

**LAND USE AMENDMENT
ST. ANDREWS HEIGHTS (WARD 7)
KINGSTON STREET NW AND TORONTO CRESCENT NW
BYLAW 357D2017**

MAP 19C

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 October 05

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 357D2017; and

1. **ADOPT** the proposed redesignation of 0.07 hectares \pm (0.18 acres \pm) located at 2636 Toronto Crescent NW (Plan 359GP, Block 6, 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 357D2017.

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

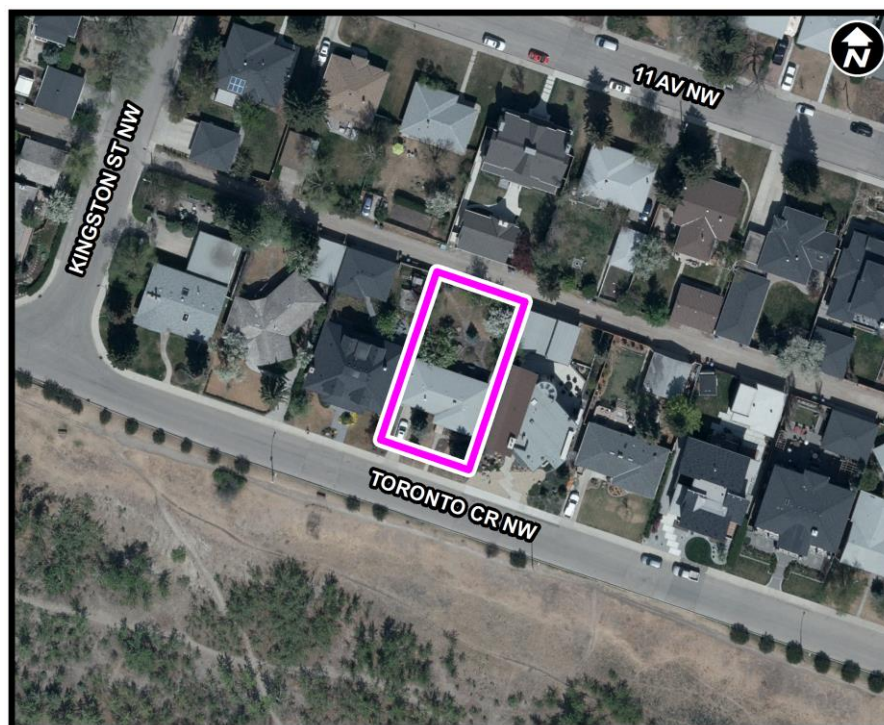
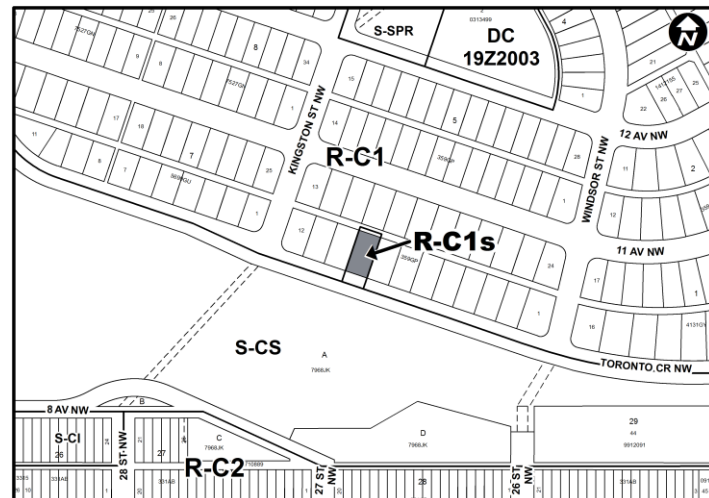
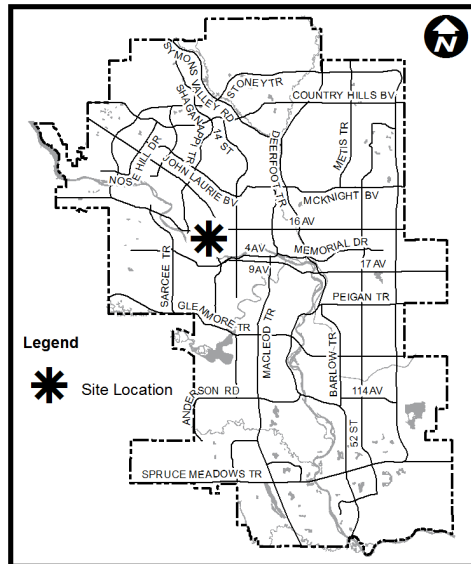
ATTACHMENT

