MAP 7C

EXECUTIVE SUMMARY

This land use amendment proposes redesignation of a single residential parcel from a DC Direct Control District under the R-2 District of Bylaw 2P80 to Residential – Contextual One / Two Dwelling (R-C2) District to allow for redevelopment under the Bylaw 1P2007 guidelines and to accommodate the development of a Backyard Suite.

PREVIOUS COUNCIL DIRECTION

None.

ADMINISTRATION RECOMMENDATION(S)

2015 August 27

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 166D2015; and

- 1. **ADOPT** the proposed redesignation of 0.05 hectares ± (0.14 acres ±) located at 3611 Kildare Crescent SW (Plan 732GN, Block 4, Lot 39) from DC Direct Control District **to** Residential – Contextual One/Two Dwelling (R-C2) District, in accordance with Administration's recommendation; and
- 2. Give three readings to the proposed Bylaw 166D2015.

REASON(S) FOR RECOMMENDATION:

This proposal conforms with the policies of the Municipal Development Plan and Killarney-Glengarry Area Redevelopment Plan. The subject parcel complies with the lot area, width and depth requirements of the R-C2 District of Bylaw 1P2007.

ATTACHMENT

- 1. Proposed Bylaw 166D2015
- 2. Public Submissions

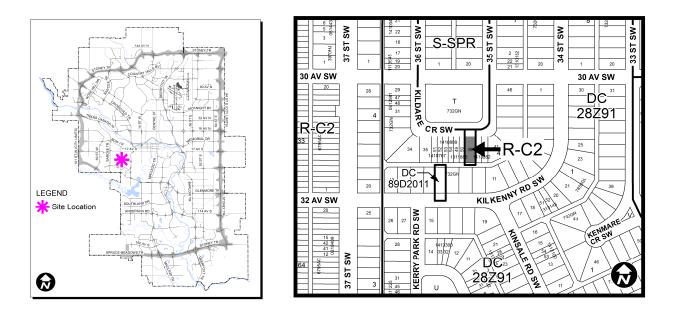
CALGARY PLANNING COMMISSION REPORT TO COUNCIL 2015 OCTOBER 05

ISC: UNRESTRICTED CPC2015-171 LOC2015-0063 Page 2 of 11

LAND USE AMENDMENT KILLARNEY/GLENGARRY (WARD 8) KILDARE CRESCENT SW EAST OF 37 STREET SW AND SOUTH OF 30 AVENUE SW BYLAW 166D2015

MAP 7C

LOCATION MAPS





MAP 7C

ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.05 hectares \pm (0.14 acres \pm) located at 3611 Kildare Crescent SW (Plan 732GN, Block 4, Lot 39) from DC Direct Control District **to** Residential – Contextual One/Two Dwelling (R-C2) District.

Moved by: G.-C. Carra Absent: C. Friesen and R. Honsberger Carried: 5 – 0

MAP 7C

Applicant:

Landowner:

Ranger Homes Inc

Karen Patricia Sheppard Michael Lorne Sheppard

Planning Evaluation Content	*Issue	Page
Density	No	F
Is a density increase being proposed.	No	5
Land Use Districts		
Are the changes being proposed housekeeping or simple bylaw amendment .	Yes	5
Legislation and Policy		
Does the application comply with policy direction and legislation.	Yes	6
Transportation Networks		
Do different or specific mobility considerations impact this site	No	6
Utilities & Servicing		
Is the site in an area under current servicing review and/or has major infrastructure (water, sewer, storm and emergency response) concerns.	No	7
Environmental Issues		_
Other considerations eg. sour gas or contaminated sites	No	7
Growth Management		
<i>Is there growth management direction for this site. Does the recommendation create capital budget impacts or concerns.</i>	No	7
Public Engagement	NL	7
Were major comments received from the circulation	No	7

*Issue - Yes, No or Resolved

MAP 7C

PLANNING EVALUATION

SITE CONTEXT

The subject site consists of a separate titled parcel located at 3611 Kildare Crescent SW east of 37 Street SW and south of 30 Avenue SW in the community of Killarney Glengarry. The site is relatively flat and currently developed with a one storey bungalow. A rear lane is located to the south of the site.

Surrounding development is characterized by recently constructed semi-detached infills on both the east and west boundaries of the site. However, the majority of the block consists of older single detached dwellings. A small park is located across the street to the north.

With a few exceptions, lands located east of 37 Street SW and between 25 Avenue SW and Richmond Road SW, which make up approximately a third of the Killarney Glengarry community, are designated DC 28Z91. R-C2 parcels are located along 37 Street SW, approximately 115 metres to the west of the subject site.

