **BACKGROUND**

The community of Bridgeland-Riverside is subject to the policies of the *Bridgeland-Riverside Area Redevelopment Plan* (ARP) originally approved on 1980 September 3. A new ARP is in the process of being created by The City in consultation with the Bridgeland-Riverside Community Advisory Group and the greater community. It is anticipated that the ARP work will be presented to Council by Winter 2018/ Spring 2019.

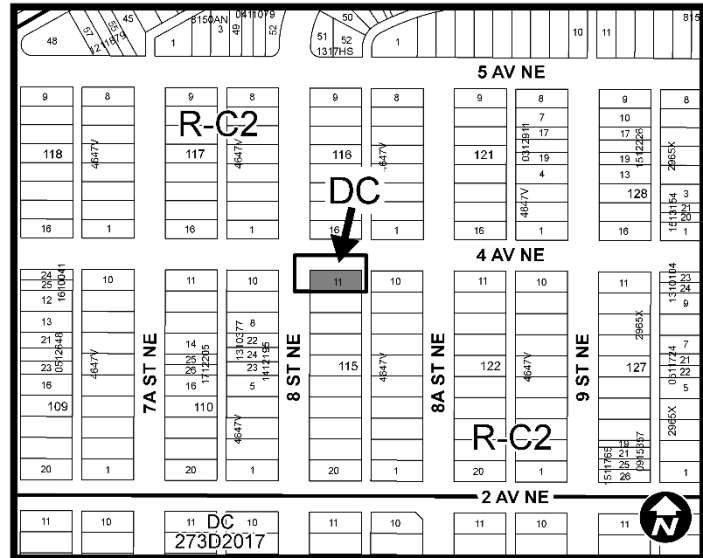
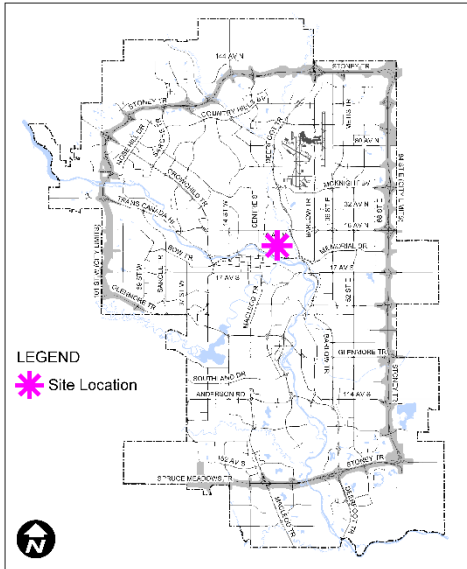
In the interim, The City cautions applicants in advancing with applications within the community that propose redevelopment and are not aligned with the existing policy. If there are issues from the applicant's perspective with delaying their decision dates to align with the new ARP, The City will continue to process and make recommendations to the Calgary Planning Commission. Recommendations for land use amendments and decisions for development permits will be based upon the analysis of the compatibility of the proposal with the surrounding land use and context.

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## Location Maps



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## **Site Context**

The subject site is located in the community of Bridgeland-Riverside south of 4 Avenue NE and east of 8 Street NE. Surrounding development is characterized primarily by a mix of single and semi-detached homes. The predominant land use in this area is Residential - Contextual One / Two Dwelling (R-C2) District.

The site is approximately 0.05 hectares in size with approximate dimensions of 13.58 by 33.51 metres. A rear lane exists to the east of the site. The property is currently developed with a fenced in, abandoned single detached dwelling, that is in a state of disrepair. The land is primarily flat with the largest grade difference being 0.67 metres from the south-east corner, sloping downwards to the north-east corner, along the lane.

As identified in *Figure 1*, the community of Bridgeland-Riverside has seen population growth over the last several years reaching its population peak in 2017.

*Figure 1: Community Peak Population*

<b>Bridgeland-Riverside</b>	
Peak Population Year	2017
Peak Population	6,332
2017 Current Population	6,332
Difference in Population (Number)	± 0
Difference in Population (Percent)	0%

Additional demographic and socio-economic information may be obtained online through the [Bridgeland- Riverside](#) community profile.

