

LAND USE AMENDMENT
EVANSTON (WARD 02)
NORTHWEST OF SYMONS VALLEY PARKWAY NW AND
STONE TRAIL NW
BYLAW 106D2017

MAP 31N

EXECUTIVE SUMMARY

This land use amendment application seeks to redesignate a single residential parcel located in the community of Evanston from Residential – One Dwelling (R-1) District to Residential – One Dwelling (R-1s) District to allow for a secondary suite. A Secondary Suite does not currently exist on the site, and this application is not the 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 February 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 106D2017; and

1. **ADOPT** the proposed redesignation of 0.04 hectares \pm (0.88 acres \pm) located at 19 Evansview Road NW (Plan 1110522, Block 3, Lot 26) from Residential – One Dwelling (R-1) District **to** Residential – One Dwelling (R-1s) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 106D2017.

REASON(S) FOR RECOMMENDATION:

The proposed R-1s land use district allows for two additional residential uses (Secondary Suite or Backyard Suite). These uses are compatible with and complimentary to the existing low density residential character of the neighbourhood; therefore, the proposed R-1s district is appropriate for the site. The following points further support this application:

- Transit accessible within approximately 110 metres (Routes 420 and 752);
- Within approximately 1 kilometre from a grocery store and services; and
- Required parking stalls (2) exist on site.

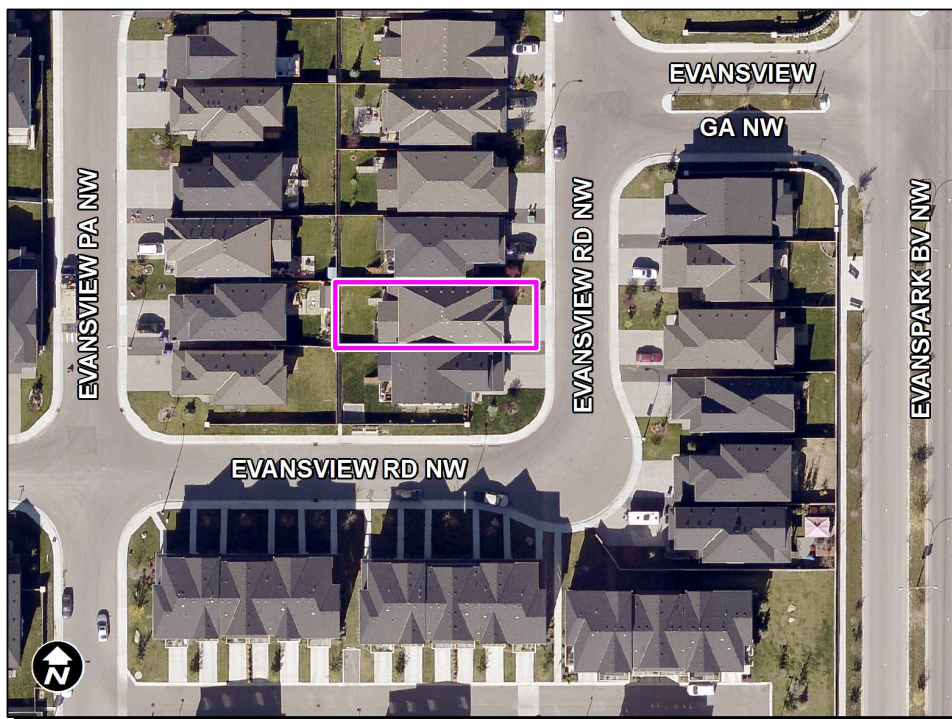
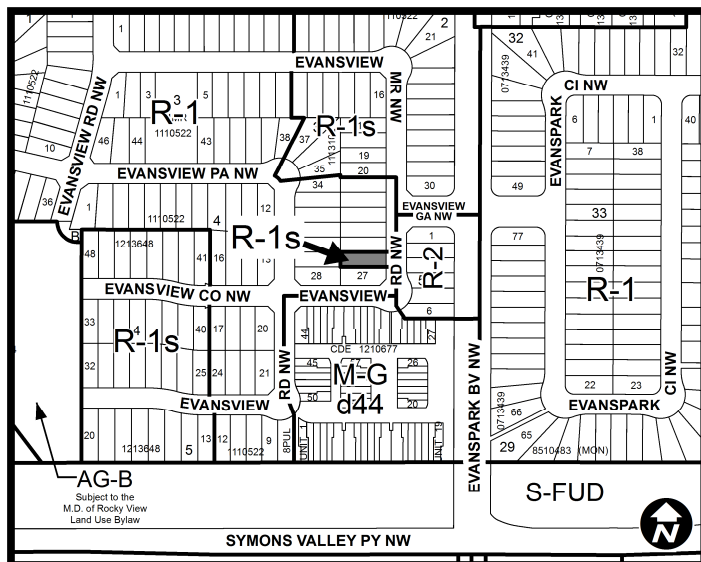
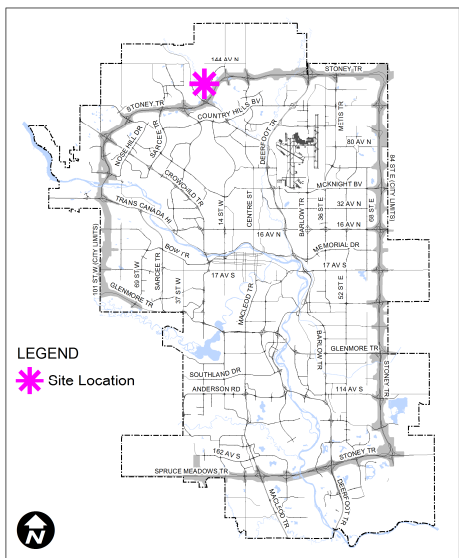
ATTACHMENT

1. Proposed Bylaw 106D2017
2. Public Submissions

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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 0.04 hectares \pm (0.88 acres \pm) located at 19 Evansview Road NW (Plan 1110522, Block 3, Lot 26) from Residential – One Dwelling (R-1) District **to** Residential – One Dwelling (R-1s) District.

