

Planning & Development Report to
Calgary Planning Commission
2017 October 04

ISC: UNRESTRICTED
CPC2018-1119
Page 1 of 10

Development Permit in Centre City East Village (Ward 7) at 399 – 9 Avenue SE, DP2018-2774

EXECUTIVE SUMMARY

This development permit application was submitted by Kasian Architecture Interior Design and Planning on 2018 June 08 on behalf of the landowner Calgary Municipal Land Corporation (CMLC). This application proposes a seven storey mixed-use parking structure for a total of 509 parking stalls and 105 bike stalls. The ground level will accommodate a neighbourhood oriented restaurant fronting 9 Avenue SE, and an Innovation Centre composed of Office, Instructional Facility and General Industrial Light uses. The development is notable for:

- overcoming many development constraints both on and adjacent to the site;
- the consideration and flexible design to accommodate future uses;
- bringing in an “Innovation Centre” partner that provides a mix of uses that will animate the area and activate the building frontage; and
- the innovative use of a metal mesh screening material to provide architectural interest, to create a unique parkade building.

The proposed development complies with the *Municipal Development Plan* (MDP) and the *East Village Area Redevelopment Plan* (ARP) identifies this site for a public parkade. The proposal also aligns with the proposed DC Direct Control District, which is scheduled at Council’s Public Hearing on 2018 October 9. The approval of this development permit is subject to Council approval of the proposed DC Direct Control District (Attachment 6).

ADMINISTRATION RECOMMENDATION:

That Calgary Planning Commission:

1. **RECEIVE AND ACCEPT** this report and attachments for information; and
2. Recommend the Development Authority, without having to return to Calgary Planning Commission, **APPROVE** Development Permit DP2018-2774 of a New: Parking Lot - Structure, Office, Instructional Facility, General Industrial - Light, Restaurant: Neighbourhood (1 Building) at 399 – 9 Avenue SE (Portion of Plan 1711864, Block 3, Lot 5) with conditions (Attachment 2), subject to the approval of the bylaw amendment associated with LOC2015-0170 by Council.

PREVIOUS COUNCIL DIRECTION / POLICY

None.

**Planning & Development Report to
Calgary Planning Commission
2017 October 04**

**ISC: UNRESTRICTED
CPC2018-1119
Page 2 of 10**

**Development Permit in Centre City East Village (Ward 7) at 399 - 9 Avenue SE,
DP2018-2774**

BACKGROUND

The parkade will be operated by the Calgary Parking Authority (CPA) and fulfills a commitment by the City of Calgary for a public parking facility on the east side of the Centre City, to serve the downtown, patrons of the Central Library and National Music Centre, and East Village destination users. This parkade is partially funded by CPA reserves and will be the last parking structure funded by proceeds from the cash-in-lieu funds collected under various development permit approvals. Various surface parking lots in East Village have also been eliminated as new development is constructed on those sites. The subject parkade is part of a broader outcome to provide public parking capacity for East Village and the downtown.

A land use amendment (LOC2015-0170) that provided specific DC guidelines for “innovation uses” was reviewed by CPC on 2018 August 23. It is scheduled for Council Public Hearing on 2018 October 09, to accommodate the subject DP.

A pre-application was submitted on 2018 April 20, to identify and resolve development issues. Critical timelines was established for a 2018 fall start to construction and foundation piling. This development permit application (Attachment 1) was then submitted by Kasian Architecture Interior Design and Planning on 2018 June 08.

Approval(s): S. Lockwood concurs with this report. Author: B. Ang

**Development Permit in Centre City East Village (Ward 7) at 399 - 9 Avenue SE,
DP2018-2774**

Site Context

The subject site is bounded by 9 Avenue SE to the north, Canadian Pacific Rail (CPR) to the south, Allstream office building to the west and Enmax's district energy building to the east. The site is currently a relatively level gravel surface parking lot operated by CPA.

Existing site constraints that influenced design include:

- CPR freight rail corridor is on the south side of the parcel, consideration is required with regards to the Railway Corridor policy and the consequential lane less site;
- Transportation Network:
 - Limited vehicular access on 9 Avenue SE;
 - A current one-way road (west of 3 St. SE) and two-way road (east of 3 St. SE);
 - East- and West-bound cycle tracks on 9 Avenue;
 - Multiple existing and future frequent Bus and BRT routes on 9 Ave./3 St. SE;
- Flood Hazard within the Overland Flow area map;
- An Light Right Transit (LRT) tunnel is located mid-site, 2.0 - 2.5 metres below grade, which spans approximately 20 metres on a north-south alignment through the site;
- A large water main utility easement spans across the middle of the site;
- A driveway access easement agreement is also located in the middle of the site; and
- The parcel is at the south end terminus of the "Third Street S.E. Zipper", as described in the Civic District Public Realm Strategy, and is currently under construction.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Application Review

