

LAND USE AMENDMENT
KINGSLAND (WARD 11)
67 AVENUE SW AND 6 STREET SW
BYLAW 240D2016

MAP 28S

EXECUTIVE SUMMARY

This land use amendment application seeks to redesignate a residential parcel with a Semi-Detached Dwelling from a Residential - Contextual One/Two Dwelling (R-C2) District to a Multi-Residential - Contextual Grade-Oriented (M-CG) District to allow for a four-unit development. The site contains two illegal dwelling units at this time, and this application was submitted as a result of a complaint.

PREVIOUS COUNCIL DIRECTION

None.

ADMINISTRATION RECOMMENDATION(S)

2016 July 28

That Calgary Planning Commission recommends **APPROVAL** of the proposed Land Use Amendment.

RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION

That Council hold a Public Hearing on Bylaw 240D2016; and

1. **ADOPT** the proposed redesignation of 0.06 hectares \pm (0.14 acres \pm) located at 729 – 67 Avenue SW (Plan 784HQ, Block 8, Lot 3) from Residential – Contextual One / Two Dwelling (R-C2) District **to** Multi-Residential – Contextual Grade-Oriented (M-CG) District, in accordance with Administration’s recommendation; and
2. Give three readings to the proposed Bylaw 240D2016

REASON(S) FOR RECOMMENDATION:

The proposed M-CG district allows for residential uses which are compatible with and complementary to the existing varied density character of the community. This proposal conforms to the *Municipal Development Plan* (MDP) and allows for development that has the ability to meet the intent of *Land Use Bylaw 1P2007* (LUB).

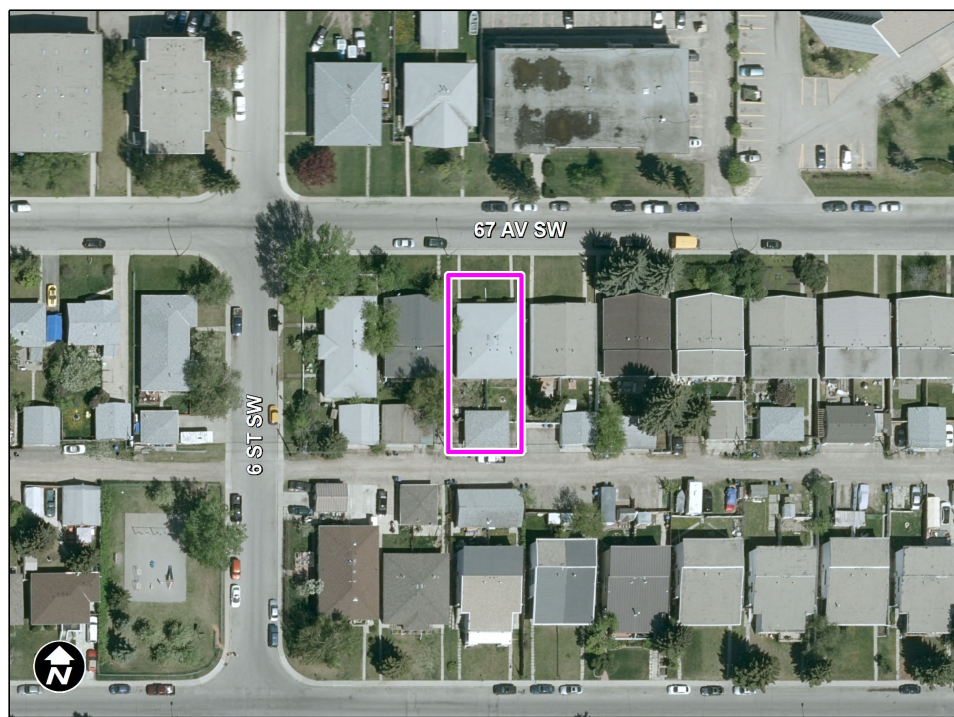
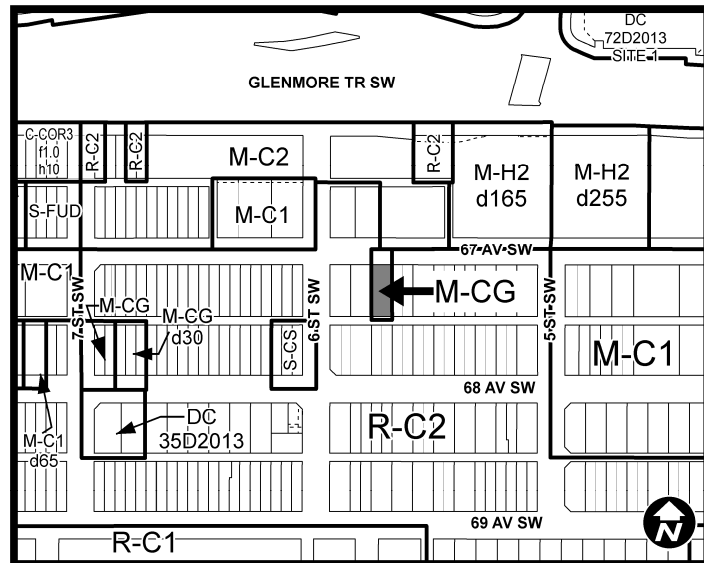
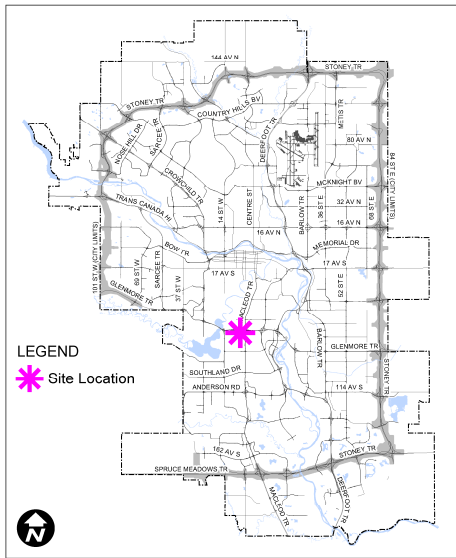
ATTACHMENTS

