

**Planning & Development Report to  
Calgary Planning Commission  
2018 November 01**

**ISC: UNRESTRICTED  
CPC2018-1236  
Page 1 of 10**

**Land Use Amendment in Beltline (Ward 8) at multiple addresses, LOC2018-0204**

**EXECUTIVE SUMMARY**

This land use redesignation was submitted by the City of Calgary on 2018 September 18 on behalf of the landowners (Beltline Brownstones Inc and Ernest Shymka). The intent of this City initiated land use amendment is to transfer unused density development rights.

The application proposes a DC Direct Control District that transfers heritage density from one source parcel that is in the process of being designated as a municipally designated heritage resource (1310 – 9 Street SW known as the Riviera Apartments), to five receiving parcels (1315, 1317, 1319, 1321, and 1323 – 14 Avenue SW).

The proposed guidelines for development on both sites maintain the current base land use district of the Centre City Multi-Residential High Rise District (CC-MH), reducing density on the source parcel and increasing the base density on the receiver parcel.

A development permit (DP2018-2882) for a multi-residential development on the receiving parcels is currently under review. As the proposed development includes bonus density (through both transfer of heritage density and contribution to the Beltline Community Investment Fund), it will be presented to the Calgary Planning Commission (CPC) for review and decision at a later date. See Attachment 3 for an overview of the proposed development.

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**ADMINISTRATION RECOMMENDATION:**

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

1. **ADOPT**, by bylaw, the proposed redesignation of 0.26 hectares  $\pm$  (0.642 acres  $\pm$ ) located at 1310 9 Street SW (Plan A1, Block 93, Lots 1 to 4) and 1315, 1317, 1319, 1321, and 1323 14 Avenue SW (Plan A1, Block 98, Lots 15 to 19) from Centre City Multi-Residential High Rise District (CC-MH) and DC Direct Control District to DC Direct Control District to accommodate multi-residential development and transfer heritage density, with guidelines (Attachment 2); and
2. Give three readings to the proposed bylaw.

**RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, DATED 2018 NOVEMBER 01:**

1. Hold a Public Hearing on proposed Bylaw XXX;
2. Adopt, by Bylaw, the proposed redesignation of 0.26 hectares  $\pm$  (0.642 acres  $\pm$ ) located at 1310 9 Street SW (Plan A1, Block 93, Lots 1 to 4) and 1315, 1317, 1319, 1321, and 1323 14 Avenue SW (Plan A1, Block 98, Lots 15 to 19) from Centre City Multi-Residential High Rise District (CC-MH) and DC Direct Control District to DC Direct Control District to accommodate multi-residential development and transfer heritage density, with guidelines (Attachment 2); and
3. Give three readings to the proposed bylaw.

**PREVIOUS COUNCIL DIRECTION / POLICY**

At the 2008 February 04 Combined Meeting of Council, through LPT2007-64, Council adopted the Calgary Heritage Strategy. The approved content of the Strategy states that significant historic resources "can and should be protected through designation bylaws".

Council approved the Beltline Area Redevelopment Plan (ARP) in 2007 with the provision of density transfer for heritage preservation as an acceptable bonusing initiative. An accompanying DC Bylaw is used to track the reduction of buildable FAR on municipally designated source parcels and the increase in buildable base FAR on the receiving parcels.

In order for a heritage site to transfer its unused density it must be legally protected at the municipal level. The designation of the Riviera Apartments as a Municipal Historic Resource is scheduled for the 2018 December 3 SPC on Planning & Urban Development, with recommendation proceeding to the following Public Hearing Council Meeting on 2018 December 10.

**BACKGROUND**

**Planning & Development Report to  
Calgary Planning Commission  
2018 November 01**

**ISC: UNRESTRICTED  
CPC2018-1236  
Page 3 of 10**

**Land Use Amendment in Beltline (Ward 8) at multiple addresses, LOC2018-0204**

This land use redesignation was submitted by the City of Calgary (Heritage Planning) on 2018 September 18 on behalf of the landowners (Beltline Brownstones Inc and Ernest Shymka). The intent of this City initiated land use amendment is to transfer unused density development rights. Conserving historic buildings is a recognized best practice in heritage planning, and is supported by the Calgary Heritage Strategy, Municipal Development Plan and the Beltline ARP. The Beltline ARP contains heritage conservation incentives that support the transfer of unused density development rights (gross floor area) from properties that are designated as Municipal Historic Resources.

A development permit for a new multi-residential tower on the receiving parcels is under review by Administration. DP2018-2882 proposes an 18 storey multi-residential tower with 177 homes. Administration's review of the development permit will determine the final building design, number of units and site layout details such as parking, landscaping and site access. No decision will be made on the development permit applications until Council has made a decision on the land use redesignation application.

