

**Planning & Development Report to  
Calgary Planning Commission  
2019 July 04**

**ISC: UNRESTRICTED  
CPC2019-0819**

## **Development Permit in Sunalta (Ward 8) at multiple properties, DP2019-1257**

### **EXECUTIVE SUMMARY**

This development permit application was submitted by S2 Architecture on 2019 March 18 on behalf of the landowners Housing One 10<sup>th</sup> Avenue Corp, Corner Stone Real Estate Enterprises Ltd. The subject site also includes a narrow portion of land (inside the north edge) that is pending acquisition by the developer from the current owner which is the City of Calgary.

The proposed development is the first significant redevelopment in the Transit Oriented Development (TOD) area in the community of Sunalta. The application proposes a new mixed-use development, which consists of:

- a comprehensive plan for a two-tower development with podium to be constructed in two phases;
- a total of 353 residential units (22 one-bedroom studio, 66 one-bedroom, and 265 two-bedroom);
- tower heights of 27 storeys (88.2 metres – west) and 22 storeys (73.7 metres - east), on a combined 3-storey podium;
- a total of 353 parking stalls including 297 residential parking stalls, 36 visitor stalls and 20 commercial parking stalls; and
- above-grade parkade in the podium (levels 2 and 3) to mitigate the impacts of West LRT on residential use due to the adjacent elevated LRT track (height above grade: 14.7 metres to the LRT track) as per DC Direct Control District (Bylaw 256D2018).

The proposal is a pivotal development permit application in the Sunalta TOD area, which will be a catalyst for redevelopment of the subject site and the future redevelopment in this area. Notwithstanding the construction of the LRT and station, updates to the ARP and re-designations, this is the first major redevelopment to come forward. The proposed development will provide a high density transit oriented development that supports existing infrastructure and public transportation. Bonus density earning items consisting of 3 affordable housing units and 4 universally accessible dwelling units are provided. In response to Council's direction, 71 units of affordable housing under the National Housing Strategy program, will be administered by Canada Mortgage and Housing Corporation (CMHC).

The subject development has been reviewed to coordinate the application with the future design project for the 10 Avenue Main Street - Streetscape Master Plan, scheduled to commence in June 2019. The Master Plan will provide a comprehensive vision in the short and long terms for the entire public road right of way from 14 Street SW to Bow Trail SW.

The proposed development is consistent with applicable City policies including those of the *Municipal Development Plan* (MDP), the *Sunalta Area Redevelopment Plan* (ARP), *The Development Next to Freight Rail Corridor Policy* (Rail Policy) and the *Transit Oriented Development Policy Guidelines* (TOD Guidelines). The proposal also aligns with the intent of the DC Direct Control Districts (Bylaw 256D2018 and Bylaw 64D2010) which references the Centre City Mixed Use District (CC-X) of Land Use Bylaw 1P2007.

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#### **ADMINISTRATION RECOMMENDATION:**

That Calgary Planning Commission **APPROVE** the proposed development permit application DP2019-1257 for New: Retail and Consumer Service (within podium), New: Multi-Residential Development (2 towers) at 1510, 1514, 1516, 1518, 1530 and 1534 – 10 Avenue SW and 983 – 14 Street SW (Plan 5380V, Block 208, Lots 25 to 36; a portion of Plan 0913611; Area A), and 0.05 hectares ± (0.12 acres ±), with conditions (Attachment 2).

#### **PREVIOUS COUNCIL DIRECTION / POLICY**

At the 2018 October 09 Regular Public Hearing Meeting of Council, it was moved by Councillor Woolley; Seconded by Councillor Davison, that the Calgary Planning Commission recommendations contained in report CPC2018-0990 be adopted as follows:

That Council:

1. Adopt, by Bylaw, the proposed amendments to the Sunalta Area Redevelopment Plan;
2. Give three readings to the proposed Bylaw 73P2018;
3. Adopt, by Bylaw, the proposed redesignation of 0.32 hectares ± (0.79 acres ±) located at 1510, 1514, 1516, 1518, 1530 and 1534 – 10 Avenue SW (Portion of Plan 5380V, Block 208, Lots 25 to 36) and 0.04 hectares ± (0.1 acres ±) representing a portion of 983 – 14 Street SW (Plan 0913611, Area A) from DC Direct Control District to DC Direct Control District to accommodate a mixed-use development with at-grade retail uses and residential tower development above with guidelines;
4. Give three readings to the proposed Bylaw 256D2018; and
5. Direct that any density bonus contributions made through the development permit process for this site be paid to and used in accordance with the community investment fund established for the Sunalta community, and as a priority, directed towards the Sunalta Community Hub project.

