

LAND USE AMENDMENT
PENBROOKE MEADOWS (WARD 10)
SOUTH OF MEMORIAL DRIVE SE AND WEST OF 68 STREET SE
BYLAW 143D2017

MAP 14E

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 complaint. There is no existing secondary suite within the dwelling.

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 March 09

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 143D2017; and

1. **ADOPT** the proposed redesignation of 0.05 hectares \pm (0.12 acres \pm) located at 6608 Penbrooke Drive SE (Plan 1599LK, Block 38, Lot 13) 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 143D2017.

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.

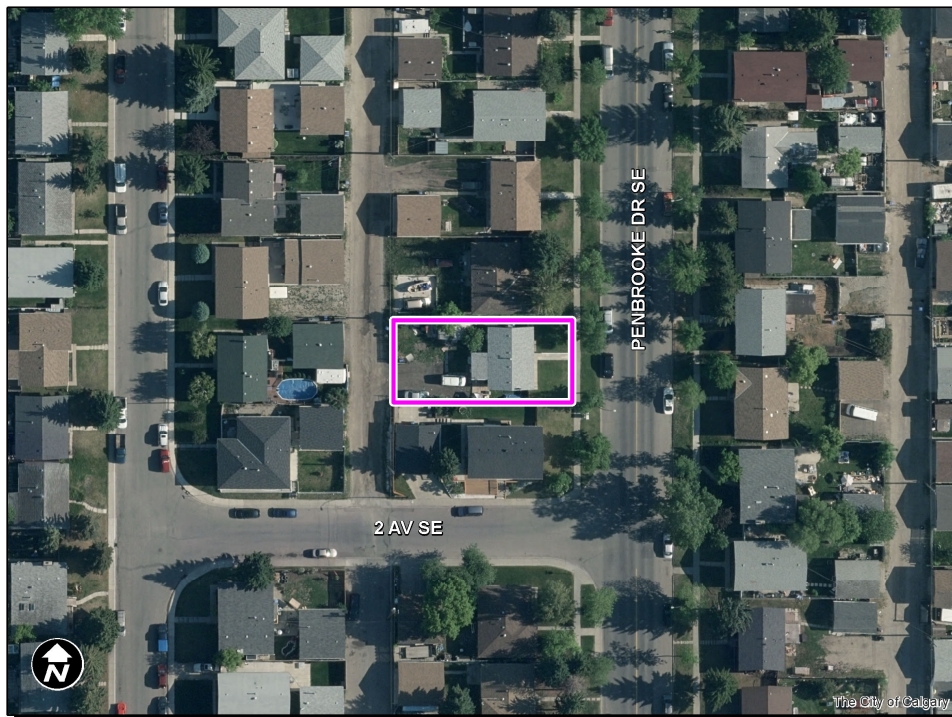
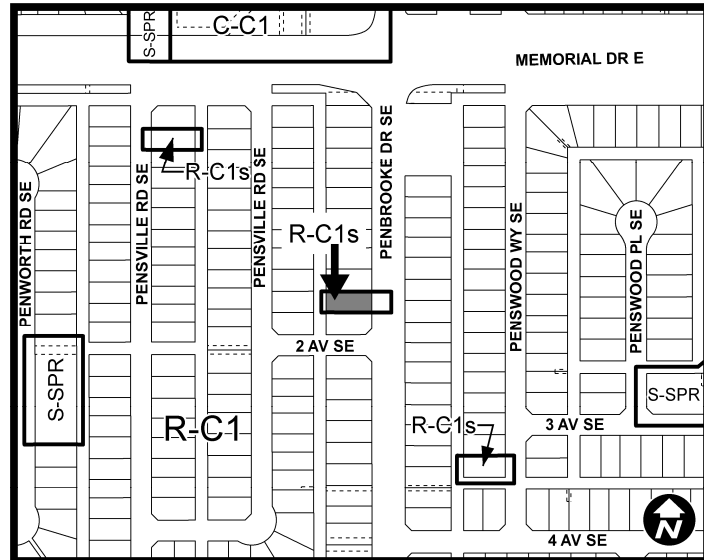
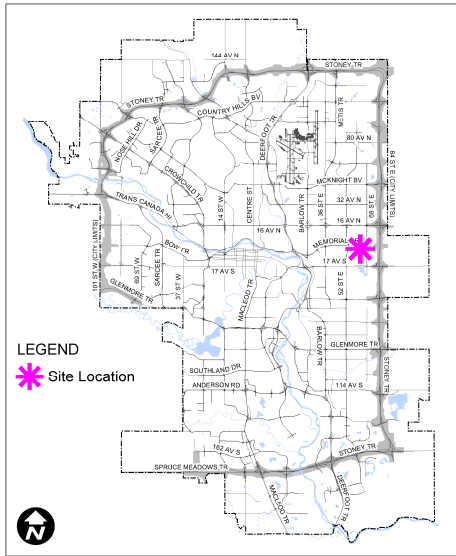
ATTACHMENT

