

Land Use Amendment in Killarney/Glengarry (Ward 8) at multiple addresses, LOC2022-0209

RECOMMENDATION:

That Calgary Planning Commission recommend that Council give three readings to the proposed bylaw for redesignation of 0.50 hectares \pm (1.24 acres \pm) located at 2604, 2608, 2612, 2616, 2620, 2628, 2632, 2636 and 2640 – 37 Street SW (Plan 4367X, Block 10E, Lots 21 to 30 and 33 to 40) from Mixed Use – General (MU-1f3.0h16) District to Mixed Use – Active Frontage (MU-2f4.0h26) District.

RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, 2023 JULY 20:

That Council give three readings to **Proposed Bylaw 149D2023** for redesignation of 0.50 hectares \pm (1.24 acres \pm) located at 2604, 2608, 2612, 2616, 2620, 2628, 2632, 2636 and 2640 – 37 Street SW (Plan 4367X, Block 10E, Lots 21 to 30 and 33 to 40) from Mixed Use – General (MU-1f3.0h16) District to Mixed Use – Active Frontage (MU-2f4.0h26) District.

Opposition to Recommendation: Commissioner Pollen

HIGHLIGHTS

- This land use amendment seeks to redesignate multiple properties to allow for a mixed-use development, with commercial/retail at grade, up to six storeys in height.
- The proposal allows for a compatible building form and set of uses along the 37 Street Neighbourhood Main Street and is in keeping with the *Municipal Development Plan (MDP)* and *Westbrook Communities Local Area Plan (LAP)*.
- What does this mean to Calgarians? This application would allow for additional housing and commercial options within the inner city with access to alternative transportation modes and would allow for more efficient use of existing infrastructure.
- Why does this matter? The proposal would enable additional housing and commercial opportunities that may help activate this part of Killarney/Glengarry.
- A development permit has not been submitted at this time.
- There is no previous Council direction.

DISCUSSION

This land use amendment was submitted by CivicWorks on behalf of Vera Developments Inc. No development permit has been submitted at this time. As noted in the Applicant Submission (Attachment 2), the proposal will facilitate two six-storey mixed-use buildings, which will align with the recently adopted *Westbrook Communities Local Area Plan (LAP)* and will provide more housing and commercial options that are contextual to adjacent development.

It should be noted that while the proposal does encompass a city block along 37 Street SW, between 25 Avenue SW and 26 Avenue SW, there is one property within the block (2824 – 37 Street SW) that has not been included within this application. While Administration did encourage discussions between the applicant and the property owner to have the parcel included, the applicant has indicated that an agreement could not be reached. Administration has indicated to the applicant that future developments would need to demonstrate contextual

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sensitivity within the design towards the existing single-detached dwelling (i.e., stepping down the building, landscaping, etc.).

A detailed planning evaluation of the application, including location maps and site context, is provided in the Background and Planning Evaluation (Attachment 1).

ENGAGEMENT AND COMMUNICATION

- Outreach was undertaken by the Applicant
- Public/interested parties were informed by Administration

Applicant-Led Outreach

As part of the review of the proposed land use amendment application, the applicant was encouraged to use the [Applicant Outreach Toolkit](#) to assess which level of outreach with the public/interested parties and the respective community association was appropriate. In response, the applicant set up a project website, mailed approximately 320 brochures to adjacent neighbours, posted custom signage, shared information on the proposal with the Killarney-Glengarry Community Association (CA) and Ward Councillor, and held an online information session. The Applicant Outreach Summary can be found in Attachment 3.

City-Led Outreach

In keeping with Administration's practices, this application was circulated to the public/interested parties, notice posted on site and published [online](#). Notification letters were sent to adjacent landowners.

Administration received 25 letters of opposition from the public to the initial submission, which was a redesignation to the Mixed Use – General (MU-1f4.0h26) District that proposed to maintain the current MU-1 District but increase the FAR from 3.0 to 4.0 and the height from 16.0 metres to 26 metres. The letters of opposition cited the following concerns:

- proposal does not fit with the character of the neighbourhood;
- negative impact on traffic and on-street parking;
- the proposed height and density are too high;
- shadow and privacy impacts;
- noise impacts;
- local infrastructure cannot support proposal; and
- lack of clarity of future development design from the applicant and Administration.

