

Planning & Development Report to  
Calgary Planning Commission  
2020 August 06

ISC: UNRESTRICTED  
CPC2020-0460

## Land Use Amendment in Spruce Cliff (Ward 8) at 712 Poplar Road SW, LOC2019-0199

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### EXECUTIVE SUMMARY

This land use amendment application was submitted by Horizon Land Surveys on 2019 December 27 on behalf of the landowners Royal Model Homes Ltd. The application proposes the redesignation from Residential – Contextual One/Two Dwelling (R-C2) District to Multi-Residential – Contextual Grade-Oriented (M-CGd75) District, which would allow for:

- multi-residential development in a variety of forms (e.g. townhouse, apartment building);
- a maximum density of 75 units per hectare, or a maximum of 4 units (an increase from the current maximum of 2 units);
- a maximum building height of 12 metres, or approximately 3 to 4 storeys (an increase from the current maximum of 10 metres and 3 storeys with reduced floor area at the third storey and 10 metres); and
- the uses listed in the M-CG District.

A concurrent development permit (DP2020-2096) was submitted by John Trinh & Associates on 2020 April 03 and is under review by Administration.

Administration is recommending refusal of this land use application based on the following:

1. Due to the street-oriented rules of the R-CG District for this laned parcel, Administration negotiated an M-CG land use with the applicant:
  - a. to accommodate the lane orientation of the front entrances for the units; and
  - b. subject to a concurrent development permit to confirm rowhouse form, scale and setbacks as per the R-CG District rules;
2. The concurrent development permit is entirely M-CG based, which Administration has determined to be substantially incompatible with the adjacent and surrounding context in regards to the height, scale, setbacks and massing of the proposed development;
3. The proposed M-CG land use and concurrent development permit do not meet the policy standards of the *Municipal Development Plan* and the *Location Criteria for Multi-Residential Infill*; and
4. The proposed land use and concurrent development permit do not align with commitments made by the applicant for an R-CG-based rowhouse form and scale during the applicant-led community outreach undertaken as part of this land use application.

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**ADMINISTRATION RECOMMENDATION:**

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

1. **REFUSE** the proposed redesignation of 0.05 hectares  $\pm$  (0.13 acres  $\pm$ ) located at 712 Poplar Road SW (Plan 2566GQ, Block 17, Lot 6) from Residential – Contextual One / Two Dwelling (R-C2) District to Multi-Residential – Contextual Grade-Oriented (M-CGd75) District.

**PREVIOUS COUNCIL DIRECTION / POLICY**

None.

**BACKGROUND**

A pre-application enquiry was submitted by Horizon Land Surveys in December 2019. Administration indicated general support for a redesignation to the Residential – Grade-Oriented Infill (R-CG) District, a DC Direct Control (R-CG) or M-CG District with concurrent development permit that aligned with the purpose statement and spirit and intent of the R-CG District. This would allow for:

- grade-oriented development in the form of Rowhouse Buildings, Duplex Dwellings, Semi-detached Dwellings and Cottage Housing Clusters; and
- development in a built form (height, scale, setbacks, mass) that is compatible with adjacent and surrounding low density residential development.

This land use amendment application was submitted by Horizon Land Surveys Inc on 2019 December 27 on behalf of the landowners Royal Model Homes Ltd. The Applicant's Submission (Attachment 1) notes that they are proposing to change the designation of the subject site from R-C2 District to M-CGd75 District to allow for a four-unit multi-residential development.

In order to support the proposed M-CGd75 land use, Administration advised the applicant to undertake applicant-led outreach and the submission of a concurrent R-CG style development permit, or amend their application propose a redesignation to a DC(R-CG) District. The applicant undertook community outreach on 2020 February 21 and 2020 March 11. The Applicant's Outreach Summary (Attachment 2) provides an overview of the feedback received and outlines the applicant's commitment to developing an R-CG development with units facing the lane under the M-CG District.