## **INVESTIGATION: ALTERNATIVES AND ANALYSIS**

The proposal allows for a specific multi-residential development that is compatible with the established built form of the existing neighbourhood. Though a minor amendment to the *Bridgeland-Riverside Area Redevelopment Plan* (ARP) is required, the proposal generally aligns with the objectives of applicable policies as discussed in the Strategic Alignment of this report.

## **Land Use**

The existing Residential – Contextual One / Two Dwelling (R-C2) District is a designation in developed areas of the city that is primarily for single detached, semi-detached and duplex homes. Single detached homes may include a secondary suite. The R-C2 District allows for a maximum building height of 10 metres and a maximum of two dwelling units.

The proposed DC Direct Control District (Attachment 3) is based on the existing R-C2 District with the additional permitted use of Permitted Development. The proposed permitted use (i.e. Permitted Development) refers to Schedule C of the proposed DC Direct Control District which includes simplified development drawings that are consistent with the development permit application (DP2017-1699), for a three-storey multi-residential building with four residential units

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that has been reviewed concurrently with this land use redesignation application. The four residential units are two additional units to what would have been allowable under the base R-C2 District.

The purpose of the simplified development drawings is to identify the key elements of the proposed development to provide certainty for the building's number of units, height, form and location on site. Developments which conform to Schedule C will be a permitted use. The development permit is consistent with the simplified drawings contained in Schedule C of the proposed DC District.

The proposed DC District also ensures that if this specific development is not built, the rules of the existing R-C2 District would continue to apply. No other forms of multi-residential development would be allowed on this parcel without a new land use redesignation. What this does is provide certainty to the community that if the concurrent development is not built, the base district rules then apply.

This land use approach was developed following a review of an initial development permit application that proposed a slightly less compatible building in height and form to the surrounding built form. In working with the applicant, the height, form and other design changes were made to make the development more compatible with adjacent properties. This concurrent and 'tied to plans' approach reflects the substantial commitment to a creative design that is a contextual fit, and ensures a high level of certainty for all stakeholders.

## **Urban Design**

The concurrent development permit application (DP2017-1699) was reviewed by The City's Urban Design Review Panel (UDRP) even though the scope of the application does not trigger a review by UDRP. Administration's City Wide Urban Design team also provided comments on the application.

The UDRP comments (Attachment 6) were strongly supportive of the proposed development, citing how the innovative proposal added a new residential typology and greater diversity in Bridgeland-Riverside while offering well-designed street frontages that enhance the adjacent avenue and street. The review also encouraged further study of the exteriors of both the third floor level and garage to further blend in the massing with the surrounding context. This informed the final revisions to the development, as found in Schedule C of the proposed DC Direct Control District (Attachment 3) and the comprehensive overview of the project (Attachment 8). The applicant's response to UDRP's comments is also included under Attachment 7.

## **Infrastructure**

### ***Transportation Networks***

The subject site is within a four minute walk (approximately 350 metres) from transit stops for Routes 90 along 1 Avenue NE, and a nine minute walk (approximately 600 metres) from transit stops for Route 17 and Routes 19, 745 and 872 along 8 Avenue NE. Transit stops for Route 5

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along Edmonton Trail is a nine minute walk (approximately 700 metres). The Bridgeland - Memorial C-Train Station is also within a twelve minute walk (approximately 1000 metres).

Vehicular access is available from the existing rear lane to the east. This provides access to the proposed attached garage providing the four unit development with four residential stalls. No visitor stalls are proposed on site. A traffic impact assessment was not required as part of this application or the associated development permit application.

### ***Utilities and Servicing***

Water and sanitary sewer mains are available and can accommodate the potential redevelopment of the subject site without the need for off-site improvements at this time. Storm sewer is not immediately available for connection, but appropriate stormwater management solutions are being evaluated and reviewed through the concurrent development permit process as part of DP2017-1699.

### **Stakeholder Engagement, Research and Communication**

In keeping with Administration's standard practices, this application was circulated to relevant stakeholders and notice posted on-site. Notification letters were sent to adjacent land owners and the application was advertised online.

