

**LAND USE AMENDMENT  
ELBOYA (WARD 11)  
49 AVENUE SW AND 4A STREET SW  
BYLAW 13D2015**

**MAP 4C**

**EXECUTIVE SUMMARY**

This land use amendment seeks to redesignate a single residential parcel from Residential – Contextual One Dwelling (R-C1) District to a Residential – Contextual One / Two Dwelling (R-C2) District to allow for one additional residential unit.

**PREVIOUS COUNCIL DIRECTION**

None.

**ADMINISTRATION RECOMMENDATION(S)**

2014 November 20

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 13D2015; and

1. **ADOPT** the proposed redesignation of 0.06 hectares  $\pm$  (0.14 acres  $\pm$ ) located at 503 – 49 Avenue SW (Plan 6153AC, Block 42, Lot 10) from Residential – Contextual One Dwelling (R-C1) 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 13D2015.

**REASON(S) FOR RECOMMENDATION:**

The proposal is in conformance with the Municipal Development Plan (MDP) and allows for modest residential intensification of the site in a manner that is compatible with adjacent land use and development.

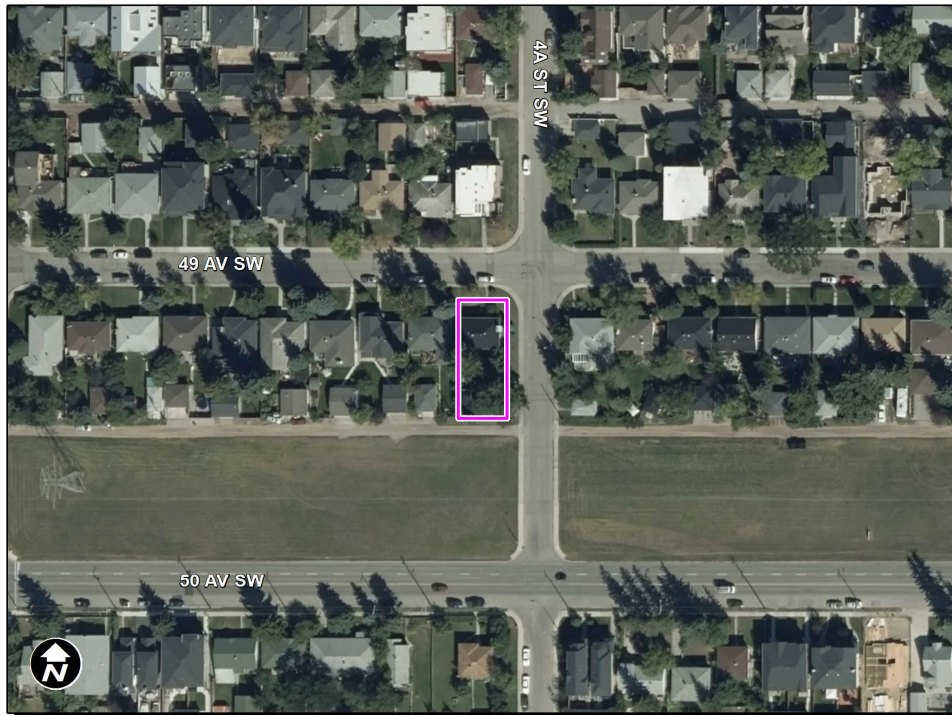
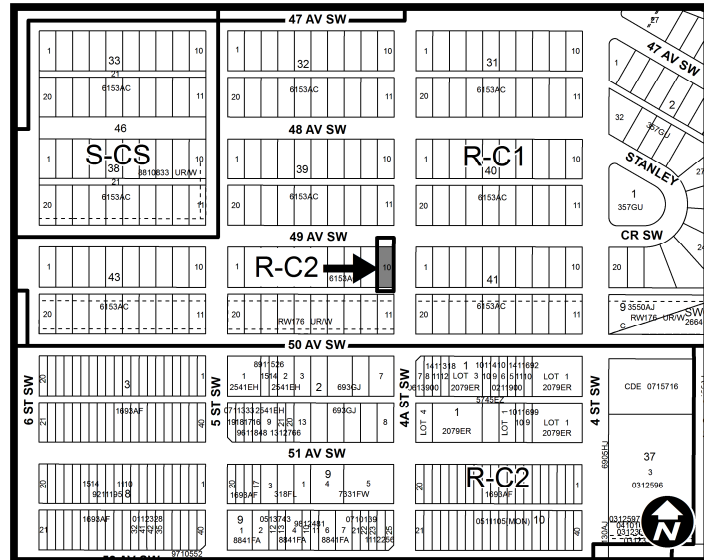
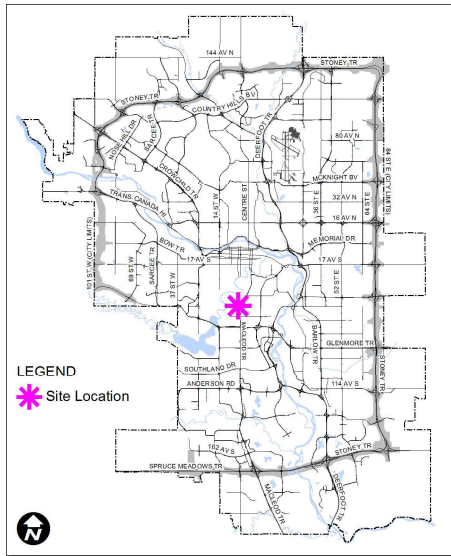
**ATTACHMENT**