1. Proposed Bylaw 240D2016
2. Public Submission

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LOCATION MAPS



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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.06 hectares ± (0.14 acres ±) located at 729 – 67 Avenue SW (Plan 784HQ, Block 8, Lot 3) from Residential – Contextual One / Two Dwelling (R-C2) District to Multi-Residential – Contextual Grade-Oriented (M-CG) District.

Moved by: G.-C. Carra

Carried: 5 – 1

Opposed: R. Wright

Reasons for Approval from Cllr. Carra:

- While I do not like the built-form that this application is seeking to perpetuate, it is the overwhelmingly predominantly built-form for blocks and blocks.
- I would hazard to guess most of these semi-detached buildings are functioning, as this application is, as an illegal “four-pack”.
- M-CG is a land use that can be used (and has been used in the past) to bring these illegal “four-packs” into compliance (pending a subsequent development permit to address building code issues).
- It is my understanding that R-CG is not able to legalize this built-form.

Reasons for Opposition from Mr. Wright:

- I cannot support a spot zoning created by an enforcement issue. Either a R-CG or a DC that limits the use to the existing building, rather than seeing the potential rebuilding.

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Applicant:

Camcar International Inc

Landowner:

Camcar International Inc

PLANNING EVALUATION

SITE CONTEXT

The site is located on the south side of 67 Avenue SW between 5 Street SW and 6 Street SW, which is developed with semi-detached dwellings. The north side of 67 Avenue SW between 5 Street SW and 6 Street SW is developed with two multi-residential developments of different forms and heights, two semi-detached dwellings, and a single detached dwelling.

The site is approximately 15 metres by 37 metres in size and is developed with two one-storey semi-detached dwellings, a detached two-car garage that is accessed from the rear lane, and two one-car parking pads that are accessed from the rear lane. Semi-detached dwellings exist to the east, south, and west of the site. Two semi-detached dwellings and a three-storey multi-residential development exist to the north of the site.

Community Name	
Peak Population Year	1971
Peak Population	5,341
2015 Current Population	4,733
Difference in Population (Number)	-608
Difference in Population (Percent)	-11%

LAND USE DISTRICTS

The proposed Multi-Residential - Contextual Grade-Oriented (M-CG) District is intended to accommodate multi-residential development of low height and low density in close proximity or adjacent to low density residential development in the Developed Area. Applying the district's rules, a maximum of six (6) units could potentially be built on the site.

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LEGISLATION & POLICY

South Saskatchewan Regional Plan (SSRP)

The recommendation by Administration in this report has considered and is aligned with the policy direction of the South Saskatchewan Regional Plan (SSRP).

Municipal Development Plan

The parcel is within the “Residential; Developed; Established Area” on Map 1 (Urban Structure) of the *Municipal Development Plan* (MDP). Although the MDP makes no specific reference to the parcel, the proposed land use redesignation is consistent with the policies of subsections 3.5.1 (General - Developed Residential Area) and 3.5.3 (Established Areas) of the MDP.

