

**LAND USE AMENDMENT
MARLBOROUGH (WARD 10)
MARYVALE ROAD NE WEST OF MARYVALE WAY NE
BYLAW 201D2017**

MAP 22E

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 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 May 04

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 201D2017; and

1. **ADOPT** the proposed redesignation of 0.05 hectares \pm (0.12 acres \pm) located at 4140 Maryvale Road NE (Plan 7620JK, Block 5, Lot 22) 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 201D2017.

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.

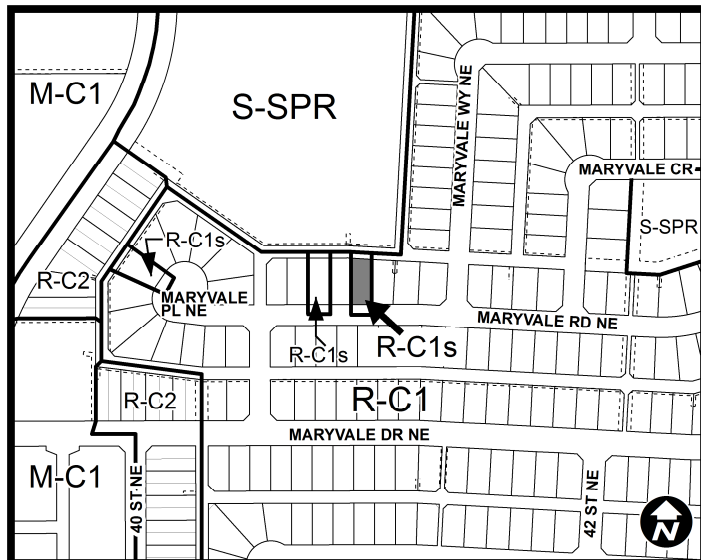
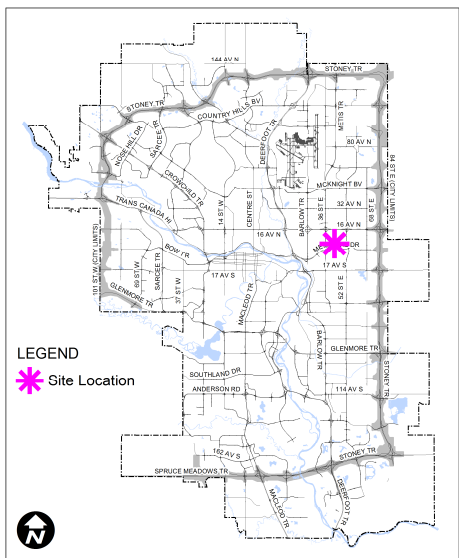
ATTACHMENT

1. Proposed Bylaw 201D2017

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MAP 22E

LOCATION MAPS



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MAP 22E

ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.05 hectares \pm (0.12 acres \pm) located at 4140 Maryvale Road NE (Plan 7620JK, Block 5, Lot 22) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: A. Palmiere

Carried: 7 – 0

Reasons for Approval from Mr. Foht:

- I supported the application to allow a secondary suite or backyard suite for the following reasons:
 - a) The property has adequate parking options in the rear and front of the parcel.
 - b) The property meets or exceeds the required width and depth of lots for secondary/backyard suites.

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MAP 22E

Applicant:

Bal Nalbo

Landowner:

Bal Nalbo
Bishnu Kumari Limbu

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Marlborough, the site is approximately 15 metres by 33 metres in size and is developed with a single-storey single detached dwelling, existing basement suite and a detached two-car garage that is accessed from the rear lane. Single detached dwellings exist to the east, south, and west of the site. A municipal park exists to the north.

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

Marlborough	
Peak Population Year	1982
Peak Population	10,025
2016 Current Population	8,784
Difference in Population (Number)	-1,241
Difference in Population (Percent)	-12%

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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MAP 22E

LEGISLATION & POLICY

South Saskatchewan Regional Plan (2014)

The site is located within the “Calgary” 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 Maryvale Road NE and the rear lane. The area is served by Calgary Transit bus service with a bus stop location within approximately 300 metres walking distance of the site on Maryvale Drive NE. 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 in opposition to the application from the Marlborough Community Association (APPENDIX II).

Reasons stated for opposition are summarized as follows:

- parking, services, and community structures are designed around single family dwellings.

Citizen Comments

Administration received one (1) letter in opposition to the application.

Reasons stated for opposition are summarized as follows:

- likes that this is a single family home area.

Public Meetings

No public meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

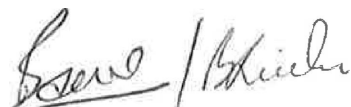
Dear Sir/Madam

We are applying 4140 Maryvale Road NE Calgary AB for R-1CS for the following reason:

1. Above property is in convenient place and basement is already developed by previous owner.
2. Basement is more affordable so more people are looking for basement rather than whole house or main floor.
3. As rental property, it is difficult to rent out whole house and generate revenue to pay investment expenses such as mortgage, utility bills.
4. To save space.
5. Make affordable and safe place to live to tenants and community.

We would like to request to rezone and suggest us to full fill the requirement for legal suite.

Sincerely,



Bal Nalbo/ Bishnu Limbu

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APPENDIX II

LETTERS SUBMITTED



THE COMMUNITY ON THE MOVE

CALGARY MARLBOROUGH COMMUNITY ASSOCIATION

636 MARLBOROUGH WAY N.E., CALGARY, ALBERTA T2A 2V6

March 17, 2017

Circulation Control
Planning & Development #8201
PO Box 2100, Stn. M
Calgary, AB T2P 2M5

RE: File # LOC2017-0057
4140 Maryvale Rd NE

We recognize Bal Nalbo's request and appreciate his going through the proper channels, however the Calgary Marlborough Community Association supports the R-C1 single family zoning for this community. We do not encourage secondary suites as parking, services and community structures are designed around single family dwellings.

Yours truly,

Laura Greenwood
Calgary Marlborough Community Association

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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.

