

Planning & Development Report to
Calgary Planning Commission
2019 September 05

ISC: UNRESTRICTED
CPC2019-1054

**Land Use Amendment in Elbow Park (Ward 11) at 313 - 40 Avenue SW,
LOC2019-0096**

EXECUTIVE SUMMARY

This application was submitted by Sturgess Architecture on 2019 June 19, on behalf of the landowner, Rylands Capital Group Inc. The application proposes to change the designation of the subject property from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual Narrow Parcel One Dwelling (R-C1N) District to facilitate a subdivision of the property into two separate parcels. The R-C1N District would allow for:

- single-detached dwellings and secondary suites (no change from the current district);
- a maximum building height of 10 metres (no change from the current district);
- a maximum of one dwelling unit per parcel (no change from the current district); and
- the uses listed in the R-C1N District.

The proposal is in keeping with the applicable policies of the *Municipal Development Plan*. No development permit has been submitted at this time.

ADMINISTRATION RECOMMENDATION:

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

1. **ADOPT**, by bylaw, the proposed redesignation of 0.21 hectares ± (0.51 acres ±) located at 313- 40 Avenue SW (Plan 1910100, Block 13, Lot 49) from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual Narrow Parcel One Dwelling (R-C1N) District; and
2. Give three readings to the proposed bylaw.

PREVIOUS COUNCIL DIRECTION / POLICY

None.

BACKGROUND

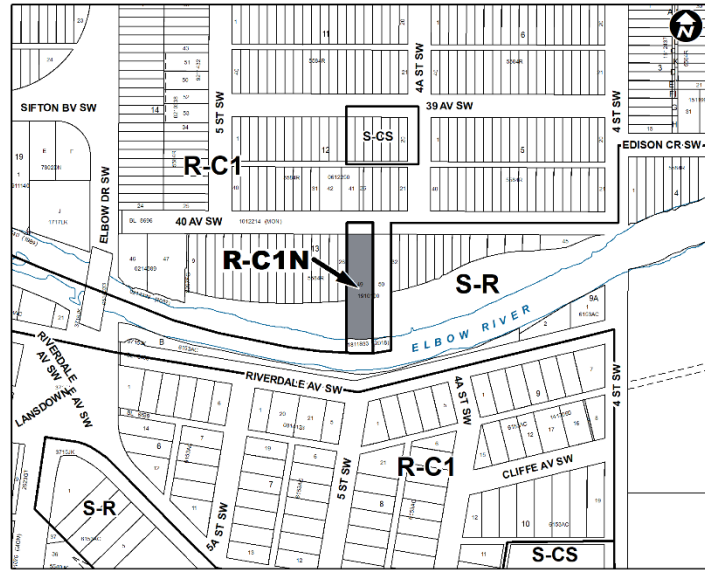
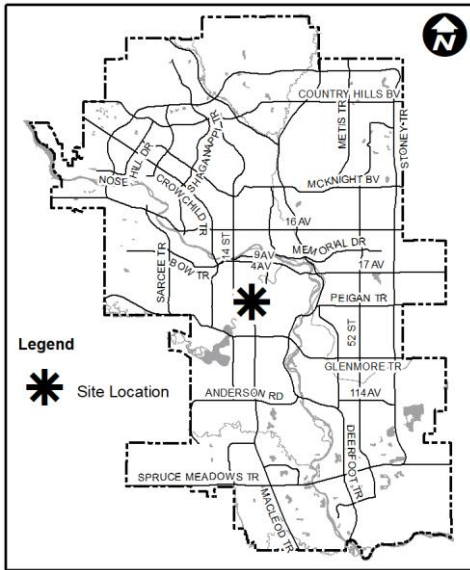
This application was submitted by Sturgess Architecture on 2019 June 19 on behalf of the landowner, Rylands Capital Group Inc. No development permit has been submitted at this time, however, as per the Applicant's Submission (Attachment 1), the applicant would like to submit development permits for a single detached dwelling on each lot (two houses total) should the redesignation be granted, and a subsequent subdivision be approved.

The subject parcel was created in 2018 when it was subdivided from the adjacent parcel to the east (SB2018-0363).

The current owner and applicant applied for pre-application enquiries for subdivision and land use redesignation in spring 2019.

Land Use Amendment in Elbow Park (Ward 11) at 313 - 40 Avenue SW,
LOC2019-0096

Location Maps



**Land Use Amendment in Elbow Park (Ward 11) at 313 - 40 Avenue SW,
LOC2019-0096**

Site Context

The subject parcel is located in the southwest community of Elbow Park, on the south side of 40 Avenue SW. The existing R-C1 District allows for a maximum of one dwelling unit on the site with a minimum parcel width of 12 metres. The subject parcel is approximately 0.21 hectares in size with dimensions of approximately 23 metres by 90 metres, and currently contains a private dual-purpose outdoor multi-sport court and ice rink (DP2011-2694). The parcel does not have a rear lane as it backs onto the Elbow River.

