

Planning & Development Report to
Calgary Planning Commission
2019 January 24

ISC: UNRESTRICTED
CPC2019-0063

Land Use Amendment in Parkhill (Ward 11) at 3833 Parkhill Street SW, LOC2018-0260

EXECUTIVE SUMMARY

This land use redesignation application was submitted by Michal Wieczorek, the landowner of 3833 Parkhill Street SW, on 2018 November 27. The application proposes to change the designation of this property from Residential – Contextual One / Two Dwelling (R-C2) District to Residential – Grade-Oriented Infill (R-CG) District to allow for:

- secondary suites within a semi-detached dwelling, as well as building types already allowed (e.g. single detached dwellings, semi-detached dwellings, duplex dwellings, and secondary suites) with greater parcel coverage;
- a maximum building height of 11 metres (an increase from the current maximum of 10 metres);
- a maximum of two dwelling units (the same as the current maximum); and
- the uses listed in the proposed R-CG designation.

This proposal is in compliance with the applicable policies of the *Municipal Development Plan* and the *Parkhill/Stanley Park Area Redevelopment Plan* (ARP).

A development permit has not been submitted.

ADMINISTRATION'S RECOMMENDATION:

That Calgary Planning Commission recommends that Council hold a Council Meeting, and

1. **ADOPT**, by bylaw, the proposed redesignation of 0.03 hectares \pm (0.08 acres \pm) located at 3833 Parkhill Street SW (Plan 5793U, Block 2, Lot 40) from Residential – Contextual One / Two Dwelling (R-C2) District to Residential – Grade-Oriented Infill (R-CG) District; and
2. Give three readings to the proposed bylaw.

RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, 2019 JANUARY 24:

That Council hold a **Public Hearing**; and

1. **ADOPT**, by bylaw, the proposed redesignation of 0.03 hectares \pm (0.08 acres \pm) located at 3833 Parkhill Street SW (Plan 5793U, Block 2, Lot 40) from Residential – Contextual One / Two Dwelling (R-C2) District to Residential – Grade-Oriented Infill (R-CG) District; and
2. Give three readings to **Proposed Bylaw 63D2019**.

PREVIOUS COUNCIL DIRECTION / POLICY

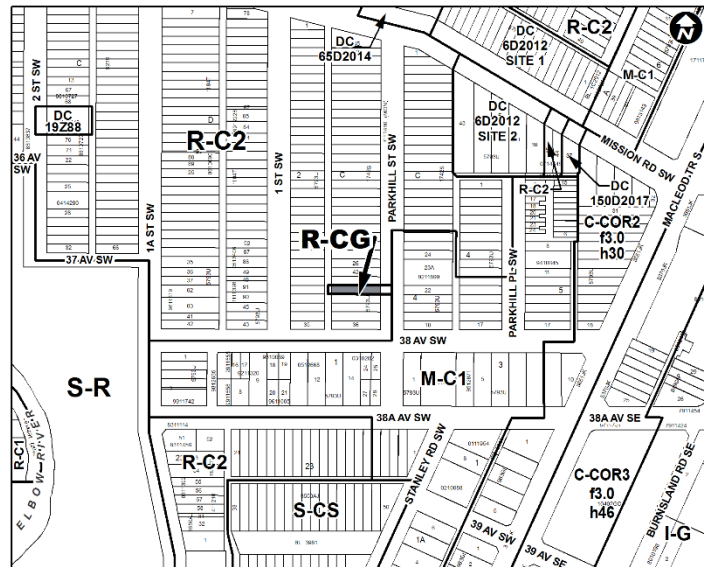
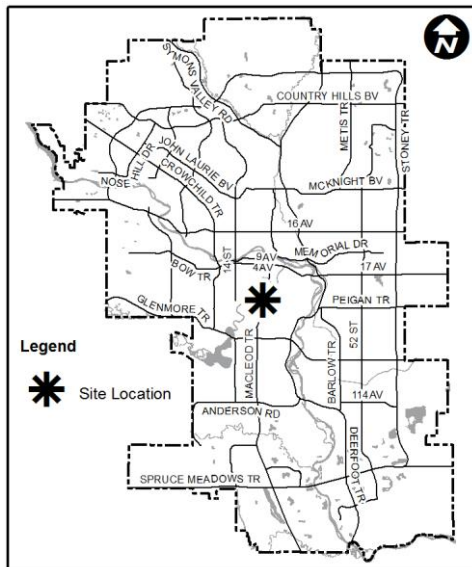
None.