That with respect to Report CPC2018-0990, the following Motion Arising be adopted:

That Council direct Administration to work with the applicant to explore the opportunity to provide private non-market affordable housing of up to 10% as part of the National Housing Strategy.

That with respect to Report CPC2018-0990, the following Motion Arising be adopted:

That Council direct Administration to establish a Sunalta community investment fund (SCIF) and governance structure, direct any density bonus contributions to this fund, and identify the Sunalta Community Hub Project as a top priority for this fund.

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### BACKGROUND

The following progress has been made on the Council Motions Arising listed above:

1. Bonus contributions in the subject development permit focus on the provision of affordable housing units (3 units total), and universally accessible dwelling units (4 units total);
2. The developer is pursuing an application for the CMHC National Housing Strategy program; for the subject development permit, as follows:
  - a. The approval of the subject application from the development authority (Calgary Planning Commission) is a precondition for the application for the CMHC National Housing Strategy funding;
  - b. Administration and the applicant worked on an accelerated custom timeline for the subject development permit to accommodate the developer's timeline to apply for the CHMC affordable housing funding.
3. The establishment of an SCIF is underway, as a joint effort of Community Planning and Calgary Growth Strategies and Urban Strategies, which will be brought to Council for approval in 2020. At this time, the SCIF is not specifically required for the subject project, as there is no bonus requiring contributions to SCIF. However, in the event that the bonus items for affordable housing, or, universally accessible dwelling units, do not proceed, the conditions of approval require the developer to contribute to the SCIF, as an alternative.

On 2017 May 22, a land use amendment application was submitted to redesignate the majority of the subject site from a DC Direct Control District based on the Centre City Mixed Use District (CC-X) to a new DC District, also based on the Centre City Mixed Use District (CC-X), to allow for a new mixed-use development. The new DC Direct Control District allows a maximum floor area ratio of 15.0 (Attachment 3).

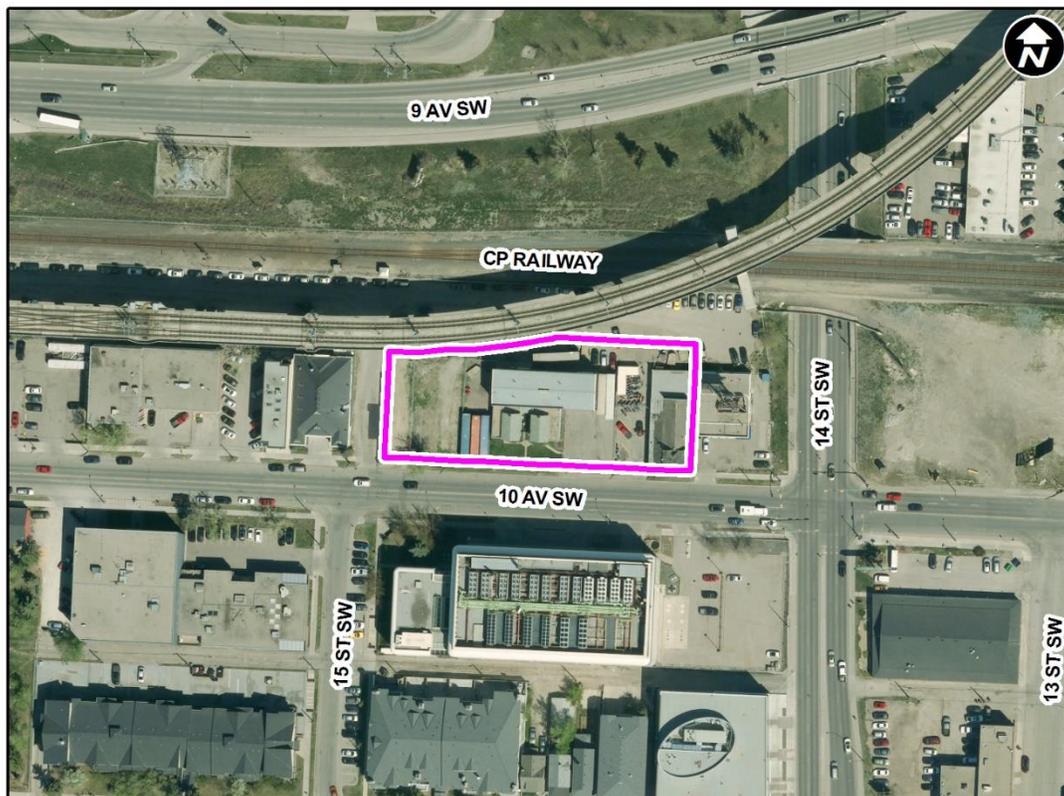
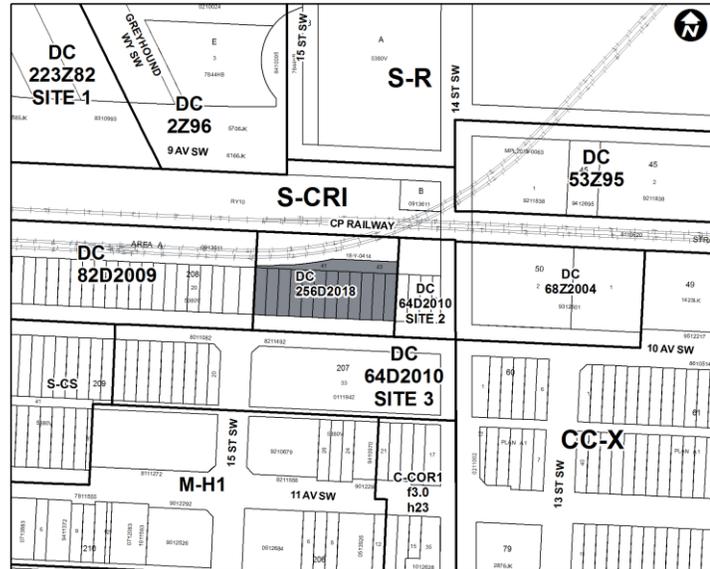
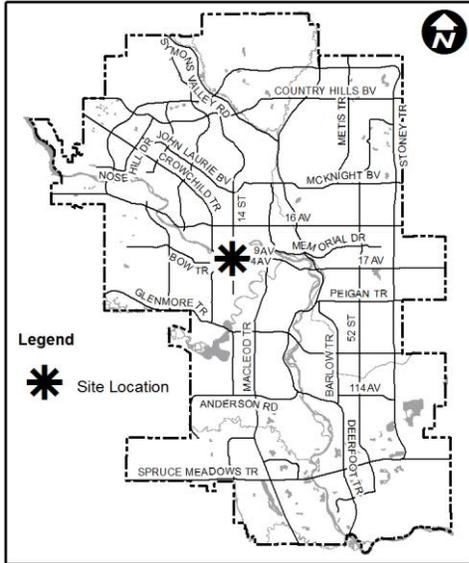
On 2018 August 23, Calgary Planning Commission recommended that Council adopt the proposed land use amendment.

