

KILLARNEY/GLENGARRY
(Ward 8 - Alderman Mar)



RECOMMENDATION:

CALGARY PLANNING COMMISSION RECOMMENDATION TO COUNCIL:

That Council:

1. **REFUSE** the proposed amendment to the Killarney/Glengarry Area Redevelopment Plan, in accordance with the Corporate Planning Applications Group recommendation; and
2. **ABANDON** the proposed Bylaw.

Moved by: D. Farrell

Carried: 8 – 0

3. **REFUSE** the proposed redesignation of 0.06 hectares \pm (0.15 acres \pm) located at 2404 – 28 Street SW (Plan 5661O, Block 26, Lots 39 and 40) from Residential – Contextual One / Two Dwelling (R-C2) District **to** Multi-Residential – Contextual Grade-Oriented (M-CGd72) District, in accordance with the Corporate Planning Applications Group; and
4. **ABANDON** the proposed Bylaw.

Moved by: D. Farrell

Carried: 8 – 0

PROPOSAL:

Amendment to the Killarney/Glengarry Area Redevelopment Plan.

To redesignate 0.06 ha \pm (0.15 ac \pm) located at 2404 – 28 Street SW (Plan 5661O, Block 26, Lots 39 and 40) from Residential – Contextual One / Two Dwelling (R-C2) District to Multi-Residential – Contextual Grade-Oriented (M-CGd72) District.

(Map 7C)

APPLICANT:
HCI Architecture

OWNER:
Sadrudin Devani

CURRENT DEVELOPMENT: Single detached dwelling

ADJACENT DEVELOPMENT:

NORTH: 23 Avenue SW, and single detached dwelling (R-C2)

SOUTH: Semi-detached Dwelling (R-C2)

EAST: Lane, single detached dwelling (R-C2)

WEST: 28 Street SW, Four-plex residential dwelling (M-CGd72)

SUMMARY OF CIRCULATION REFEREES

**ENVIRONMENTAL
MANAGEMENT**

Not applicable.

**COMMUNITY
ASSOCIATION
Killarney/Glengarry**

The Community Association does not support the application (APPENDIX II).

PLANNING EVALUATION

Introduction

This land use application seeks to redesignate approximately 0.06 hectares of land from Residential—Contextual One/Two Dwelling (R-C2) District to Multi-Residential—Contextual Grade-Oriented (M-CGd72) District to allow for a multi-residential development.

Site Context

The subject parcel is located within the community of Killarney, between 26 Avenue SW and the 17 Avenue S corridor. The site is located within a predominately low density residential area (R-C2) that is adjacent to low profile multi-residential (M-CGd72).

To the west of the subject site, on the other side of 28 Street SW, is a four block multi-residential node, as identified in the Killarney/Glengarry Area Redevelopment Plan (Map 2). Existing development in this node includes single detached residential, semi-detached and three storey multi-residential development. There still exists significant redevelopment potential in this node. Multi-residential and mixed use land use also exists along the 17 Avenue S corridor, a primary transit route. This area is also significantly underdeveloped.

Site Characteristics

The subject parcel is representative of typical lots surveyed in the Killarney/Glengarry Community. The site is approximately 15 metres wide and 38 metres deep, on a corner, with lane access.

Proposed Land Use District

The proposed Multi-Residential–Contextual Grade-Oriented (M-CGd72) District is intended to accommodate multi-residential development of low height and low density in close proximity or adjacent to low density residential development. Applying the District's rules, a maximum of 4 units could potentially be built on the subject site.

Legislation & Policy

Municipal Development Plan (MDP) (Approved by Council 2009 September)

The subject site is identified as *Developed Residential Area*, and more specifically, an *Inner City Area* in the MDP (Map 1: Urban Structure). The proposed land use amendment meets a number of overarching MDP policies. Overall, the City supports intensification that is similar in scale and built form, and respects the existing character of the neighbourhood (Section 2.2, and Section 3.5).