A recently developed Backyard Suite exists 30 metres west of the site on the south side of the lane at 3616 Kilkenny Road SW. Council approved the redesignation to a DC (Bylaw 89D2011 based on R-C2) to allow for the Backyard Suite in December 2011.

LAND USE DISTRICTS

The existing Direct Control 28Z91, approved by Council in 1991, is based on the R-2 District of Bylaw 2P80. The existing DC allows for infill development in the form of single and semidetached dwellings. The intent of the DC is to prevent subdivision of larger R-2 parcels (greater than 15 metres wide) through a minimum parcel width of 11 metres and a minimum parcel size of 348 square metres, specifically for single detached dwellings.

The existing DC is 'frozen in time' under the R-2 District of the previous Bylaw 2P80 and as such does not list a Secondary Suite or Backyard Suite as an allowable use. In addition, the existing DC is prior to Bylaw 1P2007 and has not transitioned to provide for Secondary and Backyard Suites like other surrounding R-C2 land uses in the greater area. Therefore, the proposed redesignation to Residential – Contextual One / Two Dwelling (R-C2) District under Bylaw 1P2007 allows for a variety of infill development, including Secondary and Backyard Suites. Given the existing allowable density is two units under the existing DC, a redesignation to R-C2 will not result in a density increase.

MAP 7C

LEGISLATION & POLICY

Municipal Development Plan (2009 - statutory)

The subject site is identified within the Developed – Inner City area on Map 1 – Urban Structure of the Municipal Development Plan (MDP). The MDP does not specifically reference the parcel; however, the proposed land use amendment is in keeping with a number of overarching MDP policies, as outlined below:

- *Neighbourhood Infill and Redevelopment* policies encourage higher residential densities and redevelopment that is similar in scale and nature, and that increases the mix of housing choices including accessory suites.
- Housing Diversity and Choice policies encourage the provision of a wide range of housing types, tenures and densities that may meet affordability, accessibility, life cycle and lifestyle needs of different groups; an adaptation of the City's existing housing stock to enable changing households to remain in the same neighbourhood for longer time periods through allowing accessory suites in low density areas.

Killarney – Glengarry Area Redevelopment Plan (statutory 1986)

The redevelopment of the Killarney-Glengarry community is guided by the Killarney-Glengarry Area Redevelopment Plan (ARP). The subject lands are located within the *Low Density Dwelling – Conservation/Infill* area as identified on map 2 of the ARP.

The *Low Density Dwelling* – *Conservation/Infill* policies of the ARP provide for the form and density allowed under the existing R-1 (R-C1) and R-2 (R-C2) Land Use Bylaw districts which includes single detached, semi-detached, duplex and converted structures containing no more than two dwelling units. This policy, which is applied to the greater majority of the residential land in Killarney-Glengarry is designed to retain a low density character while permitting infill development.

Administration finds the proposed land use application is in keeping with the above policies of the ARP.

TRANSPORTATION NETWORKS

A Transportation Impact Assessment was not required. The site is located approximately 300 metres from a transit stop, servicing the 72, 73 and 306 (BRT) bus routes.

MAP 7C

UTILITIES & SERVICING

All required services are available for the proposed land use. The existing servicing can accommodate the proposed development without the need for upgrades or adjustments to the existing infrastructure.

ENVIRONMENTAL ISSUES

An Environmental site assessment was not required.

ENVIRONMENTAL SUSTAINABILITY

Not applicable to this land use amendment application.

GROWTH MANAGEMENT

The proposed land use amendment does not trigger capital infrastructure investment and therefore there are no growth management concerns.

PUBLIC ENGAGEMENT

Community Association Comments

No comments were received from the Community Association as part of the circulation. However, a letter of support from the Community Association was provided as part of the applicant's submission and can be found in APPENDIX II.

Citizen Comments

Eight letters from adjacent neighbours in support of the application were submitted by the applicant, including support from the neighbouring residents on the east and west boundaries of the site. The applicant has also indicated that four additional neighbours have expressed neutrality to the application. All 12 of these residents live on the same block as the subject parcel.

Seven letters of opposition to the application were received indicating the following concerns regarding the proposed Backyard Suite:

 Privacy issues and interference with the enjoyment of the surrounding property owners;

MAP 7C

- Negative impact on neighbouring property values;
- Contrary to all governing regulations (Bylaw 2P80, DC Bylaw 28Z91, Killarney Glengarry ARP);
- Loss of the urban tree canopy and sense of community;
- Addition of building mass creating a negative visual impact on neighbouring properties; and
- Not within community context and the neighbourhood and rear lane were not designed to support this type of increase in density.

Public Meetings

The owners of the subject parcel made a concerted effort to engage their neighbours regarding the proposed redesignation. The owners went door to door and spoke to 14 of their neighbours. Of the 14 consulted, only two are opposed to the application.