In addition to the site constraints noted above, the DP review considered the following, as identified by the Corporate Planning Application Group (CPAG):

- Required vertical and horizontal clearances from the existing public infrastructure and utilities
- First floor geodetic to be above the Overland Flow flood area
- Urban Design Review Panel (UDRP) and City Wide Urban Design (CWUD) Comments
 - lack of landscaping and
 - public realm enhancements.
- Challenges with boulevard trees due to all the underground utilities in the area.
- Shadow study impact on open areas north of 9 Avenue SE.
- Required Transportation Impact Assessment (TIA).
- Required Rail Corridor Risk Assessment.
- Required Crime Prevention through Environmental Design review (CPTED).
- No storm available west of 3 Street SE.

All issues have been addressed to the satisfaction of CPAG generalist.

Site and Building Design

**Development Permit in Centre City East Village (Ward 7) at 399 - 9 Avenue SE,
DP2018-2774**

The project consists of two partners - the Innovation Centre with approximately 5,262 square metre of flexible open office, light manufacturing, cafe, and exhibition space and a CPA parkade for 509 vehicle stalls and 105 bike stalls. The Innovation Centre is located partially on the ground level and occupies the entire second level with vehicle parking located partially on the ground level and the remaining on the third to seventh levels. The ground floor is animated by locating street-fronting, active uses of a cafe, exhibition space and computer guided manufacturing, a public sport court and Class I and II bicycle storage.

The proposed building's unique form and configuration are a result of commissioning a parking structure which is planned for future conversion into a number of different uses including residential, commercial, office or light industrial use. The design effort was focused on removing redundancies that leads to 'over designing' the building today and to make it more practical to convert to future uses.

Therefore, the resulting building today, minimizes the amount of changes required in the future, as follows:

- The concrete frame is optimized for the potential use in terms of span, ceiling clearances and column placement.
- The stainless steel mesh defines the shape of the building while also serving as a barrier for pedestrian safety.
- The floor plate depth is kept at maximum 13 metres and with the 4 metres ceiling height provides ample access to natural light in future repurposing.
- The parkade floors slope continuously at maximum 2% which is virtually flat making the proposed structure conducive to redevelopment with minor levelling.

The outline of the mesh creates a 'bell' shape veil that provides transparency and visibility through and within the property connecting with its surroundings on all levels. The mesh is stretched between the top of the building and a series of archways at grade creating entrances for vehicle, bicycle and pedestrian. Exterior architectural lighting is proposed which will highlight the reflective qualities of the mesh for a dramatic visual effect.

With the rooftop parking level the effective building height is comparable to six storeys; this minimizes shadowing north of 9 Avenue and reinforces the surrounding pedestrian environments, as well as assuring that future uses will be of appropriate scale.

The proposed design is oriented to address the 9 Avenue public realm by directing all its active programs towards this edge and providing a well-lit and fully glazed interface to the pedestrian realm. It is a beginning to revive this stretch of the avenue, and to integrate it as the south terminus of the "Third Street S.E. Zipper".

**Development Permit in Centre City East Village (Ward 7) at 399 - 9 Avenue SE,
DP2018-2774**

Urban Design Review

City Wide Urban Design was involved in design review of the project throughout the application process. Considering the importance of the location and the constraints of the site, initial comments requested careful consideration and clarification of the character and details of the adjacent public realm and the interface with the architectural screening mesh and its impact on the pedestrian experience. The Urban Design comments stressed the need to find opportunities for enhancing the pedestrian experience of the front (9 Avenue) edge with landscape, seating and lighting wherever possible was stressed. Although opportunities for sidewalk planting were investigated, conflicts with existing utilities prevent the planting of street trees. In response, low plantings and benches were added within the property line and adjacent to the public sidewalk in the areas between the points where the mesh touches down.

These comments were echoed by those from the Urban Design Review Panel, who saw the Pre-Application materials just prior to Development Permit application. The applicant has responded well to all comments and provided revised drawings and/or rationale which addresses all questions to the satisfaction of Administration. Attachment 3 includes the UDRP comments and the applicant's response.