Following Calgary Planning Commission, notifications for Public Hearing of Council will be posted on-site and mailed out to adjacent land owners. In addition, Commission's recommendation, the date of the Public Hearing will be advertised.

The Bridgeland-Riverside Community Association was circulated as part of this land use application, in its initial application stage. A letter was submitted (Attachment 4) indicating that they do not support the redesignation for the following summarised reasons:

- this redesignation should wait for the new Area Redevelopment Plan (ARP) that will determine suitable areas for increased density through a community wide engagement process, rather than let this application set a precedent without a larger vision in place;
- the proposed development is contextually inappropriate due to the lack of similarly higher density built forms in close proximity to the proposed; and
- there are ample other locations more appropriate for higher density within the community, including the new Main Street area undergoing redesignation.

When the Community Association provided their letter at the initial circulation stage, the application was not pursuing a DC Direct Control District based on the Residential – Contextual One / Two Dwelling (R-C2) District with the additional Permitted Use of Permitted Development. This approach was formulated during the review process to respond to community concerns while also supporting a high-quality design development. Therefore, the following comments pertain to the associating development permit, prior to the DC District and so are no longer applicable:

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- there is no reassurance if the land use is adopted that the concurrent development permit would be the development realised on the site; and
- there is a risk that this is an up-zoning exercise that could lead to the parcel being sold off and developed with another multi-residential development.

Finally, the Community Association also included the following in their letter:

- a sketch emphasizing the areas where density is welcomed within the community;
- a review of the proposal against the current ARP policies; and
- a review of the proposal against the *Location Criteria for Multi-Residential Infill* guideline.

Administration received 22 letters from adjacent landowners in response to the circulation and notice posting of the site. Three of these were in support for the increased densification, while the other 19 were in opposition. The opposition letters expressed concerns with the following:

Land Use-related comments:

- there are sufficient alternative locations for high density living in Bridgeland such as the Main Street project area, Edmonton Trail and in the Riverside area;
- until the areas currently identified for higher density within Bridgeland are completely built out, the existing R-C2 parcels should not be redesignated;
- the LOC is not tied to plans providing no guarantee that the proposed project is what will get built;
- the historical integrity of the neighbourhood should be protected;
- approving such a redesignation will set a dangerous precedent;
- adding three more units to the land use is not an effective densification strategy- too low of a number;
- spot zoning lead to disjointed development decisions; and
- spot zoning lead to loss of neighbourhood charm.

Development Permit-related comments:

- the proposed fourplex will attract more renters rather than home owners;
- the proposed multi-residential typology does not fit with the surrounding single family typology;
- the development proposes limited landscaping;
- concern with the proposed development's height exceeding what would otherwise be allowable under the R-C2, causing adverse impact on adjacent houses;
- the proposed does not acknowledge the historical and architectural significance of adjacent homes;
- approving a lot coverage of more than 45 percent will negatively change the future of the mixed context community;
- the modern development does not fit with the neighbourhood's older character feel;



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- the lane is not able to accommodate the four separate car accesses and required number of waste and recycling bins;
- the proposed negatively impacts the adjacent parcel to the south through the proposed large building footprint, massing, solid wall treatment to the south, shadowing of their backyard, and privacy issues caused by direct sight lines into the backyard; and
- the proposed negatively impacts the adjacent parcel to the east through the proposed massing, resulting in privacy issues caused by direct sight lines into the backyard.

Parking-related comments:

- a visitor stall is not provided, leading to an adverse impact on on-street parking availability if the development is approved;
- if the development gets approved, off-street parking requirements should be adhered to; and
- current lack of on street parking (partly due to the proximity of several churches) will be further aggravated by the addition of four units, possibly with more than one car ownership per unit.

Policy-related comments:

- the proposed should wait for the new ARP work which will provide an overall vision for the area through a transparent process, rather than this proposal's spot zoning;
- allowing this redesignation ahead of the ARP work is pre-mature; and
- the community should be the one to determine the best areas for developments within Bridgeland, through the new ARP process.