Surrounding development consists entirely of low density residential dwellings to the west, north, and east. This portion of Elbow Park (east of Elbow Drive SW) consists of lot widths that range in size from 7.62 metres to approximately 22.00 metres. The applicant is proposing a two-lot subdivision that would result in two 11.43 metre wide lots.

As identified in *Figure 1*, the community of Elbow Park has seen its population decline since it reached its peak in 1968. The population declined steadily for several decades until it began to grow again in the 1990's; however, the population decreased significantly after the flood in 2013, and has fluctuated since then.

Figure 1: Community Peak Population

Elbow Park	
Peak Population Year	1968
Peak Population	4,160
2018 Current Population	3,287
Difference in Population (Number)	-873
Difference in Population (Percent)	-21.0%

Source: *The City of Calgary 2018 Civic Census*

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

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The proposal allows for the development of single detached dwellings on two lots each with a parcel width of 11.43 metres that have the ability to be compatible with the established building form of the existing neighbourhood. The proposal meets the objectives of applicable policies as discussed in the Strategic Alignment section of this report.

Planning Considerations

The following sections highlight the scope of technical planning analysis conducted by Administration.

**Land Use Amendment in Elbow Park (Ward 11) at 313 - 40 Avenue SW,
LOC2019-0096**

Land Use

The existing Residential – Contextual One Dwelling (R-C1) District is a residential designation in developed areas that is primarily for single detached dwellings. Single detached dwellings may include a secondary suite. The R-C1 District allows for a maximum building height of 10 metres and a maximum of one dwelling unit.

The proposed Residential – Contextual Narrow Parcel One Dwelling (R-C1N) District is quite similar to the R-C1 District; however, it allows for narrower lot widths. R-C1N is intended to accommodate contextually sensitive redevelopment in the form of single detached dwellings in the developed area. The listed uses are essentially the same as in R-C1.

Figure 2 below provides a side-by-side comparison of the measurable standards required in each district:

Figure 2: R-C1 and R-C1N Measurable Standards

Rule	R-C1	R-C1N
Min. Parcel Width	12.00 m	7.50 m
Min. Parcel Depth	22.00 m	same
Min. Parcel Area	330 m ²	233 m ²
Max. Parcel Coverage	45 %	50 %
Min. Front Setback	3.00 m	same
Min. Side Setback	1.20 m	same
Min. Rear Setback	7.50 m	same
Max. Building Height	10.00 m	same

Development and Site Design

The rules of the proposed R-C1N District will provide guidance for future site development including appropriate uses, building height, massing, landscaping, and parking.

Given the specific context of this site where it backs onto the Elbow River, future development will need to diligently comply with the City's Floodway, Flood Fringe, and Overland Flow development rules (Part 3, Division 3 of the Land Use Bylaw). The southernmost one-third of the subject parcel (approximately 30 metres) is located within the floodplain/floodway, and therefore cannot contain any development. The northernmost two-thirds of the property (approximately 60 metres) is located within the flood fringe, where development can occur within the rules of the Land Use Bylaw 1P2007.

**Land Use Amendment in Elbow Park (Ward 11) at 313 - 40 Avenue SW,
LOC2019-0096**

Additional items that will be considered through the development permit process include, but are not limited to:

- mitigation of overlooking and privacy concerns;
- mitigation of streetscape design concerns, including front driveways and tree planting; and
- retention of the existing mature vegetation where possible.

Environmental

An Environmental Site Assessment was not required as part of this application. There are no environmental concerns associated with the site or this proposal.

As for future development in the flood fringe, The City has a Council-endorsed river flood resilience plan that includes a range of structural and non-structural mitigation elements, of which two key components are the Province's Springbank off-stream reservoir, and new gates being placed on the crest of Glenmore Reservoir. These investments were found to be more beneficial than removing communities from the risk zones outright, or curtailing development or thoughtful redevelopment in areas of risk. Together, these investments will allow for management of events as severe as the 2013 flood.

In light of this work, Water Resources does not object to the proposed future subdivision. While the potential addition of two single-detached dwellings would increase the population in the zone of flood risk, this increase is marginal, and considered reasonable given the expected increment in resilience anticipated following mitigation investments.

At the time of development, the applicant will have to adhere to the Land Use Bylaw rules for flood fringe development (Part 3, Division 3). They will also be provided with information regarding the flood in 2013 and other flood water levels, related risks such as groundwater intrusion and potential for sewer backup, and related building design and flood readiness information.

Transportation

Pedestrian access to the site is available from the existing separate sidewalk along 40 Avenue SW. The site currently does not have vehicular access, and the design of future accesses will be considered upon redevelopment. On-street parking is available on 40 Avenue SW, and on-site parking (as per the Land Use Bylaw) will be required at the development stage.

The site is located approximately 500 metres (or a seven-minute walk) from a transit stop on Elbow Drive SW (Route 3), offering service to the Downtown Core and the Heritage LRT Station with a frequency of every 15 minutes.

