

LAND USE AMENDMENT
GLAMORGAN (WARD 6)
GLAMORGAN CRESCENT SW AND 46 AVENUE SW
BYLAW 238D2017

MAP 1W

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 and the application was not submitted as a result of a complaint, though records show numerous “illegal dwelling” complaints have been filed in the past, inspection reports confirm that the cooking facility has been removed.

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 June 01

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 238D2017; and

1. **ADOPT** the proposed redesignation of 0.06 hectares ± (0.14 acres ±) located at 307 Glamorgan Crescent SW (Plan 7429JK, Block 16, Lot 3) 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 238D2017.

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.

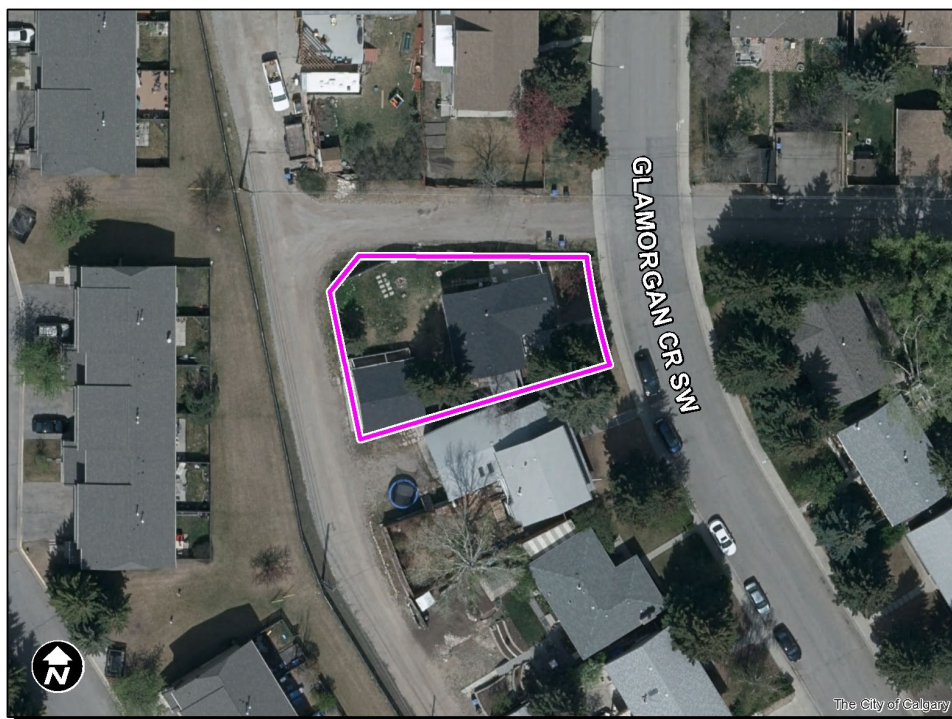
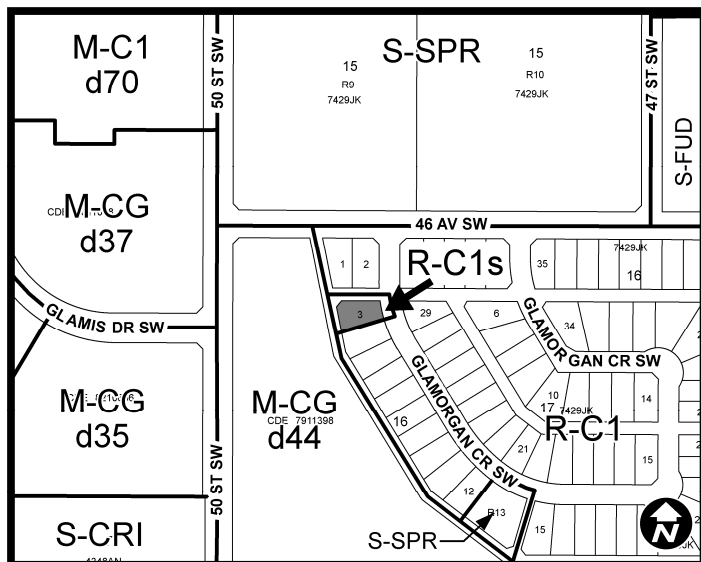
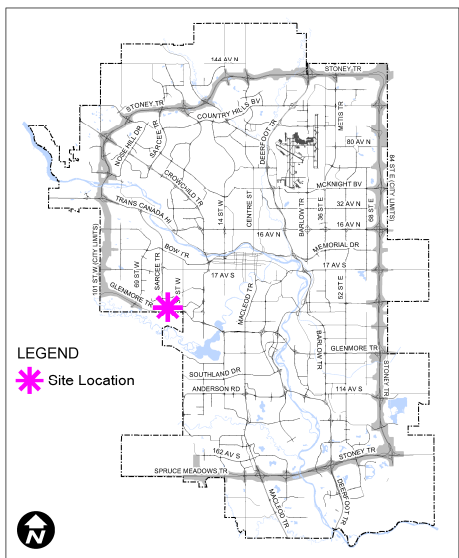
ATTACHMENT

