

Planning & Development Report to
Calgary Planning Commission
2020 March 19

ISC: UNRESTRICTED
CPC2020-0234

**Policy Amendment and Land Use Amendment in Killarney/Glengarry (Ward 8) at
2804 - 35 Street SW LOC2020-0004**

EXECUTIVE SUMMARY

The application was submitted 2020 January 08 by Clem Lau Architects & Designers, on behalf of the land owner Rosa Kiu Yung Lau. The application proposes to change the designation of the site from DC Direct Control District based on the R-2 Residential Low Density District (Bylaw 28Z91) of Bylaw 2P80 (which is primarily for single detached, semi-detached and duplex dwellings) to Commercial – Neighbourhood 1 (C-N1) District to allow for:

- small scale, street oriented commercial development with opportunities for residential uses on upper floors of buildings;
- a maximum building height of 10 metres, approximately two storeys (no change from the current height maximum);
- a maximum building floor area of approximately 550 square metres, based on a building floor to parcel area ratio of 1.0; and
- the uses listed in the C-N1 District.

The change from low density residential use to local commercial use aligns with the *Municipal Development Plan (MDP)* and the objectives of the *Killarney/Glengarry Area Redevelopment Plan (ARP)* as it would accommodate commercial uses that support the local area, and a development form that is compatible with existing residential and local commercial development in terms of height and built form.

An amendment to the *Killarney/Glengarry Area Redevelopment Plan (ARP)* is required to accommodate the proposed land use redesignation. The proposal is in keeping with the ARP as amended and conforms to the relevant policies of the *Municipal Development Plan*.

No development permit application has been submitted at this time.

ADMINISTRATION RECOMMENDATION:

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

1. Adopt, by bylaw, the proposed amendment to the Killarney/Glengarry Area Redevelopment Plan (Attachment 2); and
2. Give three readings to the proposed bylaw.
3. Adopt, by bylaw, the proposed redesignation of 0.05 hectares ± (0.12 acres ±) located at 2804 - 35 Street SW (Plan 732GN, Block 11, Lot 10) from DC Direct Control District to Commercial – Neighbourhood 1 (C-N1) District; and
4. Give three readings to the proposed bylaw.

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RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, 2020 MARCH 19:

That Council hold a Public Hearing; and

1. Adopt, by bylaw, the proposed amendment to the Killarney/Glengarry Area Redevelopment Plan (Attachment 2); and
2. Give three readings to **Proposed Bylaw 20P2020**.
3. Adopt, by bylaw, the proposed redesignation of 0.05 hectares \pm (0.12 acres \pm) located at 2804 - 35 Street SW (Plan 732GN, Block 11, Lot 10) from DC Direct Control District to Commercial – Neighbourhood 1 (C-N1) District; and
4. Give three readings to **Proposed Bylaw 58D2020**.

PREVIOUS COUNCIL DIRECTION / POLICY

None.