Approval(s): S Lockwood concurs with this report. Author: D Blieg

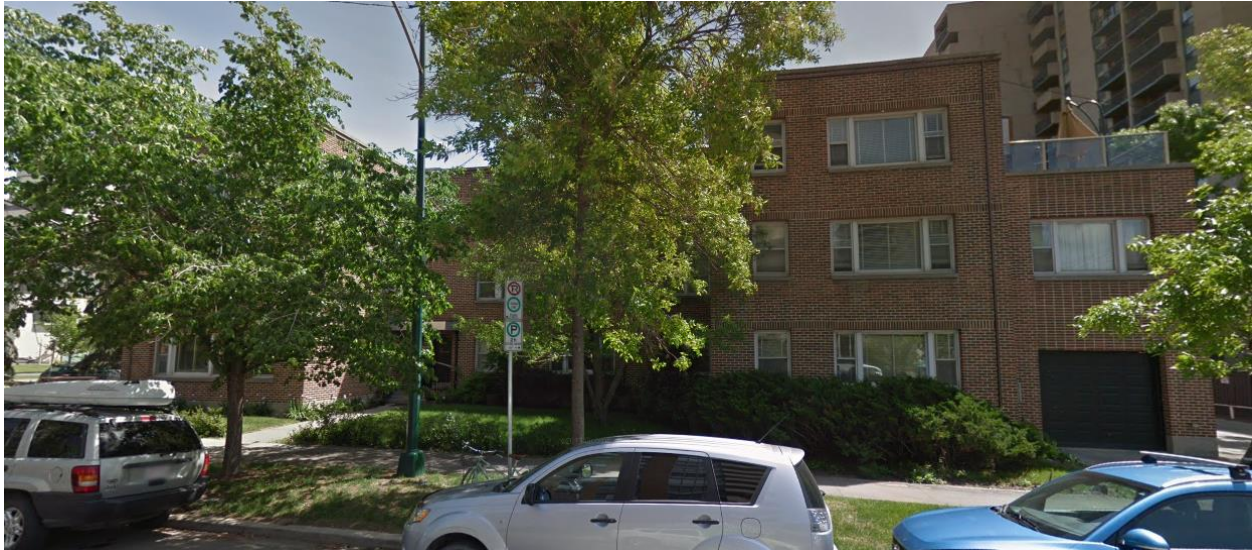


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### **Site Context**

The proposed DC district includes two sites. For the purposes of transferring heritage density, there is one source site (DC site 2) and one receiving site (DC site 1). A DC district is required to enable and track the density transfer.

The source site (pictured below) is located at the southeast corner of 9 Street SW and 13 Avenue SW opposite Barb Scott Park. To the east is a six storey, 36 home multi-residential development (Donaghmore House or Horizon Park, circa 1968); to the south across the alley is a 16 storey, 455 home multi-residential development (Dorchester Square Apartments, circa 1981); and to the west across 9 Street SW, is a 14 storey, 171 home multi-residential development (Royal Oak Condos, circa 1981).



The receiver site consists of five vacant parcels currently used as surface parking, located on the south side of 14 Avenue SW, mid-block between 14 and 12 Streets SW. To the east is a nine storey, 34 home multi-residential development (Monticello Estates, circa 1979) with very limited glazing on the west elevation which is 5.5 metres from the property line shared with the subject site; to the west is a semi-detached dwelling (circa 1913) and a six storey, 25 home multi-residential development (Tri Alta Towers, circa 1968); to the south (across the alley), are a multi-residential development (four storeys, 16 homes, circa 1967), a semi-detached dwelling (three storeys, circa 1994), and three subdivided single-detached houses (circa 1911); to the north, across 14 Avenue SW is a 17 storey, 180 home multi-residential development (Chelsea Estates, circa 1980).

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*Figure 1: Community Peak Population*

<b>Beltline</b>	
Peak Population Year	2018
Peak Population	24,887
2018 Current Population	24,887
Difference in Population (Number)	0
Difference in Population (Percent)	0%

Source: The City of Calgary 2018 Civic Census

## INVESTIGATION: ALTERNATIVES AND ANALYSIS

The following investigation section outlines Administration's assessment of the proposed land use redesignation.

### Planning Considerations

#### *Land Use*

The building on the source parcel (1310 – 9 Street SW, known as the Riviera Apartments) is in the process of being designated as a Municipal Historic Resource which, through this land use redesignation and a third party private agreement between landowners, will transfer unused development rights on the parcel (in the form of GFA allowed under their existing land use designation but surplus relative to the existing building) to the receiving parcels. The proposed guidelines for development on both sites maintain the current base land use district of the Centre City Multi-Residential High Rise District (CC-MH).