Following the initial circulation, Administration had discussions with the applicant on the possibility to reduce the proposed height and density modifiers to address the concerns from the public. However, the applicant indicated that the proposed 26.0 metres in height was needed due to on-site grade variations and to facilitate a future six-storey building design. The applicant conducted further consultations with the relevant affected parties and subsequently amended the application to the Mixed Use – Active Frontage (MU-2f4.0h26) which would require at grade commercial uses within a mixed-use building. The maximum FAR of 4.0 and height of 26.0 metres were maintained.

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Administration received 31 letters of opposition from the public to the amended submission which cited the following concerns:

- negative impact on traffic and on-street parking;
- more traffic with commercial uses;
- the proposed height and density are too high;
- negative impact on the character of the neighbourhood;
- negative impact on local wildlife;
- shadow and privacy impacts;
- increase in noise and air pollution;
- lack of green spaces being proposed; and
- proposal does not align with the applicable statutory policies.

Administration received one letter in support which stated that the proposal was located on a main street which is where increased density is needed.

The CA responded to the initial proposal of MU-1 on 2022 December 30 as indicating that they were neither in support nor in opposition to the proposal. They added that the proposal would not alter the base land use designation of MU-1 and the proposed height and density increases were not unprecedented change for the community. They did indicate concern that there was no requirement for at-grade commercial with the MU-1 District and would strongly encourage the applicant to consider at-grade commercial to help contribute to a vibrant Main Street. They responded again to the amended submission on 2023 May 12 and indicated that based on the MU-2 proposal they are now supporting the application as it will lead to a vibrant Main Street (Attachment 4).

Administration considered the relevant planning issues specific to the application and has determined the proposal to be appropriate and in alignment with the applicable MDP and LAP policies. Further, the site is located on a designated Main Street and directly adjacent to a Bus Rapid Transit (BRT) route (MAX Teal BRT - Route 306) and various local commercial services. The building and site design, number of units, and on-site parking will be reviewed and determined at the development permit stage.

Following Calgary Planning Commission, notifications for a Public Hearing of Council will be posted on-site and mailed to adjacent landowners. In addition, Commission's recommendation and the date of the Public Hearing will be advertised.

IMPLICATIONS

Social

The proposed application enables the continuation of development in the community of Killarney-Glengarry and provides additional housing choice with the opportunity for mixed-use development. The development of these lands may enable a more efficient use of land and infrastructure.

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Environmental

The proposal aligns with objectives found within the *Calgary Climate Strategy – Pathways to 2050* (Program Pathway G: Mode shift – Increase the mode share of zero or low emissions transportation modes and Program Pathway H: focus land use planning to prioritize zero emission city design) as it will diversify local housing options and will also use land more efficiently, reducing the environmental impact of the proposal by reducing the need for further greenfield development in ecologically and agriculturally sensitive areas. The subject site is also well-situated to take advantage of existing public transportation and transit infrastructure. This will encourage the use of more sustainable and alternative mobility options including walking, cycling and transit. Primary transit network stops are provided along 37 Street SW, including the MAX Teal BRT (Route 306).

The applicant has indicated that further opportunities to align future development on this site with applicable climate strategies will be explored and encouraged at subsequent development approval stages.

Economic

The proposed land use amendment would enable the development of residential dwelling units and commercial space. The development would provide housing opportunity, supports local business, and employment opportunities within Killarney-Glengarry and nearby communities.

Service and Financial Implications

No anticipated financial impact.

RISK

There are no known risks associated with this proposal.

ATTACHMENTS

1. Background and Planning Evaluation
2. Applicant Submission
3. Applicant Outreach Summary
4. Community Association Response
5. **Proposed Bylaw 149D2023**
6. **CPC Member Comments**
7. **Public Submissions**

Department Circulation

General Manager (Name)	Department	Approve/Consult/Inform