

**LAND USE AMENDMENT
PARKHILL (WARD 9)
STANLEY DRIVE SW AND 45 AVENUE SW
BYLAW 39D2017**

MAP 3C

EXECUTIVE SUMMARY

This land use amendment application seeks to redesignate a single residential parcel located in the community of Parkhill from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) 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)

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 39D2017; and

1. **ADOPT** the proposed redesignation of 0.12 hectares \pm (0.29 acres \pm) located at 312 – 45 Avenue SW (Plan 357GU, Block 6, Lots 19 and 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 39D2017.

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.

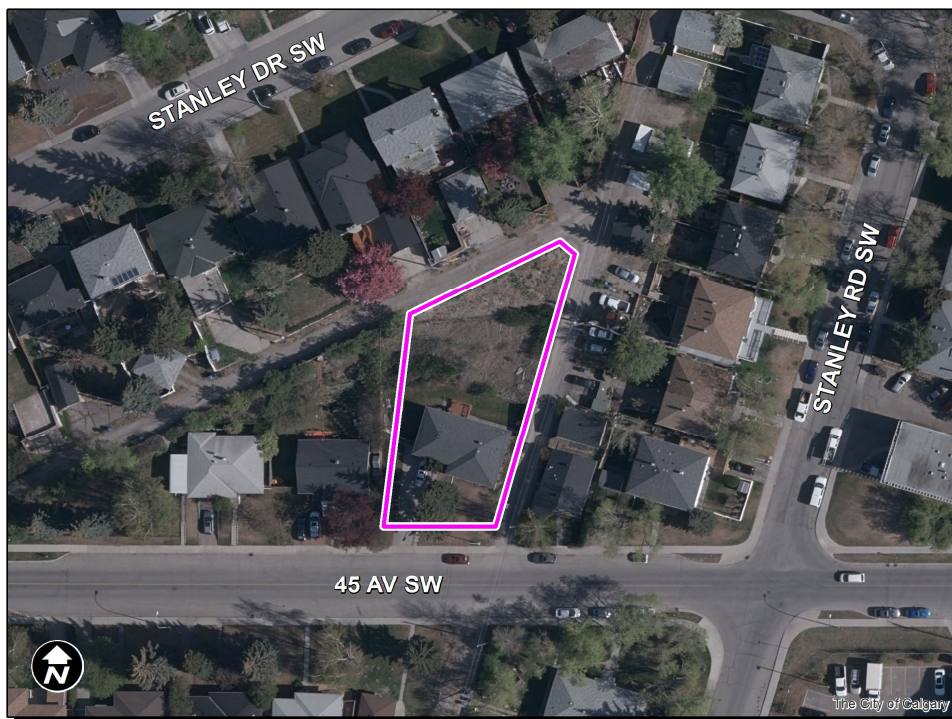
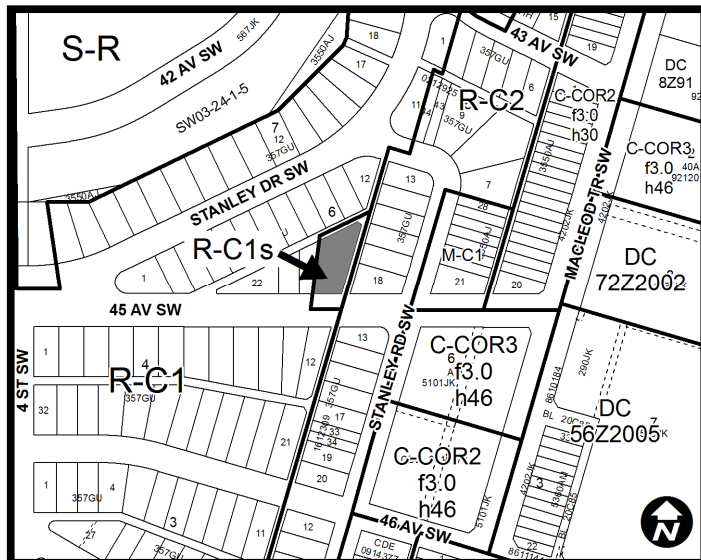
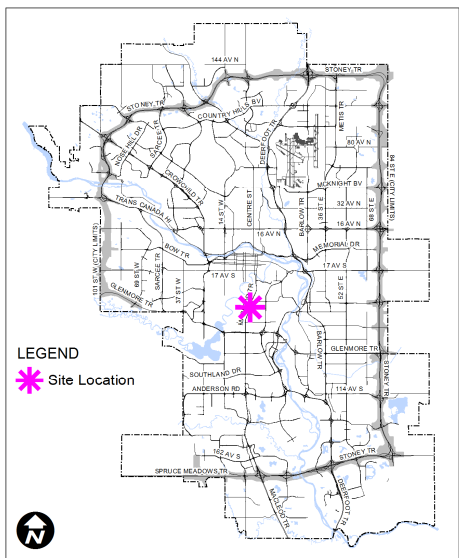
ATTACHMENTS