1. Proposed Bylaw 238D2017
2. Public Submissions

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GLAMORGAN (WARD 6)
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BYLAW 238D2017

MAP 1W

LOCATION MAPS



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GLAMORGAN CRESCENT SW AND 46 AVENUE SW
BYLAW 238D2017

MAP 1W

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 307 Glamorgan Crescent SW (Plan 7429JK, Block 16, Lot 3) from Residential - Contextual One Dwelling (R-C1) District to Residential-Contextual One Dwelling (R-C1s) District.

Moved by: A. Palmiere

Carried: 4 – 1

Opposed: M. Foht

Reasons for support of the Approval recommendation from Mr. Leighton:

- I voted in support of this R-C1s (secondary suite) application; but note the concerns of the Community Association; especially that the garage is leased by a non-resident third party. Administration's recommendation is based on the availability of this parking for residents. I would, therefore, suggest that verification that this parking is available and reserved for the use of residents be added as a condition of approval.

Reasons for support of the Approval recommendation from Mr. Friesen:

- I supported this Land Use for a secondary suite and did not support the motion for refusal but I did have some concerns. The owner and landlord does not seem to have been a good neighbour given the many complaints and the comments from the community. It seems odd to reward an owner of this type with a new Land Use that serves his purposes. It remains the case however, that the behaviour of the owner and his tenants are not planning issues.
- Assessed purely on planning issues this location is as good as any for a secondary suite with, for example, good lane access and a good sized lot to allow for parking. The reasons that may lead to refusal are not primarily planning related but could be considered 'political' which are for Council to decide.

Reasons for opposition of the Approval recommendation from Mr. Foht:

- I did not support this application because the information received from the community input indicated that there were 6 or 7 leases within the premises and that the garage was leased to a third party. If true, this highlights a short coming of the land use of R-C1s. R-C1s suggests a secondary suite, not a "boarding house" type use. Parking will be an issue should this land use be permitted.

2017 June 01

MOTION:

The Calgary Planning Commission **FILED** Administration's recommendation of **APPROVAL** and recommends that Council:

1. **REFUSE** the proposed redesignation of proposed redesignation of 0.06 hectares \pm (0.14 acres \pm) located at 307 Glamorgan

LAND USE AMENDMENT
GLAMORGAN (WARD 6)
GLAMORGAN CRESCENT SW AND 46 AVENUE SW
BYLAW 238D2017

MAP 1W

Crescent SW (Plan 7429JK, Block 16, Lot 3) from Residential - Contextual One Dwelling (R-C1) District to Residential-Contextual One Dwelling (R-C1s) District; and

2. **ABANDON** the proposed Bylaw.

Moved by: M. Foht

LOST: 1 – 4

Opposed: M. Tita, C. Friesen,
D. Leighton and
A. Palmiere

LAND USE AMENDMENT
GLAMORGAN (WARD 6)
GLAMORGAN CRESCENT SW AND 46 AVENUE SW
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MAP 1W

Applicant:

Permit Masters

Landowner:

Nelson Yarmoloy
Rebecca Yarmoloy

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Glamorgan, the site is approximately 18 metres by 32 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. Low density single detached residences exist to the north, east and south of the site.

According to data from The City of Calgary 2016 Census, the following table identifies Glamorgan's peak population and year, current population and the population amount and percentage difference between the peak and current populations if any.

Glamorgan	
Peak Population Year	1982
Peak Population	7,258
2016 Current Population	6,457
Difference in Population (Number)	-801
Difference in Population (Percent)	-11%

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.

**LAND USE AMENDMENT
GLAMORGAN (WARD 6)
GLAMORGAN CRESCENT SW AND 46 AVENUE SW
BYLAW 238D2017**

MAP 1W

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.

TRANSPORTATION NETWORKS

Pedestrian and vehicular access to the site is available from Glamorgan Crescent SW and the rear lane. The area is served by Calgary Transit with a bus stop located within approximately 100 metres walking distance of the site on 46 Avenue SW. 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.

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 Glamorgan Community Association (see APPENDIX II).

Reasons stated for opposition are summarized as follows:

- History of a rental property;
- Current street parking by tenants; and
- Existing complimentary and diversity of housing choices.