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BACKGROUND

A pre-application enquiry for the proposal was submitted by the landowner Michal Wieczorek on 2018 July 26 and again on 2018 October 17 by the landowner's representative. These pre-application enquiries were handled by both the Technical Planning Group and Community Planning, as the land use amendment is reviewed by Community Planning and the future Development permit is reviewed by Technical Planning.

Location Maps



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Site Context

Located in a residential setting in the southwest community of Parkhill, the R-C2 designated parcel is occupied by a bungalow built in 1910, covering 19 percent of the parcel area. The parcel is subject to steep topography that drops 6.7 metres from the rear lane to the front of the lot.

Single detached dwellings exist to the north, south and west on land designated as R-C2. The adjacent lands to the east are designated M-C1 and comprise multi-residential development.

The site is located approximately 360 metres northwest of the 39 Avenue LRT Station and approximately 190 metres west of Macleod Trail, an Urban Main Street. As such, the site has access to a range of transit, retail and community services within close proximity.

As identified in *Figure 1*, Parkhill reached a peak population in 1968, with 1,739 residents. As of 2017, the community had 1,690 residents.

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Parkhill	
Peak Population Year	1968
Peak Population	1,739
2017 Current Population	1,690
Difference in Population (Number)	-49
Difference in Population (Percentage)	-3%

Source: The City of Calgary 2017 Civic Census

Additional demographic and socio-economic information may be obtained online through the [Parkhill](#) community profile.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Planning Considerations

Land Use

The existing Residential – Contextual One / Two Dwelling (R-C2) District is a residential designation in developed areas that is primarily for single detached dwellings, semi-detached dwellings and duplex dwellings. single detached dwellings may include a secondary suite. The R-C2 District allows for a maximum building height of 10 metres and a maximum of two dwelling units.

The proposed Residential – Grade-Oriented Infill (R-CG) District is a residential designation that is primarily for two to three storey (11 metres maximum) development with a maximum density of 75 units per hectare. While Rowhouse Building is a common outcome of the R-CG District, in this instance, the frontage of the lot (7.6 metres), as well as the size of the lot (323.4 square metres) eliminates the possibility of redeveloping with a rowhouse building, instead allowing for a maximum of 2 dwelling units with the potential for secondary suites.

The R-CG District allows for a range of low density housing forms such as single detached dwellings, semi-detached dwellings and duplex dwellings. Secondary suites (one Backyard Suite or Secondary Suite per unit) are also allowable in R-CG developments. Secondary suites do not count against allowable density and do not require motor vehicle parking stalls in the R-CG District, provided they are located within 600 metres of an LRT Platform, comprise less than 45 square metres in size, and provide storage solutions.

It is highlighted that the anticipated built form of a front-back semi-detached dwelling could be achieved with the existing R-C2 designation. Notwithstanding, the R-CG District is sought in light of the following rules related to a semi-detached dwelling:

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	R-C2	R-CG
Secondary Suite	Permitted within a Single Detached Dwelling. Not permitted within Semi-detached Dwelling	Permitted within a Semi-detached Dwelling
Building Height	Maximum 10 metres	Maximum 11 metres
Parcel Coverage	45% of the parcel area	60% of the parcel area
Parking	2 stalls per dwelling unit	1 stall per dwelling unit

Development and Site Design

At the time of Calgary Planning Commission, a development permit had not been submitted. The intent of this application is to allow for a front to back semi-detached dwelling with a Secondary Suite under 45 square metres. The rules of the proposed Residential – Grade-Oriented Infill (R-CG) District will provide basic guidance for the future site development including height, building massing, landscaping, parcel coverage and parking. Given the specific context of this site, additional items that will be considered through the development permit process include:

- ensuring contextually sensitive development;
- provision of adequate parking stalls located on-site; and
- mitigation of overlooking/privacy concerns.