1. Proposed Bylaw 13D2015
2. Public Submissions

LAND USE AMENDMENT  
ELBOYA (WARD 11)  
49 AVENUE SW AND 4A STREET SW  
BYLAW 13D2015

MAP 4C

LOCATION MAPS



LAND USE AMENDMENT  
ELBOYA (WARD 11)  
49 AVENUE SW AND 4A STREET SW  
BYLAW 13D2015

MAP 4C

**ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION**

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.06 hectares  $\pm$  (0.14 acres  $\pm$ ) located at 503 – 49 Avenue SW (Plan 6153AC, Block 42, Lot 10) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One/Two Dwelling (R-C2) District.

**Moved by: J. Gondek**

**Carried: 8 – 1**

Opposed: R. Honsberger

Reasons for Opposition from Mr. Honsberger:

- I think this corner site, with AltaLink corridor to the south is a missed opportunity for higher density, i.e. Multi-Residential Contextual Grade Orientated District.

LAND USE AMENDMENT  
ELBOYA (WARD 11)  
49 AVENUE SW AND 4A STREET SW  
BYLAW 13D2015

MAP 4C

**Applicant:**

Scheffer Andrew

**Landowner:**

877815 Alberta Inc (Randall Burke)

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

\*Issue - Yes, No or Resolved

**LAND USE AMENDMENT  
ELBOYA (WARD 11)  
49 AVENUE SW AND 4A STREET SW  
BYLAW 13D2015**

**MAP 4C**

---

**PLANNING EVALUATION**

**SITE CONTEXT**

The site is located at the southwest corner of 49 Avenue SW and 4A Street SW, within the predominantly low density residential community of Elboya. The subject site is approximately 15 metres wide and 37 metres deep and contains an existing single detached dwelling with detached garage accessed from 4A Street SW. The 50 Avenue SW Neighborhood Corridor is located to the south of the site. The parcels to the south of the site are vacant with the exception of the right-of-way for overhead transmission lines operated by Alta-Link.

**LAND USE DISTRICTS**

The proposed land use district is a Residential – One / Two Dwelling (R-C2) District. Parcels with a R-C2 designation allow for contextually sensitive redevelopment in the form of semi-detached dwellings, duplex dwellings and single detached dwellings in the Developed area.

The site is located just beyond the boundaries of the 50 Avenue SW Area Redevelopment Plan (ARP). The proposed R-C2 District allows for a sensitive transition in density from lands within the boundaries of the 50 Avenue SW ARP, which has policies supporting redesignation to a Multi-Residential – Contextual Grade-Oriented (M-CG) District, to the community of Elboya which is predominantly designated with a Residential – Contextual One Dwelling (R-C1) District. The proposed R-C2 District also allows for modest intensification of the site and an increase in housing diversity in the community in a form that is compatible with adjacent land use and development.

**LEGISLATION & POLICY**

**Municipal Development Plan (Statutory - 2009)**

The parcel is located within a Developed Residential – Established Area as identified on Map 1: Urban Structure of the Municipal Development Plan (MDP). Although the MDP does not make specific reference to this site, the proposal is in keeping with a number of MDP policy areas including: Developed Residential Areas, Neighbourhood Infill and Redevelopment and Housing Diversity and Choice policies.

