

**LAND USE AMENDMENT
SOUTHVIEW (WARD 10)
26 AVENUE SE AND 35 STREET SE
BYLAW 347D2017**

MAP 9E

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 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 347D2017; and

1. **ADOPT** the proposed redesignation of 0.06 hectares \pm (0.14 acres \pm) located at 2426 – 35 Street SE (Plan 4857HG, Block 4, Lot 28) 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 347D2017.

REASON(S) FOR RECOMMENDATION:

The proposed R-C1 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.

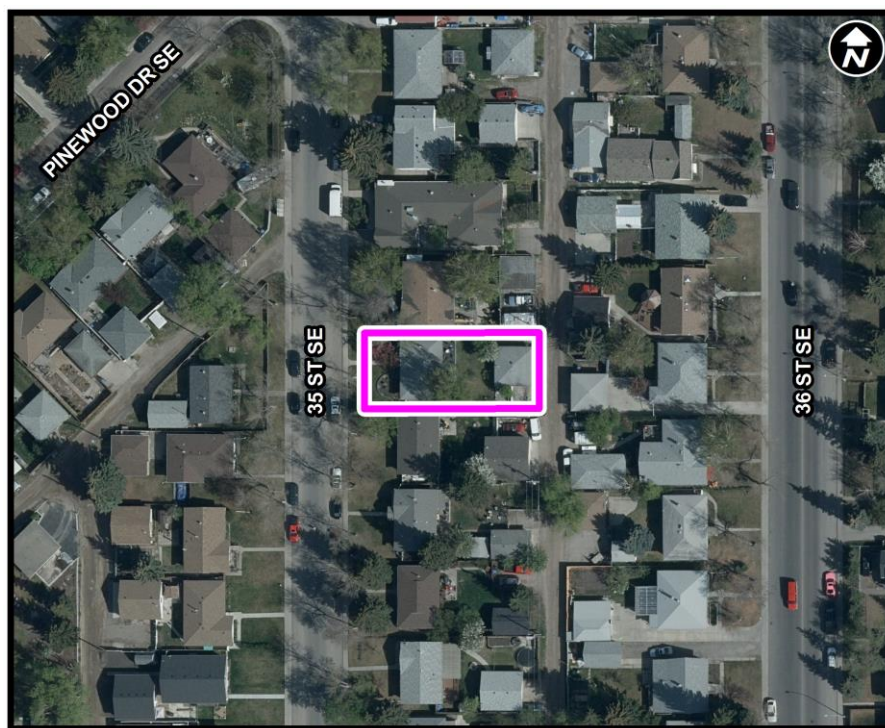
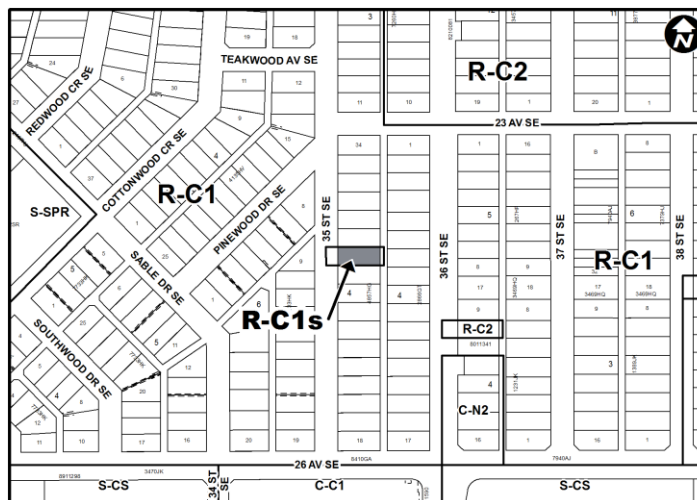
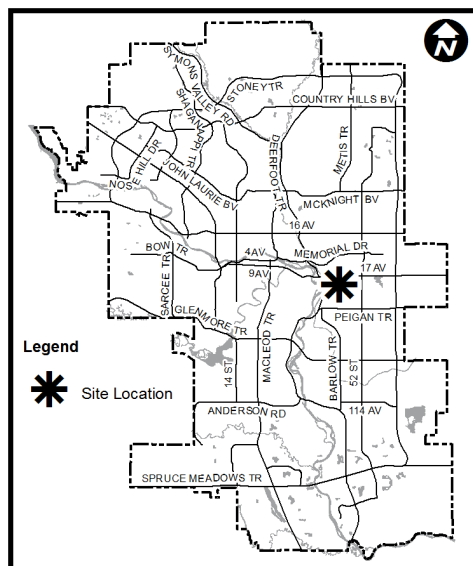
ATTACHMENT

