

**Land Use Amendment in Downtown East Village (Ward 7) at 399 – 9 Avenue SE,
 LOC2015-0170**

EXECUTIVE SUMMARY

This application was originally submitted by the Calgary Parking Authority (CPA) on 2015 November 04. In August of 2016, the Calgary Municipal Land Corporation (CMLC) assumed the role of owner, applicant, and project manager for the application. On 2018 May 03 after completing due diligence and developing a new program for the parkade, CMLC submitted a substantially amended application. In partnership with CPA and Platform, CMLC has developed an innovative and future-focused project that will combine 510 parking stalls across five levels and Platform's innovation centre across two levels.

A development permit application (DP2018-2774) for a parkade and innovation centre (Attachment 3) has been submitted and is under review. The proposed development will serve the parking needs of downtown and accommodate multi-modal users, with ample bicycle parking. A unique architectural design will also allow for full repurposing of the building in the future into commercial or residential uses as demand for traditional parking structures is anticipated to diminish with the use of autonomous vehicles.

The proposal is aligned with the *East Village Area Redevelopment Plan* (ARP) and CMLC's commitment to create mixed-use developments. Platform is fully integrated into the design of the parkade and will serve as a multi-use space for the entrepreneurial community. The objective of the innovation centre is to move ideas forward, turning concepts into entrepreneurial opportunities and expand local businesses into international enterprises. Platform will occupy part of the main floor and the entire second floor of the development.

The project will comprise a total of approximately 24,933 square metres and will be accessed directly off 9 Avenue at 3 Street SE, creating a central point for visitors heading into the downtown core and East Village. Two remnant parcels on the east and west ends of the subject site will result from this development.

The existing DC Direct Control District (Bylaw 53Z95) was created in 1995 allowing for light industrial, residential and commercial uses for up to 12 metres in height (~3-4 storeys). This application will change the land use district from the existing DC Direct Control District, to a new DC Direct Control District based on the Centre City East Village Transition District (CC-ET) to allow for:

- CC-ET rules:
 - no maximum building height;
 - a maximum floor area ratio (FAR) of 7.0, and
- Specific DC Guidelines:
 - exemption rules for the innovation centre to accommodate flexible reallocation of floor areas within the "innovation uses";
 - no parking requirement for "innovation uses" to reflect excellent travel modes in this location;
 - no minimum horizontal building separation within the district to reflect constraints in the future remaining parcels on the east and west ends of the site; and
 - additional bicycle parking stall requirements to support the city wide cycling strategy.

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This proposed DC District (Attachment 1) allows flexibility for a mixed use public parkade and innovation centre development, sets up the two “bookend parcels” (DC Site 2 east and west) for future development, furthers CPA goals for the public parkade commitment in East Village, and aligns with the applicable policies of the *East Village ARP*.

ADMINISTRATION RECOMMENDATION(S)

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

1. ADOPT, by bylaw, the proposed redesignation of 0.88 hectares ± (2.18 acres ±) located at 399 - 9 Avenue SE (Plan 1711864, Block 3, Lot 5) from DC Direct Control District to DC Direct Control District to accommodate a mix use parking structure; and
2. Give three readings to the proposed bylaw.

RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, DATED 2018 AUGUST 23:

That Council:

1. **Hold a public hearing during a 2018 October Public Hearing of Council;**
2. Adopt, by Bylaw, the proposed redesignation of 0.88 hectares ± (2.18 acres ±) located at 399 - 9 Avenue SE (Plan 1711864, Block 3, Lot 5) from DC Direct Control District to DC Direct Control District to accommodate a mix use parking structure; and
3. Give three readings to the proposed **Bylaw 255D2018**.

Excerpt from the Minutes of the Regular Meeting of the Calgary Planning Commission, held 2018 August 23:

“And further, that the commentary provided by Commissioner Juan with respect to Report CPC2018-0989 be attached to the Report prior to being forwarded to Council.”

PREVIOUS COUNCIL DIRECTION / POLICY

None.

BACKGROUND

This application was originally submitted by the Calgary Parking Authority (CPA) on 2015 November 04. In August of 2016, the Calgary Municipal Land Corporation (CMLC) assumed the role of owner, applicant, and project manager for the application. In 2015, CPA and its consultant studied the subject site and identified a number of redevelopment scenarios. A land