More specifically, the Established Area policies of the MDP encourage modest redevelopment as well as new developments that incorporate appropriate densities, a mix of land uses and a pedestrian-friendly environment to support an enhanced Base or Primary Transit Network.

**LAND USE AMENDMENT  
ELBOYA (WARD 11)  
49 AVENUE SW AND 4A STREET SW  
BYLAW 13D2015**

**MAP 4C**

Neighbourhood Infill and Redevelopment policies of the MDP generally encourage growth and change in low-density neighborhoods through redevelopment that is similar in scale and built form and increases the mix of housing types such as accessory suites, semi-detached, townhouses, cottage housing, row or other ground-oriented housing.

The Housing Diversity and Choice policies of the MDP encourage a wide range of housing types, tenures and densities to create diverse neighborhoods.

In addition, as the site is adjacent to the 50 Avenue SW Neighborhood Corridor, the Neighborhood Corridor policies of the MDP indicate that an appropriate transition between the Neighborhood Corridor and adjacent residential areas is required and should generally occur at a rear lane or public street. These transitions should be sensitive to the character, form and scale of the surrounding areas, while creating opportunities to enhance connectivity within the community.

## **TRANSPORTATION NETWORKS**

A Transportation Impact Assessment and Parking Study were not required, with no upgrades to transportation infrastructure anticipated to be required as a result of this land use. Access will be required from the rear lane.

The area is served by Calgary Transit bus service within 300 metre walking distance of the site on 50 Avenue SW.

## **UTILITIES & SERVICING**

Water, storm and sanitary sewer mains are available to service the site. No infrastructure upgrades were identified as necessary to support this proposal.

## **ENVIRONMENTAL ISSUES**

An Environmental Impact Assessment was not required.

## **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. In addition, the proposal is in alignment with the MDP references associated with growth management matters.

**LAND USE AMENDMENT  
ELBOYA (WARD 11)  
49 AVENUE SW AND 4A STREET SW  
BYLAW 13D2015**

**MAP 4C**

**PUBLIC ENGAGEMENT**

**Community Association Comments**

The Elboya Heights Community Association does not support the proposal based on the desire to retain a R-C1 land use designation in the community, except as negotiated in the 50 Avenue SW ARP and as already exists adjacent to Macleod Trail SW. Their letter is attached in APPENDIX II.

**Citizen Comments**

Three letters were received in support of the proposed Land Use amendment, which may be summarized as follows:

- Will accommodate additional density in the community while maintaining the integrity of the community.
- Redesignation will help to revitalize the area.
- R-C2 is a logical transition from the 50 Avenue SW ARP area.

Twenty-seven letters objecting to the proposal were also received, which may be summarized as follows:

- Elboya has already accommodated additional density through the 50 Avenue SW ARP and the application is outside of the Council approved ARP boundaries.
- Development is premature as 50 Avenue SW has not fully developed.
- Current residential development in the neighbourhood is predominantly single detached dwellings and a broader choice of housing is not needed.
- Perceived negative impact to land values in the community.
- Precedent setting and will create interest in future redesignations to R-C2.
- Redesignations should be done in a comprehensive manner.
- Increase in traffic and on-street parking.

**Public Meetings**

There were no public meetings held by the Applicant or Administration.

**LAND USE AMENDMENT  
ELBOYA (WARD 11)  
49 AVENUE SW AND 4A STREET SW  
BYLAW 13D2015**

**MAP 4C**

## **APPENDIX I**

### **APPLICANT'S SUBMISSION**

The applicant proposes to change the land use district at 503 49<sup>th</sup> Avenue SW (the "Site") from Residential Contextual One ("R-C1") to Residential Contextual Two ("R-C2"). The applicant is not proposing to develop the Site at this time and a design for the development will follow under a separate planning application. The applicant seeks a higher density for R-C2 land use purposes.

The proposed redesignation to R-C2 would:

- Enable the redevelopment of this corner lot with additional residential units, pursuant to a ground-oriented building typology similar in scale and form to nearby developments.
- Achieve goals of the MDP. The proposed redesignation would allow for moderate intensification in an area that is close to a commercial centre and adjacent to a Neighbourhood Corridor and a Primary Transit Route.
- Provide for a broader choice of housing in the Elboya community.
- Recognize that this is a corner Site that abuts land to the south that is identified in the 50<sup>th</sup> Avenue SW Area Redevelopment Plan for future residential infill (low intensity multi-family) in the Altalink transmission corridor.
- Help to create a transition, by way of a density gradient, between the future residential infill proposed in the AltaLink transmission corridor and established single family homes to the north.

