

**LAND USE AMENDMENT
BONAVISTA DOWNS (WARD 14)
LAKE MICHIGAN CRESCENT SE AND LAKE SYLVAN DRIVE SE
BYLAW 303D2016**

MAP 11S

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. The site contains an existing single detached dwelling and is not known to contain an illegal secondary suite, nor is the application 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 October 06

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 303D2016; and

1. **ADOPT** the proposed redesignation of 0.06 hectares \pm (0.15 acres \pm) located at 1431 Lake Michigan Crescent SE (Plan 907LK, Block 8, Lot 42) 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 303D2016.

REASON(S) FOR RECOMMENDATION:

The proposed R-C1s district allows for two additional residential uses (secondary suite or backyard suite) which are compatible with and complementary to the existing low density character of the community. This proposal conforms to the Municipal Development Plan (MDP) and allows for development that has the ability to meet the intent of the Land Use Bylaw 1P2007 (LUB).

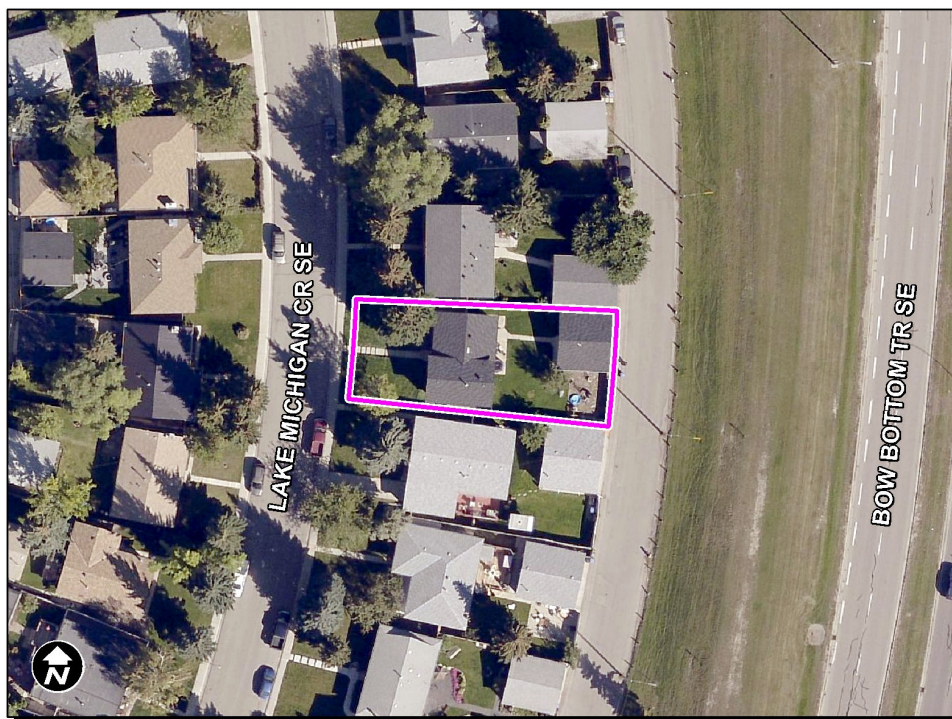
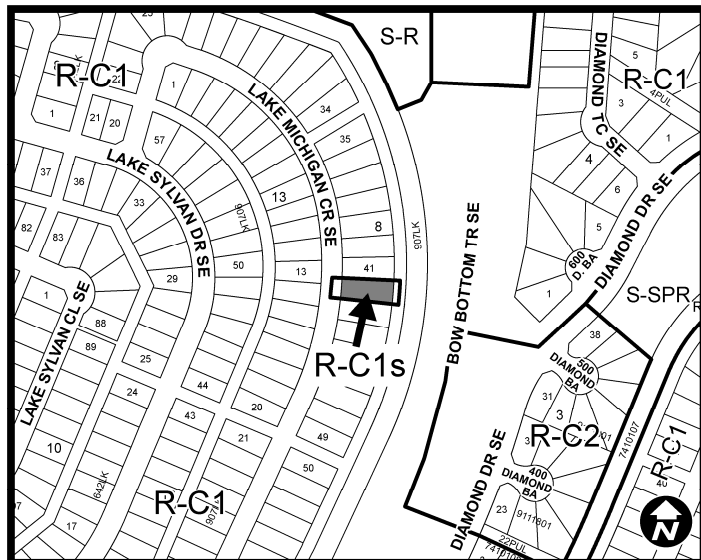
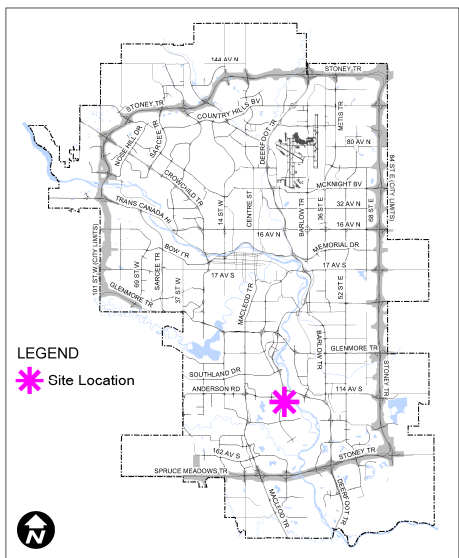
ATTACHMENT

