

LAND USE AMENDMENT
SHAGANAPPI (WARD 8)
NORTH OF 17 AVENUE SW AND EAST OF 25A STREET SW
BYLAW 338D2017

MAP 18C

EXECUTIVE SUMMARY

This application proposes to change the land use district of the subject parcels from Residential – Contextual One/Two Dwelling (R-C2) to Residential Grade Orientated Contextual (R-CG) to allow for the development of two legal basement (secondary) suites located within each of the two existing semi-detached dwellings. The parcels are located within the community of Shaganappi.

This application has been evaluated and recommended by Planning for approval on its technical merits and in accordance with MDP policies. Planning, however, highlights that comments were received from individual residents who objected to this application on the basis that this is a departure from the recent City-Initiated Main Streets land use redesignations and the related ARP amendment. In effect, the residents see the Main Streets R-CG redesignations as a boundary to R-CG land use in Shaganappi. Moreover, this area of the Shaganappi community is relatively small as it relates to its inner core area characterized by single and semi-detached houses, as bounded by its surrounding corridors (17 Avenue, 33 Street, Bow Trail, and Crowchild Trail SW). The geographic shape, size, and boundary context of this area thereby contributes to a local view that the Main Street exercise is in effect a boundary for R-CG. However, to clarify, the Main Streets Initiative was a corridor-focused exercise, as compared to a community-wide exercise, and did not in effect set a boundary for R-CG. Accordingly, this application has been reviewed on its individual merits as a site-specific R-CG proposal.

PREVIOUS COUNCIL DIRECTION

None.

ADMINISTRATION RECOMMENDATION(S)	2017 September 07
That Calgary Planning Commission recommends APPROVAL of the proposed Land Use Amendment.	
That Council hold a Public Hearing on Bylaw 338D2017; and	
1. ADOPT the proposed redesignation of 0.06 hectares ± (0.14 acres ±) located at 1718 – 25A Street SW (Plan 5536R, Block 3, Lots 19 to 21) from Residential – Contextual One / Two Dwelling (R-C2) District to Residential – Grade-Oriented Infill (R-CG) District, in accordance with Administration’s recommendation; and	
2. Give three readings to the proposed Bylaw 338D2017.	

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REASON(S) FOR RECOMMENDATION:

This application is consistent with MDP policy including the Developed Residential Areas policies and Housing Diversity and Choices policies. The subject parcels are located within an existing low density residential area, within close proximity to both transit and primary transit stops, is adjacent to an open space area and has direct lane access.

While this application may meet the technical policy requirements for the proposed land use redesignation, the Applicant is strongly advised that the recent City-led Main Streets initiative may influence Council's decision.