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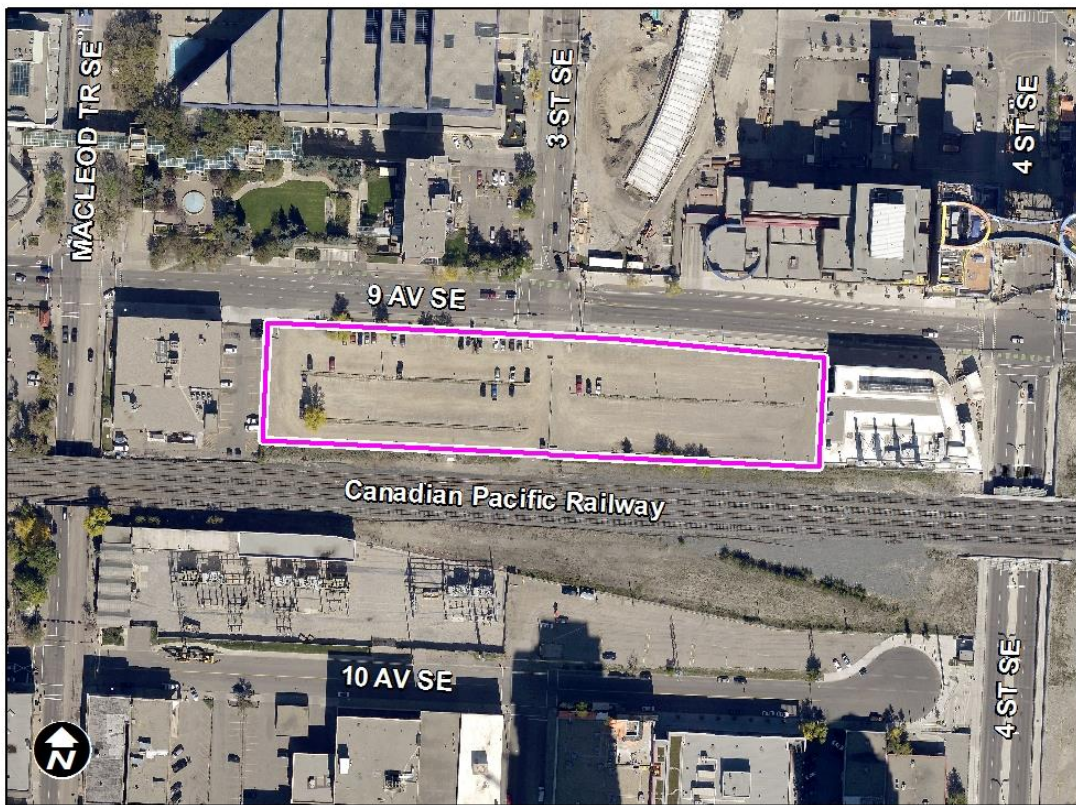
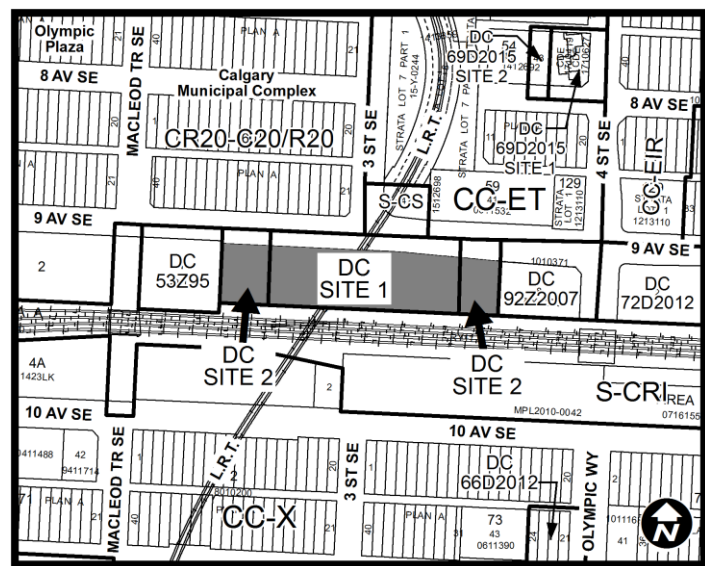
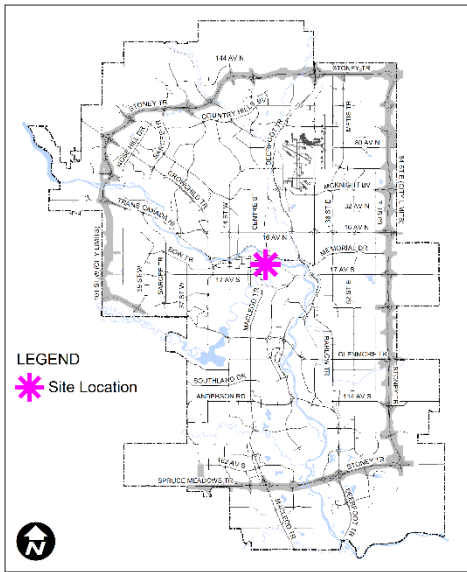
use redesignation application was submitted to accompany these potential redevelopment scenarios. Following this, CPA entered into an agreement with CMLC to purchase the land and act as the developer of the property. Since the initial application CMLC has acquired the original two parcels and consolidated them. In May 2018, CMLC resumed the land use redesignation application to reflect the design of the parkade and its partnership with Platform to create an innovation centre within the mixed use development. The partnership with Platform in the first and second storeys creates a use that is intended to activate the area with start-up businesses, bringing employees and customers to the area.

