

**LAND USE AMENDMENT
MIDNAPORE (WARD 14)
MIDRIDGE ROAD SE AND MIDLAKE BOULEVARD SE
BYLAW 59D2017**

MAP 34SS

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 a Secondary Suite or a Backyard Suite on the same parcel as a single detached dwelling. The parcel contains an existing single detached dwelling and the application is not as a result of a recent complaint. In 2003, there was a complaint regarding an illegal dwelling unit which was closed upon inspection. Currently, Administration is not aware of any existing secondary suite on-site.

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)

2016 December 15

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 59D2017; and

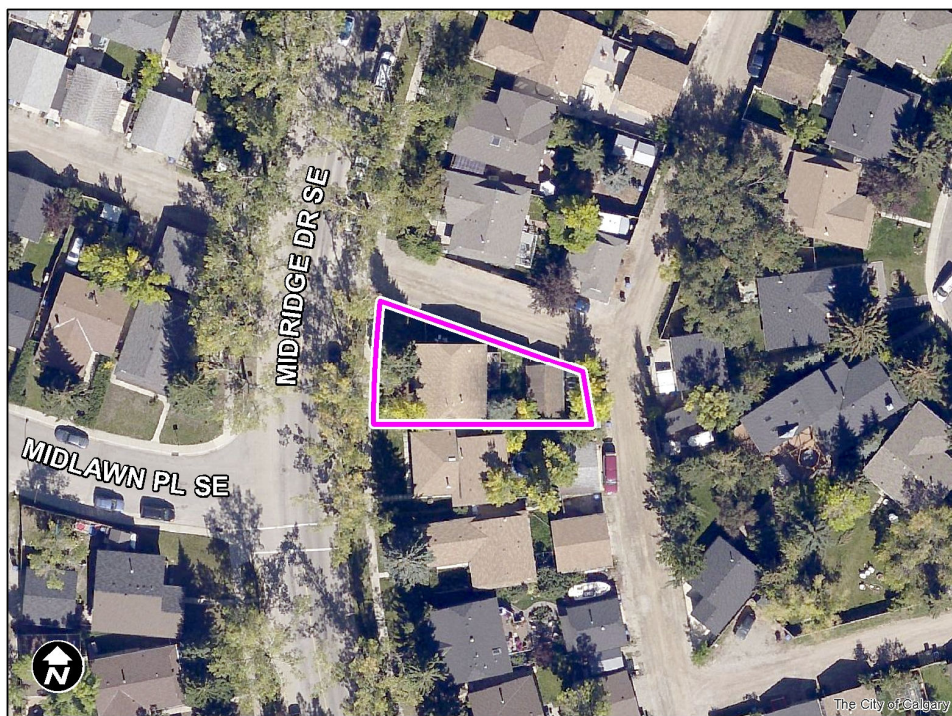
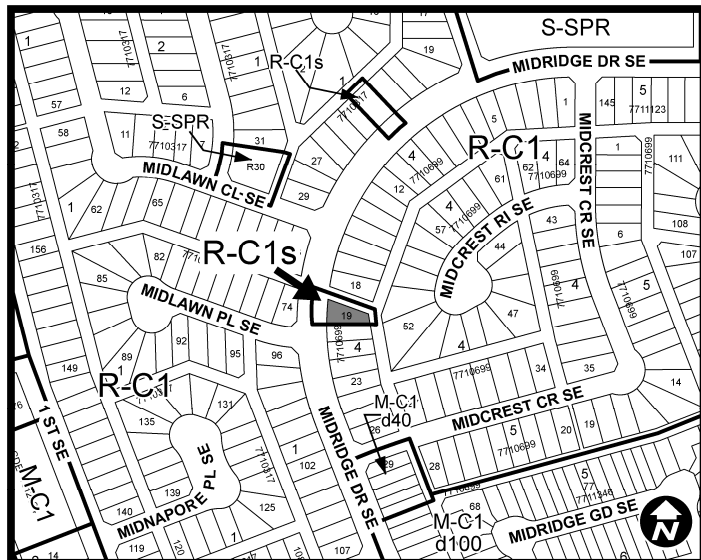
1. **ADOPT** the proposed redesignation of 0.04 hectares \pm (0.09 acres \pm) located at 456 Midridge Drive SE (Plan 7710699, Block 4, Lot 19) from Residential – Contextual one Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 59D2017.

REASON(S) FOR RECOMMENDATION:

The proposed R-C1s district which allows for two forms of secondary suite uses (Secondary Suite or Backyard Suite), is compatible and complementary with the character of the community. This proposal conforms to applicable municipal policies and allows for development that has the ability to meet the intent of Land Use Bylaw 1P2007.