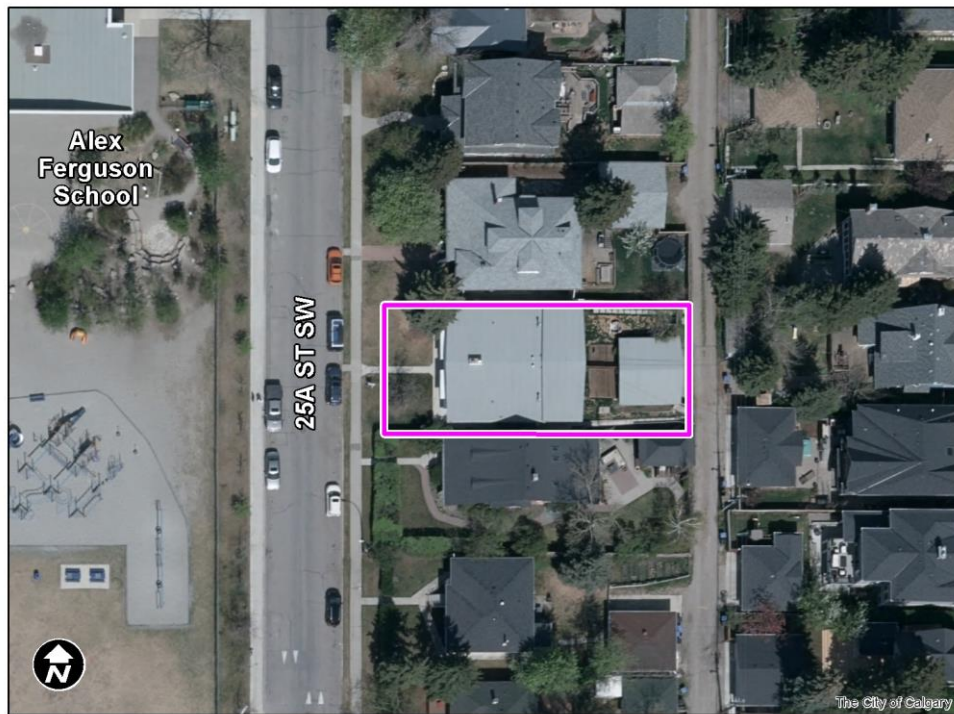
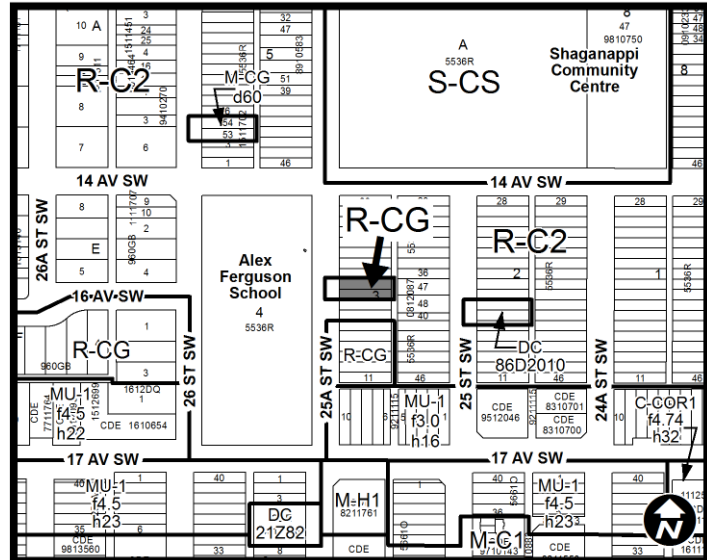
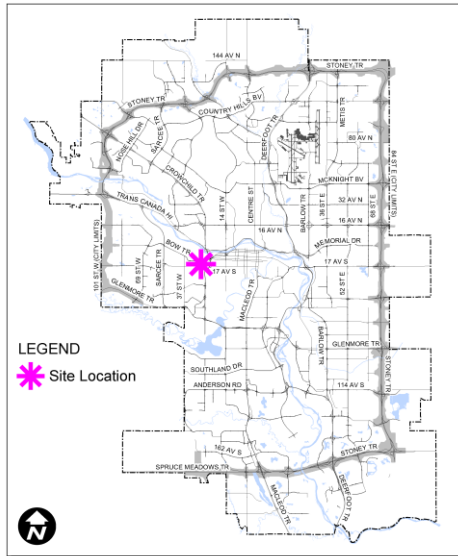
ATTACHMENT

1. Proposed Bylaw 338D2017
2. Public Submissions

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LOCATION MAPS



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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.06 hectares ± (0.14 acres ±) located at 1718 – 25A Street SW (Plan 5536R, Block 3, Lots 19 to 21) from Residential – Contextual One / Two Dwelling (R-C2) District **to** Residential – Grade-Oriented Infill (R-CG) District.

Moved by: C. Friesen

Carried: 6 – 2
Opposed: S. Keating and
A. Palmiere

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Applicant:

Evan Jon Fer

Landowner:

Evan Jon Fer

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C2 setting in the community of Shaganappi, the site is approximately 15 metres by 37 metres in size and is developed with a pair of one-storey semi-detached dwellings and a two-car garage that is accessed from the rear lane. R-C2 parcels exist to the north, east, south and west of the site. While the parcel to the west of the site is R-C2, it should be noted that it contains Alex Ferguson School.

If approved, the density maximum would increase from two (2) dwelling units to three (3) dwelling Units. Further, the maximum building height would increase from the current 10 metres to 11 metres.

The subject parcels are adjacent to the 17 Avenue SW Main Streets area, which was approved in April 2017. This approval resulted in the amendment of the Killarney-Glengarry Area Redevelopment Plan and land use amendments to numerous parcels including 1736, 1732 and 1728 – 25A Street SW from R-C2 to R-CG. These three parcels are within close proximity to the subject parcels that are affected by this proposed application. The Applicant was provided numerous notifications during the Main Streets program, inviting them to participate in the extensive public engagement opportunities that took place between City staff and local residents. The Applicant states that they did not receive these notifications and was not aware of the Main Streets program until a Pre-Application meeting that occurred on March 2017. As a result of the Main Streets engagement, community residents as well as the Office of the Ward Councillor have expressed concerns about the expectations that have been established and that this application does not align with them. Further discussion about this matter is contained within the Public Engagement section of this report.