On 2018 October 09, the proposed land use amendment was adopted by Council as identified above.

On 2019 March 18, the subject development permit application was submitted by S2 Architecture on behalf of the landowner Housing One 10<sup>th</sup> Avenue Corp and Corner Stone Real Estate Enterprises Ltd, at which point the file was circulated to relevant internal and external groups and was notice posted in order to obtain feedback from the local community.

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**Location Maps**



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**Site Context**

The subject site is located in the community of Sunalta and includes seven parcels (1510, 1514, 1516, 1518, 1530 and 1534 – 10 Avenue SW, and 983 – 14 Street SW) along the north side of 10 Avenue SW. This site is approximately 200 metres from the Sunalta LRT Station and is in close proximity to the downtown core. It is approximately 900 metres walking distance from the free-fare zone of the LRT. Surrounding development is characterized by low-scale, light industrial and commercial uses.

Directly north of the subject site is the CPR freight rail corridor and the elevated West LRT guideway approximately 15.0 metres above grade on the west side of the site, with a City-owned portion of land separating this infrastructure from the subject parcels.

To the west is another City-owned lane and, further west, parcels with low scale, commercial and/or light-industrial development.

To the south is 10 Avenue SW. A multi-storey utility building owned by TELUS Communications Inc. is located further south. It is distinct in that it is, essentially, a windowless building.

To the east of the site is the land for the future second tower, with a two-storey commercial development located on it.

The subject site is approximately 3,285.5 square metres in size with approximate dimensions of 91.0 metres in width, and 32.0 metres in depth at the west end and 38.0 metres in depth at the east end. Current development on this site includes single-storey, commercial uses, with access to these parcels off of 10 Avenue SW.

As identified in *Figure 1*, the population within the community of Sunalta peaked in 2015. Since that time, there has been a slight decline in the number of residents living in Sunalta.

*Figure 1: Community Peak Population*

<b>Sunalta</b>	
Peak Population Year	2015
Peak Population	3,454
2018 Current Population	3,268
Difference in Population (Number)	-186
Difference in Population (Percent)	-5.4%

Source: *The City of Calgary 2018 Civic Census*

Additional demographic and socio-economic information can be obtained online through the [Sunalta](#) community profile at Calgary.ca.