A concurrent development permit (DP2020-2096) was submitted by John Trinh & Associates on 2020 April 03 in response to the first Detailed Team Review (DTR) comments for this land use application. Although Administration's DTR comments required a concurrent R-CG style development permit, the applicant proposed a full three-storey multi-residential development in

Approval(s): S. Lockwood concurs with this report. Author: A. Sheahan

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a townhouse form with attached drive under garages and units facing the flanking lane and open space (Attachment 3).

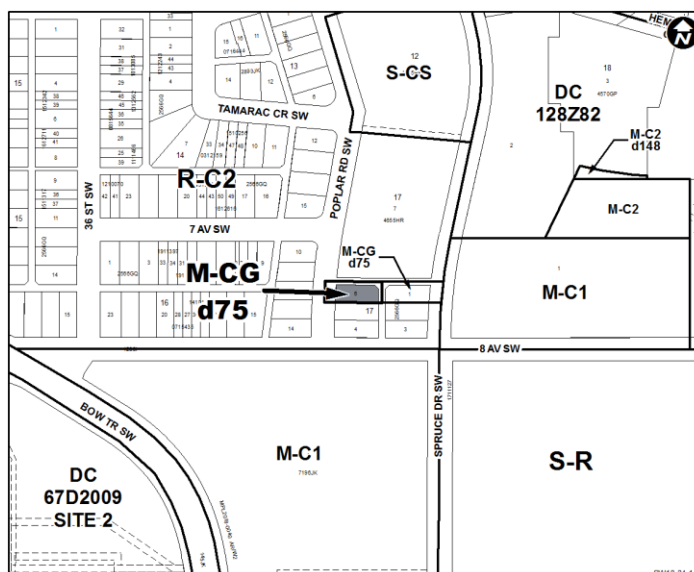
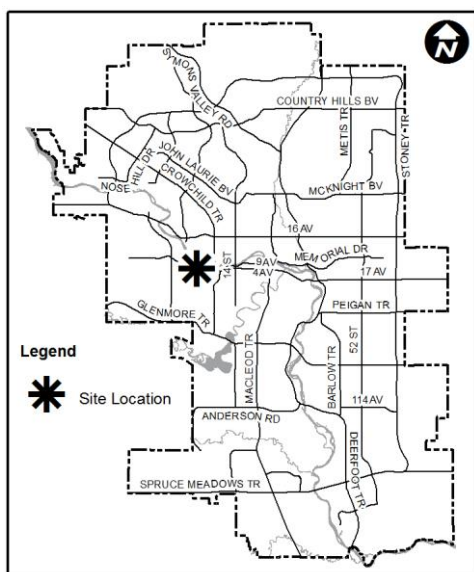
Administration does not support the development permit as proposed, as it does not align with the height, scale, setbacks and massing of the R-CG District as detailed below in the Investigation: Alternatives and Analysis section of this report. Therefore, Administration recommends that the Calgary Planning Commission recommend to Council that this land use application be refused.

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Location Maps





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### Site Context

The subject site is located in the southwest community of Spruce Cliff on Poplar Road SW, east of the intersection of Bow Trail SW and 8 Avenue SW. In the greater context, the site is located within close proximity to several community open spaces, Shaganappi golf course, and Westbrook Mall.

The site is 536 square metres (approximately 0.05 hectares or 0.13 acres) in size, with dimensions of approximately 15 metres wide by 37 metres deep. The property is currently developed with a single storey single detached home.

The site is bounded by lanes on the north and east, and fronts onto Poplar Road SW to the west. Both lanes are blocked at the east and south ends. The site immediately to the south of the subject site is developed with a single storey single detached home. The site across the lane to the north is developed with a community recreation facility and open space, currently operated by The City of Calgary's Wildflower Arts Centre.

The site across the lane to the east fronts Spruce Drive SW, which is a collector road, and was recently redesignated from R-C2 to M-CGd75 to accommodate a four-unit multi-residential development. A development permit and building permit have been approved and released for a similar development as the concurrent development permit (DP2020-2096) on this site. At the time of writing this report, construction was nearing completion.

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The predominant land use in the immediate area is the R-C2 District. The areas further to the east and south are designated multi residential.