LAND USE DISTRICTS

The proposed R-CG district is a low density residential district that would allow one Secondary Suite or Backyard Suite on a parcel that contains a semi-detached dwelling. The proposed district would also allow for grade-orientated development in the form of Rowhouse Buildings, Duplex Dwellings, Semi-Detached Dwellings and Cottage Housing Clusters. The proposed R-CG district would increase the maximum density allowed from two (2) dwelling units to three (3) dwelling Units. Further, the maximum building height would increase from the current 10 metres to 11 metres.

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Approval of this land use application allows for these potential suites and/or grade-orientated developments to be considered via the development permit process. A development permit is not required if a Secondary Suite conforms to all Land Use Bylaw 1P2007 rules – only a building permit would be required.

LEGISLATION & POLICY

South Saskatchewan Regional Plan (SSRP)

The recommendation by Administration in this report has considered and is aligned with the policy direction of the South Saskatchewan Regional Plan (SSRP).

Municipal Development Plan (MDP)

While the MDP makes no specific reference to this site, this land use proposal is consistent with MDP policies including the Developed Residential Areas policies (subsection 3.5.1), the Neighbourhood Infill and Redevelopment policies (subsection 2.2.5) and the Housing Diversity and Choice policies (subsection 2.3.1).

There is no Local Area Policy that applies to this application.

Location Criteria for Multi-Residential Infill

The following criteria itemize preferred conditions to support land use amendments in low density residential areas. These criteria are not meant to be applied in an absolute sense to determine whether or not a site should be recommended for approval. In general, the more criteria an application can meet, the more appropriate the site may be considered for multi-residential infill development. In some cases, there may be applications that are appropriate but meet only a few criteria, or may meet multiple criteria but are determined not to be appropriate. A review has determined this application satisfies the following criteria:

- Criteria #2: Within 400 metres of transit stop (multiple stops within 200 metres).
- Criteria #3: Within 600 metres of an existing primary transit stop (17 Avenue SW).
- Criteria #6: Adjacent to existing open space/park/community amenity (Alex Ferguson School).
- Criteria #8: Has direct lane access.

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Main Streets

The subject parcels are adjacent to and not actually within the Main Streets program area. As part of the extensive city-led community engagement undertaken, the Applicant landowner did not take advantage of numerous opportunities available to them to have these parcels added to the program area. As such, now that the Main Streets redesignations are going before Council for approval, this proposed redesignation to R-CG may now be perceived as premature by Council. Also, there may be significant community opposition

TRANSPORTATION NETWORKS

The subject site is located 180 metres from the transit stop, servicing Route 2, 275 metres from the transit stop, servicing Route 72, and 440 metres to the Shaganappi LRT station. The bus route offer service to the downtown core, and the circle route; respectively.

The subject site has lane, at the time of re-development, access is to come from the lane. There are no parking restrictions; however, parking should be provided at the time of Development Permit and shall meet all the required specifications and bylaw requirements for parking, stall size, etc. The site is located within the TOD (Transit Oriented Development) area.

UTILITIES & SERVICING

Water, sanitary and storm sewer are available to the site and no offsite improvements are required.

ENVIRONMENTAL ISSUES

An Environmental Site 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. The proposal is in alignment with MDP references associated with growth management matters.

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PUBLIC ENGAGEMENT

Community Association Comments

No comments received by CPC Report submission date

Citizen Comments

Six (6) letters of objection have been received from community residents. Objection reasons are summarized as follows:

Wary of Renters / Erosion of "Community Character"

- Attracting more Renters will disrupt community character;
- R-CG is out of context with community character of single-detached homes;
- Wary that "full extent" of R-CG (not just Secondary Suites, as Applicant has stated) will be developed in the future; and
- Renters cannot be trusted, likely to disrupt community character.

Main Streets Master Plan

- Subject parcel not within Main Street boundary and thus, should not be allowed to rezone to R-CG.
- Master Plan engagement left them with understanding that existing adjacent R-C2 would be fixed, not able to change.

Consultation

- Upset they were not consulted by Applicant prior to submitting application.

Other

- Expensive homes should be protected from "Over Development";
- R-CG will lower adjacent property values; and
- On-Street parking already over capacity during peak hours by adjacent school use; R-CG will make it worse.

During Administration's review of this application, these comments were considered as follows:

- To address resident concerns about lack of engagement as part of this application, Administration has required the Applicant to speak with adjacent neighbours, the Shaganappi Community Association and the Ward Councillor;
- Although the sites redesignated by the Main Streets program represent the result of comprehensive dialogue with stakeholders, as with any plan, those sites and particularly sites a little beyond are not frozen and applications must be considered

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by The City. Administration's recommendation for approval is based on the application's technical merits and in accordance with MDP policies. Bearing this in mind, Administration recognizes that this application represents a departure from the results of recent intensive engagement between the City and local stakeholders that resulted in the recent City-initiated Main Streets land use redesignations and ARP amendments.

