

**LAND USE AMENDMENT  
SCENIC ACRES (WARD 1)  
SCURFIELD DRIVE SOUTH OF SCURFIELD GATE NW  
BYLAW 38D2017**

**MAP 9NW**

**EXECUTIVE SUMMARY**

This land use amendment application seeks to redesignate a single residential parcel from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District to allow for a secondary suite. There is currently a complaint for illegal dwelling units on file for this property which is pending inspection. However, a recent complaint from 2015 found no secondary suite on the property.

**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 Calgary.

**ADMINISTRATION RECOMMENDATION(S)**

2016 December 01

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 38D2017; and

1. **ADOPT** the proposed redesignation of 0.05 hectares  $\pm$  (0.12 acres  $\pm$ ) located at 9083 Scurfield Drive NW (Plan 9111125, Block 6, Lot 22) from Residential – Contextual One (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 38D2017.

**REASON(S) FOR RECOMMENDATION:**

The proposed R-C1s land use district allows for two forms of secondary suite uses (Secondary Suite or Backyard Suite) which are compatible and complimentary with the established character of the community. This proposal is in conformance with the relevant policies of the Municipal Development Plan (MDP). Additionally, the parcel has the ability to meet the intent and requirements of the Land Use Bylaw 1P2007 (LUB), therefore, the proposed R-C1s district is appropriate for the site.

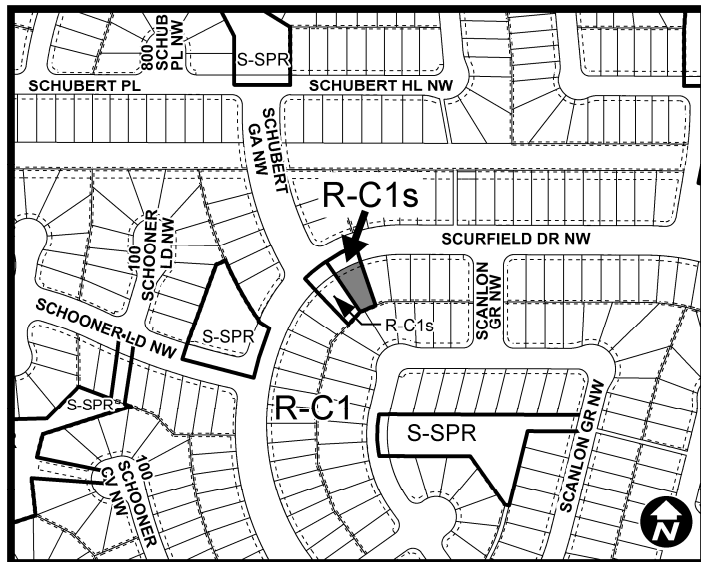
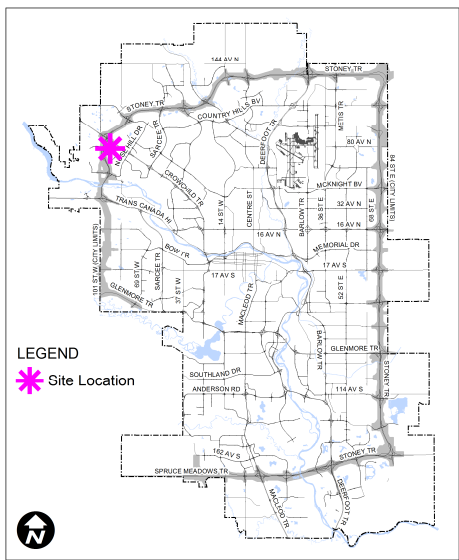
**ATTACHMENT**

1. Proposed Bylaw 38D2017

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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  $\pm$  (0.12 acres  $\pm$ ) located at 9083 Scurfield Drive NW (Plan 9111125, Block 6, Lot 22) from Residential – Contextual One (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District.

**Moved by: C. Friesen**

Absent: G.-C. Carra

**Carried: 6 – 2**

Opposed: M. Foht and S. Keating

Reasons for Opposition from Mr. Foht:

- I did not support this application because the lot does not have a rear lane to accommodate the potential of additional vehicles.

Comments from Mr. Wright:

- The seven secondary suites for the December 1 Agenda are in communities that have a cumulative decrease in population of more than 8400 residents since achieving their peak population dates. A total of seven letters of objection were submitted and raised issues such as parking and changing the nature of the community. The relative impacts of secondary suites should be viewed a minimal given the significant reductions already experienced.