It is noted that due to the topography of the site, a contextual semi-detached dwelling cannot be considered for the site, specifically due to Section 347.1(1)(g) of the Bylaw, which states that a contextual semi-detached dwelling must not have a grade differential greater than 2.4 metres. As such, a semi-detached dwelling may only be reviewed as a discretionary application.

Environmental

An Environmental Site Assessment was not required for this application.

Transportation Networks

A Transportation Impact Assessment (TIA) and Parking Study was not required for the proposed land use amendment.

Vehicular access to the parcel is available and anticipated to continue from the rear lane. The area is well served by Calgary Transit via routes 10, and 449, with stops located within approximately 450 metres walking distance of the subject parcel. The 39 Avenue LRT station is within 400 metres of the site.

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At the time of redevelopment, access and parking will be reviewed to ensure it is adequate to accommodate future redevelopment.

Utilities and Servicing

Water and sanitary sewer mains are available and can accommodate the potential redevelopment of the subject site without the need for off-site improvements at this time.

Stakeholder Engagement, Research and Communication

Communications

In keeping with Administration's standard practices, this application was circulated to relevant stakeholders and notice posted on-site. Notification letters were sent to adjacent land owners and the application was advertised online through Planning and Development Map (PDMaP).

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

Applicant-led engagement

As identified in the Applicant's Submission included as Attachment 1, the applicant led their own engagement program prior to submission of the application, which included the following:

- Meeting with the Parkhill Community Association Board of Directors and Ward Councillor Assistant on 2018 September 26;
- Mail flyer drop to approximately 75 homes on Parkhill Street SW and 1 Street SW;
- Email to approximately 360 Parkhill community residents;
- Facebook posting advertising open house to 120 followers; and
- Open house at the Parkhill Community Association held on 2018 November 09, attended by approximately 25 residents.

Administration did not attend any of the above events. Notwithstanding, notes from the applicant identifies that comments heard during the two engagements paralleled key themes received directly by Administration as a result of notice posting and circulation that are summarized below. The applicant has provided a summary of their engagement efforts, which can be found in Attachment 2.

City-led engagement

Administration assessed the application and it was deemed that additional City-led engagement was not required.

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In keeping with Administration's standard practices, stakeholders were given the opportunity to comment online through the Planning and Development Map (PDmap) or by contacting the planner directly by mail, phone, or email.

What we heard / what we did

In response to the notice posting and the applicant-led engagement, 13 letters were received regarding the proposed development, as well as one letter of objection from the Parkhill Community Association (Attachment 3). Comments received included one letter of support and 12 letters of objection.

The letter of support received by Administration compared the proposed development to the existing apartment complexes on Parkhill Street SW, opposite the site. The letter stated that even these apartment complexes have greater density than this application proposes, and do not negatively impact the street. A photo of the street taken on a Saturday was provided, showing no cars parked on the street in front of the existing apartment buildings. The supporter identified that there is ample street parking, and that the proposed development should be viewed as any other Single Detached Dwelling or Semi-detached Dwelling infill development.

The main reasons for opposition that were received by Administration in the 12 letters of objection are summarized in the table below, including a response of how this feedback was addressed by Administration and/or the applicant to inform the final proposal.