- This is a Land Use Amendment application and not a Development Permit. As such, Administration cannot review specific development proposals but rather, the impact of the potential land uses on the surrounding area.
- Regarding the perceived risks associated with "Renters" or perceived impacts on surrounding property value are not Planning matters and as such, cannot be considered in this review.
- Regarding the perceived impact on community character, R-CG is a low density residential district that is intended to gently increase density within established neighbourhoods that are predominantly comprised of single detached housing. The district continues to allow for Single detached, Semi-Detached, Duplex housing forms, in addition to the Rowhousing Building form which respects the community character of grade-orientated housing that addresses the front street and provides for private amenity space in the rear.
- The Land Use Bylaw requires one parking stall per Dwelling Unit plus one parking stall per Secondary Suite. If a bylaw relaxation is required, the existing parking conditions will be considered as part of a Development Permit application review process

Public Meetings

Given the proximity to the approved Main Streets area and the feedback provided Community Residents, Administration directed the Applicant to:

- Provide a written summary of community engagement discussions undertaken and to ensure they've consulted with the Community Association, surrounding neighbors and Ward Councillor. On 2017 July 09 the Applicant provided the following information:
 - 2017 February 13 – Pre-application meeting with City of Calgary over the phone. Was advised that Main Streets had previously proposed R-CG for the entire block (including to the east) but pulled it back to 2 lots south of the subject property following major opposition from the residents and CA. Further, they were advised to talk to neighbours, Community Association (CA) and Ward Councillor. Suggested a possibility would be for the Ward Councillor to make a proposed motion on the floor

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- of council at the public hearing for main streets that R-CG be added to include his property.
- 2017 March 02 – Applicant notified the CA of intention to rezone and include property as part of Main Streets project. CA noted consultation period for Main Streets was over however a separate application to R-CG could be made.
 - 2017 March 19 – Applicant notified the Resident of 1722 - 25A Street SW of their intention to rezone to R-CG. The Resident requested further details and discussion.
 - 2017 March 23 – Applicant notified Ward 8 Councillor's office is notified of intention to re-zone to R-CG. Applicant asked if property could be included and rezoned as part of Main Streets project. Councillor's office responded that they would not support this as Main Streets consultation period was over.
 - 2017 May 20 – Applicant met with Resident of 1710 - 25A Street SW Resident expressed concerns regarding previous tenants at site and requested further discussion.
 - 2017 May 22 – Applicant met with Resident of 1722 - 25A Street SW. Resident concerned about previous tenants and landlord at the site. Resident unsure whether or not to oppose the land use amendment.
 - 2017 May 24 – Further discussion with Resident of 1710 - 25A Street SW. No objections to land use if adjacent neighbors were ok with it.
 - 2017 May 31 – Meeting with Resident of 1716 - 25A Street SW. Strongly opposed to land use amendment. Resident had concerns with property value declining and living next to renters. Resident noted previous owner/landlord did not live on site and there were problem tenants.
 - 2017 June 11 – Discussion with R. Goodfellow of the Shaganappi Community Association. Would not confirm if CA would support or oppose.
 - 2017 June 30. Discussion with Councillor. Supports secondary suites, however there is concern with recent engagement with Main Streets and the property being mid-block. Could not confirm whether he would support or oppose.
 - 2017 July 09 – Discussion with R. Goodfellow at Community Association. Confirmed that the CA will neither support nor oppose land use amendment.

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APPENDIX I

APPLICANT'S SUBMISSION

The property is located in the community of Shaganappi and currently includes a semi-detached building with two separate units.

The owner is requesting approval to develop the basements into two legal secondary suites. The property is currently zoned as R-C2 residential zoning which allows secondary suites as a permitted use for detached homes, however not for duplex units. A land use amendment to R-CG would allow the development of secondary suites in the existing semi-detached building.

Reasons for approval of this land use amendment include:

- The property is located 400m from an LRT station and aligns with the TOD principles of increasing density near a primary transit station.
- Provides additional, affordable housing options for Calgarians in an older, inner city neighborhood where population has been steadily declining.
- Takes advantage of existing, underutilized amenities and infrastructure including transit, schools, parks and shopping.
- The property can easily accommodate parking for 4 vehicles on site. This block of 25A St is across from an elementary school/greenspace and therefore offers plenty of additional on street parking.
- No exterior changes to the building are proposed.