Notwithstanding the above, Area Redevelopment Plans in existence prior to the approval of the Municipal Development Plan are recognized by the MDP as policies providing specific direction relative to the local context (Part 1, Section 1.4.4 and 1.4.6). Further, the Municipal Development Plan directs intensity towards urban corridors (such as 17 Avenue SW) where amenities and infrastructure (such as a primary transit network) support intensification.

Killarney/Glengarry Area Redevelopment Plan (ARP) (Approved by Council 1986 March)

The subject parcel is located within the Low Density Dwelling—Conservation/Infill area within the Killarney/Glengarry ARP. This land use identifies single-family detached, semi-detached, duplex and converted structures containing no more than two units as allowable (ARP, Section 2.1.2).

The existing land use on the subject parcel, R-C2, supports the Low Density Conservation area. The maximum allowable density under the M-CGd72 district does not meet the intent of the policies identified in the ARP and does not comply with Section 2.1.2 and Section 2.1.3.2.

The ARP supports a range of housing types, to accommodate people in a variety of economic and lifestyle situations. Areas for multi-residential development are directed to:

- Parcels between 19 Avenue SW and 17 Avenue SW;
- Parcels bounded by 21 Ave SW and 25 Avenue SW, and 30 Street SW and 28 Street SW;
- A commercial/residential node on 26 Avenue SW, adjacent to 34 street SW and 33 Street SW

The residential node adjacent to the subject parcel has a clearly defined boundary and provides transition density within the node (west of 28 Street SW) to the R-C2 lands east of 28 Street SW.

Area Redevelopment Plan Minor Amendment

As the proposed land use redesignation does not conform to the allowable density of the Killarney/Glengarry ARP, a minor map amendment to the ARP, included in APPENDIX III of this report, is required. Although the proposed map would accommodate this land use proposal, Administration does not support the ARP amendment as it is contradictory to the clearly defined and focused intensification areas directed by the ARP.

Site Access, Traffic & Parking

A Transportation Impact Assessment and parking study was not required.

Site Servicing for Utilities

All required site servicing is available to accommodate the proposed land use. Access is anticipated to come from the lane.

Environmental Site Assessment

An Environmental Site Assessment was not required.

Community Association Comments

The Killarney Glengarry Community Association does not support the application.

Two letters were provided by the Community Association (APPENDIX II). The first letter was submitted in response to the original application (M-CG). The second letter is in response to the revised application (M-CGd72).

Issues identified by the CA include but are not limited to:

- opportunities for intensification exist along the 17 Avenue SW, and 29 Street SW node;
- a multi-residential building does not represent complementary infill to this area;
- the existing land use allows for the subject parcel to double in intensity.

Adjacent Neighbour Comments

A number of residents submitted letters of objection, in addition to one petition with eleven signatories objecting to the proposed land use amendment (M-CG). Issues raised include:

- The proposed land use will further congest parking and increase traffic;
- Maximum allowable height under proposed land use district will decrease privacy for adjacent parcels;
- The application is not in keeping with the Killarney Glengarry ARP;
- The MDP points to ARP's approved prior to the MDP as providing specific direction to communities;
- Opportunities for densification exist under existing land use; and
- The proposed M-CG district doesn't represent complementary development adjacent to the R-C2 district.

CONCLUSION

Administration recommends refusal of this application for a number of reasons. While the specific local impacts of this application could be minor, administration is not supportive of expanding a clearly defined residential node on a site by site basis. The expansion of the adjacent multi-residential node should be reviewed holistically. Multi-residential development has yet to be realised here and within the 17 Avenue urban corridor. Further, the proposed M-CGd72 district does not comply with Section 2.1.2 and Section 2.1.3.2 of the Killarney/Glengarry ARP. While the proposed M-CGd72 district is intended to be placed in close proximity or adjacent to low density residential development, the application does not conform to the clearly defined and focused intensification areas, as guided by the Area Redevelopment Plan.

