

**LAND USE AMENDMENT
MIDNAPORE (WARD 14)
MIDRIDGE DRIVE SE AND MIDLAWN CLOSE SE
BYLAW 60D2017**

MAP 34SS

EXECUTIVE SUMMARY

This land use amendment application seeks to redesignate a single residential parcel located in the community of Midnapore from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District to allow for a secondary suite. Currently, there is no secondary suite 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 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 60D2017; and

1. **ADOPT** the proposed redesignation of 0.04 hectares \pm (0.11 acres \pm) located at 143 Midlawn Close SE (Plan 7710317, Block 1, Lot 39) 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 60D2017.

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.

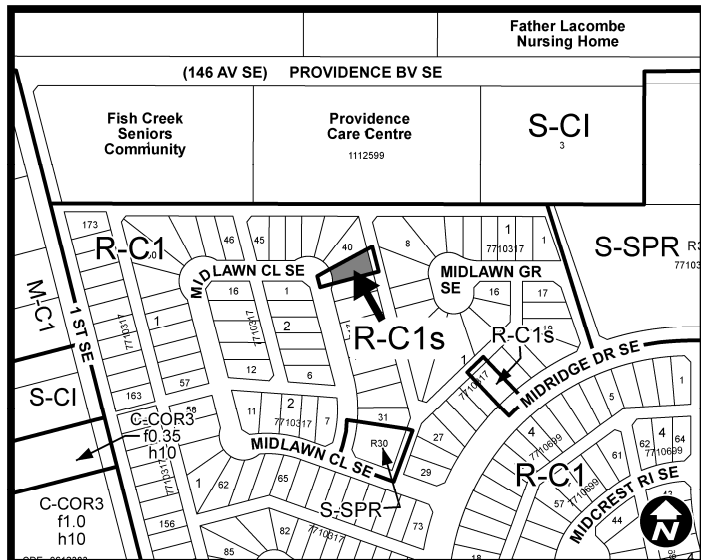
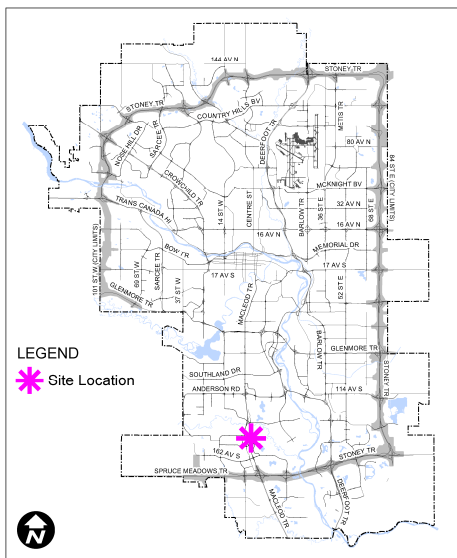
ATTACHMENT

1. Proposed Bylaw 60D2017
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 (0.11 acres \pm) located at 143 Midlawn Close SE (Plan 7710317, Block 1, Lot 39) 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 Karimiavval

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 14 metres wide, 30 metres deep, and 448.8 square metres in area. The parcel is developed with a one-storey single detached dwelling and a detached garage that is accessed from the rear lane. Surrounding development consists of single detached dwellings to the east, south, and west. A public park is located south of the parcel, seniors housing is to the north, and commercial services are located east of the parcel.

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	7,697
2016 Current Population	7,099
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. The R-C1s district allows for one additional permitted use (secondary suite) or one additional discretionary use (backyard suite).

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 through the review of a development permit application.

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.

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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) (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).

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

Pedestrian and vehicular access to the parcel is available from Midlawn Close SE and the rear lane. The area is served by Calgary Transit bus service with the nearest bus stop located approximately 300 metres to the south. The Fish Creek Lacombe LRT station is approximately 1 kilometre to the northwest. 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 if a Backyard Suite is proposed 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 MidSun Community Association submitted a letter of objection to the application (APPENDIX II).

Citizen Comments

Four (4) letters of opposition from citizens were received by administration. Concerns regarding the application noted in the submitted comments include:

- parking;
- impacts from increased density in a neighbourhood with smaller lots;
- the fact that multi-residential development already exists in the area;
- negative impact on property values from additional rental properties;
- impact from increased traffic on safety around playground;
- impact on privacy; and
- desire to retain the area for single detached dwellings.

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 owner of the property: 143 Midlawn Close 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

To Circulation Control,

After reviewing application LOC2016-0270 for a land use amendment to change to R-C1s at 143 Midlawn CI SE, there are concerns that the site may not be suitable for additional density due to its location in a small, congested, circular street. The lot is also at the corner, which may result in additional parking and access problems. My signed application comment is attached.

Regards,

-Mark Schmidt

Planning Representative, Mid-Sun Community Association

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REQUEST FOR COMMENT ON APPLICATION

Date: October 27, 2016

To: Mid-Sun Community Association
Mark Schmidt, Planning
Representative
140 Midland Crescent SE
Calgary, Alberta
T2X 1P5

Return To: **Circulation Control**
Planning & Development #8201
P.O. Box 2100 Station M
Calgary AB T2P 2M5
Email: CPAG.Circ@calgary.ca

NOTE: The community contact person and address are only as current as the information provided to this office by the Community Association. If there are any changes please contact the Subdivision Secretary at the address to the right.

File Number: LOC2016-0270

143 MIDLAWN CL SE 7710317;1;39

Community: MIDNAPORE
Alderman: Peter Demong

Ward: 14 **Map:** 34SS

Applicant: SARA KARIMIAVVAL

Contact:

Parcel Owner: TAJSHABIR ESMail
PO BOX 81054 RPO LAKE BONA VISTA
CALGARY AB CANADA T2J 7C9

Application: Land Use Amendment

Site Area: 0.04 ha

Existing Use:

Residential - Contextual One Dwelling (R-C1) District

Proposed Use:

Residential - Contextual - One Dwelling (R-C1s)
District

Attached are the plans and application material for this proposal. Please submit your response to the above sender by:

DUE DATE Thursday November 17, 2016

If you want to discuss this application further, please call the File Manager:
Kate Van Fraassen (403) 268-5947 <mailto:Kate.vanFraassen@calgary.ca>

Please note that any written submissions made in response to this application will form part of the official record, and upon final decision of the application the correspondence will be available for public viewing.

No Objection

See Accompanying Letter

Signed: _____

Signed: Mah Dutt

Date: _____

Date: November 16, 2016

Agency: _____

Agency: Mid-Sun Community Association