

**LAND USE AMENDMENT  
SILVER SPRINGS (WARD 1)  
SOUTH OF SILVER SPRINGS ROAD NW AND EAST OF  
70 STREET NW  
BYLAW 64D2018**

**MAP 2NW**

**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 December 14

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 64D2018; and

1. **ADOPT** the proposed redesignation of 0.05 hectares ± (0.13 acres ±) located at 172 Silver Brook Road NW (Plan 1210LK, Block 7, Lot 47) from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District, in accordance with Administration’s recommendation;
2. Give three readings to the proposed Bylaw 64D2018.

**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.

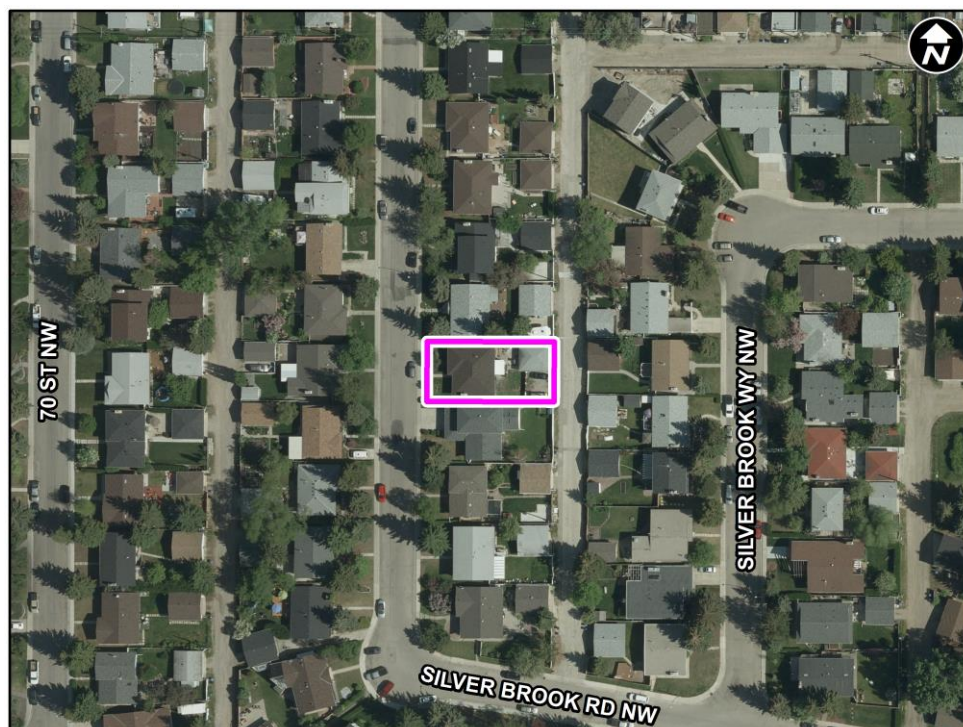
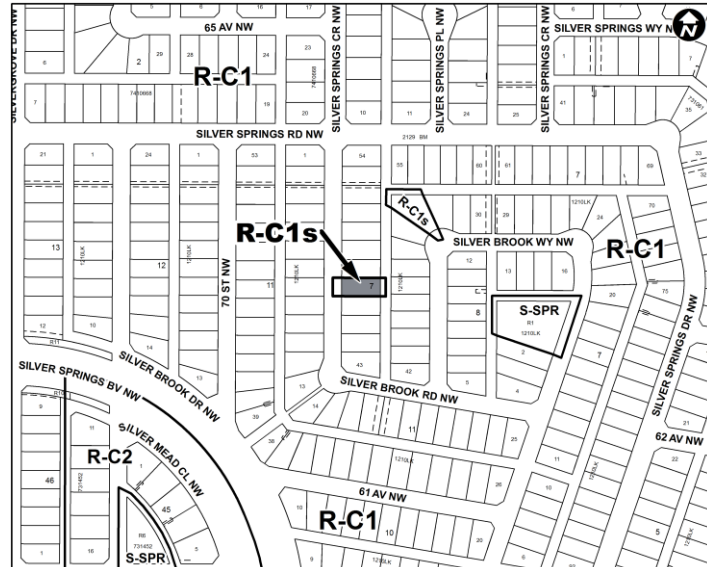
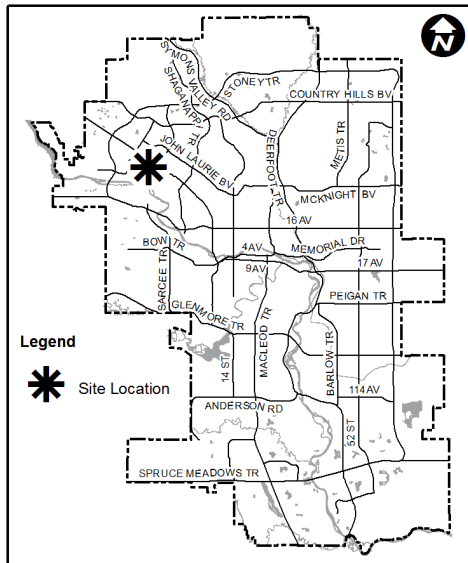
**ATTACHMENTS**

1. Proposed Bylaw 64D2018
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 0.05 hectares ± (0.13 acres ±) located at 172 Silver Brook Road NW (Plan 1210LK, Block 7, Lot 47) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

**Moved by: L. Juan**

**Carried: 9 – 0**

**2017 December 14**

**MOTION:**

Amend Administration's Recommendation, to align with Council recent decision to review the Secondary Suite process, by adding a Recommendation 3 to read:

“Direct Administration to forward the Report and proposed Bylaw for LOC2017-0298 to the 2018 March 12 Public Hearing of Council, and advertise accordingly.”