Theme	What we heard (issue or opportunity identified)	What changes were made and/or response to the issue identified
Parkhill ARP	<ul style="list-style-type: none"> The proposal does not comply with the ARP If approved, the result would upset the delicate balance that was deliberately struck by the ARP The proposal is a redesign of the ARP without proper consultation 	As per the Strategic Alignment section of this report, the proposal is considered to be compliant with the <i>Parkhill/Stanley Park ARP</i> . A policy amendment is not required.
Profit	<ul style="list-style-type: none"> Applicant is seeking highest financial return on investment at the expense of the community CPC should not allow developers to capitalize uncontrollably 	This is not a planning consideration and as such does not impact Administration's review of the proposal.
Land Use	<ul style="list-style-type: none"> R-CG is inconsistent with surrounding designations Does not reflect the scale and character of the neighbourhood This is a small and unique neighbourhood that was never intended to be so dense The neighbourhood is being overrun by rowhousing 	<p>The R-CG District will allow for development that differs from that allowed under the R-C2 District as follows:</p> <ul style="list-style-type: none"> -11 metre height maximum instead of 10 metre height maximum (increase of 1 metre) -maximum of 2 units (same as R-C2) -allows for Secondary Suites within a Semi-detached Dwelling

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	<ul style="list-style-type: none"> • Increased density brings higher crime • Studies suggest that Secondary Suites should be avoided in areas with narrow roads and limited parking 	<p>-parcel coverage of 60% instead of 45% (15% difference)</p> <p>In light of the above, the change in designation from R-C2 to R-CG is considered to be consistent with, and reflect the existing street context.</p>
<p>Parking/Traffic</p>	<ul style="list-style-type: none"> • The community already suffers from parking shortage and narrow streets • Will add congestion to one of the narrowest and most harrowing streets for driving in the community • The alley is very narrow and steeply sloped • The lane is so steep that once a garbage truck slid down it and through someone's garage • The street is so busy it should have a speed bump • In 2010, Avenue Calgary ranked Parkhill at #10 best neighbourhood. In 2018, as #149 due to traffic • R-CG does not require enough parking stalls for Semi-detached Dwellings 	<p>It is understood that the rear lane is steeply sloped and can become difficult in the winter months. Administration is responsible for providing every parcel with access to their site. Given the nature of Parkhill Street SW, with no front driveways and with access only taken from the rear lane, Administration advises that if/when issues arise with accessing the lane in winter, residents can call 311 for assistance/snow clearing of the lane.</p> <p>Regarding the number of parking stalls required by R-CG, this number has been approved by Council as appropriate and acceptable. It is further highlighted that the site is in proximity to the Primary Transit Network on Macleod Trail, as well as the 39 Avenue SE LRT Station.</p>
<p>Development permit</p>	<ul style="list-style-type: none"> • Applicant promises low impact development – this should not be considered as a supporting feature, as there is no concurrent DP • Concern about setback to side property lines • Concern about parcel coverage • 11 metres height allowance would dwarf neighbouring houses • There will likely be 9 bins put out in the lane • The proposed development would result in year-round shadowing on the neighbours property • 3 units on the small lot would eliminate any privacy of adjoining neighbours – stopping children from playing outside • The ground disturbance that comes with development would upset the structural integrity of adjoining older housing 	<p>Design details of any proposed future development will be reviewed, circulated and assessed at the development permit stage.</p>

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Number of units	<ul style="list-style-type: none"> • Lot is too small for 3 units (2 units and a suite) • Overpopulating the site decreases values of neighbouring units and reduces tax to the City • Increased density brings higher crime 	<p>Property value is not a planning consideration, and as such does not impact Administration's review of the application.</p> <p>Any future development of the site will be reviewed at the development permit stage.</p>
Rental potential	<ul style="list-style-type: none"> • Will cause potential safety concerns for the whole community if used as rentals • Existing renters in the area are nothing but trouble • The existing occupant of the house is a renter who doesn't understand or care about the community 	<p>The end user of a development is not a planning consideration, and as such does not impact Administration's review of the application.</p>
Trees	<ul style="list-style-type: none"> • Potential loss of mature trees which could lead to damage to sidewalks, roads and basement hundreds of feet away 	<p>The parcel does not contain any public trees. There are 3 existing private trees on the site that can be removed as of right.</p> <p>Further, the rules of R-CG would require a Semi-detached Dwelling to provide 4 trees, resulting in one additional tree on site.</p>

Strategic Alignment

South Saskatchewan Regional Plan (Statutory, 2014)

The recommendation by Administration in this report has considered and is aligned with the policy direction of the *South Saskatchewan Regional Plan (SSRP)*, which directs population growth in the region to Cities and Towns and promotes the efficient use of land.