MAP 7C

APPENDIX I

APPLICANT'S SUBMISSION

This letter is attached to the land use redesignation submission for 3611 Kildare Crescent SW in the community of Killarney/Glengarry. The intent is to provide the reasoning for the proposed development and an explanation for the rezoning request for this property.

The current zoning for this parcel of land is Direct Control 28Z91, which was approved in September of 1991. This direct control bylaw states that all of the land use and development guidelines apply from the (current as of that date) existing Land Use Bylaw 2P80 for an R-2 zoned property, with the exception that the minimum lot width for a single-detached home was enlarged to 11 metres from the typical 7.5 metres. The intent of departing from 2P80 was to preserve the wider lots and prevent narrow lot infills from being developed. The unintended consequences were that this direct control zone remains tied to an out-of-date land use bylaw, and that the wider lot requirements do not apply to semi-detached infills, so subdivision of properties into 7.5 metre wide lots has proceeded regardless of the zoning intent.

The rezoning application for the property at 3611 Kildare Crescent is for R-C2 Contextual Low Density Residential Development, which will bring it under the guidelines of the most current land-use bylaw, as well as allow for a Backyard Suite as a discretionary use. The R-C2 zoning designation is typical for most of the community of Killarney/Glengarry and neighbouring developed communities. Reference drawings of the proposed exterior home renovation and porch addition, as well as the backyard suite design and location are included for information with this Land Use Redesignation application. The development permit application for these will be submitted shortly following this application, as it is waiting for the completed survey and streetscape.

The applicants at this property are long-term residents who are actively involved with their neighbours and community, and feel strongly that there should be alternative ways to preserve some of the existing housing stock and still increase density. They have presented their proposed development and rezoning to the community association and their neighbours, and have received enthusiastic support from all. The clients are passionate about the neighbourhood, and wish to remain living at their property for as long as possible, and feel that this development will both improve their current home and its relationship with the new developed streetscape and surrounding parks, as well as provide flexibility for alternative living arrangements in the future.

The key points regarding the proposed rezoning of this parcel are:

- The new zoning brings the parcel into line with the current Land Use Bylaw 1P2007
- Removal of the Direct Control designation will mean that the zoning remains current with future City of Calgary Planning and Development guidelines

MAP 7C

- R-C2 zoning will allow for the discretionary development of a backyard suite as a method of increasing the density of the parcel to a degree that is consistent with typical semi-detached or single-detached construction in this neighbourhood, but will allow for the existing dwelling to remain
- The density and massing of R-C2 zoning is consistent with, and does not exceed the guidelines currently set out by DC 28Z91
- The property is surrounded by neighbouring semi-detached developments which are significantly larger and higher than the proposed development. There is also an existing backyard suite located across the lane from this property.
- The exterior renovation and front porch addition to the house, as well as the proposed backyard suite will comply with all guidelines for R-C2 zoning. Care will be taken with the siting and design of the backyard suite to consider privacy and shadowing issues with neighbouring properties.
- The site is ideal for a secondary suite due to its proximity to downtown, transit, schools and parks. There is also ample on-site parking and outdoor amenity space provided for the suite and primary residence.
- A new legal secondary suite can provide a safe and more affordable alternative to infill housing for individuals or families that wish to live in this community. Similarly, preservation of the existing bungalow allows for more opportunity to age in place.

We and our clients feel strongly that this is an excellent opportunity to thoughtfully develop and alternative to the typical inner-city infill that provides for a variety of uses and benefits.

CALGARY PLANNING COMMISSION REPORT TO COUNCIL 2015 OCTOBER 05

LAND USE AMENDMENT KILLARNEY/GLENGARRY (WARD 8) KILDARE CRESCENT SW EAST OF 37 STREET SW AND SOUTH OF 30 AVENUE SW BYLAW 166D2015

MAP 7C

<u>APPENDIX II</u>

LETTERS SUBMITTED

局. 36// -3116 Kildare Crescent

> From : Keren Houlgate <a href="mailto:selign:selig

Tue, Apr 28, 2015 07:39 PM

Karen:

Thanks for presenting your proposal for your carriage house secondary suite and garage to the Development Committee this evening. We are fully in support of rezoning your parcel to RC2 or to Direct Control to allow a carriage house secondary suite.

We applaud the sensitive design of the carriage house building and we applaud the plans that you have to build a deck onto the front of the existing home. Both building plans are great examples of ways in which to enhance an older home and to double density on the site while keeping an attractive existing home out of the landfill.

Keren Houlgate Director, Development Killarney Glengarry Community Association

Sent from my iPad