CORPORATE PLANNING APPLICATIONS GROUP RECOMMENDATION: REFUSAL

- A.** Recommend that Council **ABANDON** the proposed amendment (APPENDIX III) to the Killarney/Glengarry Area Redevelopment Plan for the following reasons:
1. The proposed amendment does not reinforce the logical and comprehensive established pattern of land use as guided by the Area Redevelopment Plan.
 2. Development intensity has yet to be realized under the existing policy and land use for the 17 Avenue corridor of 29 Street SW Node.
- B.** Recommend that Council **ABANDON**, the proposed bylaw to redesignate 0.06 hectares \pm (0.15 acres \pm) located at 2404 – 28 Street SW (Plan 5661O, Block 26, Lots 39 and 40) from Residential – Contextual One / Two Dwelling (R-C2) District **to** Multi-Residential – Contextual Grade-Oriented (M-CGd72) District for the following reasons:
1. The proposed redesignation represents an encroachment into adjacent R-C2 designated lands and does not direct higher intensity, multi-residential development in existing land use districts.

APPLICANT'S SUBMISSION

Re-Zoning of Lots 39 and 40, Block 26, Plan 5661 O
2404 28th. Street S. W.
Calgary, Alberta

April 23, 2013

Application LOC 2012-0090

Applicant Rationale Statement

Why City should approve Re-Zoning from R-C2 (duplex) to M-CG d72 (four-plex)

This submission is to request re-zoning of the parcel from R-C2 (duplex) to M-CG d72 (four-plex). Detailed Team Review (DTR) – Land Use Amendment dated February 13, 2013 as received from Corporate Planning Applications Group (CPAG) has been reviewed.

1. We do understand that as per Prior to Calgary Planning Commission comments section 1(B)(a) a Minor Area Redevelopment Plan amendment is required to support a district with a M-CG base and for which a Minor Amendment fee was paid on March 13, 2013.

In addition to the Rationale as indicated above please be informed that:

- A) Lots across from 28th. Street S. W. and immediately south west, west and north-west have zoning of M-CGd72, M-C1, M-CG d72. What is requested through this submission is complementary to existing neighborhood.
- B) Bylaw 1P2007 allows for 111 units per hectare which in this case will be 6.44 units. The density Modifier requested is only 72 units per hectare and hence only 4 units are requested at this property.
- C) In the early part of 2013 the new Westbrook LRT Station has opened which makes it easier for people to commute.
- D) We will abide by Bylaw 1P2007 which also requires adherence to other parts of Bylaw. The following are some of the items of the Bylaw:

Discretionary Uses No. 578. Should community at large have an objection to re-zoning, they will have the option to appeal as this is a discretionary use.

At Grade Orientation No. 581. Each unit will have direct access at grade and each unit entry will be visible from the street. The units will occupy a minimum of 50% of the area at the floor closest to grade.

Setback Area No. 582. All units will have a setback equal to the minimum contextual multi residential building setback. The preliminary site plan submitted along with the application shows how we plan to arrange the units and the garages.

Building Setback No. 583. For 23rd. Avenue, we will have setback of at least 1.2 M and for 28th. Street we will follow the contextual setback of the neighboring lots less 1.5M which translates to 4.5 M. The minimum setback from the lane and neighboring lot will be at least 1.2M.

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Landscaping No. 584. All landscaped areas will be at grade as required.

Building Height No. 585. Building height at property line will be 6.0 M or less as required in this section of Bylaw.

Garage. Garages will be ancillary structure.