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Interim Growth Plan (Statutory, 2018)

The recommendation aligns with the policy direction of the *Interim Growth Plan*. The proposed land use amendment builds on the principles of the *Interim Growth Plan* by means of promoting efficient use of land, regional infrastructure, and establishing strong, sustainable communities.

Municipal Development Plan (Statutory, 2009)

In accordance with the Urban Structure Map (Map 1) of the *Municipal Development Plan* (MDP), the subject site is identified as being located within the Developed Residential Area – Established Area. The land use policies in Section 3.5.3 state that in Established Areas, modest redevelopment should be encouraged.

The MDP's City-wide policies, Section 2 and specifically Section 2.2 Shaping a More Compact Urban Form, provides direction to encourage transit use, make optimal use of transit infrastructure, and improve the quality of the environment in communities. The intent of these policies is to direct future growth of the city in a way that fosters a more compact and efficient use of land, creates complete communities, allows for greater mobility choices and enhances vitality and character in local neighbourhoods.

The site is located less than 400 metres from the 39 Avenue SE LRT Station and within 200 metres of Macleod Trail S, a component of the Primary Transit Network. As such, the proposed modest increase in density will allow for better use of existing transit infrastructure.

Parkhill/Stanley Park Area Redevelopment Plan (Statutory, 1994)

The *Parkhill/Stanley Park Area Redevelopment Plan* (ARP) identifies the site as Low Density Residential Conservation and Infill, a designation that was set out in the Inner City Plan 1979 and adopted into the ARP. The policy states that current R-1 and R-2 zoning is considered appropriate, and that R-2 zoning specifically can accommodate low density residential development on a mix of lot sizes that includes Single Detached Dwellings, Semi-detached Dwellings and Duplex Dwellings.

Section 3.1.3.2 of the policy states that the redesignation of existing low density residential land uses to higher density residential or commercial uses is strongly discouraged, and that such designations would require an ARP amendment. Given the publish date of the ARP in 1994, when R-2 was the most dense designation of the low density residential districts, Administration considers a redesignation to R-CG, also a low density residential district, to comply with the policy and not require an amendment to the ARP. Further, Administration noted that the ARP also has a Low/Medium Density Multi-Dwelling Residential land use, which is represented only by RM-4, which converts to M-C1, a multi-residential district under Bylaw 1P2007.

The ARP calls for sensitive and compatible infill development in order to ensure the continued renewal and vitality of the community. The proposed land use amendment will allow for a maximum of 2 units, the design of which will be analysed at the development permit stage.

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Social, Environmental, Economic (External)

The proposed land use amendment will implement policy goals of providing more compact, compete communities with a diversity of housing, while allowing for modest redevelopment that reflects the surrounding context. Further, the proposal provides the opportunity for slightly higher density within 400 metres of the existing 39 Avenue SE LRT Station, promoting ridership.

Financial Capacity

Current and Future Operating Budget:

There are no known impacts to the current and future operating budgets at this time.

Current and Future Capital Budget:

The proposed amendment does not trigger capital infrastructure investment and therefore there are no growth management concerns at this time.

Risk Assessment

This application to redesignate the lands from R-C2 to R-CG will allow for Administration's discretionary review of a development permit for Semi-detached Dwelling and Secondary Suite. There are no significant risks associated with this proposal.

REASON FOR RECOMMENDATION:

This application for a land use amendment from R-C2 to R-CG will allow for modest intensification of a site that is in proximity to an existing LRT Station and the Primary Transit Network, as well as a range of community services. The redesignation will allow for a maximum of 2 Dwelling Units, the development permit for which would be reviewed as a discretionary application due to the site grading.

ATTACHMENTS

1. Applicant's Submission
2. Applicant's Response to Comments
3. Letter from Parkhill Community Association
4. **Proposed Bylaw 63D2019**
5. **Public Submissions**