Miscellaneous comments:

- if the R-C2 land use designation is not preserved, this will have negative impacts on property values;
- the re-zoning would increase the subject property's value at the expense of the surrounding R-C2 parcels;
- the associated construction noise, generated waste and impacts on surrounding sidewalk maintenance will negatively impact the surrounding neighbours;
- adding four families to a single parcel over the maximum of two under the current land use, would create more noise and adversely affect the peace and quiet;
- the state of the subject abandoned property as an eye sore, should not be used as a threat to allow this new proposed development to go forward; and
- the Main Street project already pulled back redesignating parcels north of 2 Avenue NE
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Administration considered the relevant planning issues specific to the proposed redesignation and has determined the final proposal, as presented, to be appropriate.

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### ***Engagement***

On 2018 March 5, the applicant met with the Bridgeland-Riverside Community Association to present the details of this concurrent land use amendment and development permit application. The meeting was attended by the Community Association's Planning Committee members along with a few community residents. Members of Administration attended to observe the presentation and provide any process-related clarifications.

Following the meeting, on 2018 March 26, the applicant held a public information session at the Bridgeland-Riverside Community Association. The applicant used a postcard maildrop to notify neighbouring residents of the sessions, while a local community interest group further advertised the session on social media. Approximately 25 residents attended the session.

Members of Administration were present to provide clarification on the proposal and process-related questions. The key themes that emerged from the information session largely echoed those documented in the letters from adjacent land owners. A detailed applicant-provided overview is available in Attachment 5.

### **Strategic Alignment**

#### ***South Saskatchewan Regional Plan (Statutory, 2014)***

The site is located within the 'City, Town' area as identified on Schedule C: South Saskatchewan Regional Plan Map in the *South Saskatchewan Regional Plan* (SSRP). While the SSRP makes no specific reference to this site, the proposal is consistent with policies on Land Use Patterns.

#### ***Municipal Development Plan (Statutory, 2009)***

The subject site falls within the 'Developed – Residential – Inner City' area as identified on Map 1 of the *Municipal Development Plan* (MDP). The applicable MDP policies encourage redevelopment of inner city communities that is similar in scale and built form to existing development, including supporting revitalization by adding population. The MDP also calls for a modest intensification of the inner city; an area serviced by existing infrastructure, public amenities and transit.

The proposal is in keeping with relevant MDP policies by providing for development form that is sensitive to existing low density residential development in terms of height, built form and density. The development also maximises front door access to both the street and avenue, encouraging pedestrian activity.

#### ***Bridgeland-Riverside Area Redevelopment Plan (Statutory, 1980)***

The subject parcel is located within the 'Conservation' area on Figure 3- Generalized Land Use of the *Bridgeland-Riverside Area Redevelopment Plan* (ARP). The Conservation area is intended to accommodate primarily single and duplex housing with the appropriate land use designation identified as R-2 which is equivalent to the Residential – Contextual One / Two

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Dwelling (R-C2) District. While the proposed DC District is based on the R-C2 District, the addition of Permitted Development as a permitted use triggers the requirement for a minor amendment to the *Bridgeland-Riverside* ARP because it is allowing for a multi residential development not otherwise listed under the Conservation area. The text of the proposed amendment to Residential Implementation policy 2 is included in Attachment 2.

The proposed ARP amendment is appropriate given that the Permitted Development use contained within the proposed DC District establishes a building form that is contextual with the surrounding residential development in the area.

As discussed in the Background section of this report, a new ARP is in the process of being created by The City in consultation with the Bridgeland-Riverside Community Advisory Group and the greater community. It is anticipated that the ARP will be presented to Council by Winter 2018/ Spring 2019. The new ARP will take into consideration any ARP amendments that are adopted by Council up to that point.