BACKGROUND

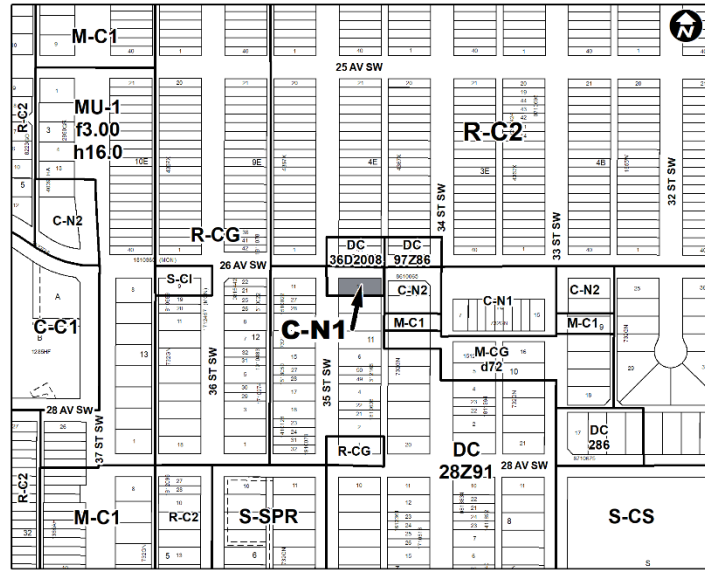
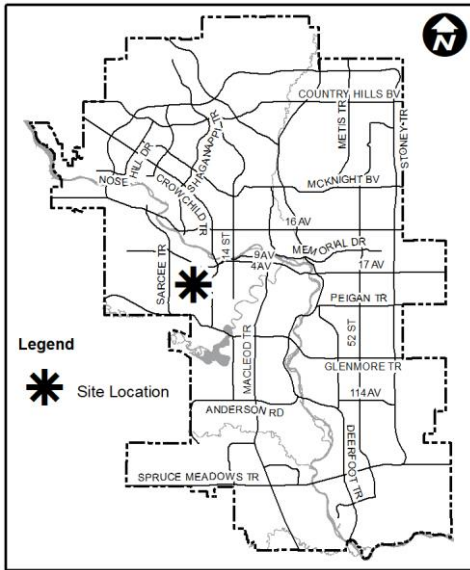
This land use amendment was submitted 2020 January 08 by Clem Lau Architects & Designers, on behalf of the land owner Rosa Kiu Yung Lau. Although a development permit has not been submitted yet, the Applicant's Submission (Attachment 1) indicates their intent to retrofit the existing single detached dwelling for the use of a medical clinic in line with the rules of the Commercial – Neighbourhood 1 (C-N1) District.

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Location Maps



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Figure 1: Community Peak Population

Killarney/Glengarry	
Peak Population Year	2015
Peak Population	3,509
2019 Current Population	3,501
Difference in Population (Number)	-8
Difference in Population (Percent)	0%

Source: The City of Calgary 2019 Civic Census

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

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The proposal allows for neighbourhood commercial uses in building types that are compatible with the established building forms of the existing neighbourhood. Though a minor amendment to *Killarney/Glengarry Area Redevelopment Plan* is required, the proposal generally meets the objectives of applicable policies as discussed in the Strategic Alignment of this report.

Planning Considerations

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

Land Use

The existing DC Direct Control District ([Bylaw 28Z91](#)) includes the permitted and discretionary uses of the R-2 Residential Low Density District of [Bylaw 2P80](#), which is primarily for single detached, semi-detached and duplex dwellings. The DC District allows for a maximum building height of 10 metres and a maximum of two dwellings on each parcel. This DC dates to 1991, and was applied over an extensive area of the community as a land use approach to conserve the lower density character of the area.

The proposed Commercial – Neighbourhood 1 (C-N1) District is a designation that provides for small scale commercial developments in buildings that are close to each other, the street and the public sidewalk, storefront commercial buildings oriented towards the street, buildings that are in with the scale of nearby residences and opportunities for residential uses to occur on the upper floors of buildings. The proposed district allows for a maximum floor area ratio of 1.0 metre and building height of 10 metres.

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As mentioned, the subject site is directly adjacent to existing C-N1 and C-N2 Districts, which are developed with small scale commercial development (i.e. medical clinic, coffee shop, retail store). As such, the proposed district would be an appropriate continuation of this commercial activity along 26 Avenue SW and would provide an additional opportunity to for residents to have local retail and support services within the community.

Development and Site Design

The applicant has indicated that their intent is to retrofit the existing single detached dwelling to accommodate a future medical clinic.

The rules proposed in the C-N1 District will provide basic guidance for future site development including appropriate uses, height and building massing, landscaping and parking. Given the specific context of the site, additional items will be considered through the development permit process, but are not limited to:

- ensuring there is an appropriate interface with the existing residential development along 35 Street SW;
- ensuring that the building form appropriately transitions to the existing low density development to the west;
- the delineation of an appropriate setback; and
- ensuring that the required on-site parking requirements are provided.

Environmental

There are no known outstanding environmentally-related concerns associated with the site nor proposal. Therefore, an environmental site assessment was not required for this application.

Transportation

The subject site is located approximately 15 metres from an Eastbound Route 6 Killarney 26 Avenue bus stop, which provides service to the Downtown core and LRT routes. The site is also approximately 200 metres from a Max Teal bus line route.