1. Proposed Bylaw 143D2017

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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 0.05 hectares ± (0.12 acres ±) located at 6608 Penbrooke Drive SE (Plan 1599LK, Block 38, Lot 13) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: R. Wright
Absent: S. Keating

Carried: 7 – 0

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Applicant:

Designhaus Studio Inc

Landowner:

Kiren Hans

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Penbrooke Meadows, the parcel is approximately 15 metres by 33 metres in size and is developed with a single storey single detached dwelling and a large parking pad accessed from the rear lane. Single detached dwellings exist to the north, south, east and west. An elementary school exists one block to the south.

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

Penbrooke Meadows	
Peak Population Year	1982
Peak Population	10,031
2016 Current Population	8,594
Difference in Population (Number)	-1,437
Difference in Population (Percent)	-14%

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 South Saskatchewan Regional Plan (SSRP) is not applicable to this land use amendment.

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 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)

There is no local area plan for Penbrooke Meadows.

TRANSPORTATION NETWORKS

Pedestrian and vehicular access to the site is available from Penbrooke Drive SE with rear lane vehicular access to the detached garage. Unrestricted parking is available on Penbrooke Drive SE. The area is served by Calgary Transit bus service with bus stop locations within 50 metres walking distance of the site on Penbrooke Drive SE for southbound transit stops serving Routes 1, 42 and 50. The northbound transit stop location on Penbrooke Drive SE is located approximately 140 metres away from the site. An eastbound transit stop is located approximately 220 metres north serving Routes 1, 42, 45, 49, 50 and 51 on Memorial Drive SE, while the westbound transit stop on Memorial Drive SE is approximately 230 metres away.

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

PUBLIC ENGAGEMENT

Community Association Comments

The Penbrooke Meadows Community Association was circulated during the review of this application and no response was received by Administration.

Citizen Comments

Administration received four (4) letters in opposition to the application. Reasons stated for opposition are summarized as follows:

- concerns around the design of a backyard suite to ensure privacy and access to sunlight;
- impacts from construction;
- loss of on-street parking;
- traffic increase in the alley;
- poor upkeep of existing property by renters;
- absentee landlord who doesn't address poor upkeep of property;
- safety concerns due to transient renters; and
- desire to remain in an R-C1 only community.

Public Meetings

No public meetings were held by the Applicant or Administration

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APPENDIX I

APPLICANT'S SUBMISSION

Why are we applying for a land use re-designation?

To allow for the potential to develop a legal secondary suite on the parcel (R-C1 to R-C1s)

We believe a land use that allows for the potential development of a secondary suite increases the flexibility of the owners of the site as they continue to grow and age in their home. A secondary suite would allow the possibility of providing safe, affordable accommodation for any of the following; a university student, an international student, a commuter who works in the City but lives further away, relatives/friends in need of short term accommodation or their children as they reach adulthood.

Why should this application for rezoning be approved?

- 1) Ample parking – this lot exceeds the minimum width requirements and additional parking can easily be accommodated on site.
- 2) Large Lot – Our lot exceeds the current minimum dimensions for a secondary suite application. (R-C1 to R-C1s zoning).
- 3) Security – The addition of another tenant on the property will provide security and peace of mind while the home owner is on the premise or away.
- 4) Proximity to Downtown, Work, Shopping & Transit – The site is situated midway between 16 Avenue and Memorial drive creating multiple exit points for the short commute to Downtown. Transit is in close proximity as well with 3 stops within 2-3 minute walk with two stops along Memorial Dr with bus routes #1, 42, 45, 49, 50 & 51. The Madigan Plaza is a three minute walk with shops and a gas station and four and nine minutes walks to James Short Memorial School and G W Skene schools respectively.
- 5) Precedent in the Community – Similar land use amendments have already been approved in a two block radius of this site at two other nearby properties at 207 Penswood Way SE and 96 Pensville Road SE and a third pending approval four blocks East of our property.