1. Proposed Bylaw 303D2016

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MAP 11S

LOCATION MAPS



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MAP 11S

ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.06 hectares \pm (0.15 acres \pm) located at 1431 Lake Michigan Crescent SE (Plan 907LK, Block 8, Lot 42) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: R. Wright

Carried: 6 – 0

Comments from Ms. Gondek:

- When six out of ten applications for secondary suites indicate that they are intended for family members – either elders or adult children – we must understand that these living spaces are not solely rental units.
- It is not acceptable or rational position that secondary suites should be prohibited because renters are undesirable and unsafe. Why do they not “fit” the social structure of a community? Why do they not “fit” the character of an estate community?

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Applicant:

Maria Mercedes Jimenez Martinez

Landowner:

Maria Mercedes Jimenez Martinez
Mark Stirling

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Bonavista Downs, the 14 metre by 38 metre parcel is developed with a one storey single detached dwelling and a detached two-car garage accessed from the rear lane. Single detached dwellings exist to the north, south and west of the site. To the rear (east) the parcel is adjoined by approximately 25 metres of R-C2 designated green space that separates the parcel's rear lane from Bow Bottom Trail SE.

The following table identifies the historic peak and current population of Bonavista Downs. The community's current population is 28 percent lower than in 1977, Bonavista Downs' peak population year.

Bonavista Downs	
Peak Population Year	1977
Peak Population	1,290
2016 Current Population	923
Difference in Population (Number)	- 367
Difference in Population (Percent)	- 28%

LAND USE DISTRICTS

The proposed R-C1s district allows for an additional dwelling unit (either a permitted use secondary suite or a discretionary use backyard suite) on parcels that contain a single detached dwelling.

Approval of this land use application allows for one additional dwelling unit to be considered via the building permit and/or development permit process. The parcel conforms to all LUB minimum width, depth and area requirements. If a secondary suite is proposed with no LUB relaxations, only a building permit would be required. If a secondary suite with any LUB relaxations or a backyard suite is proposed, then a development permit and building permit will be required.

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MAP 11S

LEGISLATION & POLICY

South Saskatchewan Regional Plan (2014)

The parcel is within the “City, Town” area as identified on Schedule C: South Saskatchewan Regional Plan Map in the South Saskatchewan Regional Plan (SSRP). While the SSRP makes no specific reference to this site, the land use proposal is consistent with the SSRP policies including Land Use Patterns policies in subsection 8.14.

Municipal Development Plan (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), Neighbourhood Infill and Redevelopment (Section 2.2.5) and Housing Diversity and Choice (Section 2.3.1).

The parcel is not subject to a local area plan.

TRANSPORTATION NETWORKS

Pedestrian and vehicular access is available from Lake Michigan Crescent SE and the rear lane. The area is served by Calgary Transit bus service (Route 29) with the nearest bus stop located approximately 260 metres to the west. There are no parking restrictions on Lake Michigan Crescent SE.

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.

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PUBLIC ENGAGEMENT

Community Association Comments

The Bonavista Downs Community Association did not provide comments.

Citizen Comments

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

- Re-development of secondary suites would adversely affect the social structure of the family oriented community;
- Infrastructure would require upgrades;
- Increased parking and traffic on the streets would negatively impact the community;
- A backyard suite would be visible to dwellings on the west side of Lake Michigan Crescent SE and from Bow Bottom Trail. A backyard suite would be higher than any other structure presently in the area;
- Secondary suites are not allowed in Bonavista Downs as the area is and has always been zoned R-C1;
- Building and maintaining laneway housing is a considerable investment, and the quality of these buildings decline because of the upkeep. As such, laneway housing often ends up looking like a slum after a while; and
- The City will likely not have sufficient standards to keep the backyard suites to the standard that the community of Bonavista Downs has to offer.

Public Meetings

No public meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

Dear Calgary Planning Commission and City Council,

We are currently in the process of Rezoning our land from R-C1 (Residential Contextual One Dwelling District) to R-C1s in order to provide our parents with a Secondary Suite on our property. This would provide our parents who are seniors the opportunity to retire in Calgary and maintain a level of independence while still be close. It would provide an alternative to having them eventually live in assisted living.

Our property is only a 7 min walk to the nearest bus stop. If our parents lost the ability to drive they could easily maintain their independence by taking public transit to the grocery store (5 min bus ride + 4 min walk), Fish Creek library, Southcentre Mall, Trico Wellness Facility (10 min bus ride + 4 min walk).

We hope to have your support with the Land Use Re-designation of our property.

Sincerely yours,

Ma. Mercedes Jimenez Martinez & Mark Stirling