Citizen Comments

Administration received fifteen (15) letters of which twelve (12) letters are in opposition to the application.

Reasons stated for opposition are summarized as follows:

1. Parking on street;
2. More vehicles more traffic;
3. Currently a rental property with six (maybe 7 leases) residences, each having a vehicle parked on street;
4. Tenants do not have access to the existing double garage;
5. Landlord not responsive to issues with tenants;
6. Sets Precedence in neighbourhood;
7. Concerns of creating 2 rental units;
8. Neighbourhood character quiet family oriented;
9. Poor state of repair – lacking pride of ownership;
10. Compromised housing values for the neighbourhood;
11. The neighbourhood already has a good mix of housing, recent approval of multiple low income housing. (ie. Horizon housing and Silvera); and
12. Past conflict of moving tenants using the adjacent waste bins.

Public Meetings

No public meetings were held by the Applicant or Administration.

APPENDIX I

APPLICANT'S SUBMISSION

This application proposes the redesignation of a Residential – Contextual One Dwelling District (R-C1) to Residential – Contextual One Dwelling District (R-C1s) to allow for a secondary suite. The subject site is located within the City of Calgary's southwest quadrant in the community of Glamorgan, north of Glenmore Trail SW and east of Sarcee Trail SW.

We believe that this application should be supported for the following reasons:

- The new zoning is appropriate and compliments adjacent residential properties R-C1, M-CG and M-C1.
- The site exceeds the minimum parcel size requirements
- The required parking can be accommodated on site in the rear detached garage
- The site, benefits from a lane and there is ample unregulated on street parking available
- A secondary suite is supported by the MDP
- Transit is available 7 days a week. Routes 112 and 732 serve the area.

APPENDIX II

COMMUNITY ASSOCIATION LETTER SUBMITTED

From: "ostromb" <ostromb@telusplanet.net>
To: "benedict ang" <benedict.ang@calgary.ca>
Sent: Friday, March 31, 2017 12:45:55 PM
Subject: LOC-2017-0077 Land Use Redesignation to RC-1s at 307 Glamorgan Crescent S.W.

Good Afternoon Benedict:

I am writing on behalf of the Glamorgan Community Association regarding LOC2017-0077 at 307 Glamorgan Crescent S.W. This is a clear example of "spot zoning" that was disallowed by previous City Councils. This type of "spot zoning" changes not only the character of the lot in question but the context of entire street as well. The Glamorgan Community Association does not support this zoning request. This request has far reaching implications that will affect the adjacent neighbours as well as residents along Glamorgan Crescent.

This entire street is purposely zoned R-1 and was designed for this type of zoning. The Glamorgan/Glenbrook Design brief is our policy document and specifically lays out areas within our community for various zoning types. We have all types with the exception of industrial. Glamorgan is currently used by the University of Calgary Urban Studies Course as an example of thoughtful and sustainable zoning. This type of application goes against the principals used in the design of our community. This type of application also undermines the contract in place with R-1 homeowners as laid out in the Municipal Government Act. R-1 homeowners purchase properties and pay a premium with the expectation that the R-1 zoning remains in place with one (1) dwelling on site.

Initially, "Secondary Suites" were to be contained within an R-1 home provided that the homeowner resided within the residence. This application has the potential to simply become an absentee rental property with dual suites and will not be owner occupied.

The following points are basis of our objection:

1) This property has a history and has been a rental property for a number of years. It has not been owner/occupied for a long time. As a result of resident concerns and impacts, this application is now coming forward.

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2) Parking is a big issue. The garage on site does not appear to be used by the current tenants and as a result parking and access to Glamorgan Crescent is an issue. As this home is located at one of the entrance/exit points for all residents living along the Crescent, there is a direct impact to everyone.

3) This particular street was purposely designated as R-C1 to compliment the various multi-family complexes adjacent to it and provide the mixed use that the City of Calgary wishes to see. We see no valid reason to change the current land use designation.

4) We do acknowledge the convenient access to Transit but that does not mean that rental tenants will use it. Transit service within Glamorgan is excellent and heavily used on a regular basis.

5) We are aware of and have received copies of objections by directly affected residents and their ongoing concerns with respect to this property.

6) We understand that the property recently changed hands but there is no indication in this application, that the new property owner will reside at this location. If the property owner will not be residing at this location, then this is simply a thinly disguised R-2 application.

We do not support the removal of the R-C1 designation. R-C1 provides stability of streetscape as well as community. There are many parcels located within our Community currently zoned for duplexes and suites. Given the lack of information in the circulation package and the potential impacts on the street, alley and directly affected neighbours, we do not support this application.

Respectfully submitted,

Beryl Ostrom
President, Glamorgan 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.