The CPA parkade proposed for this site 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 for the new Central Library and National Music Centre, and East Village destination users. The parkade is funded by proceeds from cash-in-lieu funds collected under various development permit approvals and CPA reserves. Various surface parking lots in East Village have also been eliminated for current and future developments. The subject parkade is part of a broader outcome to provide public parking capacity for East Village and the downtown.

A development permit application (DP2018-2774) for a mixed use CPA parkade and innovation centre (Attachment 3) is currently under review and will be presented to CPC for a decision at a later date (anticipated Q4 of 2018). A subdivision application (SB2018-0230) is also under review to create the parcel for the parkade and innovation centre, and the two parcels on the east and west ends of the subject site.

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Location Maps



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Site Context

The subject site is bounded by 9 Avenue SE to the north, Canadian Pacific Rail to the south, Allstream building to the west and Enmax's district energy building to the east. Existing site influences include:

- CPR freight rail corridor is on the south side of the parcel, consideration with regards to the Railway Corridor policy and the consequential lane less site;
- Limited vehicular access on 9 Avenue SE, with current one-way road (west of 3 Street SE) and two-way road (east of 3 Street SE);
- East and West bound cycle tracks on 9 Avenue;
- Multiple existing and future frequent bus routes on 9 Avenue SE and 3 Street SE;
- Flood Hazard within the Overland Flow area map;
- An LRT tunnel 2.0 - 2.5 metres below grade and spans approximately 20 metres across the middle of 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;
- An Enmax duct bank registered as a utility easement is located on the west property line; and
- The parcel is at the south end terminus of the "Third Street SE Zipper" as described in the Civic District Public Realm Strategy and currently under construction.

The site is currently a relatively level gravel surface parking lot operated by CPA. Within 400 metres walking distance one can reach: the TELUS Convention Centre, Arts Commons, Olympic Plaza, Municipal Building, City Hall LRT Station, Bow Valley College, Central Library (current and new), Hilton Garden Inn, National Music Centre and the future 4 Street SE (Greenline) LRT Station.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The initial proposed DC submission focused on incentive density for provision of innovative public amenity. Through a revised submission CMLC re-focused the application on bringing CPA and Platform together to develop a mixed use parkade and innovation centre. CPA will own the open-air parking structure component of the project consisting of 510 stalls above grade and 139 combined class 1 and 2 bicycle stalls. Platform's innovation centre will own and occupy approximately 4,100 square metres of space located partially on the main floor and all of the second floor.

The proposed innovation centre will house studio and exhibition spaces, co-working spaces, classrooms, maker-space workshops, a business accelerator and a flexible hub/lounge space. It is composed of a combination of four land use bylaw uses; General Industrial-Light, Instructional Facility, Office and Retail and Consumer Service. The main objective of this DC is to allow the approved space to rapidly transform over time and change the intensity of uses without requiring a change of use development permit. The proposed DC bylaw enable this

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condition by creating a term for “innovation uses”, which is composed of the four existing bylaw uses with rules that allow the changes within its approved space.

Planning Considerations

Land Use

The existing DC Direct Control land use district (Bylaw 53Z95) is based on the Land Use Bylaw 2P80 which no longer reflects the current policies for the area. The new DC Direct Control District (Attachment 1) is based on the Centre City East Village Transition District (CC-ET). The East Village ARP identifies this site as a transition area to the downtown and the rail corridor on the west and south edge of East Village.

The CC-ET district incorporates an extensive list of permitted and discretionary uses and is intended to transition the height and density of the downtown on the west edge of the East Village community. In addition the new Direct Control district provides for:

1)	Flexible exemption rules for the innovation uses in the identified DC Site 1.	This flexibility allows the innovation centre to adapt quickly within its approved space to increase or decrease intensity of the four listed innovation uses. Additionally, there are no use area restrictions and no parking requirements for the innovation uses.
2)	Increased bicycle parking requirements	Additional bicycle parking is required for both the innovation uses and the parkade in general. This supports the implementation of the city wide cycling strategy, to align with active modes objectives and to support bicycle commuters, particularly in the East Village area.
3)	Eliminate the building separation rule, for above podium towers, within the district	Removal of this restriction recognizes the limitation of the relatively smaller parcels on the east and west end. It understands that future buildings as it relates to the proposed approximately 30 metre high parkade and proposed property lines will not require this step back at the podium level. This enables the viability of future development on the end parcels.

