

**LAND USE AMENDMENT
QUEENSLAND (WARD 14)
QUEEN TAMARA ROAD SE WEST OF QUEENSLAND CIRCLE SE
BYLAW 67D2018**

MAP12S

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 not 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(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 67D2018; and

1. **ADOPT** the proposed redesignation of 0.06 hectares ± (0.15 acres ±) located at 123 Queen Tamara Road SE (Plan 7410107, Block 19, Lot 06) 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 67D2018.

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.

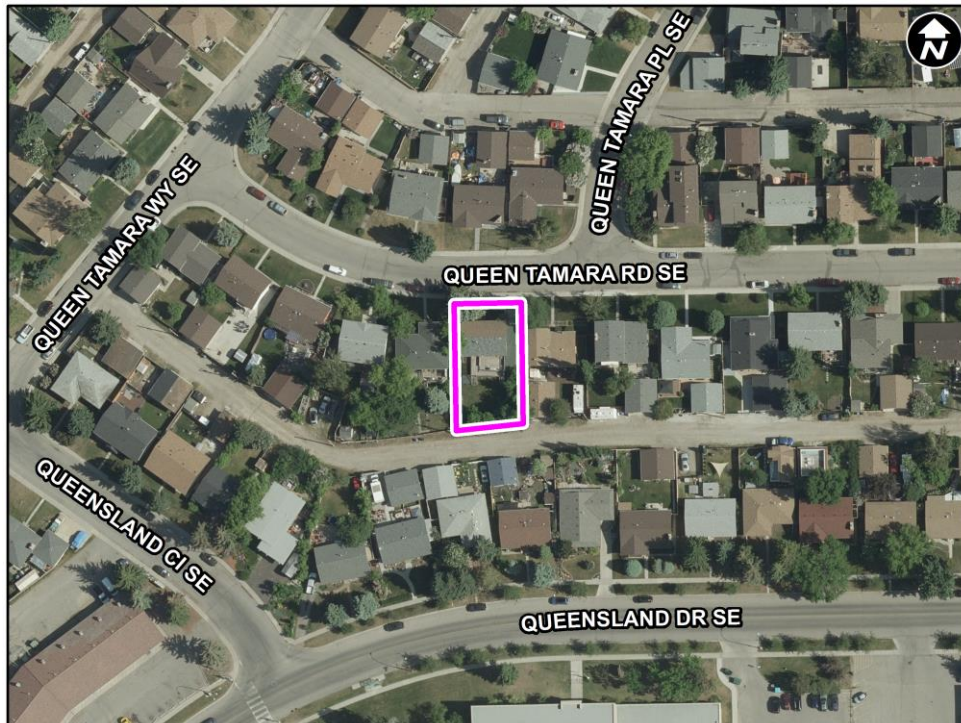
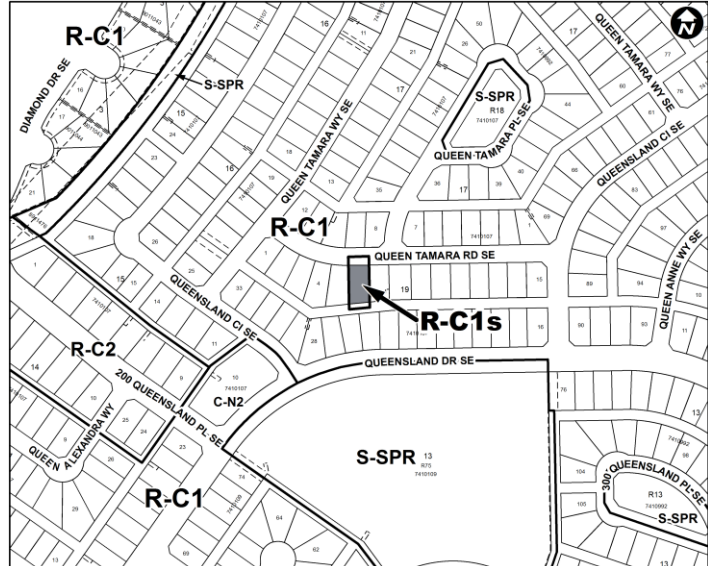
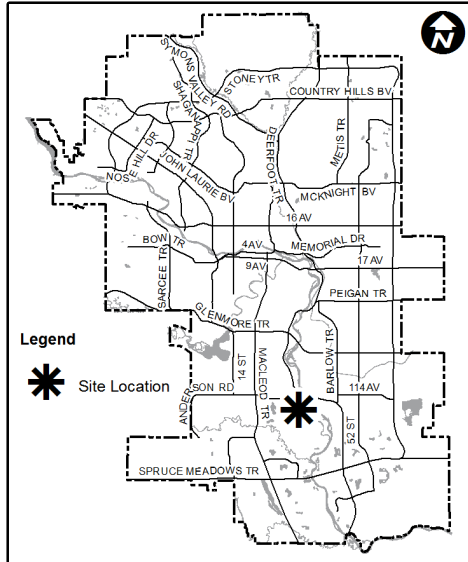
ATTACHMENT

1. Proposed Bylaw 67D2018

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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 ± (0.15 acres ±) located at 123 Queen Tamara Road SE (Plan 7410107, Block 19, Lot 06) 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 LOC2017-0287 to the 2018 March 12 Public Hearing of Council, and advertise accordingly.”