The proposed development guidelines for the source parcel include a decrease in density from a base of 5.0 FAR / bonus maximum of 7.0 FAR to a maximum of 4.26 FAR. As the Riviera

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Apartments have a gross floor area (GFA) of approximately 1,409 square metres (1.29 FAR), this leaves a balance of 3,226 square metres of GFA (2.96 FAR) available for future heritage density transfer from the source site.

The proposed development guidelines for the five receiver parcels (1315, 1317, 1319, 1321, and 1323 - 14 Avenue SW – site of the proposed development) transfer 2,988 square metres of GFA from the source site to the receiver site, increasing the receiver site's base density from 5.0 FAR to 6.98 FAR and allowing for a maximum of 7.0 FAR through this transfer and the bonus density provisions set out in Part 11 of Land Use Bylaw 1P2007.

The proposed DC guidelines are included in Attachment 2.

#### ***Development and Site Design***

Council approval of this application will transfer density development rights in the form of FAR from the source parcels to the receiving parcels, however it does not guarantee that the intended development will materialize, nor does this land use amendment constitute an approval of development and/or building permits.

If this application is approved by Council, the overall distribution of buildings, building design, mix and size of uses, and site layout details such as parking, landscaping, and site access will be reviewed by Administration through the development permit review process.

A development permit for a new multi-residential tower on the receiving parcels is under review by Administration. DP2018-2882 proposes an 18 storey multi-residential tower with 177 homes at 7.41 FAR. The anticipated development is generally in alignment with relevant policy (Municipal Development Plan, Beltline Area Redevelopment Plan) and development guidelines (Part 11 of Land Use Bylaw 1P2007).

The proposed development is anticipated to achieve its density as follows:

Base density	5.0 FAR
Heritage density transfer	1.98 FAR
Other bonusing options	0.46 FAR
Total density	7.44 FAR

An overview of the proposed development is provided in Attachment 3.

#### ***Environmental***

There are no environmental concerns associated with the site or this proposal.

## **Land Use Amendment in Beltline (Ward 8) at multiple addresses, LOC2018-0204**

### ***Transportation***

A comprehensive transportation impact assessment was not required as part of this application or the related development permit application. Site access and parking requirements have been reviewed through the development permit process.

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

Public water, sanitary and storm services exist within the adjacent public right-of-way. Development servicing is under review through the development permit and development site servicing plan (DSSP) circulation processes as part of Water Resources' review of DP2018-2882.

### **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. No public meetings were held by the applicant or by Administration. Administration received a number of inquiries regarding the application, all of which were resolved through explanation of the proposed transfer of heritage density.

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.

### **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)***

This application aligns with the Municipal Development Plan with respect to Centre City intensification and heritage objectives.

#### ***Centre City Plan (Non-Statutory, 2007)***

This application aligns with the expectations and concept set out in the Primarily Residential typology of the West Connaught within the Centre City Plan.



**Land Use Amendment in Beltline (Ward 8) at multiple addresses, LOC2018-0204**

***Beltline Area Redevelopment Plan (Statutory, 2006)***

With respect to the Beltline ARP, the application supports the plan's heritage objectives and aligns with the policies of the Primary Residential area.

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

Development enabled by this application has the potential to allow more Calgarians to choose to live in a location well served by existing infrastructure and close to services, employment, community amenities and transit. Increased development of the subject receiving parcels has the potential to allow for population growth that will support local services and contribute to a livable, diverse and high density urban community.

Transfer of density from the source site allows for the protection of a building that is in the process of being designated a Municipal Historic Resource.

Further analysis of any on-site sustainability initiatives proposed in conjunction with this project will be undertaken as part of the development permit review process. No environmental issues were identified through the proposed 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 amendment is to transfer unused density development rights. While development permit applications (DP2018-2882) has been submitted, Council's decision on this application may or may not result in the development considered under the associated development permit application being realized.

Given the flexible nature of allowable building forms in the proposed base CC-MH District of the DC Bylaw, and the requirement for a new development permit to be submitted for review, potential risks associated with a different development concept are limited.

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**ISC: UNRESTRICTED  
CPC2018-1236  
Page 10 of 10**

**Land Use Amendment in Beltline (Ward 8) at multiple addresses, LOC2018-0204**

**REASON(S) FOR RECOMMENDATION(S):**

Administration recommends approval of this application due to its alignment with relevant planning policy contained in the Municipal Development Plan, Beltline ARP and Centre City Plan by supporting high-density residential development and intensification within the Centre City, and support of the Calgary Heritage Strategy with respect to the retention of a municipally designated historic resource.

**ATTACHMENT(S)**

1. Applicant's Submission
2. Proposed DC Direct Control Guidelines
3. Development Permit Overview