

**Land Use Amendment in Rutland Park (Ward 8) at 3439 – 33 Street SW, LOC2023-0225**

**RECOMMENDATION:**

That Calgary Planning Commission recommend that Council give three readings to the proposed bylaw for the redesignation of 0.09 hectares ± (0.22 acres ±) located at 3439 – 33 Street SW (Plan 199GM, Block 14, Lot 7) from Residential – Contextual One Dwelling (R-C1) District to Residential – Grade-Oriented Infill (R-CG) District.

**RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, 2023  
 OCTOBER 19:**

That Council give three readings to **Proposed Bylaw 239D2023** for the redesignation of 0.09 hectares ± (0.22 acres ±) located at 3439 – 33 Street SW (Plan 199GM, Block 14, Lot 7) from Residential – Contextual One Dwelling (R-C1) District to Residential – Grade-Oriented Infill (R-CG) District.

Excerpt from the Minutes of the Calgary Planning Commission, held 2023 October 19:

“5.3 Land Use Amendment in Rutland Park (Ward 8) at 3439 – 33 Street SW, LOC2023-0225, CPC2023-1062

A revised Attachment 4 was distributed with respect to Report CPC2023-1062.

**Moved by** Commissioner Hawryluk

That with respect to Report CPC2023-1062, the following be approved:

That Calgary Planning Commission recommend that Council give three readings to the proposed bylaw for the redesignation of 0.09 hectares ± (0.22 acres ±) located at 3439 – 33 Street SW (Plan 199GM, Block 14, Lot 7) from Residential – Contextual One Dwelling (R-C1) District to Residential – Grade-Oriented Infill (R-CG) District.

For: (7): Director White, Commissioner Hawryluk, Commissioner Mortezaee, Commissioner Pollen, Commissioner Small, Commissioner Tiedemann, and Commissioner Weber

Against: (1): Councillor Chabot

**MOTION CARRIED”**

**HIGHLIGHTS**

- This application seeks to redesignate the subject site to allow for low-density housing forms including rowhouses and townhouses.
- The proposal represents an appropriate density increase of a residential site, allows for development that may be compatible with the character of the existing neighbourhood and is in keeping with the applicable policies of the *Municipal Development Plan* (MDP).
- What does it mean to Calgarians? The proposed Residential – Grade-Oriented Infill (R-CG) District would allow for greater housing choice within the community and more efficient use of existing infrastructure and nearby amenities.

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- Why does it matter? The proposed R-CG District would allow for more housing options that may better accommodate the evolving needs of different age groups, lifestyles and demographics.
- A development permit has not been submitted at this time.
- There is no previous Council direction related to this proposal.

**DISCUSSION**

This land use amendment application, in the southwest community of Rutland Park, was submitted by Horizon Land Surveys on behalf of the landowner, Craig Heffernan, on 2023 August 02. No development permit application has been submitted at this time. The Applicant Submission can be found in Attachment 2.

The approximately 0.09 hectare (0.22 acre) corner lot is located at the southwest corner of the Richmond Road SW and 33 Street SW. It is currently developed with a single detached dwelling with two rear detached garages. Vehicle access is currently provided from the rear lane.

The site is well-served by transit, with stops for Route 22 (Richmond Road SW) within 100 metres (a two-minute walk) along Richmond Road SW. MAX Teal Bus Rapid Transit (Westbrook/Douglas Glen) and Route 9 (Dalhousie Station/Chinook Station) stops are 400 metres (a seven-minutes walk) to the west on 37 Street SW.

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 respective community association was appropriate. In response, the applicant reached out to the Rutland Park Community Association, the Ward Councillor's Office and delivered postcards within a 90-metre radius to discuss the application in person with residents. 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 also sent to adjacent landowners.

Administration received three letters of support and 50 letters of opposition. The letters of opposition included the following areas of concern:

- increased traffic and parking issues;
- loss of mature trees and green space;
- over densification and rowhouses not fitting the character of the community;

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- may violate the restrictive covenant registered on title;
- effect on school bus access;
- potential non-residential use;
- reduced privacy and safety for neighbouring lots;
- increased noise and air pollution;
- negative impact on rental affordability;
- negative effect on the value of the existing neighbouring homes; and
- public infrastructure and amenities such as schools, roads, parks etc. may not be able to accommodate an increase in users.

The Rutland Park Community Association provided a letter in opposition on 2023 August 23 (Attachment 4) identifying the following concerns:

- may violate the restrictive covenant registered on title;
- increased traffic and parking issues;
- potential non-residential use;
- over densification in the community;
- negative impact on rental affordability;
- small R-CG unit not accommodating families;
- loss of mature trees and green space;
- public infrastructure and amenities such as schools, roads, parks etc. may not be able to accommodate an increase in users;
- secondary suites should be added to density calculation;
- irregular shape of the parcel could limit the development; and
- no relaxation should be applied to this parcel.

Administration considered the relevant planning issues specific to the application and has determined the proposal to be appropriate. Given the specific context of this site, items that may be considered at the development permit stage include, but are not limited to::

- fitting the building form and height into the surrounding context;
- providing an engaging built interface along Richmond Road SW and 33 Street SW;
- preserving existing mature trees, where possible;
- mitigating shadowing, overlook and privacy concerns with neighbouring parcels; and
- ensuring appropriate provision and design of a range of mobility options including vehicle parking, bicycle parking and mobility storage lockers;

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 would allow for additional housing types of rowhouses and townhouses, and may better accommodate the housing needs of different age groups, lifestyles and demographics that contribute to a more inclusive community.

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**Environmental**

This applicant has indicated that they plan to pursue specific measures as part of a future development permit which will align with the *Calgary Climate Strategy – Pathways to 2050*.

**Economic**

The proposed land use amendment would allow for a more efficient use of land, existing infrastructure and services and provide more housing in the community.

**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 239D2023**
6. **CPC Member Comments**
7. **Public Submissions**

Department Circulation

General Manager (Name)	Department	Approve/Consult/Inform