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### **INVESTIGATION: ALTERNATIVES AND ANALYSIS**

The *Sunalta Area Redevelopment Plan* was updated in 2009, after the approval of the West LRT line, and it implemented TOD policies in close proximity to the Sunalta LRT Station. The City then redesignated some parcels of land in this area to DC Districts to reflect these changes to the ARP. The land use of the subject parcels were redesignated to DC Direct Control District (Bylaw 256D2018) in October 2018. This development permit application represents the first significant redevelopment activity in this strategic location.

#### **Land Use**

The majority of the subject parcels are designated as DC Direct Control District (Bylaw 256D2018) which references the Centre City Mixed Use District (CC-X) of Land Use Bylaw 1P2007. A small portion of the subject site, (north edge) is designated as DC Direct Control District (Bylaw 64D2010) which also references the Centre City Mixed Use District (CC-X) of Land Use Bylaw 1P2007. The proposed development permit application aligns with the overall purpose of both districts, which are for high density mixed commercial and residential uses with the option to achieve density bonusing.

#### **Application Review**

On 2019 March 25 and 2019 May 09, Administration sent initial and detailed team reviews identifying challenges with the proposed development, including the following key items:

- the placement of residential units on the north floorplate of the phase 1 tower, at levels 4 and 5, does not align with the development concept provided by the developer at the land use stage, as it situates dwelling units too close to the West LRT pillars and guideway;
- the 3-storey podium appears flat, monolithic and tall in comparison to the pedestrian environment at grade, and has no horizontal breaks to articulate the overall massing;
- the street-facing podium facade of the above-grade parkade lack creativity as regards articulation and visual interest;
- limited public amenity space at the sidewalk level along the 10 Avenue SW;
- the proposed multi-residential use directly faces the freight rail corridor and is within 30 metres from freight rail corridor. Noise mitigation is required for the multi-residential use as it is a Noise Susceptible Use as per the 'Development Next to Freight Rail Corridors Policy'. The proposal did not include any noise mitigation measures; and
- the proposed development includes two towers, and all of the subject parcels are to be consolidated into one land title prior to release of the development permit, however, the land consolidation for all the parcels is not achievable because of the developer's objective for development financing and acquisition timeline.

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Administration and the applicant collaborated extensively following the reviews. The original and subsequent submissions have been revised to address comments as a result of Administration's review including, but not limited to, the following key changes:

- a residential fitness area is proposed to replace the residential units impacted by the LRT pillars and guideway on levels 4 and 5;
- retail entrances have been recessed to increase building articulation;
- the parkade podium exterior has been upgraded from opaque glazing to a fritted glazing and lighting treatment, to mitigate the massing effects of this portion of the podium façade. Technical details of the patterning, colour, special lighting/art elements and lifecycle robustness of this exterior treatment for the fritted translucent glazing system are to be provided prior to release of the development permit, to ensure a quality execution of the exterior appearance;
- sculptural seating is proposed in front of the commercial and retail units near the residential entrance to the west tower;
- bicycle parking has been relocated away from the building façade, and closer to the curb, and in alignment with the boulevard seating, to de-clutter the store entrances and walking zone;
- appropriate measures to mitigate noise associated with freight rail operations are to be incorporated into the proposed development, prior to release of the development permit;
- in order to accommodate the developer's objective to stage development financing and land acquisition timeline, according to phase 1 and phase 2 in separate transactions, consolidation of the lands for the first phase is required prior to release of the development permit. Further, the applicant shall consolidate the subject parcels for both phase 1 and 2 prior to issuance of a development completion permit of the phase 2 building; and
- the subject development contemplates a strata title subdivision to accommodate both servicing (two service tie-ins) and the location of the east tower which is situated over the mutual phasing boundary.

#### ***City Wide Urban Design***

The proposed development was reviewed by the City Wide Urban Design Team within the Corporate Planning Applications Group (CPAG) review process. The City Wide Urban Design comments were provided at pre-application, land use amendment and development permit stages. Since this proposal represents the first opportunity to realize intensification and place-making objectives for this area of Sunalta, and will set the tone for 10 Avenue SW Main Street, the applicant was asked to pay particular attention to 10 Avenue SW street interface and the south podium façade articulation to enhance pedestrian experience.

