

**LAND USE AMENDMENT
MONTGOMERY (WARD 1)
29 AVENUE NW EAST OF 46 STREET NW
BYLAW 344D2017**

MAP 25W

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 September 21

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 344D2017; and

1. **ADOPT** the proposed redesignation of 0.06 hectares \pm (0.15 acres \pm) located at 4635 - 29 Avenue NW (Plan 485GR, Block 2, Lot 9) 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 344D2017.

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 Montgomery Area Redevelopment Plan and will allow for development that has the ability to meet the intent of Land Use Bylaw 1P2007.

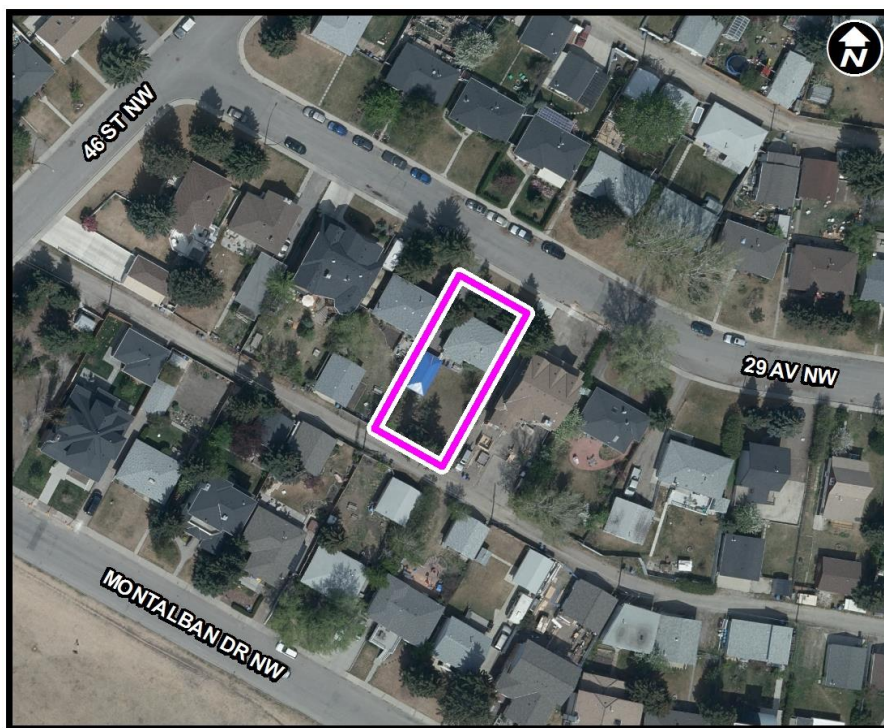
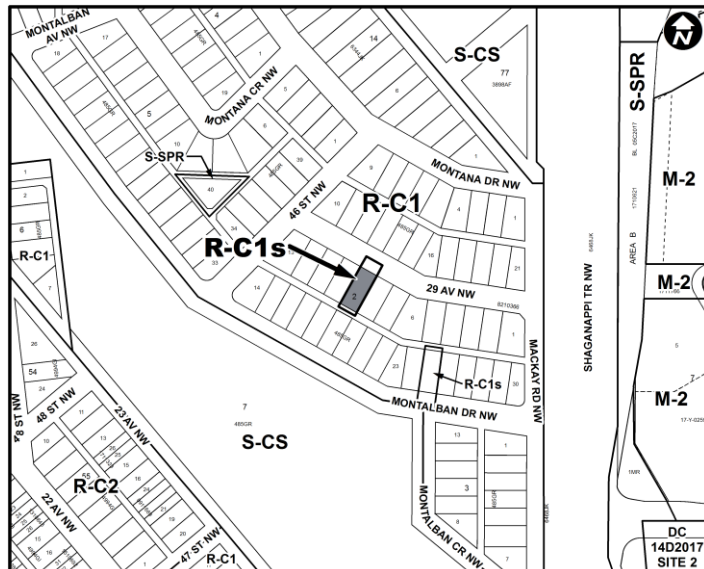
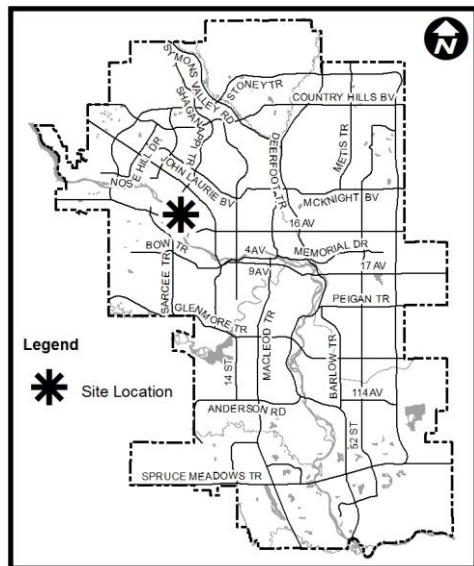
ATTACHMENT