As identified in *Figure 1*, the community of Spruce Cliff has seen a slight declined since its population peak in 2018.

*Figure 1: Community Peak Population*

<b>Spruce Cliff</b>	
Peak Population Year	2018
Peak Population	4,789
2019 Current Population	4,673
Difference in Population (Number)	-76
Difference in Population (Percent)	-1.6%

Source: *The City of Calgary 2019 Civic Census*

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

### INVESTIGATION: ALTERNATIVES AND ANALYSIS

If approved, the proposal would allow for a full three-storey development with a maximum building height of 12 metres, and up to four units in a range of building forms.

#### Land Use

The existing R-C2 District is a residential designation in developed areas that is primarily for single detached, semi-detached and duplex homes. Single detached homes may include a secondary suite. The R-C2 District allows for a maximum building height of 10 metres and a maximum of two dwelling units.

Given the unique presence of a flanking lane and the public park open space to the north, the applicant originally envisioned a four-unit rowhouse development with attached garages and units facing the flanking lane. To accommodate the envisioned development form, three land use districts were explored, including the R-CG District, a Direct Control based on the R-CG District, and the M-CG District.

The R-CG District and Rowhouse Building use were first explored. The R-CG District allows for two and a partial third storey (11 metres maximum height) rowhouse development through the use of floor area restrictions at the third storey. The District also provides for comparable setbacks to ensure future development is sensitive and compatible with the surrounding context. The District provides for a maximum density of 75 units per hectare, which would enable a maximum of four dwelling units on the subject site. However, the Rowhouse Building use in the R-CG District requires each dwelling unit to directly face a public street, not a lane. The envisioned flanking lane facing development is not allowed in the R-CG District under the

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Rowhouse Building Use because the use definition cannot be relaxed. Alternative options were explored to address the matter of unit orientation encountered under the R-CG District. Administration explored the following two options with the applicant:

1. a stand-alone DC Direct Control district based on the R-CG District with a site-specific rule to allow the units to face a public street and a lane, or
2. the M-CG District with a concurrent development permit that aligned with the height, scale, setbacks and massing of the R-CG District.

A DC District based on the R-CG District would be an effective tool to craft site-specific rules to allow units in a Rowhouse Building to face the flanking lane, while maintaining the modest building scale and sensitive nature of the R-CG District. Alternatively, an M-CG District with a concurrent development permit that followed the rules of the R-CG District would also be an effective tool for providing Council, Administration and the community with the assurance of an R-CG development outcome.

As outlined in the Applicant's Outreach Summary (Attachment 2) the applicant elected to pursue an M-CG District land use and a concurrent development permit (DP2020-2096) that followed the height, scale, setbacks and massing of the R-CG District. However, when the proposed development permit in Attachment 3 was reviewed against the rules of the R-CG District, the following significant built form and contextual deficiencies were identified:

- 540(2) Building Setback - Plans indicate the setback from the adjacent parcel (south) is 2.0 metres (-1.0 metre) for the portion of the building located past 50 percent of the parcel depth.
- 541(1) Building Height - Plans indicate portions of the building exceeds the 11.0 metre height.
- 541(2) Building Height - Plans indicate the building projects into the chamfer from the adjacent parcel on the south elevation.
- 541(3) Building Height - Plans indicate the third storey exceeds 75 percent floor plate reduction at horizontal cross section by 22 percent (third storey is 97 percent or 3 percent small than at cross section).
- 535(2) Building Depth - Due to the location of the building being less than 3.0 metres from the property line shared with the adjoining parcel (south), this rule is non-compliant.

Note: the list above is not comprehensive of all R-CG deficiencies identified.

Cumulatively, the above noted deficiencies indicate that the proposed development does not follow the rules R-CG District but rather has followed the rules of the M-CG District.

