

**LAND USE AMENDMENT
SCENIC ACRES (WARD 1)
SCRIPPS LANDING NW EAST OF SCURFIELD DRIVE NW
BYLAW 31D2018**

MAP 9NW

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 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(S)

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 31D2018; and

1. **ADOPT** the proposed redesignation of 0.05 hectares \pm (0.11 acres \pm) located at 53 Scripps Landing NW (Plan 9110255, Block 10, Lot 13) 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 31D2018.

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.

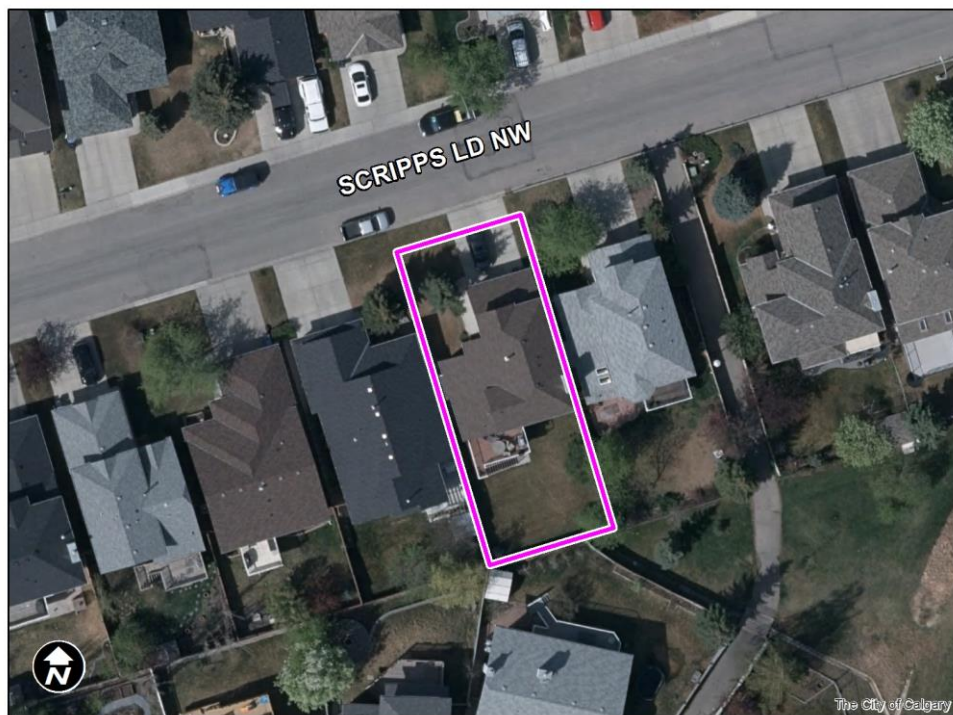
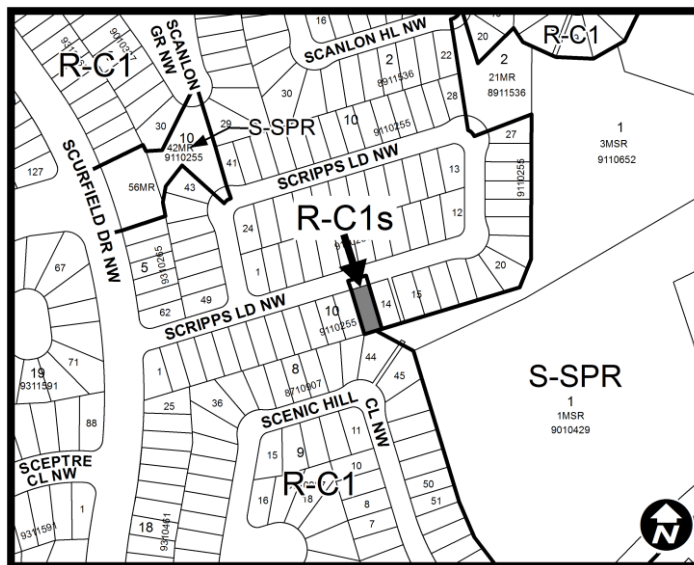
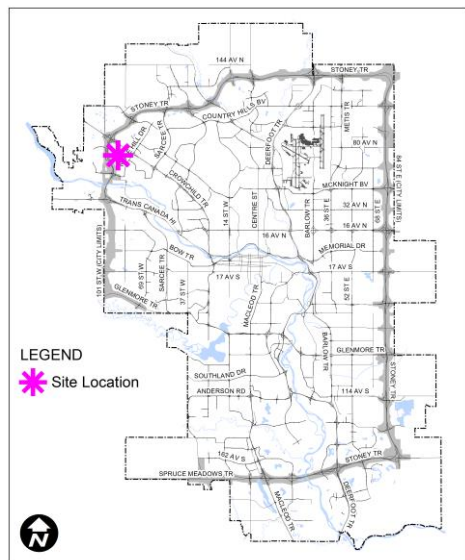
ATTACHMENT

1. Proposed Bylaw 31D2018

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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 (0.11 acres \pm) located at 53 Scripps Landing NW (Plan 9110255, Block 10, Lot 13) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: A. Palmiere

Carried: 5 – 2

Opposed: D. Leighton and M. Foht

Reasons for Opposition from Mr. Foht:

- I did not support the application for secondary suite in this application because the lot does not have a rear lane which reduces the parking options for residents of the property.