Crime Prevention through Environmental Design (CPTED)

This application was reviewed by Calgary Police Services (CPS) applying the CPTED perspective. The applicant also conducted an independent CPTED review of the proposed building. (Attachment 4) The comments focused on building access and material finishes at the rear and side edges of the parcel to discourage or prevent unintended sitting or lying down. Lighting levels throughout the building and views of all interior spaces were also identified. The applicant response for secure access controls and technologies will be further developed in consultation with CPS and City of Calgary Corporate Security, for building operations.

Development Next to Freight Rail Corridor Policy

The subject site is adjacent to a freight rail corridor and is subject to a Site Specific Risk Assessment. In support of the proposed development, a Site Specific Risk Assessment and a Train Impact Structural Review were provided. The analysis from the two reports indicate that with the recommended structural column reinforcement as a mitigation measure, the proposed development will meet the risk tolerance level as identified in the City of Calgary, Development Next to Freight Rail Corridors Policy.

Transportation Networks

The Transportation Network surrounding the subject parcel provides many high-quality travel options including:

- LRT, BRT and express bus service
 - Both the City Hall LRT station and the future 4 Street Green Line LRT station are within 300 metres of the site.
- Cycling network – existing and planned.

**Development Permit in Centre City East Village (Ward 7) at 399 - 9 Avenue SE,
DP2018-2774**

- Grid street network providing multiple options for both pedestrians and vehicles.

Multiple BRT and express bus routes currently use the 9 Avenue and 3 Street corridors, with more planned routing to come including the new 17 Avenue BRT. Mitigating impacts to the 9 Avenue / 3 Street intersection is critical to maintain efficient transit operations and travel time into the core. This intersection, which also provides access to the proposed development, is expected to see increased pedestrian, cycling and vehicular traffic as projects in the area are completed.

The review of the proposed development has been part of an on-going wider scope discussion regarding the future streetscape cross-section of 9 Avenue from Macleod Trail to Inglewood. One area of focus in the Centre City is to strengthen pedestrian connections between the downtown core and adjacent communities. Ninth Avenue SE between 3 Street SE and 1 Street SE serves as an important pedestrian connection between the East Village, Stephen Avenue Mall, the Beltline and the south Rivers District / Calgary Stampede. The Innovation Centre and Parkade development is located at the terminus of 3 Street SE. The city plans to include and improve the public realm west of the development parcel, on 9 Avenue SE, as part of a future First Street SE underpass improvement project.

Public realm, cycling facilities, multi-use pathways, vehicular lanes and signal timing were analysed through a Transportation Impact Assessment (TIA) provided by the Applicant and supplemented through additional City work.

Several scenario options have been reviewed in the analysis including:

1. Construction of a westbound left turn lane from 9 Avenue SE into the parcel (currently this movement is prohibited) and
2. Cycle track options:
 - a. Two-way cycle track on the south or north sides of 9 Avenue SE.
 - b. One-way cycle track on-street
 - c. One-way cycle track off-street (on sidewalk)

As the location and operation of the cycling facilities tie into a broader network discussion, The City began internal evaluations of the options in late August. A preferred option will be recommended by end of September 2018.

The impacts to the Development Permit from the various cycling facility options and the proposed westbound left turn lane from 9 Avenue SE is a change to the final location of the 9 Avenue SE curb line (south curb).

As Administration and the Applicant work towards a preferred solution for the public right-of-way, the public realm site plan (i.e. location and type of cycling facility and addressing the request of the westbound left turn lane) has been moved to a Prior to Release condition. Conceptual plans for the various options have been reviewed as part of this Development Permit to ensure options under evaluation are achievable as a Prior to Release condition and provide for a high quality public realm.

The above issue will be resolved as part of the Prior to Release conditions.

**Development Permit in Centre City East Village (Ward 7) at 399 - 9 Avenue SE,
DP2018-2774**

Utilities and Servicing

The proposed development is within the Elbow River 1:100 year “Overland Flow Zone” flood risk area as per Council approved flood maps. The minimum first floor elevation is met by the proposed building. Water, storm sewer and sanitary mains are available from 9 Avenue SE. Development servicing shall be to the satisfaction of Water Resources, at the Development Site Servicing Plan (DSSP) circulation stage.

Stakeholder Engagement, Research and Communication

In keeping with Administration’s standard practices, this application was circulated to relevant stakeholders and notice posted on-site. The application has been advertised online.

The decision made by the Development Authority will be advertised in accordance with the *Municipal Government Act*. As this development permit is for a discretionary use, an appeal may be filed based on the decision on the entire permit, the decision to grant a relaxation (see Land Use Bylaw 1P2007 section, below), or any of the conditions placed on an approval (Attachment 2).