ATTACHMENT

1. Proposed Bylaw 59D2017
2. Public Submission

MAP 34SS[illegible]

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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.04 hectares \pm (0.09 acres \pm) located at 456 Midridge Drive SE (Plan 7710699, Block 4, Lot 19) from Residential – Contextual one Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: R. Wright

Carried: 6 – 0

Absent: S. Keating, G.-C. Carra and M. Foht

Comments from Mr. Wright:

- The December 15 CPC Agenda had 15 applications in 11 communities. Those 11 communities have lost over 10,000 residents since peak population dates. Increases due to secondary suites will not create congestion, overcrowding or other “problems” associated with an excess of residents.

Comments from Ms. Juan:

- This was one of 12 applications from the same applicant. All neighbours have had maintenance concerns. Although maintenance concerns are not planning issues, I suggest that council ask the applicant to speak to the maintenance of the properties, the applicant was not present at CPC.

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Applicant:

Sara Karmiavval

Landowner:

Tajshabir Esmail

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Midnapore, the parcel is approximately 12 metres by 30 metres in size and is developed with a one storey single detached dwelling and a detached single vehicle garage and adjacent gravel parking pad accessed from the side lane. Single detached dwellings exist in all directions from the parcel and are separated by Midridge Drive SE to the west and a gravel lane which flanks the parcel's side and rear property lines to the north and east respectively.

The following table identifies Midnapore's current and peak population by year and any difference in population expressed as a percentage.

Midnapore	
Peak Population Year	1990
Peak Population	7697
2015 Current Population	7099
Difference in Population (Number)	- 598
Difference in Population (Percent)	- 8%

LAND USE DISTRICTS

The proposed R-C1s district has the ability to accommodate secondary suites on parcels that already contain a single detached dwelling on a parcel. The R-C1s district allows for one additional permitted use (secondary suite) or one additional discretionary use (backyard suite).

Approval of this land use application does not constitute approval of a specific secondary suite type, but rather it allows for one additional dwelling unit (in the form of a secondary suite) to be considered via the development permit/building permit process. For a secondary suite, which is a permitted use that meets all of the rules within Land Use Bylaw 1P2007, a development permit is no longer required.

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LEGISLATION & POLICY

South Saskatchewan Regional Plan (SSRP)

The recommendation by Administration in this report has considered and is aligned with the policy direction of the South Saskatchewan Regional Plan (SSRP).

Municipal Development Plan (MDP) (2009)

The site is located within a 'Residential Developed – Established Area' in the MDP (Map 1: Urban Structure). Although the MDP makes no specific reference to the site, the land use proposal is in alignment with overarching MDP residential policies including: Developed Residential Areas policies (Section 3.5.1), Neighbourhood Infill and Redevelopment policies (Section 2.2.5) and Housing Diversity and Choice policies (Section 2.3.1).

Revised Midnapore Phase 2 Area Structure Plan (ASP) (1991)

The ASP makes no specific reference to the parcel which is located in an area identified as the 'Midnapore I Planning Area' (Map 2: Land Use). The 'Midnapore 1 Planning Area' is subject to the Midnapore I Design Brief that was approved by Council in 1975. This design brief provides a number of development recommendations for the area including that it should be developed for predominantly residential purposes with a variety of dwelling unit types and arrangements to accommodate people of all ages and incomes (Recommendation A.1., p.6).

TRANSPORTATION NETWORKS

A Transportation Impact Assessment or parking study was not required. Pedestrian and vehicular access to the site is available from Midridge Drive SE, which is a collector street, or by the adjacent gravel lane at the side and rear of the parcel. The area is served by Calgary Transit with north and southbound bus stops (Route 52) located approximately 75 metres to the south on Midridge Drive SE. The parcel is approximately 1.2 kilo metres to the northeast of the Shawnessy LRT Station and 1.6 kilometres to the southeast of the Fish Creek – Lacombe LRT station. Parking is unrestricted on Midridge Drive SE as well as through the adjacent side and rear lane.

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 also be required depending on the type of secondary suite proposed. This aspect would be determined 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.

PUBLIC ENGAGEMENT

Community Association Comments

The Mid-Sun Community identified no objections to the proposal. See APPENDIX II for Community Association comments.

Citizen Comments

Administration received two (2) letters in opposition to the application. The reasons cited for objection were:

- concern that the existing dwelling/property was not maintained adequately, leading to anticipated unfavourable living conditions for future tenants;
- potential noise and/or general nuisance concerns associated with additional tenants; and
- depreciation of neighbouring property values.

Public Meetings

No public meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

I am the registered owners of the property at: 456 Midridge Drive SE

I would like to apply to change the land use designation of my property to have a legal Secondary Suite.

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APPENDIX II

LETTERS SUBMITTED

From: Mark Schmidt [REDACTED]@outlook.com]
Sent: Wednesday, November 16, 2016 7:21 PM
To: CPAG Circ
Subject: Application Comment for LOC2016-0278

To Circulation Control,

After reviewing application LOC2016-0278 for a land use amendment to change to R-C1s at 456 Midridge Dr SE in Midnapore, there are no concerns with the application. My signed application comment is attached.

Regards,

-Mark Schmidt

Planning Representative, Mid-Sun Community Association