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Applicant:

Shakeel Ahmed

Landowner:

Shakeel Ahmed
Saba Hussain

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Scenic Acres, the site is approximately 13 metres by 34 metres in size and is developed with two-storey single detached dwelling with an attached two-car garage that is accessed from Scripps Landing NW. Surrounding development consists of low-density residential to the north, east, south, and west of the site. A park space that connects to two school sites is located to the south-east of the site.

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

Scenic Acres	
Peak Population Year	2002
Peak Population	9,608
2017 Current Population	8,251
Difference in Population (Number)	-1,357
Difference in Population (Percent)	-14%

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 the community of Scenic Acres.

TRANSPORTATION NETWORKS

Pedestrian and vehicular access to the site is available from Scripps Landing NW and there is no rear lane. The area is served by Calgary Transit bus service with a bus stop location within approximately 400 metre walking distance of the site on Scripps Landing NW. 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.

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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.

PUBLIC ENGAGEMENT

Community Association Comments

Administration received a letter of no objection to the application from the Scenic Acres Community Association (APPENDIX II) and outlines that the proposal is sensitive to context within a developed area.

Citizen Comments

Administration received three (3) letters in opposition to the application. One of the letters included signatures from four additional households that agree with the objection.

Reasons stated for opposition are summarized as follows:

- On-street parking is limited and vehicles are poorly parked;
- Increased noise from an additional unit;
- Backyard entrance has been used as a main entrance which limits the use and enjoyment of neighbouring decks and backyards;
- Large number of boxes and other storage vessels strewn at rear of property;
- The basement has been used illegally as a suite for years, owner does not adhere to rules;
- Want the area to remain as a low density area;
- The City has regulated parking for half of the block forcing people parking to walk to the LRT farther into Scripps Landing NW, creating an on-street parking issue near the proposed site;
- Pedestrian safety, especially for children accessing schools;
- Garbage is left on the deck by previous and existing tenants; and
- Close proximity of adjacent residences exacerbates all negative effects of a suite.

Administration received one (1) letter in support of the application with a concern being outside storage in the rear of the property and limited on-street parking.

Public Meetings

No public meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

September 14, 2017

City of Calgary
Planning & Development
P.O. Box 2100, Stn. M, # 8108
Calgary, AB, Canada T2P 2M5

To Whom It May Concern:

Re: 53 Scripps Landing NW – Secondary Basement Suite

With respect to our property above, we would like to establish our basement as the secondary suite so that we may rent the basement to a suitable tenant in return for a passive income for our benefit. Currently we have a tenant who is our friend who needed an affordable housing for her husband and herself. Since our adult kids have moved out, we thought that our walk-out basement can accommodate our friend with affordable accommodations as well as benefit us in using this income to pay down our mortgage without having us to move and downsize and leave this wonderful neighbourhood that we have been a part of since 2006. Our basement has all the requirements to board individuals with comfort and safety. However if there is anything that is deficient, we are willing to take all measures to ensure that our basement is equipped properly and is complied with all the rules and regulations for the safety of the tenant and us.

Please accept this letter as part of our application for the secondary basement suite and redesignation of the zone of our property.

We trust you find this to be satisfactory.

Yours sincerely,



Shakeel Ahmed
Owner of the property

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APPENDIX II

LETTERS SUBMITTED



October 8, 2017

Matthew Atkinson
File Manager
Planning and Development
City of Calgary

Re: LOC2017-0262

Thank you for allowing the Scenic Acres Community Association (SACA) to comment on Land Use Amendment Application LOC2017-0262. With respect to this permit, we have the following comments.

SACA does not object to this Land Use Amendment application. We believe it is sensitive to context within a developed area.

SACA has distributed notices of this application to adjacent residents within a 60 metre radius and has not received any comments from them.

The applicant has not discussed the Land Use Amendment application with the Community Association.

We appreciate the opportunity to comment on this application.

Colin Yeo
Director, Facilities and Community Development
Scenic Acres Community Association

M. Atkinson

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APPENDIX III

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 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.

