

**LAND USE AMENDMENT  
MARLBOROUGH PARK (WARD 10)  
MADEIRA CLOSE NE WEST OF MADEIRA DRIVE NE  
BYLAW 36D2018**

**MAP 23E**

**EXECUTIVE SUMMARY**

This land use amendment application seeks to redesignate a single residential parcel from a Residential – Contextual One Dwelling (R-C1) District to a Residential – Contextual One Dwelling (R-C1s) District to allow for either a Secondary Suite or a Backyard Suite as an additional use. The site contains an existing single detached dwelling. To Administration's knowledge, there is an existing suite located on the parcel and the application was not submitted as a result of a complaint.

**PREVIOUS COUNCIL DIRECTION**

On 2013 September 16, Council directed Administration to remove fees associated with land use amendment and development permit applications for secondary suites to encourage the development of legal and safe secondary suites throughout the city.

**ADMINISTRATION RECOMMENDATION**

2017 November 30

That Calgary Planning Commission recommends **APPROVAL** of the proposed Land Use Amendment.

**RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION**

That Council hold a Public Hearing on Bylaw 36D2018; and

1. **ADOPT** the proposed redesignation of 0.05 hectares  $\pm$  0.13 acres  $\pm$ ) located at 332 Madeira Close NE (Plan 731485, Block 5, Lot 10) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 36D2018.

**REASON(S) FOR RECOMMENDATION:**

The proposed R-C1s district, which allows for one of two forms of secondary suite uses (Secondary Suite or Backyard Suite), is compatible with and complementary to the established character of the community. The proposal conforms to relevant policies of the Municipal Development Plan and will allow for development that has the ability to meet the intent of Land Use Bylaw 1P2007.

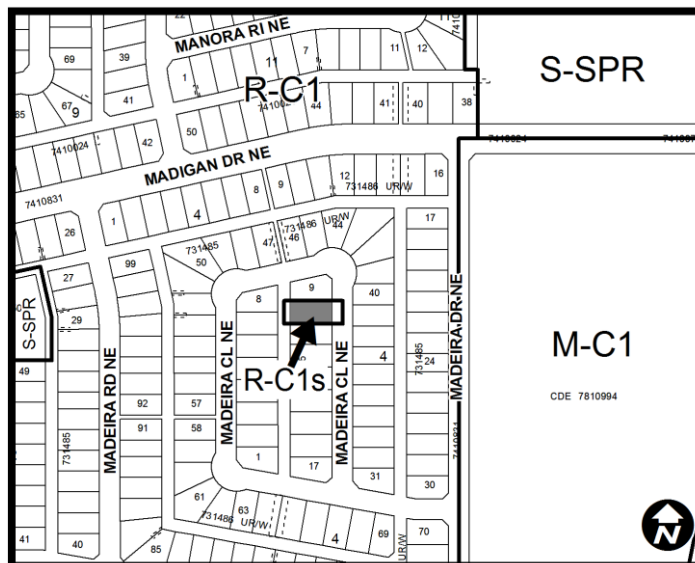
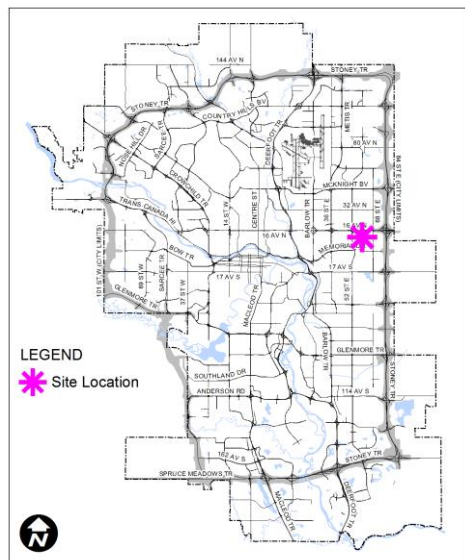
**ATTACHMENT**

1. Proposed Bylaw 36D2018
2. Public Submission

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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 0.05 hectares  $\pm$  (0.13 acres  $\pm$ ) located at 332 Madeira Close NE (Plan 731485, Block 5, Lot 10) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

**Moved by: L. Juan**

**Carried: 7 – 0**

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**Applicant:**

Albert Viel

**Landowner:**

Albert Viel  
Margaret Viel

**PLANNING EVALUATION**

**SITE CONTEXT**

Located in a low density residential R-C1 setting in the community of Marlborough Park, the site is approximately 17 metres by 30 metres in size and is developed with a single-storey single detached dwelling and two-car parking pad that is accessed from the rear lane. Single detached dwellings exist to the north, east, south, and west of the site.

According to data from The City of Calgary's 2017 Census, the following table identifies Marlborough Park's peak population and year, current 2017 population and the population amount and percentage difference between the peak and current populations if any.