Location Criteria for Multi-Residential Infill

The parcel is within 400 metres of transit stops on Glenmore Trail SW and Elbow Drive SW, and is within 600 metres of a Primary Transit Network Stop on Elbow Drive SW. There is an existing Multi-Residential land use and development adjacent to the north of the parcel across 67 Avenue SW. The parcel is in close proximity to the Macleod Trail South corridor and the Chinook Major Activity Centre. There is direct lane access to the parcel.

Kingsland Community Plan (Amended October 28, 2015)

There is no statutory local area plan for the community of Kingsland. However, there is the *Kingsland Community Plan* (KCP), a non-statutory community-based plan which is intended to guide the Kingsland Community Association (KCA) Board and its’ sub-committees as Kingsland redevelops. Relevant subsections of the KCP are as follows:

4.1.2 Residential – Contextual One/ Two Dwelling (R-C2) District

“As noted in the introduction of this Plan, KCA is experiencing tremendous pressure to redevelop, particularly in the areas currently zoned R-C2. The community believes the R-C2 district, and the housing it provides is necessary to allow for a variety of housing types in Kingsland. Kingsland will support the infill of appropriate R-C2 housing (i.e. satisfying the City of Calgary contextual rules), in the form of a duplex or semi-detached dwelling. Parcels north of 69th Avenue SW maybe considered for densification by Kingsland providing the requirements of the Glenmore Trail Land Use Study or the Macleod Trail Urban Corridor Study are met. Based on recent Council direction consideration will be given to redesignating parcels along Elbow Drive from R-C1 to R-C2. All other land use amendments to rezone the R-C1 and R-C2 areas of Kingsland will not be supported by Kingsland.”

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4.1.3 Multi- Residential Land Uses

“Approximately 72% of the housing in Kingsland is multi-residential units. The Steering Committee is supportive of additional multi-family in Kingsland if the site is comprehensively planned to integrate with adjacent uses and sites, incorporates high-quality building materials and elements, and provides additional green space and/or pedestrian connections in the community. The following guidelines have been established to guide developers in their site design process and to assist the KCA Board (or Planning and Development sub-committee) when reviewing redevelopment proposals. Densification through land use amendments may be supported north of 69th Avenue SW as recommended by the Glenmore Trail Land Use Study, and east of 4A Street SW north of 78th Avenue SW along Macleod Trail as recommended in the Macleod Trail Urban Corridor Study.”

4.1.2.1 Secondary Suites

“The Kingsland Community Association will review applications for secondary suites that meet City of Calgary requirements (i.e. parking, fire regulations, etc.). Our community is comprised of residents across the lifestyle and age spectrum. Secondary suites can financially support our residents, allowing residents to remain in Kingsland.

Secondary suites are permitted within the R-C2 land use district and will be supported by the Planning Committee. In other areas where a land use amendment is required to allow for a secondary suite the Planning Committee will review applications based on the proposal and adjacent resident feedback.”

TRANSPORTATION NETWORKS

Pedestrian and vehicular access to the site is available from 67 Avenue SW and the rear lane. The area is served by Calgary Transit bus service with a bus stop location within 350 metre walking distance of the site on Glenmore Trail SW. On-street parking adjacent to the site is regulated through the Calgary Parking Authority’s residential parking permit system.

UTILITIES & SERVICING

Water main and sanitary sewers are available to service proposed development. Storm sewers are not presently available to service the subject site and may require an extension at the development permit stage, at the developer’s expense.

ENVIRONMENTAL ISSUES

An Environmental Site Assessment was not required.

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GROWTH MANAGEMENT

This land use amendment proposal does not require additional capital infrastructure investment, and therefore no growth management concerns have been identified at this time. The proposal is in alignment with MDP references associated with growth management matters.

PUBLIC ENGAGEMENT

Community Association Comments

Administration received a letter in opposition to the application from the Kingsland Community Association (APPENDIX II).

Reasons stated for opposition and comments are summarized as follows:

- The Kingsland Community Association supports low density residential land uses districts south of 67 Avenue SW. The Kingsland Community Association does not support multi-residential land uses districts south of 67 Avenue SW.
- The Kingsland Community Association envisions low density residential development south of 67 Avenue SW.
- The Kingsland Community Association suggests density and height modifiers for the proposed M-CG land use district.
- The Kingsland Community Association proposes that the applicant propose a land use redesignation from R-C2 to the R-CG land use district.
- The Kingsland Community Association wishes to work with developers to improve the community while helping to make their projects economically attractive relative to other areas within the city.

Citizen Comments

Administration received two (2) letters in opposition to the application.