Design elements were requested which would contribute to the pedestrian experience including the recessing of portions of the retail unit facades to provide for café and retail spill-out space and modulating the scale at the pedestrian level through the provision of finer grain articulation (e.g. canopies). The response was limited by the highly constrained depth

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of the site, however, the following combination of design elements was provided to contribute to creating a well finished and appropriately scaled pedestrian environment:

- high quality façade finishes (primarily terra-cotta and grey tile on the podium level)
- recessed retail unit entrances; and
- a combined planter/seating element which serves as a buffer to the street and can be arranged to create casual public gathering spaces (street trees are not possible due to underground utility conflicts).

#### ***Urban Design Review Panel***

On 2019 April 17, the proposed development was presented to the Urban Design Review Panel (UDRP). The panel recommended further review based on but not limited to the following reasons:

- improving the open space at grade, particularly at the entrance;
- rethinking the massing of the project to minimize the tower/slab effect and create more open space at grade (even if it means just one taller tower); and
- minimizing the dominating effect of the structured parking to allow for the retail units to be taller.

UDRP comments are contained in their entirety in Attachment 5 together with the applicant's response. The applicant's rationale and the resulting additional revisions were deemed appropriate and sufficient.

#### ***Site and Building Design***

As a result of the review, the final proposal is 353 residential units distributed in two towers atop a three-storey podium. This project will be financed and constructed over two phases.

#### **Podium and Tower**

The podium and tower design is responsive to the site constraints and context mentioned above, including:

- the building is set back 3.0 metres from the LRT guideway and 7.5 metres from the support columns for safety and maintenance of the guideway;
- the design details have been implemented to mitigate the impacts of the adjacent elevated LRT guideway (14.7 metres above grade), including the above-grade parkade in the podium (levels 2 and 3), the common amenity space (Levels 4 and 5);
- Phase 1 - No residential use on the north side until level 6 to mitigate impacts from the LRT pillars and guideway;
- Phase 2 – Residential use starts at level 5 on the north side, due to greater separation for the LRT pillars and guideway;
- the proposed development acts as a buffer between the pedestrian street to the south (10 Avenue SW) and the elevated LRT guideway and CP Rail to the north;

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- the residential lobbies and retail use are located at the ground level, which will provide a pedestrian-friendly street interface along 10 Avenue SW;
- the 3-storey podium compliments the scale of the surrounding buildings, and along with the landscaping design creates a street edge along the 10 Avenue SW, forming a pedestrian connection to the LRT station to the west and city centre to the east; and
- the residential towers are set further back from the podium edge so they do not impose themselves along the proposed public realm;
- the exterior finish of the towers is composed of light thermally broken aluminum glazing and spandrel system;
- the podium is clad in clear storefront glazing, fritted glazing, and fibre reinforced cementitious panels in terra cotta and grey colours. Refer to Attachment 1 and Attachment 7 for tower and podium exterior materiality; and
- in addition, the development provides both common indoor and outdoor amenity space for the residents, located as follows:
  - Level 4 and 5 (two storey height space) - fitness area;
  - Level 4 - lounge; and
  - Level 4 - rooftop garden.

The composition of the two residential towers atop the podium are outlined in Table 1 below.

**Table 1: Tower Details**

	Phase 1 Tower	Phase 2 Tower
Number of Units	207	146
Levels (containing Units)	4 to 27	4 to 22
Height	88.2 metres	73.7 metres

**Summary of Housing Units**

In addition to market housing, the proposed development contemplates three additional categories of housing types to contribute to community benefit:

1. Market Housing: 275 units
2. Bonus Category - Affordable Housing: 3 Units
  - a. The developer has chosen to bonus for 1.81 FAR (5943.1 square metres of bonus floor area) through the provision of 3 affordable housing that has an aggregate gross floor area of 292.4 square metres.
  - b. The affordable housing units will be interspersed throughout the building with a similar mix of unit types as the rest of the development. The tenants of the affordable units will have full access to all of the residential amenities.

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3. Bonus Category - Universally Accessible Units: 4 Units
  - a. Phase 1 and Phase 2: the developer has chosen to bonus for a total of 4 units on the level 4 of the towers, 2 units in each tower for 0.15 FAR (490 square metres of bonus floor area). The two accessible dwelling units in phase 2 are not indicated on the proposed plans. The location of the two units are required to be indicated on the plans, prior to release of the development permit.
  
4. CMHC National Housing Strategy – Affordable Housing Units: 71 Units  
Unrelated to the affordable housing units in the bonus density category, the developer intends to apply for the Canada Mortgage and Housing Corporation (CMHC) funding program, which is part of the National Housing Strategy. The criteria for the CMHC funding application includes:
  - a. The total residential rental income must be at least 10% below its gross achievable residential rental income. This must be supported by an independent appraisal report;
  - b. At least 20% of units must have rents at or below 30% of median total income for families for all families for the area; this is the equivalent of 71 units;
  - c. Affordability must be maintained for at least 10 years from date of first occupancy. An agreement would be signed under the program and form part of the finance conditions, assuming the project is approved for Calgary and the developer’s submission; and
  - d. The administration of the CMHC affordable housing units is subject to the agreement determined by CMHC and the developer.