This land use redesignation updates the existing 1995 land use district to better reflect the new East Village density and intensity context.

Transportation Networks

The subject parcel is fronted by 9 Avenue SE and is located at the south end of the intersection of 9 Avenue SE and 3 Street SE.

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

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- 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.
- 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.

The 9 Avenue / 3 Street intersection sees a high volume of vehicular traffic during peak periods and is increasingly utilised by Transit and active modes users. It is also bounded by the new Central Library, the Municipal Complex and the proposed parkade. Pedestrian, cycling and vehicular traffic are expected to significantly increase as adjacent projects are completed.

A description of the major roadways in the area is as follows:

Road	Daily Traffic Volume	Details
9 AV SE	15,000	<ul style="list-style-type: none"> • Facilitates movements to/from the downtown core • East-West road • 4-lanes: One-way eastbound roadway until 3 ST SE where it becomes two-way Cycling Facilities <ul style="list-style-type: none"> • One-way (both sides of road) • From Macleod Trail to Inglewood
3 ST SE	9,000	<ul style="list-style-type: none"> • North-South road • 4-lanes, two-way traffic Cycling Facilities <ul style="list-style-type: none"> • None
Macleod Trail SE	21,000	<ul style="list-style-type: none"> • Facilitates movements to/from the downtown core • North-South road • 4-lanes: one-way northbound <ul style="list-style-type: none"> ○ Forms a couplet with 1 ST SE which is one-way southbound Cycling Facilities <ul style="list-style-type: none"> • None

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Road	Daily Traffic Volume	Details
4 ST SE	6,000	<ul style="list-style-type: none"> • Connects East Village to the Stampede Grounds • North-South road • 4-lanes, two-way traffic Cycling Facilities <ul style="list-style-type: none"> • Planned one-way, both sides of the road.

The proposed development review has been part of an on-going discussion regarding the future streetscape cross-section of 9 Avenue from Macleod Trail to Inglewood. Public realm, cycling facilities, multi-use pathways and vehicular lanes are being analysed and discussed by stakeholders.

A Transportation Impact Assessment has been provided for the proposed land use application.

Several scenario options have been reviewed including:

1. Construction of a westbound left turn lane from 9 Avenue SE into the parcel (currently this movement is prohibited) and
2. Construction of a two-way cycle track on the north side of 9 Avenue SE.

Discussion and further analysis is on-going with the intent to resolve as part of the review of the associated development permit application.

Utilities and Servicing

Water, storm sewer and sanitary mains are available from 9 Avenue SE. Development servicing shall be to the satisfaction of Water Resources, at both the Development Permit and Development Site Servicing Plan circulation stages.

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. Information was also included in the Planning and Development Map (PD Map), which is an online tool accessible by the public that includes relevant information on land use amendment applications.

No citizen comments were received by the CPC report submission date. East Village Neighbourhood Association (EVNA) is in support of the land use change and have provided comments on the development permit application. The Downtown Calgary Association is also in support. (Attachment 4)

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CMLC hosted an event on 2018 January 23 to announce the 9 Avenue parkade and innovation centre. CMLC's community partners were invited to attend and presentations to inform the public on the project were made by CMLC, CPA, and Platform. A subsequent event was held in collaboration with Nucleus and Rainforest Alberta on 2018 March 14. This event was communicated through CMLC, East Village and the Rainforest social and digital channels. The CMLC and East Village website both include dedicated project pages with details on the 9 Avenue parkade.

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 and the date of the Public Hearing will be advertised.

Strategic Alignment

South Saskatchewan Regional Plan

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

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 land use 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 proposal aligns with all of these policy objectives.

East Village Area Redevelopment Plan

The subject site falls in the transition area to the downtown and the rail corridor on the west and south edge of East Village. It accommodates the broadest range of uses and larger non-residential developments than the rest of 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.

Social, Environmental, Economic

The proposed land use amendment will allow for a multi-use innovation centre to accommodate a flexible rapid adaptive space that support the development of start-up companies. An environmental site assessment was not required for this application.

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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):

The proposed Direct Control land use district provides for flexibility to accommodate a CPA parkade and multi-use innovation centre. It allows a unique opportunity for the innovation centre to adapt and transform within its approved space. The proposed District also removes the restrictive building height rule that allows for a taller floor to ceiling heights which contributes to future re-purposing opportunity and a distinct parking structure design.

ATTACHMENT(S)

1. **Corrected** Proposed Direct Control Bylaw
2. Applicant's Submission
3. Development Permit Excerpts
4. Calgary Downtown Association Comments
5. **Proposed Bylaw 255D2018**
6. **CPC Member Commentary**