END OF APPLICANT RATIONALE STATEMENT

KILLARNEY GLENGARRY COMMUNITY ASSOCIATION**COMMENTS TO LOC2012-0090**

DATE: January 6, 2013 (extension for comments granted to January 11, 2013)

LOC: 2012-0090

DATE OF APPLICATION: December 6, 2012

APPLICANT'S NAME: Amir Hemani

FILE MANAGER: Amber C. Osadan-Ullman

COMMUNITY ASSOCIATION: Killarney Glengarry,
Keren Houlgate, Development Director,
email: khoulgate@shaw.ca Telephone: 403-807-2075

Community Association Response:

The property at 2404 28th Street SW is zoned R-C2 and sits directly east of an area of Killarney Glengarry that is zoned M-CG d72. This denser zoned area is directly across the street from 2404 28th Street. The city blocks north, south, and east of the property are entirely zoned R-C2. 2404 28th Street is situated centrally in these blocks.

- The current zoning and use of this property permits construction of two homes – doubling the occupancy of the land - which in the view of the Killarney Glengarry Community Association meets the City's objective of increased density.
- Rezoning or permitting a change of use for this property would constitute spot rezoning and could set a precedent for spot-rezoning on similar narrow frontage R-C2 lots in the Killarney Glengarry area. The Killarney Glengarry community already offers a large inventory of land, situated along the 17th Avenue corridor and along either side of 29th Avenue that is currently zoned M-CG, MC-1 and MC-2 and where buildings of greater density can be constructed.
- We feel that multi-residential buildings would be out of context for the streetscape on this block and on the adjacent block to the north. The M-CG area to the west of 2404 28th Street is an area of low townhouses that steps down from the higher-density area along 29th Street into the R-C2 area on these two blocks. Building multi-residential buildings along the east side of the 2400 block of 28th Street would be out of context with the current thoughtful zoning plan.
- Resident owners of two adjacent properties do not support a change in use or a change in zoning. You will have heard directly from these owners.

For these reasons, the Killarney Glengarry Community Association does not support either rezoning or a change of use that would permit construction of a multi-residential building at 2404 28th Street.

Background:

We met with Mr. Amir Hemani and Mr. Alkarim Devani October 10, 2012 at which Mr. Hamani and Mr. Devani presented their request to the Development Committee of the Killarney Glengarry Community Association to support their proposal to rezone the land at 2404 28th Street SW. The Development Committee would like to express their appreciation to Mr. Hemani and Mr. Devani for their respectful approach to the Community and also for providing a list of emails and contact numbers for residents in the surrounding area.

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We used this list of emails to circulate a request for opinions. We did not hear from any other resident other than those who have already provided you with comments.

We also met with one owner and have heard by email from another owner. These residents own homes to the north and to the east of 2404 28th Street SW and would both be directly impacted by the proposed use. We have also received a copy of a petition from other KGCA residents, with comments. You have received copies of all these comments.

Keren Houlgate
Director, Development
Killarney Glengarry Community Association
403-807-2075

**COMMUNITY ASSOCIATION**

2828 - 28th Street S.W.
Calgary, Alberta T3E 2J3
Phone or Fax: 246-6668
E-mail: kilglen@shaw.ca

April 23, 2013

Amber Osadan-Ullman
Planner, Land Use Amendments
Land Use Planning & Policy
The City of Calgary

RE: LOC2012-0090

Dear Amber:

Thank you for informing us about the adjustments to the rezoning application for 2404 28th Street SW.

The Killarney Glengarry Community Association confirms that all points stated in our original letter still stand. The residents in the area have let us know that they do not support any form of multi-family rezoning and the KGCA Development Committee concurs that the zoning of the property at 2404 28th Street should remain R-C2. We do not support rezoning.