The categories of housing units are outlined in Table 2 below.

**Table 2: Housing Unit Categories**

	Phase 1 (West)	Phase 2 (East)
Market Housing	162	113
Bonus – Affordable Housing	1	2
Universally Accessible Dwelling Units	2	2
CMHC – National Housing Strategy Program (application for funding pending)	42	29
Total	207	146

Community Planning and Calgary Housing have been involved in the discussions and parameters of the affordable housing units as a bonus density item. The execution of a housing agreement with Calgary Housing is required prior to release of the development permit. Note, CHMC affordable housing units are not part of the bonus density earning items.

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### ***Landscaping and Public Realm***

#### **Public Realm Improvement Integrated with 10 Avenue Main Street**

In keeping with the adjacent streetscape, the proposed urban realm contains a mix of hard and soft landscape elements, along with benches and lighting that support the retail frontage while additionally promoting pedestrian traffic. A minimum pedestrian travel path has been achieved at 3.0 metres wide for the 10 Avenue SW frontage, which is consistent with downtown objectives for heavily travelled sidewalk areas. Due to the existing below grade services, the planting of trees was restricted, leading to the use of planter boxes along the street edge.

It should be noted the development of the 10 Avenue Main Street - Streetscape Master Plan will commence in 2019 June. The subject development permit has been reviewed to take this into consideration, including the Conditions of Approval to ensure coordination between The City (Urban Strategy - Main Streets Team) for public realm improvements and the proposed development. The Master Plan will provide a comprehensive vision in the short and long terms for the entire public road right of way (including the bylaw road right of way setback) from 14 Street SW to Bow Trail SW. The objective of the Master Plan is to provide a streetscape enhancement that will reflect the unique character of the area, promote economic vitality by activating the street, and increase safety for pedestrians, cyclists, and transit users. A consultant will be retained in 2019 June with the expectation of completing the Master Plan in Q3, 2020.

### ***Site Access and Parking***

Pedestrian access to the site will be from 10 Avenue SW. Two levels of above-grade parkade and 4 levels of underground parkade are proposed to provide parking space for both bicycles and vehicles. Vehicular access to the below-ground and above ground parkades will be from The City land to the west and north of the site, which allows for access to the side and rear of the parcel. An access easement agreement is required at the west and north of the subject site to allow for this access over City-owned lands, prior to release of the development permit.

### ***Environmental***

Environmental reports were submitted and accepted.

### ***Transportation***

The area is served by Calgary Transit bus service, with a stop located directly in front of the subject site providing service to the downtown core. The subject site is also approximately 200 metres away from the West LRT line, specifically the Sunalta Station. This site is also within a short walking distance (approximately 900 metres) to the Downtown West - Kerby Station, which is part of the free-fare LRT zone through the downtown.

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On-street parking along 10 Avenue SW is restricted, with no parking allowed directly in front of the subject site, only a timed loading zone, with maximum two hour parking during peak hours further along the street. A Transportation Impact Assessment was not required as part of this application.

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

Water, storm and sanitary sewer mains are available to service the subject site.

However, due to the increased density of the proposed development, the existing 150 millimetre water main along 10 Avenue SW will be required to be upgraded to a 250 millimetre water main at the expense of the developer prior to release of the development permit.

#### **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 landowners and the application was advertised online.

The decision made by Calgary Planning Commission 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, or any of the conditions placed on an approval.

The Sunalta Community Association reviewed the application and provided comments on 2019 May 21 and 2019 June 05 (see Attachment 6). The two letters of comments are similar, and the comments received on 2019 June 05 clarify the components of the proposed development the community supports and where their concerns with the proposed design lie. In the letters, the community association indicated their general support for this mixed-use development, including the inclusion of affordable housing in the project and proposed cooperation with the Main Street program. They did however express concerns on how the development will interact with the community as a whole. The community association's concerns were aligned with Administration's review comments and the applicant was asked to provide more details on the design of the podium façade, public realm (street character) and exterior finishing materials for the proposed development. The applicant has addressed these comments through an amended plans submission that meets the satisfaction of CPAG.

One letter of objection was received by the report submission date, expressing the concerns for noise impacts on the residential use beside railway and LRT guideway. As stated in the Strategic Alignment section below, the application was reviewed against *The Development Next to Freight Rail Corridor Policy* and Noise mitigation to be provided for the proposed multi-residential use.

