

**LAND USE AMENDMENT
ALTADORE (WARD 11)
ACTON AVENUE SW, WEST OF 15 STREET SW
BYLAW 206D2017**

MAP 5C

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.

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 206D2017; and

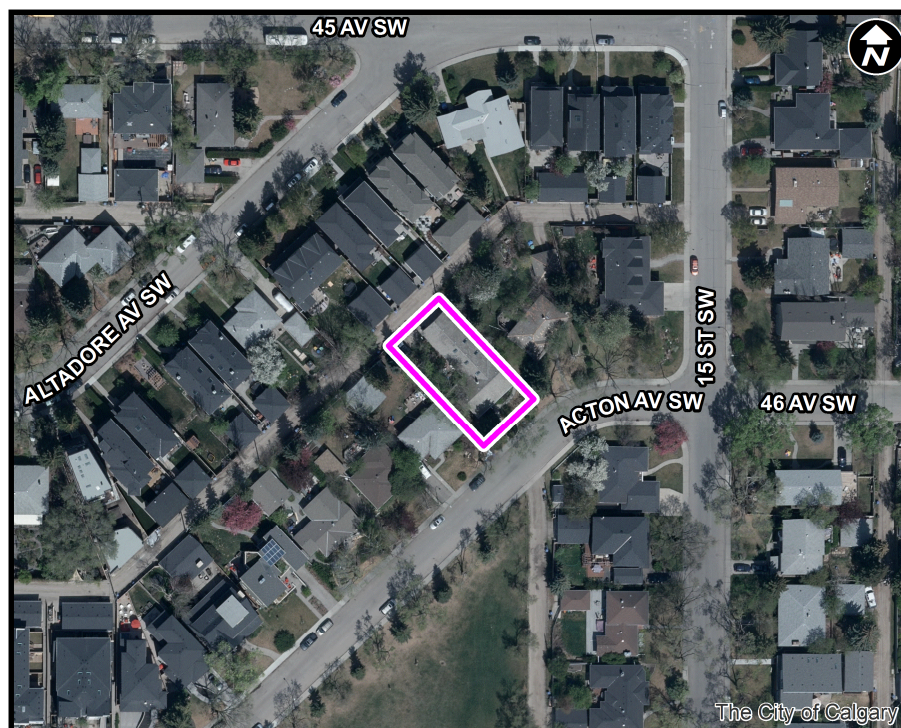
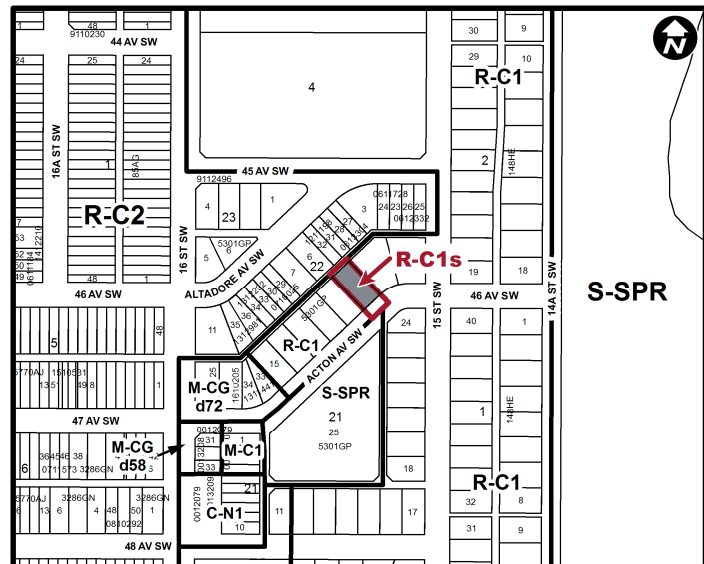
1. **ADOPT** the proposed redesignation of 0.07 hectares \pm (0.16 acres \pm) located at 1612 Acton Avenue SW (Plan 5301GP, Block 22, Lot 20) from Residential – Contextual One Dwelling (R-C1) District **to** Residential-Contextual One Dwelling (R-C1s) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 206D2017.

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 South Calgary/Altadore Area Redevelopment Plan (ARP) and will allow for development that has the ability to meet the intent of Land Use Bylaw 1P2007.