Regards,

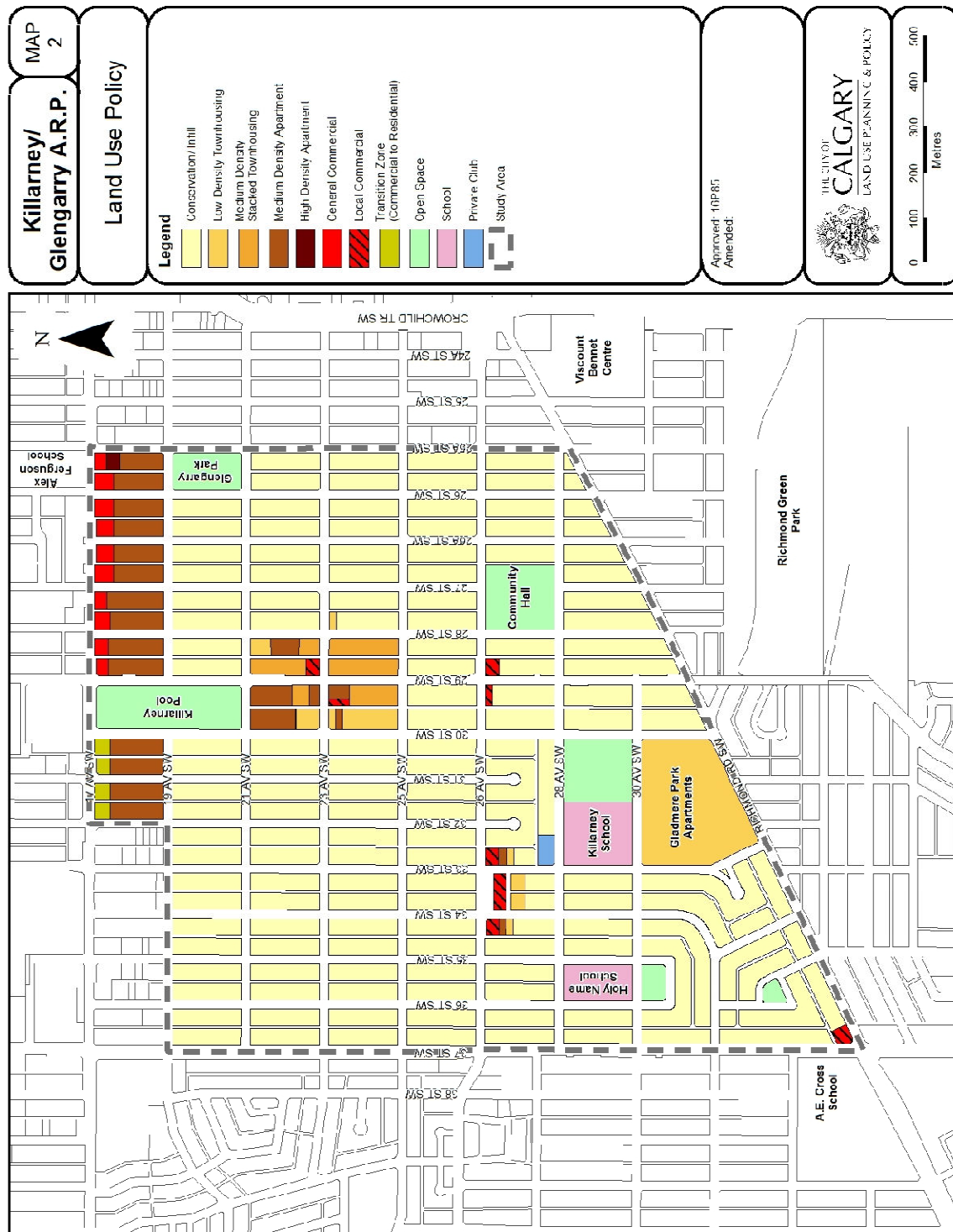
A handwritten signature in black ink, appearing to read "K. Houlgate".