**Moved by: R. Vanderputten**

**Carried: 9 – 0**

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**Applicant:**

Linda Martyn

**Landowner:**

Linda Martyn  
Tadeus Martyn  
Randy Martyn

**PLANNING EVALUATION**

**SITE CONTEXT**

Located in a low density residential R-C1 setting in the community of Silver Springs, the site is approximately 16 metres by 34 metres in size and is developed with a one-storey single detached dwelling, a detached two-car garage that is accessed from the rear lane, and a three-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 Silver Springs’ peak population and year, current 2017 population and the population amount and percentage difference between the peak and current populations if any.

<b>Silver Springs</b>	
Peak Population Year	2017
Peak Population	6,907
2017 Current Population	6,907
Difference in Population (Number)	0
Difference in Population (Percent)	0%

**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 Silver Springs.

## **TRANSPORTATION NETWORKS**

Pedestrian and vehicular access to the site is available from Silver Brook Road NW and the rear lane. The area is served by Calgary Transit bus service with a bus stop location within approximately 200 metre walking distance of the site on Silver Springs Road 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 Silver Springs Community Association. The letter is attached in APPENDIX II of this report.

**Citizen Comments**

Administration received eight (8) responses of opposition to the application.

Reasons stated for opposition are summarized as follows:

- Concerns regarding the existing illegal suite;
- Increase in activity in the neighbourhood associated with renters;
- Negative impact to on-street parking;
- Increase traffic congestion in the neighbourhood;
- Concerns regarding on-site parking availability due to homeowners' existing vehicles;
- Potential that property will become or is a double rental property;
- Implications on property maintenance if entire property is rented;
- Concerns regarding communication between homeowner and adjacent residents;
- Precedent set by a backyard suite that was developed recently northeast of the site, which has resulted in increased transient populations and traffic;
- Desire to keep the single detached dwelling character of the neighbourhood; and
- Impacts of increased density on residents of existing community.

Administration did receive one (1) response of no objection to the application. The letter identified that the author does not object to the proposal, but would appreciate further communication between the Applicant and adjacent homeowners and to ensure that parking can be adequately accommodated on-site without impacting adjacent residents.

**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  
(R2017-07)

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?

For myself, the benefits would be the utilization of vacant space and assistance with mortgage payments. For the community, the benefits would be facilitating a wider range of housing options for the community. It would also enhance the continued enjoyment, growth and visibility of housing options in the area. For the city, the benefit would be the increased exposure of Calgary as an affordable place to live. It also would assist in providing safe and affordable housing opportunities in existing neighbourhoods.

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

I spoke with several homeowners on my street and received mixed responses. I would say more are for than against the idea.

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

Parking for the primary residents is street parking in front of the dwelling, which is generally three spaces. Parking for the secondary suite would be out back where the fence lines up with the back of the garage, providing three spaces beside the garage on the property. There are also two additional spaces in the garage, if necessary.

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

Parking could be perceived as one, except there is more than ample parking available on site. Perhaps noise, except we reside upstairs and would not appreciate the noise either.

**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**

**LETTERS SUBMITTED**



**REQUEST FOR COMMENT ON APPLICATION LOC2017-0298**

October 19, 2017

A new LU / OP / Closure (LOC) application has been proposed at the below noted address(es), and we are sending this information for comments.

If you have questions or concerns related to this application, please contact the file manager directly at any point in the review process.

**LU / OP / Closure (LOC) Application Details**

**File Number:** LOC2017-0298

**File Manager:** FRASER MCLEOD

**Phone:** (403) 268-1257

**eMail:** Fraser.McLeod@calgary.ca

**Address:** 172 SILVER BROOK RD NW

1210LK;7;47

**Community:** SILVER SPRINGS

**Ward:** 01

**Map Section:** 2NW

**Application Description:** Land Use Amendment

**Proposed Use:** R-C1s

**Existing Use:** R-C1

Thank you for taking the time to respond. Your input is greatly appreciated

Please note that any written submissions made in response to the application will form part of the official record, and upon final decision of the application the correspondence will be available for public viewing.

**Please return your response to:** Circulation Control  
Planning and Development  
P.O. Box 2100 Station M  
IMC 8201  
eMail: [cpag.circ@calgary.ca](mailto:cpag.circ@calgary.ca)

This information is released and may only be used for the sole purpose of your organizations meeting to discuss the recommendations or comments to be made to the City of Calgary on this permit.

Please check the corresponding box below and forward any comments to the above sender.

No Objection

Comments Attached

**Name:** SEREBY GUKHAT

**Date:** OCT 27 2017

**Organization:** SSCA

**Comments Are Due By:** **November 11, 2017**



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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 simplify 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.