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### ***Engagement***

The applicant met with representatives from the Sunalta Community Association on 2019 March 12, and had an onsite meeting with the representatives from the community association on 2019 May 26. Administration did not attend the meetings, however the applicant indicated the feedback was generally positive. There were comments from the Association related to the design of the podium and building interface with the public realm which were in line with Administration's review comments.

It should be noted that significant public engagement including City-led and applicant-led engagement, were conducted at the land use amendment application stage for the subject site, when the building envelope was determined and defined in the DC Direct Control District, Bylaw 256D2018.

### **Strategic Alignment**

#### ***South Saskatchewan Regional Plan (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.

#### ***Interim Growth Plan (2018)***

The recommendation aligns with the policy direction of the *Interim Growth Plan*. The proposed development builds on the principles of the *Interim Growth Plan* by means of promoting efficient use of land, regional infrastructure, and establishing strong, sustainable communities.

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

The site is located within the Residential - Developed - Inner City area as identified on Map 1: Urban Structure of the *Municipal Development Plan* (MDP). Although the MDP makes no specific reference to the subject site, the land use proposal is consistent with MDP policies regarding Developed Residential Areas, neighbourhood infill and redevelopment and housing diversity and choice.

#### ***Sunalta Area Redevelopment Plan (Statutory – 1983)***

The subject site is located within the Mixed Use area as identified on Map 2: Land Use Policies within the *Sunalta Area Redevelopment Plan* (ARP). Objectives for this area include the creation of a high quality transit oriented development, a Neighbourhood High Street that is retail oriented and pedestrian friendly and to provide for a variety of housing types to serve a range of populations and incomes. The ARP outlines that there is significant redevelopment potential within this area and that higher densities are suitable to take advantage of the close proximity to major transportation links (e.g. the West LRT).

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This application aligns well with these objectives and intent within the ARP, as it proposes high density, mixed-use development that has commercial units at grade, activating the street-level.

#### ***Transit Oriented Development Policy Guidelines (Statutory – 2004)***

These guidelines provide direction around development proposed within 600 metres of a Transit station. Key policy objectives for Transit Oriented Development (TOD) areas include provision of transit supportive land uses, densification around transit stations, pedestrian-oriented design and planning for the context of the local community. This application aligns with these policy objectives, as high-density development, with at-grade retail uses is proposed.

#### ***The Development Next to Freight Rail Corridor Policy (Non-Statutory – 2018)***

The proposed development is next to the freight rail corridors. The proposed multi-residential use is identified as a Noise Susceptible Use as per the *Development Next to Freight Rail Corridors Policy*. Noise mitigation is required for Noise Susceptible Uses that directly face the freight rail corridor and are within the noise envelope (30 metre horizontally from the freight rail corridor and 64 metres in height from grade). Noise levels should not exceed 35 dBA (Leq) in bedrooms and 40 dBA (Leq) in all other living spaces. A portion of the residential units at the north facing façade of the building is located within the noise envelope. The applicant is required to mitigate the impact of noise associated with freight rail operations for the units facing the rail corridor. The mitigation measures must be incorporated into the development and must be retained in perpetuity for the life of the development.

#### ***Land Use Bylaw 1P2007 and DC Direct Control District***

The majority of the subject parcels are designated as DC Direct Control District (Bylaw 256D2018) which references the Centre City Mixed Use District (CC-X) of Land Use Bylaw 1P2007. A sliver of land along the north portion of the site is designated as DC Direct Control District (Bylaw 64D2010) which also references the Centre City Mixed Use District (CC-X) of Land Use Bylaw 1P2007. The proposed development permit application aligns with the overall purpose of both districts, as the development provides:

- residential mixed-use development;
- a high density Transit Oriented Development that supports existing infrastructure and public transportation; and
- residential use to be developed above the LRT guideway when it is directly impacted by the LRT.

The proposed FAR for the development is 12.49. As per DC Direct Control District (Bylaw 256D2018), 1.96 FAR is proposed to be bonused through provision of 3 affordable housing units (achieves 1.81 FAR) and 4 universally accessible dwelling units (achieves 0.15 FAR).

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**Table 3: Floor Area Ratio (FAR) Summary**

DC256D2018 Rule	Land Use Bylaw Rule	Proposed FAR
8 (1)	5.0 FAR maximum	5.0
8 (2)	Additional 4.0 FAR maximum for Multi-Residential Development	4.0
8 (3)	Additional 3.0 FAR maximum for low occupancy uses only	1.54
8 (4) and 9	Additional 3.0 FAR maximum for bonus FAR earning items	1.96
<b>Total Proposed FAR</b>		<b>12.49</b>
<b>Total Allowable FAR</b>		<b>12.50</b>

Administration identified the following bylaw non-compliances and after review Administration considers each relaxation acceptable. A response to each relaxation is contained in Table 4 below.