Keren Houlgate
Director, Development
Killarney Glengarry Community Association
403-808-2075

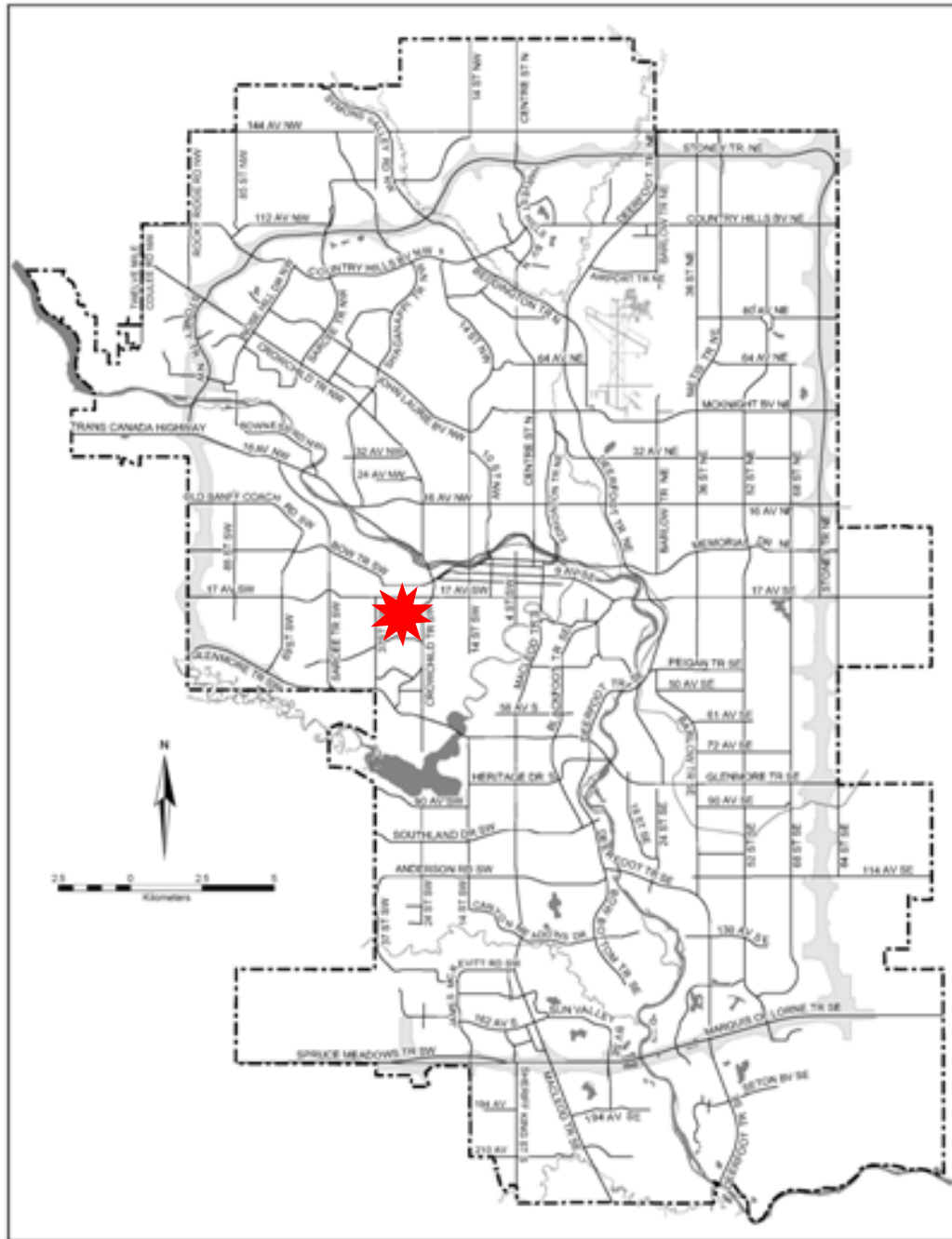
Proposed Amendment to the Killarney/Glengarry Area Redevelopment Plan

Delete Map 2 entitled "Map 2 Land Use Policy" and replace with revised Map 2 entitled "Land Use Policy".

Proposed Map Amendment to the Killarney/Glengarry Area Redevelopment Plan



City Wide Map: Site Location



Original: Misc/News/News/News Base Map.mxd

Aerial Photo: Site Location