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**Applicant:**

Jacky Cheng

**Landowner:**

Zhongjun Zhang  
Weiyan Zhou

**PLANNING EVALUATION**

**SITE CONTEXT**

Located in a low density residential R-C1 setting in the community of Scenic Acres, the site is a reverse pie shaped lot. The parcel is developed with a single detached dwelling with attached garage, accessed from the street. Single detached dwellings exist on all sides around the home and are characteristic of the area. There is no rear lane. There is currently no suite on the site; however, there have been three complaints of an illegal suite for this address.

The subject site has a width of 16 metres and a length of 33 metres. The area of the parcel is 552 square metres. These exceed the minimums listed in the Land Use Bylaw 1P2007 for R-C1s sites. The site provides a double garage which can accommodate the two parking stalls required (one for each dwelling unit).

A previous R-C1 to R-C1s application was applied for on this site but was refused at Council 2016 April 11 (Bylaw 49D2016). The current application for the same land use designation on this parcel was accepted as six months had passed from the date of refusal (Land Use Bylaw 1P2007 Section 19).

In 2016 June, the site immediately west of the subject property was redesignated to R-C1s.

Scenic Acres reached its peak population in 2002. Compared with the population recorded in 2016, this community has experienced a 12.6% decline in population.

<b>Scenic Acres</b>	
Peak Population Year	2002
Peak Population	9,608
2016 Current Population	8,399
Difference in Population (Number)	-1,209
Difference in Population (Percent)	-12.6%

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## LAND USE DISTRICTS

The proposed R-C1s District is intended to accommodate either a secondary suite or a backyard suite on a parcel containing a single detached dwelling. In addition to the uses listed as permitted and discretionary in the R-C1 District, the proposed district adds the two additional uses of Secondary Suite (permitted use) or Backyard Suite (discretionary use), though the rules only allow one or the other.

The subject site meets the minimum R-C1s parcel size requirements. As such, 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. If any relaxation may be required, these may be considered at the permitting stage.

Approval of this land use application does not constitute approval of a specific secondary suite type, but rather it adds the secondary suite uses so that an application can be submitted later through the development and building permit process.

## 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 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 site, 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).

There is no local area plan for the community of Scenic Acres.

## TRANSPORTATION NETWORKS

Pedestrian and vehicular access is available from Scurfield Drive NW. Calgary Transit stops are located directly outside the site on Scurfield Drive NW with service to the Crowfoot LRT Station. Unrestricted on-street parking is permitted in the area.

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**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**

No environmental Issues have been identified in reviewing this application.

**GROWTH MANAGEMENT**

This Land Use Amendment does not require additional capital infrastructure investment and therefore, no growth management concerns have been identified.

**PUBLIC ENGAGEMENT**

**Community Association Comments**

The Scenic Acres Community Association has no objections to the proposed redesignation.

**Citizen Comments**

Two letters of objection were received. The main concerns that were expressed included:

- questions about the applicant's submission rationale and why they feel it supports a land use change to accommodate suites at this site (such as how does it support low income groups, how is it an easier path for a home buyer);
- an illegal secondary suite may already be in the basement;
- lack of maintenance of the subject property; and
- the owner does not live at the address.

**Public Meetings**

No meetings were held by the Applicant or Administration.

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**APPENDIX I**

**APPLICANT'S SUBMISSION**

Reasons for making my Secondary Suite application

- 1) Supply of affordable rental housing in the area without affecting neighbourhood character or the need for a government program or subsidy.
- 2) It helps add additional affordable housing units and helps low-income groups.
- 3) The Secondary suite is close to schools/bus station/C-Train, and has four parking stalls.
- 4) It is easier path for me as a home buyer, because of the extra rental income.
- 5) It might increase my property value.

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**APPENDIX II**

**LETTERS SUBMITTED**

(Email sent November 6, 2016)

To: Coleen Auld  
File Manager  
Planning and Development  
City of Calgary

File Number: LOC2016-2053

The Scenic Acres Community Association has no objection to an application for a secondary suite at 9083 Scurfield Dr NW. We commented previously on a similar application for the same address in 2015 (see message below).

Regards,  
Lee De Korte.

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Lee De Korte  
Director, Community Development  
Scenic Acres Community Association  
phone: [REDACTED]

(Message referred to in body of previous email)

To: Jim Gordon  
File Manager  
Planning and Development  
City of Calgary

File Number: LOC2015-0143

As discussed with you this morning, the Scenic Acres Community Association has no objection to an application for a secondary suite at 9083 Scurfield Dr NW.

From observation, sufficient on-site parking is available.  
We assume that, when approved, the suite can be implemented meeting all City by-laws and building code for secondary suites.

Regards,  
Lee.

C. Auld