This proposed land use district is believed to be an effective approach that will enable redevelopment of this site without presupposing the planning outcomes or Council decision on the comprehensive land use and policy planning work being carried out as part of the new ARP for the area. This proposal reflects a balanced solution between providing respect for the existing character of the area, while also meeting MDP intensification policies which encourage sensitive redevelopment of inner-city communities. Sensitive redevelopment is manifested in the final development's design that responds to the community, Administration's and UDRP's concerns, while supporting high-quality design. Given the unique and specialised nature of this proposal, Administration therefore does not anticipate that this application will set precedent or pre-determine the future land use pattern within this existing low density residential area and/or the outcome of the new ARP. The prescriptive nature of the proposed district, will result in future development of the site to occur in a manner that is compatible to both the existing area context and/or any future development and building typologies that may be allowable in the area subject to Council's approval of the new ARP.

It is for these above reasons that Administration is not in support of a more conventional up-zoning of this parcel to a standard multi-residential land use district to allow for intensification.

***Location Criteria for Multi-Residential Infill (Non-statutory, 2014)***

The subject site aligns with four of the eight criteria for ideal placement of multi-residential infill.

The guidelines are not meant to be applied in an absolute sense, but are used in conjunction with other relevant planning policy, such as the MDP or local area policy plans, to assist in determining the appropriateness of an application in the local context.

The subject parcel does not meet half of the location criteria because it is located along local residential streets, is not adjacent to an amenity or another multi-residential development, and does not lie within 600 metres of a primary transit route.

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However, moderate intensification in this corner parcel with direct lane access has a contextually sensitive impact on adjacent properties, and is therefore considered appropriate. It is also located within 350 metres from the nearest transit stop and in close proximity to 1 Avenue NE, which is classified as a Neighbourhood Main Street.

**Social, Environmental, Economic (External)**

The recommended land use allows for wider range of housing types than the existing R-C2 District and as such, the proposed change may better accommodate the housing needs of different age groups, lifestyles and demographics. It would also support The City's Age-Friendly Policy, particularly in accommodating individuals interested in aging-in place with elderly care readily available amongst families living within the same neighbourhood.

An environmental site assessment was not required for this application.

**Financial Capacity**

***Current and Future Operating Budget:***

There are no known impacts to the current and future operating budgets at this time.

***Current and Future Capital Budget:***

The proposed amendment does not trigger capital infrastructure investment and therefore there are no growth management concerns at this time.

**Risk Assessment**

The intent of this land use approach is to allow for a specific development outcome on this property as contained in Schedule C of the proposed DC Direct Control District. If significant building design changes occur between Council's potential approval of this land use amendment and a future building permit application, it would render the concurrent development permit to be non-compliant with this DC Direct Control District.

Historically, land use amendment applications that were 'tied to plans' provided little to no flexibility with respect to development outcomes. However, with this land use proposal, if the contemplated development is not realised in the future, the proposed DC Direct Control District is designed to also allow for all of the other uses allowed under the existing R-C2 District.

Additionally, while the proposed minor amendment to the *Bridgeland-Riverside Area Redevelopment Plan* (ARP) is reviewed as appropriate and in general alignment to applicable policies as discussed in the Strategic Alignment of this report, there is a small risk of misalignment with the direction of the new ARP work currently undergoing.

This proposed land use district is believed to be an effective approach that will enable redevelopment of this site without pre-determining the future land use pattern within this existing low density residential area and/or the outcome of the new ARP.

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**REASONS FOR RECOMMENDATIONS:**

Administration recommends approval of this application as it has the potential to enable development in accordance with *Municipal Development Plan* policies that call for modest intensification of the inner city in a redevelopment scale that is similar to the surrounding built environment.

Development following from this application has the potential to allow more Calgarians the freedom to choose to live, work, and meet their day-to-day needs in a location well served by existing infrastructure, services, and employment.

**ATTACHMENTS**

1. Applicant's Submission
2. Proposed Amendment to the Bridgeland-Riverside Area Redevelopment Plan
3. Proposed DC Direct Control Guidelines
4. Bridgeland-Riverside Community Association Letter
5. Applicant Engagement Overview
6. Urban Design Review Panel Comments
7. Applicant's Response to Urban Design Review Panel Comments
8. Comprehensive Project Overview
9. **Proposed Bylaw 65P2018**
10. **Proposed Bylaw 246D2018**
11. **Public Submissions**