ATTACHMENT

1. Proposed Bylaw 206D2017

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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.07 hectares \pm (0.16 acres \pm) located at 1612 Acton Avenue SW (Plan 5301GP, Block 22, Lot 20) from Residential – Contextual One Dwelling (R-C1) District **to** Residential-Contextual One Dwelling (R-C1s) District.

Moved by: A. Palmiere

Carried: 7 – 0

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Applicant:

Justin Mendes

Landowner:

Justin Mendes
Kayley Fesko

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Altadore, the site is approximately 18 metres by 29 metres in size and is developed with a one-storey single detached dwelling with an attached double-car garage that is accessed from the rear lane. Single detached dwellings exist to the north, east, and west of the site. A park is located to the south.

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

Altadore	
Peak Population Year	2015
Peak Population	9,867
2016 Current Population	9,864
Difference in Population (Number)	-3
Difference in Population (Percent)	0%

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 Calgary/Altadore Area Redevelopment Plan (ARP)

The site is within the “Residential Conservation” area on the Land Use Policy Map (Map 2) in the *South Calgary/Altadore ARP*. While the local area plan does not make specific reference to secondary suites, the goal of the plan is to encourage redevelopment where appropriate that is sensitive to the existing community and which provides the opportunity for a variety of population age-groups, household types and incomes to reside in the area (subsection 1.2).

TRANSPORTATION NETWORKS

Pedestrian and vehicular access to the site is available from Acton Avenue SW and the rear lane. The area is served by Calgary Transit Route 13 bus service with a bus stop location within approximately 250 metre walking distance of the site on Acton Avenue SW. On-street parking adjacent to the site is not regulated.

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 Marda Loop Communities Association (APPENDIX II).

No Reasons were stated.

Citizen Comments

Administration received three (3) letters in opposition to the application.

Reasons stated for opposition are summarized as follows:

- Retain the R-C1 zoning to preserve low density areas.
- Approval will set precedence for more secondary suites.
- Illegal secondary suite currently exists with tenants that park in front of opposed neighbours.

Public Meetings

No public meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

Dear City of Calgary,

My family moved in to this home in 1996, over the years I have seen the house and the community change so much. It has been a huge part of my entire life. I went to the local schools (Saint James/ Bishop Carroll), played at the local parks and walked my dog twice a day at the local dog park. I remember when we first moved in seeing we were the only family with kids. Now the majority of our neighbors have young families. My first memories of the community were driving home for the first time and seeing all the mature tree lined streets. Pulling up to a new home and being immediately welcomed by the new neighbors. I love that I have had the opportunity to see how this neighborhood has changed over the years. When my wife and I found out we were expecting our first child, my parents decided it was time to down size and move away from the home we had enjoyed as a family. I knew this was the community I wanted to raise my young family in. I am excited for my children to grow up in the same community I did.

As you can imagine it has been amazing to see the vast changes that have taken place in the community over the past 20 years. I love my community and I am so proud to call it home. There is a true sense of community, from the neighborhood BBQs to 4 couples that have celebrated the birth of a child in the same year. I love that we all support each other and have a vested interest in sharing our community. We have planted a community garden in our yard with our neighbors. This is the only place that feels like home.

The reason that we want to have our property rezoned, is we want to share that sense of community with other people. We want to change the way people view community. We want to be inclusive rather than exclusive. I believe in densification and not expansion. I have had the opportunity to live in secondary suites and it has allowed me to live in the community I love but rather could not afford.

Thank you for your consideration,

Justin Mendes

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APPENDIX II

LETTERS SUBMITTED



3130 16 Street SW
Calgary, AB, T2T 4G7

April 6, 2017

Circulation Control
Planning & Development #8201
PO Box 2100 Station M
Calgary, AB, T2P 2M5
Email: CPAG.Circ@calgary.ca

Attn: Rayner Dsouza Rayner.Dsouza@calgary.ca

SENT BY EMAIL

Dear Mr. Dsouza;

RE: Community Association Feedback for LOC2017-0065

The MLCA Planning & Development Committee does not support this land use amendment. The committee has been contacted by the applicant, Justin Mendes. To-date the committee has been contacted by two members of the community who oppose this application.

If you have any questions regarding these comments, please contact me.

Regards,

Lauren Makar
MLCA Planning & Development Committee
development@mardaloop.com

Marda Loop Communities Association Vision:
An evolving, vibrant, urban community that is engaged, connected, and desirable.

R. D'Souza

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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.