1. Proposed Bylaw 344D2017

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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 \pm (0.15 acres \pm) located at 4635 - 29 Avenue NW (Plan 485GR, Block 2, Lot 9) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: A. Palmiere

Carried: 6 – 0

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Applicant:

Stephen R Krause

Landowner:

Stephen R Krause
Robyn L Williams

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Montgomery, the site is approximately 16 metres by 36 metres in size and is developed with a one-storey single detached dwelling with a detached single car garage that is accessed from the street. Surrounding development consists of low-density residential to the north, south, east and west and a park space area 60 metres to the south, adjacent to Montalban Drive NW.

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

Montgomery	
Peak Population Year	1969
Peak Population	5,287
2017 Current Population	4,353
Difference in Population (Number)	-934
Difference in Population (Percent)	-18%

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.

The subject site exceeds the R-C1s parcel size requirements. As such, the parcel is large enough to accommodate a secondary suite and its associated Land Use Bylaw 1P2007 requirements such as minimum motor vehicle parking stalls. Relaxations to various land use provisions may also be considered at the development permit stage.

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 – Inner City 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).

Montgomery Area Redevelopment Plan (2005)

The Montgomery Area Redevelopment Plan (The ARP) outlines that residential development should enhance Montgomery as a sustainable and livable residential community by encouraging a variety of housing types that can accommodate a range of ages, household sizes, household types and incomes. Secondary suites achieve the objectives outlined in The ARP by offering a variety of housing options while preserving the low intensity character of the neighborhood.

TRANSPORTATION NETWORKS

Pedestrian and vehicular access to the site is available from 29 Avenue NW and the rear lane. The area is served by Calgary Transit bus service with a bus stop location within approximately 450 metre walking distance of the site on 48 Street 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 Montgomery Community Association (APPENDIX II).

Citizen Comments

There were four letters received from the surrounding neighbours in opposition to the land use amendment application. The letters expressed concerns with traffic and parking and a desire to keep the neighbourhood as R-C1.

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 Rationale

To Whom It May Concern:

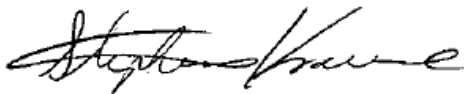
I would like to provide this written statement providing reasons for our land use redesignation to allow a secondary suite.

Our current garage is in need of replacement and this creates an excellent opportunity to build a new garage that also includes a secondary suite above. This development would create an alternate form of housing in our community near major institutions; specifically the University of Calgary, Children's Hospital and the Foothills Hospital. The community is an excellent location close to many amenities like Market Mall (3 blocks away) allowing for tenants to easily access by foot. Other forms of transportation are also very developed in and around the community connecting residents to the core as well as the rest of the city:

- Convenient bus routes
- Established bike paths connecting to the nearby core and supporting bike system
- Easy vehicle access to Stoney Trail, 16 Avenue (Hwy 1) and Shaganappi Trail

I believe that additional housing in our area is a benefit to increasing rental opportunity in our great community that is near the core and major institutions supporting that housing need.

Thank you for your consideration,



Stephen Krause

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APPENDIX II

LETTERS SUBMITTED



13 August, 2017

Steve Jones
Planning Development and Assessment
City of Calgary
steve.jones2@calgary.ca
403.268.2523

Dear Steve:

RE: LOC2017-0203 4635 29 AV NW

Land Use Amendment from R-C1 to R-C1s

The Planning Committee reviewed the above-noted LOC application for the proposed land use amendment at 4635 29th AV NW

Although not unanimous, the majority of the Planning Committee has no objection to this proposed increase in density via a secondary suite.

Regards,

Janice Mackett,
Planning Committee Chair
Montgomery Community Association
cc: Councillor Ward Sutherland
Executive Assistant Ward 1
Community Liaison – Ward 1
Ms. Marilyn Wannamaker, President, MCA
Members of the MCA Planning Committee

S. Jones

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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 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.