1. Proposed Bylaw 357D2017
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 0.07 hectares \pm (0.18 acres \pm) located at 2636 Toronto Crescent NW (Plan 359GP, Block 6, Lot 9) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: R. Wright

Carried: 8 – 0

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Applicant:

Asghar Mesbah-Nejad

Landowner:

Asghar Mesbah-Nejad
Maryam Nasr-Esfahani

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of St. Andrews Heights, the site is approximately 20 metres by 37 metres in size and is developed with a single storey single detached dwelling, and a single attached car garage that is accessed from the street. Single detached dwellings exist to the north, east, and west of the site. A city owned greenspace (S-CS) parcel exists to the south of the site, across Toronto Crescent NW.

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

St. Andrews Heights	
Peak Population Year	1970
Peak Population	2484
2017 Current Population	1717
Difference in Population (Number)	-767
Difference in Population (Percent)	-31%

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).

South Shaganappi Communities Area Plan (2011)

The community of St. Andrews Heights is located within the South Shaganappi Communities Area Plan. One of the strategic objectives within the Plan is to “create successful communities with strong neighbourhoods” (Strategic Objective 3). In order to achieve this objective, the Plan makes reference to “providing a suitable mix of house types e.g. secondary suites.”

TRANSPORTATION NETWORKS

Pedestrian and vehicular access to the site is available from Toronto Crescent NW and the rear lane. The area is served by Calgary Transit bus service with bus stop locations within approximately 800 metres walking distance of the site on both 13 Avenue NW and 29 Street NW. On-street parking adjacent to the site is restricted to two hours at all times.

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.

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ENVIRONMENTAL ISSUES

An Environmental Site Assessment was not required.

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 in opposition to the application from the St. Andrews Heights Community Association (APPENDIX II).

Reasons stated for opposition are summarized as follows:

- Based on a community survey completed in 2014, the community does not support secondary suites

Citizen Comments

Administration received 2 letters in opposition to the application.

Reasons stated for opposition are summarized as follows:

- desire to keep the community zoned as R-C1; and
- parking and traffic issues.

Administration received 3 letters in support of the application.

Reasons stated for support are summarized as follows:

- no parking issues along Toronto Crescent NW;
- addition of backyard suite is appropriate use of property;
- proposed use is appropriate for applicant's situation; and
- addition of suite will provide greater density and vibrancy for community.

Public Meetings

No public meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

Reasons for making this application:

The main reason for making this application is that a young adult disabled person diagnosed with Autistic disorder, borderline intellectual function, obsessive compulsive disorder and generalized anxiety disorder is living in this household. A backyard suit will help this person to be more independent by providing a private living space while receiving required care (food, shelter, clothing, transportation, decision making, medical care and social interactions) simultaneously.

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APPENDIX II

COMMUNITY ASSOCIATION LETTER

Adev Ahluwalia
VP Residential Development
St Andrews Heights Community Association
2915 14th Ave. N.W.
Calgary, Alberta
T2N 1N3

Aug 16, 2017

File Manager
LOC2017-0211 (by email)
City of Calgary
P.O. Box 2100 Station M
Calgary Alberta
T2P 2M5

Dear Jeff Quigley,

I am writing on behalf of the **St. Andrew's Heights Community Association** regarding LOC2017-0211 which is an application under the current Land Use Bylaw for 2636 Toronto Cr. NW

Our community has developed a document entitled "St. Andrews Heights Development Expectations" that highlights the importance that any development fit into the neighbourhood. I have reviewed the application wish to make the following comments.

COMMUNITY COMMENTS

Based on a St Andrews Heights community survey completed in 2014 that showed the community does not support secondary suites, the St Andrews Heights Community Association cannot support this rezoning application.

Sincerely,



Adev Ahluwalia
V.P. Planning (Residential)
St. Andrews Heights Community Association

cc: Mr. Jacques Gendron (President, St. Andrews Heights Community Association)
Ms. Lea Meadows (Secretary, St. Andrews Heights Community Association)
St. Andrews Heights Community Development Committee
Attachments: St. Andrews Heights Development Expectations

J. Quigley

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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.