<b>Marlborough Park</b>	
Peak Population Year	1982
Peak Population	9,735
2017 Current Population	8,673
Difference in Population (Number)	-1,062
Difference in Population (Percent)	-11%

**LAND USE DISTRICTS**

The proposed R-C1s district allows for an additional dwelling unit (either a permitted use Secondary Suite or a discretionary use Backyard Suite) on parcels that contain a single detached dwelling.

Approval of this land use application allows for an additional dwelling unit (either a Secondary Suite or Backyard Suite) 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.

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**LEGISLATION & POLICY**

South Saskatchewan Regional Plan (2014)

The site is located within the “City, Town” area as identified on Schedule C: South Saskatchewan Regional Plan Map in the *South Saskatchewan Regional Plan (SSRP)*. The SSRP makes no specific reference to this site. The land use proposal is consistent with the SSRP policies including the Land Use Patterns policies (subsection 8.14).

Municipal Development Plan (2009)

The site is located within a “Residential Developed – Established Area” on the Urban Structure Map (Map 1) in the *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 plan for Marlborough Park.

**TRANSPORTATION NETWORKS**

Pedestrian and vehicular access to the site is available from Madeira Close NE and the rear lane. The area is served by Calgary Transit bus service with a bus stop location within approximately 200 metres walking distance of the site on Madigan Drive NE, using the pedestrian pass-through north of this site. On-street parking adjacent to the site is unregulated through the Calgary Parking Authority’s residential parking permit system.

**UTILITIES & SERVICING**

Water, sanitary, and sewer services are available and can accommodate the potential addition of a Secondary Suite without the need for off-site improvements at this time. Adjustments to on-site servicing may be required if a Backyard Suite is proposed at the development permit stage.

**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

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is in alignment with MDP references associated with growth management matters.

**PUBLIC ENGAGEMENT**

**Community Association Comments**

Administration received a circulation response of no objection to the application from the Marlborough Park Community Association.

**Citizen Comments**

Administration received one letter in opposition to the application. The reason stated for opposition was that the off street parking on this site is hardly ever used.

**Public Meetings**

No public meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION



Land Use Redesignation Applicant's Submission

Secondary Suites

PL 1264 (R2017-09)

This form is to be filled out by the applicant and provided to The City of Calgary at the time of submission. These comments are included in a report which is presented to the Calgary Planning Commission and a Public Hearing of City Council. Your comments must be limited to the area designated on this page to ensure it will fit the space requirements of the report.

1) What are the benefits of the redesignation, for you, the surrounding community and the City of Calgary?

Redesignation would give us the stability of knowing that perspective tenants would not be impacted by compliance issues and that their safety is being protected. Our focus is to improve the property thereby benefiting all stakeholders, while at the same time providing affordable housing for our tenants. Much has been done since we acquired the property to make it safe and comfortable. All work has been permitted and inspected for code compliance, much remains to be done to complete what we wish to do.

2) Provide information on how you engaged with the neighboring land owners and/or the Community Association? What was the response?

We have owned the property since February 2016, since then we have been working to improve the property as time allows. We started with the basement which was not safe when we purchased the property. The basement was brought to today's standards. The front yard has been landscaped to provide a clean and usable space for the occupants. The neighbors have been aware of all that we have done to improve the property. We met with the community association at one of their regular meetings to answer any questions that arose regarding our application. The only comment made was to question whether we will be absentee landlords. We like to be hands on landlords so that should not be a concern. The community approved our proposal and support us.

3) Identify how you will provide the required parking for both the primary dwelling and the secondary suite on your parcel?

As seen in the photos in the submission there are already two parking stalls on the property. This allows one stall for upstairs and one for down stairs, more could be added if needed. We are not aware that there have been any issues with parking thus far. We have been diligent about only parking along the street in front of our property and not infringing on our neighbors rights to their on street parking.

4) Are there any potential negative impacts of this development that you are aware of?

We realize that we are increasing the density of the area slightly but the impact of our suite will have negligible impact on the neighborhood. We feel that being open and getting approval for our secondary suite is positive for the neighborhood that the community planning is being considered and followed. We are not aware of any negative impacts of this development on the community.

NOTE: Applications must be submitted without personal information on any plans. Omitting this information will protect builders and tenants by reducing the risk of any personal information being wrongfully displayed, while also following the Province of Alberta's FOIP Act. If you consider the information to be personal, do not put it on the plans

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APPENDIX II

IMPORTANT TERMS

While there are specific Land Use Bylaw 1P2007 definitions and development rules for Secondary Suite and Backyard Suite uses, the following information is provided to simply and enhance general understanding of these two different uses (Secondary Suite or Backyard Suite).

## Important terms



**Secondary suite:** A self-contained dwelling unit within the main residence that has separate living, cooking, sleeping and bathroom facilities. These are commonly referred to as basement suites or in-law suites.

**Backyard suite:** A self-contained dwelling unit in a detached building that has separate living, cooking, sleeping and bathroom facilities. These are commonly referred to as garage suites, garden suites, or laneway homes.