1. Proposed Bylaw 39D2017
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 0.12 hectares \pm (0.29 acres \pm) located at 312 – 45 Avenue SW (Plan 357GU, Block 6, Lots 19 and 20) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: S. Keating

Carried: 8 – 0

Absent: G.-C. Carra

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:

Leanne Ellis

Landowner:

James Ellis
Matt Hartman

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Parkhill, the parcel is approximately 24 metres wide, 45 metres deep, and 1176.4 square metres in area. The parcel is developed with a one-storey single detached dwelling and an attached single-car garage that is accessed from 45 Avenue SW. Surrounding development consists of single detached dwellings to the north, south, and west, and semi-detached dwellings to the north-east. Multi-residential development (M-C1) and commercial amenities are located east of the parcel along Macleod Trail S.

A Restrictive Covenant from 1954 is registered as a caveat on title for the parcel and states that only one Single Family Dwelling and a garage can be constructed on the lot. Administration does not consider the proposed R-C1s district to be in conflict with the Restrictive Covenant as the proposed district continues to allow for single detached dwellings. Any potential conflict between the Restrictive Covenant and the additional uses of land available under the R-C1s district is a matter to be considered by the property owner if, and when, he or she wishes to develop a secondary or backyard suite.

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

Parkhill	
Peak Population Year	1968
Peak Population	1,739
2016 Current Population	1,697
Difference in Population (Number)	-42
Difference in Population (Percent)	-2%

LAND USE DISTRICTS

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

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The subject site meets the R-C1s minimum parcel size requirements. As such, the site can accommodate a secondary suite use and its associated Land Use Bylaw 1P2007 requirements, including minimum parking requirements and amenity space provisions. If any relaxations are 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 allows for one additional dwelling unit (in the form of a secondary suite) to be considered via the development permit/building permit process. If a secondary suite is proposed and meets all of the rules within Land Use Bylaw 1P2007, a building permit would be required. If a backyard suite is proposed, then a development permit and building permit will be required.

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) (Adopted by Council 2009)

The parcel is located within a “Residential Developed – Established Area” area in the MDP (Urban Structure Map: Map 1). While the MDP makes no specific reference to this parcel, this land use proposal is in alignment with MDP policies for Developed Residential Areas (Section 3.5.1 and 3.5.3), Neighbourhood Infill and Redevelopment (Section 2.2.5) and Housing Diversity and Choice (Section 2.3.1).

Parkhill/Stanley Park Area Redevelopment Plan (Adopted by Council 1994)

The subject site is located within the Low Density Residential Conservation and Infill area of the Parkhill/Stanley Park Area Redevelopment Plan. The plan aims to maintain community stability and protect the existing character while also encouraging compatible and sensitive infill development, renovation, and rehabilitation of the community.

TRANSPORTATION NETWORKS

Pedestrian and vehicular access is available from 45 Avenue SW, with vehicular access to the existing attached garage from the street. The parcel is along a lane but there is no existing vehicular access to the lane. The area is served by Calgary Transit with bus stops located approximately 200 metres away (Route 10) on Macleod Trail S. There are currently no parking restrictions in place.

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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 if a Backyard Suite is proposed at the development permit stage.

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

No comments were received from the Parkhill/Stanley Park Community Association.

Citizen Comments

Administration received one (1) letter in opposition to the application, and one (1) letter expressing concerns. Reasons stated for opposition and concerns raised are summarized as follows:

- potential conflicts with a Restrictive Covenant registered on title which states that only a Single Family Dwelling can be constructed on site;
- ability to provide required on-site parking;
- design of a backyard suite to ensure privacy and access to sunlight; and
- potential impacts from construction.

Public Meetings

No public meetings were held by the Applicant or Administration. The applicant hand delivered a letter indicating the intention of the application to surrounding neighbours (25 homes) and reached out to the Community Association.

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APPENDIX I

APPLICANT'S SUBMISSION

I wish to rezone my property to R-C1s. My mother is retired and is getting on in age. I wish to rezone to build a garage suite for her to live in.

I purchased this property in 2005 and my intention is to remain living in the property for many years.

The intent of the garage suite design would allow for privacy for neighbours and would include parking as to not disrupt the neighbourhood parking situation. The lot itself is unusually large and the back half of the lot is undeveloped. The back half of the lot also has three (3) separate alley entrances for easy access.