The East Village Neighbourhood Association (EVNA) reviewed the initial application and have met with CMLC on 2018 September 7. In response to that meeting, EVNA has provided an updated commentary on the project. (Attachment 5). Overall comment is welcoming and appreciation for the forward thinking mixed use design. And caution remains on the programming of public space, green roof, limited pedestrian/drive aisle space and visibility of the bicycle parking facility.

Strategic Alignment

South Saskatchewan Regional Plan (Statutory - 2014)

The recommendation by Administration in this report has considered and is aligned with the policy direction of the South Saskatchewan Regional Plan (SSRP) which directs population growth in the region to Cities and Towns and promotes the efficient use of land.

Municipal Development Plan (Statutory - 2009)

The subject site falls within the Centre City area as identified on Map 1 of the Municipal Development Plan (MDP). The applicable MDP policies encourage development which is mixed use, high density and employment intensive. The goals of the Centre City is to allow for a vibrant, mixed-use area with neighborhoods that transition from Downtown and development that reflects the scale of the area. The MDP also calls for new bicycle amenities to support the city wide cycling strategy.

The proposed development will bring animated uses to front the avenue, creating better pedestrian character and is appropriately scaled to the adjacent area. The proposal also aligns by supporting the city wide cycling strategy with additional class 1 and 2 bicycle stalls.

**Development Permit in Centre City East Village (Ward 7) at 399 - 9 Avenue SE,
DP2018-2774**

East Village Area Redevelopment Plan (ARP) (Statutory - 2017)

The subject site is in the East Village transition area to the downtown, and adjacent to the rail corridor on the west, and the south edge of East Village. This transition area accommodates the broadest range of uses and larger non-residential developments in the East Village. Developments should be scaled to the neighbourhood to enhance the pedestrian environment and light industrial uses may be considered abutting the railway corridor. It is commendable that the proposal, through the first and second storeys innovation centre uses, will create an active street frontage, and accommodate light industrial use.

The East Village ARP also identifies the subject site as the location for CPA to provide a new public parkade in East Village. This parking structure is to serve the new East Village developments, the New Central Library and the National Music Centre.

Land Use Bylaw 1P2007 (Statutory - 2007)

The subject parcel is proposed to be a Direct Control (DC) district based on the Centre-City East Village Transition District (CC-ET). The proposed Development Permit application was reviewed against the proposed DC Direct Control district.

Administration identified the following relaxations to the Land Use Bylaw and after review Administration considers each relaxation acceptable. A response to each relaxation is contained in the table below.

Proposed DC (CC-ET) Bylaw Discrepancies to be relaxed		
Regulation	Standard / Provided	Response
122 Motor Vehicle Parking Stall Standards	7.20m drive aisle required. Plans indicate the typical (7.0m) drive aisle is less than 7.20m in width.	<i>The Parkade is designed for single loaded parking. For this reason a reduced drive aisle was proposed and approved by CPA.</i> Supported: Relax aisle width (-0.2m Typical)
	5.40m stall depth required. Plans indicate 31 motor vehicle parking stalls with a depth of less than 5.40m on parking level Mezz West, level 3 East & level 3 West.	<i>Total of 14 parking stalls to be 2700x4200 on level 3 east and west and are to be signed as Small Car Parking Stalls. As amended all proposed parking stalls at mezzanine are to be 2700x5400.</i> Supported: Relax 14 stalls signed as "Small Car Only"

**Development Permit in Centre City East Village (Ward 7) at 399 - 9 Avenue SE,
DP2018-2774**

Social, Environmental, Economic (External)

The proposed mixed use development is for a multi-use innovation centre and parkade. It will accommodate a flexible, rapid-adaptive space that supports the development of start-up and innovation companies. The parkade is thoughtfully designed to be adaptive as needs change in the community. 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 application does not trigger capital infrastructure investment and therefore there are no growth management concerns at this time.

Risk Assessment

There are no significant risks associated with this proposal.

REASON(S) FOR RECOMMENDATION(S):

Subject to the conditions listed, and considering the minor relaxations noted, the application is in alignment with relevant statutory and non-statutory planning policy contained in the Municipal Development Plan, East Village Area Redevelopment Plan and Land Use Bylaw 1P2007. The proposed mixed use development will activate the area, improve pedestrian amenity and fulfill the commitment for a public parking facility in an innovative design. This development permit is recommended for approval.

ATTACHMENT(S)

1. Development Permit Plans
2. Conditions of Approval
3. Urban Design Review Panel Comments and Response
4. Crime Prevention through Environmental Design Review and Response
5. East Village Neighbourhood Association Letter
6. Proposed DC Bylaw for LOC2015-0170