The M-CG District allows for multi-residential developments (including rowhousing) where the façades of some or all dwelling units can face a public street or a lane. The District allows for a full three-storey form and a 12 metres maximum height. The M-CG District requires a setback from the adjacent neighbour to the south of 1.2 metres, as opposed to 3.0 metres beyond 50

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percent of the parcel depth or rear façade of the adjacent development in the R-CG District. The sizable increase in mass of the third storey and proximity of a proposed three-storey wall to the adjacent neighbour to the south allowed under the M-CG District is not sensitive to the adjacent and surrounding context. Therefore, Administration is recommending refusal of this land use application.

The applicant has indicated that they believe that they should be able to develop the same M-CG style development as exists on the site across the lane to the east under the proposed M-CG District. However, as Administration has advised the applicant, not all sites are the same and the context of each site is an important consideration in planning decisions. In this case, the site to the east is located along a collector road (Spruce Drive SW) whereas the subject site is located along a residential street (Poplar Road SW). The street hierarchy and planning policies suggest that the future land uses and scale of development along Spruce Drive SW are likely to be much more intense and larger than along Poplar Road SW. Therefore, an M-CG land use and built form is appropriate along Spruce Drive SW whereas an R-CG built form outcome is more appropriate along Poplar Road SW.

### **Development and Site Design**

From Administration's perspective, the root cause of a number of the deficiencies identified in the proceeding section are as a result of the proposed attached drive under garages. The attached garages push the living space of each unit back towards the adjacent neighbour and up to a (full) third storey. Administration does not support the development permit as proposed, as it does not align with the height, scale, setbacks and massing of the R-CG District as detailed above in the Land Use section of this report. Therefore, Administration does not support this land use application.

If the subject land use is approved, the rules of the M-CG District will apply to this site. The at-grade building design, unit orientation, landscaping, and site access will be further refined through the development permit application under review, and the applicant would have a legal position to develop as per M-CG rules for the concurrent development permit.

If this application is refused by Council, the applicant can withdraw the concurrent development permit, or it will be refused by Administration. The applicant can then reapply for a DC(R-CG) land use, which Administration would support.



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**Transportation**

The subject parcel is located approximately 90 metres from the Route 93 southbound bus stop that provides service to Westbrook LRT Station approximately 550 metres south from the subject site. Westbrook LRT Station offers Blue Line service to the downtown core and other destinations along the LRT line.

Vehicular access to the parcel is available from the flanking and rear lane from Poplar Road SW. The flanking lane to the north of the subject site has been closed and gated at Spruce Drive SW due to the curbside bicycle lane.

**Environmental Site Considerations**

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

**Utilities and Servicing**

Water connection and sanitary are available to service the subject site. Individual servicing connections as well as appropriate stormwater management will be considered and reviewed at the development permit stage. Servicing arrangements shall be determined through the development permit process.

**Climate Resilience**

The applicant has not identified any specific climate resilience measures as part of this application.

**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.

Administration received an initial letter in opposition to the application on 2020 February 3 from the Spruce Cliff Communities Association (SCCA) (Attachment 4). Reasons stated for opposition are summarized below:

- height, setbacks and scale of the M-CG District are not sensitive or compatible with the low-density surrounding context;
- height, setbacks and scale of the R-CG District would be more contextually appropriate;
- lack of community outreach; and
- lack of development permit or development concept to conceptualize the development being proposed.

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On 2020 February 21, the applicant met with the planning committee of the SCCA to discuss the intent of the proposed M-CG land use and concurrent R-CG development permit. On 2020 March 11, the applicant attended an open house hosted by the SCCA, which was attended by approximately 30 residents and the SCCA members. An overview of the applicant-led outreach and community feedback received can be found in Attachment 2.

Administration received a second letter in opposition to the application on 2020 April 20 from the SCCA (Attachment 5). The letter was received after applicant-led outreach had occurred and after the development permit (DP2020-2096) had been circulated to the SCCA. Reasons stated for opposition are summarized below:

- Concurrent development permit does not align with height, scale, setbacks and massing of R-CG District, as committed to by the applicant at a meeting open house on 2020 March 11;
- Concurrent development permit proposes full third storey as permitted under the M-CG District rather than a stepped back/reduced third level as permitted under the R-CG District;
- Overlook and shadowing as a result of third storey development and reduced setbacks allowed under M-CG; and
- If approved, this application will set a precedent for the M-CG District in lower density areas of the neighbourhood.