**Land Use Amendment in Elbow Park (Ward 11) at 313 - 40 Avenue SW,
LOC2019-0096**

Utilities and Servicing

Water, sanitary, and storm sewer mains are available and can accommodate potential redevelopment of the subject site without the need for off-site improvements at this time. Individual servicing connections as well as appropriate stormwater management will be considered and reviewed as part of a development permit.

Stakeholder Engagement, Research and Communication

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

The Elbow Park Residents' Association was circulated as part of this application, and a response letter (Attachment 3) was received on 2019 July 25. The Residents' Association does not support this application as they have concerns with this particular redesignation:

- setting a precedent for more narrow lots in the neighbourhood;
- additional front drives onto 40 Avenue SW;
- additional density adjacent to the river;
- privacy/overlooking and shadowing on the adjacent dwellings; and
- the loss of character in the neighbourhood.

These comments will be addressed at the time of a future development permit application.

Administration had received 50 letters in opposition to the application at the time of report writing. Reasons stated for opposition are as summarized:

- lot width out of context with neighbourhood;
- unreasonable to allow developers to change zoning in established neighbourhoods;
- narrow lots will negatively impact property values;
- increased traffic / congestion;
- disruption of the streetscape on 40 Avenue by adding more driveways that are as wide as the lots;
- increased on-street parking;
- increased density in the floodway; and
- increased density on the low-density residential neighbourhood.

The applicant provided an extensive two-part What We Heard Report (dated July 29, 2019 and August 14, 2019) to address these concerns (Attachment 2).

The first part of the report lists the applicant's responses to the questions and comments heard at the Residents' Association meeting held on 2019 July 24. Eight community members were in attendance, including the two adjacent neighbours of the subject property. The applicant states that a two-lot subdivision in the R-C1N district will result in lots that are 570 mm narrower than

**Land Use Amendment in Elbow Park (Ward 11) at 313 - 40 Avenue SW,
LOC2019-0096**

the current R-C1 district, and will not be noticeable to the naked eye. They also state (amongst other concerns) that any future development will be flood-responsive, and will minimize the visual impact of a front garage.

The second part of the report lists the applicant's responses to the concerns submitted by neighbours directly to Administration as a result of the circulation process. The applicant provided clarification that while a three-lot subdivision is possible, the owner has no intent to do so, and would only like to build two houses on the site. They also state that 11.43 m wide lots are not out of the norm for this neighbourhood, and address other concerns including, but not limited to, shadowing and traffic generation.

The applicant also acknowledges that should the redesignation be approved, all future development will adhere to all City policy and development rules, including the Municipal Development Plan, the Land Use Bylaw, and the Low Density Residential Housing Guidelines for Established Communities.

Since July 2019, the applicant has had on-going engagement with the community through several different methods as highlighted below:

- meeting with the Elbow Park Residents' Association (EPRA) on 2019 July 24;
- follow-up email response to concerns raised at meeting sent to EPRA on 2019 August 15;
- meeting with Councillor Farkas' office on 2019 August 19; and
- hand-delivered intent clarification letters from landowner to surrounding residents in August 2019.

A detailed summary of the applicant-led engagement is included in their Applicant Submission (Attachment 1).

Administration considered the relevant planning issues raised by the letters of opposition and the applicant-led engagement, and has determined the proposal to be appropriate. The design compatibility of discretionary uses with respect to developing in the flood fringe, the adjacent neighbours, the surrounding neighbourhood, and parking requirements will be reviewed at the development permit stage.

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

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.

**Land Use Amendment in Elbow Park (Ward 11) at 313 - 40 Avenue SW,
LOC2019-0096**

Interim Growth Plan (2018)

The recommendation aligns with the policy direction of the *Interim Growth Plan*. The proposed land use amendment 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 subject parcel is located within the Residential Developed - Established Area as identified on Map 1: Urban Structure in the *Municipal Development Plan* (MDP). The applicable MDP policies in Section 3.5.3 encourage modest redevelopment of established areas that incorporates appropriate densities and a mix of land uses where transit stops are easily accessible.

The proposal is in keeping with relevant MDP policies as the R-C1N District provides for a modest increase in density in a form that is sensitive to existing residential development in terms of height, scale and massing.

There is no local area plan for the subject area.

Social, Environmental, Economic (External)

The proposed land use allows for a smaller built form of single detached dwellings, and as such may better accommodate the housing needs of different age groups, lifestyles and demographics. Further, the ability to develop a slightly higher-density residential product on narrower, contextual lots will make more efficient use of existing infrastructure and services.

Financial Capacity

Current and Future Operating Budget

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

Current and Future Capital Budget

The proposed land use amendment 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.

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REASON(S) FOR RECOMMENDATION(S):

The proposal is in keeping with the applicable policies in the *Municipal Development Plan*. The proposed R-C1N District was designed to accommodate contextually sensitive redevelopment in the form of single detached dwellings in the developed area on narrow or small parcels. The proposal allows for a smaller built form that has the ability to be compatible with the established building form that exist in the neighbourhood, and can better accommodate the housing needs of different age groups, lifestyles and demographics.

ATTACHMENT(S)

1. Applicant's Submission
2. What We Heard Report
3. Residents' Association Response