1. Proposed Bylaw 347D2017

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LOCATION MAPS



CALGARY PLANNING COMMISSION
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2017 NOVEMBER 20

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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.06 hectares \pm (0.14 acres \pm) located at 2426 – 35 Street SE (Plan 4857HG, Block 4, Lot 28) 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:

Linda Brook

Landowner:

Linda Brook

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Southview, the site is approximately 16 metres by 37 metres in size and is developed with a one storey single detached dwelling. There is a two car detached garage that is accessed from the rear lane. Single and semi-detached dwellings exist to the north, south, east, and west.

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

Southview	
Peak Population Year	1970
Peak Population	3464
2017 Current Population	1841
Difference in Population (Number)	-1623
Difference in Population (Percent)	-47%

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).

Calgary International Vicinity Protection Area Regulation (177/2009)

The site is located between the NEF contour 25 and the Airport Vicinity Protection Area boundary. There are no prohibited land uses within this area, however all uses must still comply with the Calgary International Airport Vicinity Protection Area Regulation (177/2009).

TRANSPORTATION NETWORKS

Pedestrian and vehicular access to the site is available from 35 Street SE and the rear lane. The area is served by Calgary Transit bus service with a bus stop location within approximately 250 metres walking distance of the site on 36 Street SE. The subject parcel is also served by Bus Rapid Transit (BRT) with the BRT stop located within 900 metres walking distance on 17 Avenue 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 letter responding to the application from the Southview Community Association. They requested that the decision on this application be postponed until a local area redevelopment policy is approved and implemented (APPENDIX II).

Citizen Comments

Administration received one letter of object to the application.

Reasons stated for opposition are summarized as follows:

- on-street parking concerns; and
- proliferation of secondary suites.

Public Meetings

No public meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

July 31, 2017

Dear Sir/Madame

The following is the reason I would like to be considered and given approval for this land use amendment application for a secondary suite.

There is a great need to help good people in this expensive city to have a chance to have a fair, decent home to live in. This includes myself as it gives me some extra income, which by the way I claim on my yearly taxes and I pay extra house insurance to have a tenant in a separate suite in my home. Southview has relatively large lots for being in the city and they can certainly accommodate a secondary suite without there being a crowding issue.

I would like you to know that with myself being the home owner, and the tenant in a separate suite, there are still only 2 people living on the whole property. I have a double car garage and an extra concrete parking pad. I only have one vehicle and my tenant doesn't drive, so parking is not an issue for this location either.

Thank you for your consideration.

Linda Brook

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APPENDIX II

LETTERS SUBMITTED



SOUTHVIEW COMMUNITY ASSOCIATION

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Calgary, Alberta
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southviewyyc@gmail.com
southviewyyc.com

City of Calgary
Circulation Control
Planning and Development
PO Box 2100, Station M
IMC 8201

Sent via e-mail: cpag.circ@calgary.ca

August 29, 2017

Re: LOC2017-0215
R-C1s Land Use Amendment
2436 35 St SE

To Whom It May Concern:

The Southview Community Association has reviewed the proposed land use amendment and provides the following comments for consideration prior to the approval of this development.

The Southview Community is a neighborhood in transition, experiencing both private redevelopment and invest by the City of Calgary through initiatives such as:

- The 17 Avenue SE Bus Rapid Transit (BRT) Project
- The 17 Avenue SE Multi-use Pathway Corridor
- International Avenue Business Revitalization Zone (BRZ)

As a result of the neighbourhood transition, and the absence of a City of Calgary planning document, such as an Area Redevelopment Plan (ARP), to provide a vision and guidance for redevelopment, the Southview Community Association has no context within which to evaluate and provide comments on the LOC application.

The Southview Community Association respectfully requests that the review and approval of this application be postponed until such planning documents are available to provide a framework for redevelopment.

Sincerely,

Andy Kneubuhler
Vice President
Southview Community Association

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.