The subject site is a corner lot with lane access that fronts on to a residential class road, and sides on to a collector on the north. The site is currently not within a Residential Parking zone and there is currently no on street parking restriction on the south side of 26 Avenue SW, adjacent to the parcel. Parking requirements will be reviewed at the development permit stage.

The subject site also has a 2.134 metre Bylaw setback (for municipal purposes relating to public realm improvements) on the north side, which will have to be respected.

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Utilities and Servicing

Water and sanitary mains are available to service the subject site. Servicing arrangements will be determined at development permit stage.

Stakeholder Engagement, Research and Communication

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

The application was circulated to the Killarney/Glengarry Community Association which did not provide comments at the time of writing this report.

The applicant has indicated that the following has been completed as part of their community outreach:

- notices with information on the proposal were sent out to 127 homes around the property;
- correspondence with the adjacent neighbour (directly to the south) on the proposed land use and future development of the site;
- discussion with the community association on the proposal; and
- an open house was held on 2020 February 26 at the Killarney/Glengarry Community Association Building (between 6:00pm to 8:00pm) to answer residents' questions and provide information on the future development.

Administration received one letter in opposition to the proposal which indicated concerns with the following:

- the precedent the proposed rezoning sets should the applicant choose not to retrofit the existing home which may then lead to another land use redesignation; and
- the change of the residential character of 35 Street SW.

Administration received one letter in support of the proposal which indicated the following:

- elated that neighbourhood is being reinvigorated; and
- see opportunity rezone and rebuild along 26 Avenue SW.

Administration considered relevant planning issues specific to the proposed redesignation and given the close proximity to existing neighbourhood commercial development, believe that the proposal is appropriate and will serve as a benefit to the neighbour residents and larger community.

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Following Calgary Planning Commission, notifications for a Public Hearing will be posted on the subject site (visible to residents) 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 recommendation by Administration in this report has considered and is aligned with the policy directions of the [South Saskatchewan Regional Plan](#) (SSPR) which directs population growth in the region.

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 - Inner City area of the [Municipal Development Plan](#) (MDP). The applicable MDP policies encourage redevelopment of inner-city communities that is similar in scale and built form to existing development, including local commercial development that provides retail and service uses in close proximity to residents. The MDP also calls for modest intensification of the inner city, an area serviced by existing infrastructure, public amenities and transit.

The proposal is in keeping with relevant MDP policies as the rules of the C-N1 District provides for development form that may be sensitive to existing residential development in terms of height and built form.

Killarney/Glengarry Area Redevelopment Plan (Statutory – 1986)

The subject site is located in the Conservation/Infill area as identified on Map 2 of the [Killarney/Glengarry Area Redevelopment Plan](#) (ARP) which envision redevelopment in the form detached, semi-detached and duplex residential buildings consistent with the existing DC Direct Control District.

In order to accommodate the proposal, a minor map amendment to the ARP is required (Attachment 2). This proposed amendment would identify the site as Local Commercial. The ARP encourages commercial development that is compatible with the scale of the surrounding residential areas and are intended to provide goods and services catering to the needs of residents. As such, Administration deems the proposed amendment to the ARP to be appropriate given the intent of the application, the contextual nature of the proposed C-N1 District and the site's location - directly adjacent to existing commercial land use districts.

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Social, Environmental, Economic (External)

The recommended land use allows for wider range of small scale commercial development that would be in keeping with the scale of the nearby low density residential built form. The proposed change will provide the local population with an increased variety of retail and services uses in close proximity.

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

There are no significant risks associated with this proposal.

REASON(S) FOR RECOMMENDATION(S):

The proposal is in keeping with the objectives of *Killarney/Glengarry Redevelopment Plan* and with the applicable policies of the *Municipal Development Plan*. The proposed C-N1 District is intended for parcels in proximity to or directly adjacent to low density residential development and will provide the local population with a greater variety of local commercial and services uses. In addition, the subject site is located within walking distance of transit stops, is in proximity to commercial and multi-residential development, and has direct lane access.

ATTACHMENT(S)

1. Applicant's Submission
2. **Proposed Bylaw 20P2020**
3. **Proposed Bylaw 58D2020**