Moved by: C. Friesen

Absent: R. Wright

Carried: 5 – 2

Opposed: M. Foht and S. Keating

Reasons for Opposition from Mr. Foht:

- I opposed the application for the following reasons:
 - The site does not have the benefit of a rear lane to allow for parking options.
 - This application follows on the heels of a refusal by City Council in July 2016.

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Applicant:

Henry Ogbomo

Landowner:

Henry Ogbomo
Olga Sandrine Ogbomo

PLANNING EVALUATION

SITE CONTEXT

The subject site is located in a low density residential setting in the community of Evanston. The parcel is developed with a single detached dwelling with an attached double garage, accessed from Evansview Road NW. Single detached dwellings exist on all adjacent parcels. Parcels to the east across Evansview Road NW are designated as R-2. The following table provides population statistics for the community of Evanston:

Evanston	
Peak Population Year	2016
Peak Population	14,264
2016 Current Population	14,264
Difference in Population (Number)	0
Difference in Population (Percent)	0%

LAND USE DISTRICTS

The proposed R-1s district has the ability to accommodate secondary suites on parcels that already contain a single detached dwelling on a single parcel. The R-1s district allows for one additional permitted use (Secondary Suite) or one additional discretionary use (Backyard Suite).

The subject site is approximately 10.9 metres wide by 33.5 metres deep, with an approximate area of 365.2 square metres, and therefore meets the minimum R-1s district requirements. The site can accommodate a Secondary Suite and its associated Land Use Bylaw 1P2007 requirements, including the minimum parking requirement and the amenity space provisions.

Approval of this land use application does not constitute approval of a specific secondary suite type, but rather it allows for an additional dwelling unit (in the form of a secondary suite) to be considered via the development permit process.

A previous secondary suite application (LOC2016-0007) was refused by Council during the public hearing on 2016 June 13.

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LEGISLATION & POLICY

Municipal Development Plan (MDP) (2009)

The subject site is located within a *Residential, Developed-Established Area* as identified on Map 1: Urban structure of the Municipal Development Plan (MDP). Although the MDP makes no specific reference to the subject sites, the land use proposal is in keeping of overarching MDP policies including: *Established Areas* policies (Section 3.5.3), *Neighbourhood infill and redevelopment* policies (Section 2.2.5) and *Housing diversity and choice* policies (Section 2.3.1).

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).

Symons Valley Area Structure Plan

This parcel is located within the Plan Area of the Symons Valley Area Structure Plan. There are no relevant policies related to this application.

TRANSPORTATION NETWORKS

Pedestrian and vehicular access is available from Evansview Road NW with vehicular access to the existing attached garage also from the street. The area is served by Calgary Transit with a bus stop located approximately 110 metres away on Evanspark Boulevard NW. 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 depending on the type of a 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 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 the MDP references associated with growth management matters.

PUBLIC ENGAGEMENT

Community Association Comments

The Evanston/Creekside Community Association did not respond to circulation of this application. A follow up email was sent on 2017 January 16 and did not receive a reply.

Citizen Comments

Administration received one letter of objection, summarized as follows:

- Concerns regarding traffic and on-street parking;
- Concern that renters will create noise, disturbance, and damage the objector's property;
- Loss of privacy; and
- Site does not meet bylaw requirements.

Public Meetings

No public meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

Re: Reapplication for approval of Secondary Suite

I wish to reapply for a land use re-designation (secondary Suite) permit for my home. My previous application was voted down during the public hearing held on the 13th of June, 2016. During that hearing, it became apparent to me that the decision to approve a secondary suite application is neither based on the reason for the application nor whether the community association and/or neighbours supported the application or was against it. Rather, the decision is simply based on how the city council decided to vote. There were applications that did not have support from the community and the community association yet was approved by the city council. There were other applications where the applicants were absent during the hearing, yet were approved by the council. And applications with community support, such as mine with support from 4 neighbours, was not approved by council. It is of interest to note that there are certain areas/homes in Evanston that are already zoned/designated for a secondary suite, especially homes that were built after the city introduced secondary suites in 2014. Unfortunately my home was built in 2012 and would therefore require an application for re-designation.

In my previous application I had indicated that the reason for my application was I sponsored my mother to come to Canada and that she would live with my family. That sponsorship is still in process. Basically, I want to comply with the city regulations of having a secondary suite, ensuring that it is safe and build to code. I also want to take advantage of the fact that the fees for such an application are presently being waived.

Thank you for finding time to review my application. It is my hope that this time, my application will receive a favourable consideration.

Yours sincerely,

Henry Ogbomo