**Table 4: Bylaw Relaxations**

Regulation	Standard	Provided
DC256D2018 11 Front Setback Area	The front setback area has no minimum depth requirement and a maximum depth requirement of 4.0 metres	Plans indicate the building as being setback 8.05m (+4.05m) at the West corner.  <b>RELAXATION SUPPORTED</b> as the 4.35 metre length of the building façade facing the 10 Avenue SW that exceeds the maximum allowable setback is intent to increase visibility when entering 10 Avenue SW from the lane and to create a better entrance plaza for the primary building entrance of the phase 1 development.
1175 Location of Uses within Buildings	(2) Only those uses listed in the Residential Group of Schedule A to this Bylaw, with the exception of Hotel uses, may share a hallway with residential uses.	Plans indicate the commercial uses share a hallway with the residential uses.  <b>RELAXATION SUPPORTED</b> as the internal service corridor shared between the residential and commercial users is used to access the lading room and waste and recycling storage room. The residents are provided with a waste chute accessible from each residential floor. The residential users would mainly use the corridor during moving in and

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		out of the building and disposing waste that would not fit into the waste chute.
	(5) Only those uses listed in the Residential Group of Schedule A to this Bylaw, with the exception of Hotel uses, may share an area of a parking structure with residential uses.	Plans indicate Level 2 parkade as having both commercial stalls and residential stalls.  <b>RELAXATION SUPPORTED</b> as signage will be provided separating the commercial parking stalls from the residential parking stalls.
DC256D2018 14 Landscaping in Setback Areas	(1) Where a setback area shares a property line with a street, the setback area must be a hard landscaped area that is level with the adjacent sidewalk	Plans indicate a portion of the South setback as being a soft landscaped area.  <b>RELAXATION SUPPORTED</b> as the intent of the proposed planting bed (5.75 metre long by 2.8 metre wide) is to provide a small area of soft landscaping as a visual break along the streetscape and to be utilized as a wayfinding device to identify the main entry area to the phase 1 building.
Bicycle Stalls – Class 2	A total of 38 bicycle stalls – class 2 are required.	Plans indicate a total of 20 (-20) bicycle stalls – class 2 provided for the total development and 16 (-8) bicycle stalls – class 2 for Phase 1.  <b>RELAXATION SUPPORTED</b> as twenty bicycle stalls - class 2 are proposed in the City Boulevard, which Land Use Bylaw does not count. The location of these bicycle stalls is in the street furniture zone with column light and landscape planter with seating, and will not impact the pedestrian flow on the street.

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

This proposed high-density development is in close proximity to the downtown core, and will provide additional housing stock and housing diversity in an attractive and convenient location.

**Financial Capacity**

***Current and Future Operating Budget***

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

***Current and Future Capital Budget***

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

**Risk Assessment**

This is the first redevelopment proposal along the 10 Avenue SW corridor that has been submitted since the development of the West LRT line and Sunalta LRT station. This development fulfills the goals of this mixed-use TOD area as identified within the *Sunalta ARP*, and will likely trigger future growth and development in this area. Therefore, there is a potential risk to consider if support cannot be given to this application.

Another risk associated with this application is that should the required housing agreement for the affordable housing units not be entered into, there will be no affordable units provided within the development but the increased density based on the provision of those units will have been approved. This risk will be mitigated by requiring the applicant under such a scenario to make a significant financial contribution to the Sunalta Community Investment Fund instead. Details of these requirements are outlined in Attachment 2.

Planning & Development Report to  
Calgary Planning Commission  
2019 July 04

ISC: UNRESTRICTED  
CPC2019-0819

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

Administration supports this application, as The City has invested in this area with the development of the LRT and Sunalta Station, and the subject development permit represents the scale of intensification and design for redevelopment of the Sunalta LRT station area. This is the first redevelopment proposal along this corridor, on a constrained site with limitations to development. This application supports the vision for the area as outlined in the *Sunalta Area Redevelopment Plan*, for high density, mixed-use development in close proximity to the LRT station.

**ATTACHMENT(S)**

1. Development Permit Plans
2. Conditions of Approval
3. DC Direct Control District Bylaw 256D2018
4. DC Direct Control District Bylaw 64D2010
5. Urban Design Review Panel Comments & Applicant Response
6. Community Association Comments
7. Development Permit Renderings