Developments taking place in the adjacent community of Windsor Park on properties with and R-C2 designation provide an example of what development could be expected to occur on the Site. These infill developments are high quality and have a form that appears to be a reasonable fit for the Elboya community.



LAND USE AMENDMENT  
ELBOYA (WARD 11)  
49 AVENUE SW AND 4A STREET SW  
BYLAW 13D2015

MAP 4C

APPENDIX II

LETTERS SUBMITTED

Elboya Heights Community Association  
c/o Mark W. Chambers  
4323 – 4a Street SW  
Calgary, AB T2S 1Z7  
Tel: (403) 245-6068

31 July 2014

Christine Khandl  
Development and Building Approvals #8108  
P.O. Box 2100, Stn. M  
Calgary, AB T2P 2M5  
Tel: 403-268-5434 Fax: 403-268-1997 Email: Christine.Khandl@calgary.ca

Dear Ms. Khandl,

Re: LOC2014-0104  
503-49 Avenue SW, Land Use Amendment: Proposal from R-C1 District to R-C2

Historically, the Elboya Heights Community Association (EHCA) has supported proposed developments which conform to the Land Use Bylaw and comply with existing land use designation and density. The response to the captioned land use amendment proposal is based on the community association's policy regarding development within the boundaries of Elboya.

During the meetings and negotiations among the many parties, including Elboya residents in general and many Elboya 49th Avenue residents in particular, which lead to the 50th Avenue Area Redevelopment Plan (ARP) there was much concern expressed regarding the potential for increased density creep away from the periphery and into the core of the community, one lot at a time and one street at a time. It appears that concern has been confirmed by the proposed land use amendment proposal.

The applicant's submission is stretching credulity and disingenuous in every one of its bulleted arguments as detailed below. Excerpts from the Applicant's Submission are in quotation marks.

- the corner lot (503-49 Ave SW) can be redeveloped "pursuant to a ground-oriented building typology similar in scale and form to nearby developments". Yes it can, as a single detached dwelling unit, just like all the nearby developments along 49th Avenue. Referring to semi-detached dwelling units across 50th Avenue in Windsor Park is disingenuous at best.
- "Achieve goals of the MDP". The 50th Avenue ARP is doing exactly that. Remember the north side of 50th Avenue is in the community of Elboya and this has been a huge concession on the part of the community in order to be responsive to the MDP. **Now respect the rest of Elboya.**
- "broader choice of housing..." The 50th Avenue development, if it ever happens, will provide a broader choice of housing.
- "Recognize that this is a corner Site that abuts land to the south that is identified in the 50th Avenue SW Area Redevelopment Plan for future residential infill (low intensity multi-family)..." What does that have to do with 49th Avenue SW? The 50th Avenue corridor has been approved for increased density as it makes sense in many respects. But it cannot be used as a precedent for increased density moving into the core of the community.
- "...create a transition, by way of a density gradient, between the future residential infill..." First off, the 50th Avenue SW development may never happen. Calgary is in a housing bubble and our economy is still a one horse

C. Khandl

**LAND USE AMENDMENT  
ELBOYA (WARD 11)  
49 AVENUE SW AND 4A STREET SW  
BYLAW 13D2015**

**MAP 4C**

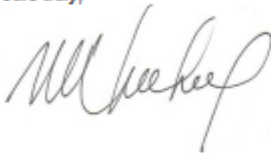
---

town economy, meaning the 50th Avenue development is very precarious. So to use something that is not even built as a precedent for a density gradient is ludicrous. It is a completely empty argument .

Based on the community's policy of retaining its R-C1 land use designation except as negotiated in the 50th Avenue SW ARP and as already exists adjacent to Macleod Trail, the community is not able to support the proposed land use amendment.

If you require additional information, please do not hesitate to contact the undersigned. Thank you.

Yours truly,

A handwritten signature in black ink, appearing to read 'Mark W. Chambers', written over a faint circular stamp.

Mark W. Chambers, Development Chair  
Elboya Heights Community Association