Reasons stated for opposition are summarized as follows:

- Shadow impacts;
- Limited on-street parking;
- Inconsistency with the *Kingsland Community Plan*;
- Inconsistency with existing streetscape;
- Higher density than existing density;
- Property upkeep and maintenance issues;
- Tennant behaviour issues;
- Transient sleeping in garage on the site;
- Retaining wall maintenance issues; and
- Not a benefit to community;

Public Meetings

No public meetings were held by the applicant nor by Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

The land use designation for our property, 729 67th Ave Sw Calgary Alberta is currently an RC-2, we would like it to be considered for redesignation to an M-CG. The reasons behind this decision are because currently it has a basement suite on both sides of the duplex and also it is perfect location for a four-plex. This property is already across from large multi-family buildings and is a high density area, with high walkability to transit, amenities, and employment for tenants already living on the premise.

The location is the key to the reasoning that this redesignation should be considered with great care and attention, there already large multi-family as well as legal four-plexes along the same street and directly behind our property. The walkability, immense amenities, transit, and increasing urban density making it an ideal candidate for M-CG zoning.

Thank you for your time and consideration.

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APPENDIX II

LETTERS SUBMITTED



505 78th Avenue SW
Calgary, Alberta T2V 0T3
Bus: 403.255.1400
Fax: 403.255.1407
Email:
admin@kingslandcommunity.ca

11 June 2016

Ezra Wasser (Community Planning – South)
Planning, Development and Assessment #8201
The City of Calgary, 5th Floor, Municipal Building, 800 Macleod Trail SE
PO Box 2100, Station M, Calgary, AB Canada T2P 2M5

Re: LOC2016-0037 729 67 Ave SW R-C2 to M-CG Redesignation

Dear Mr. Wasser,

The Kingsland Community Association (KCA) has been asked to respond to the land use amendment. KCA objects to M-CG district for this single lot parcels currently zoned R-C2 and proposes alternate Low Density re-designation option that would be more appropriate for this area and we will provide the rationale as follows:

1. The community strongly prefers for Low Density parcels south of 67th Ave to remain as Low Density, and will not generally support re-designations to Multi-Residential for these parcels. The community already has over 75% of dwellings as semi-detached, row houses or apartments of which 90% are rented. There are a number of dated multi-residential parcels that are better suited to multi-residential redevelopment than this parcel.
2. The community envisions the south side of 67th Ave to remain Low Density and redevelopment must be sensitive to the streetscape of single storey, mostly rented, semi-detached dwellings. The community believes that the intent of this application is to enable legal suites in a rented semi-detached dwelling which seems appropriate for this parcel.
3. The community believes the application should have specified modifiers for M-CG to have been considered more appropriate for this parcel. The density could have been restricted to 4 units to reflect parking limitations and height could have been restricted to 2 storey to be sensitive to adjacent buildings. A concurrent DP would have helped to ensure an appropriate project in exchange for the increased density, but this application has not even been accompanied by a conceptual design.
4. The community does however propose a re-designation to R-CG with Secondary Suites (basement) for this particular parcel. The community expects to see significant improvements to the streetscape in exchange for this support. The community will observe how this development is executed, and if the streetscape is only marginally improved then we may propose additional measures for future re-designations.
5. The community wishes to work with developers to improve the community and while helping to make their projects economically attractive relative to other areas within the city. We look forward to working with this developer on this particular parcel and encourage proactive engagement with the community association.

Regards,
Darren MacDonald
Planning Director
Kingsland Community Association

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APPENDIX III

LOCATION CRITERIA FOR MULTI-RESIDENTIAL INFILL

Subject Site	Comments
On a Corner	<p>Corner developments have fewer direct interfaces with low density development.</p> <p>Corner sites avoid mid-block development that could signal speculation that the entire block is appropriate for redevelopment.</p>
Within 400m of a transit stop	<p>Allows for greater transit use, providing more mobility options for residents of multi-dwelling developments.</p> <p>Can reduce motor vehicle usage, thereby minimizing vehicle traffic impact on community.</p>
Within 600m of a Primary Transit stop or station	<p>Allows for greater transit use, providing more mobility options for residents of multi-dwelling developments.</p> <p>Can reduce motor vehicle usage, thereby minimizing vehicle traffic impact on community.</p>
On a collector or higher standard roadway on at least one frontage	Minimizes traffic on local streets
Adjacent to existing or planned non-residential development or multi-dwelling development	Creates an appropriate transition between low density and other more intensive land uses or larger scale buildings
Adjacent to or across from existing or planned open space or park or community centre	Creates an appropriate transition between low density and other land uses
Along or in close proximity to a corridor or activity centre	Creates an appropriate transition between low density and other land uses
Direct lane access	Improves pedestrian environment for local residents by limiting the creation of multiple or high frequency use driveways across local sidewalks.