Moved by: R. Vanderputten

Carried: 9 – 0

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Applicant:

1163748 Alberta Ltd (Christine Garrett)

Landowner:

1163748 Alberta Ltd (Christine Garrett)

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Queensland, the site is approximately 12.0 metres by 22.0 metres in size and is developed with a bi-level single detached dwelling. There is a single-car front attached garage that is accessed from Queen Tamara Road SE. 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 Queensland peak population and year, current 2017 population and the population amount and percentage difference between the peak and current populations if any.

Queensland	
Peak Population Year	1982
Peak Population	6,053
2017 Current Population	4,787
Difference in Population (Number)	-1,266
Difference in Population (Percent)	-21%

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 an “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).

Burnsmead Design Brief (1971)

This applicant is consistent with the Burnsmead Design Brief policies.

TRANSPORTATION NETWORKS

Pedestrian and vehicular access to the site is available from Queen Tamara Road SE and the rear lane. The area is served by Calgary Transit bus service with a bus stop location within approximately 300 metre walking distance of the site on Queensland Drive SE. On-street parking adjacent to the site is unregulated.

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 response from the Queensland Community Association in objection to the application (see APPENDIX II).

Citizen Comments

Administration received six (6) letters in opposition to the application.

Reasons stated for opposition are summarized as follows:

- Traffic and parking concerns;
- The property is not on a bus route;
- No other R-C1s zonings in the neighbourhood;
- No triple car garages or two story buildings exist in this laneway;
- Concerns over the height of the proposed garage with a suite above in the laneway;
- Lack of maintenance of the property;
- Owner does not reside at the property;
- Neighbours have not been able to obtain contact information for the land owner;
- Neighbours have not spoken with the land owner about this proposal;
- Community safety and ability of residents to enjoy the community would be compromised with a secondary suite in the neighbourhood; and
- One letter stated they would be supportive of a basement suite, but not a backyard suite.

Public Meetings

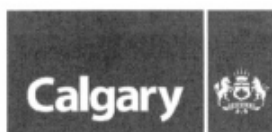
No public meetings were held by the Applicant or Administration.

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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?

The benefit to me is to have an apartment to rent out. The benefit to the community and the City is to provide an additional rental unit at a reasonable rate in an established area of the City.

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

I have not yet met with my neighbours, but plan to in the near future.

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

The main house has a single garage and driveway. I plan to construct a new triple car garage at the rear of the property, with a secondary suite above. Parking for the secondary suite will be provided in the new triple car garage.

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

None that I know of.

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APPENDIX II

COMMUNITY ASSOCIATION COMMENTS

The following are a few comments that I have copied and pasted from our Association: I copied and pasted their comments because I thought it would be easier to read. In my second email, I forwarded their original email in case you required it. Thank you.

1) Hi, First let me say that I'm glad I'm not a neighbor to this application as I'd likely be upset. This is not in character with the neighborhood as it essentially means there will be a second two-storey structure built on a lot that was intended for one structure. There is already a bi-level home which is reasonably large meaning with the addition of a second structure that's a lot of buildings for one lot. As a neighbor (if I were), I'd be concerned about view-lines onto my property from the new structure as that living quarters is identified as being above the three car garage. It has a possible negative impact on individual privacy. Also depending on its location relative to the neighboring lots, that could be a lot of shade that is introduced to the enjoyment of their property.

I'm also concerned that it doesn't appear as they have made sufficient effort to consult with the neighbors.

The more I think about it, frankly I think this is a ridiculous application as it is not within the intent of secondary suites or at least my understanding of them.

Regards,
Paul

I believe this is the front of the property in question.
(unable to paste image)

and this would be an aerial view.
(unable to paste image)

Here's another picture showing the driveway and single attached garage. This photo is from Google Maps and while it's two years old, the property shows evidence of not being cared for. Another possible concern when compared to its neighbors.

https://urldefense.proofpoint.com/v2/url?u=https-3A_www.google.ca_maps_place_123-2BQueen-2BTamara-2BRd-2BSE-2C-2BCalgary-2C-2BAB-2BT2J-2B4E8_-4050.9407539-2C-2D114.0236053-2C3a-2C75y-2C211.67h-2C93.52t_data-3D-213m6-211e1-213m4-211spvg1LMLqUdW4U6k-2D5S3w2Q-212e0-217i13312-218i6656-214m5-213m4-211s0x5371771fa09450eb-3A0x79d6ddd6d84c2d6f-218m2-

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2) I agree with all the below comments. My biggest concern is that they never spoke with their neighbours before making the application. I have walked by this property many times the last couple of years and it isn't as well cared for as their surrounding neighbour's. Will the new construction be done properly and yes will it impact their neighbours' privacy. I'm not in favour.

Eva

3) I would side with Paul on this. The single car "garage" looks as though it didn't have a building permit when it was built as it is within the sideyard setback and it isn't finished properly. This is a massive renovation and to have it half finished like the rest of the property is not what we want to see happen. Is this owned by an individual or a company? I would say that this shouldn't go ahead, especially without consultation of surrounding neighbours.

Steve

4) I also agree with what everyone has been saying. The main point that bothers me is that the neighbors who would be directly effected were not consulted and brought on board before the application was made. If it were me, I'd have their approval before I'd make the application. It almost seems to me like they are trying to get the go ahead to do this, regardless what the neighbors think.

Cheers,
Brian

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.