Administration received fifteen letters in opposition to the application. Reasons stated for opposition are summarized below:

- Height, scale, setbacks and massing of concurrent development permit is inconsistent with R-CG District and stated intent of overall application;
- Increase in traffic, noise and parking issues;
- Reduced privacy and usability of amenity space on neighbouring property.
- Increased shadowing on adjacent properties;
- Increase in height and lot coverage; and
- Apartments do not fit in with the existing character of the area and surrounding single and semi-detached homes. Rowhousing would be more appropriate.

Administration considered the relevant planning issues specific to the proposed redesignation and has determined the proposal to be inappropriate.

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.

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### Strategic Alignment

#### ***South Saskatchewan Regional Plan (2014)***

The recommendation by Administration in this report has considered the policy direction of the [South Saskatchewan Regional Plan](#) which directs population growth in the region to Cities and Town and promotes the efficient use of land.

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

The recommendation by Administration in this report has considered the [Interim Growth Plan](#). The proposed land use amendment does not conflict with the principles of the Interim Growth Plan.

#### ***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 encourage modest redevelopment in the established area over time that is similar in scale and built form to existing development and incorporates appropriate density, mix of land uses and pedestrian-friendly environment to existing infrastructure.

#### ***Climate Resilience Strategy (2018)***

The [Climate Resilience Strategy](#) identifies programs and actions intended to reduce Calgary's greenhouse gas emissions and mitigate climate risks. This application does not include any actions that specifically meet objectives of this plan.

#### ***Local Area Policy***

There is no existing Local Area Plan affecting this site.

Administration is currently undertaking the [Westbrook Communities Local Growth Plan](#) that includes Spruce Cliff and surrounding communities. The multi-community planning process does not prohibit applications from being submitted. The local growth plan is anticipated to be finalized in 2021 and will include more detailed direction regarding densification and alignment with [The Guidebook for Great Communities](#).

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### ***Location Criteria for Multi-Residential Infill (Non-statutory – 2014)***

The [Location Criteria for Multi-Residential Infill](#) is a tool for review of redesignation applications in the developed areas. The criteria are not meant to be applied in an absolute sense but are used in conjunction with the MDP to assist in determining the appropriateness of an application in the local context. As identified below, the proposal does not align with half of the locational criteria, and those specific criteria lacking in this case are notable for their association with multi-residential contextual and sensitivity attributes.

The application meets the following location criteria:

- Within 400 metres of a transit stop;
- Within 600 metres of a transit stop on the Primary Transit Network;
- Adjacent to or across from an existing or planned open space, park or community amenity; and
- Served by direct lane access.

The application does not meet the following location criteria:

- On a corner parcel;
- On a collector or higher standard roadway on at least one frontage;
- Adjacent to existing or planned non-residential development or multi-unit development; and
- Along or in close proximity to an existing or planned corridor or activity centre.

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

The proposed land use allows for a wider range of housing types than the existing R-C2 District and as such, the proposed change may better accommodate the housing needs of different age groups, lifestyles and demographics. Further, the ability to develop up to four units, or a mix of units with suites, 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 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.

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

The proposed M-CGd75 District and concurrent development permit are inconsistent with the *Location Criteria for Multi-Residential Infill*.

The proposed concurrent development permit is entirely M-CG based rather than R-CG based, which Administration has determined to be substantially incompatible with the adjacent and surrounding context as regards the height, scale, setbacks and massing of the proposed development. Further, the proposed land use and concurrent development permit do not align with commitments made by the applicant for an R-CG rowhouse outcome.

**ATTACHMENT(S)**

1. Applicant's Submission
2. Applicant's Outreach Summary
3. Development Permit Summary (DP2020-2096)
4. Spruce Cliff Community Association Comments – 2020 February 21
5. Spruce Cliff Community Association Comments – 2020 April 20