

LAND USE AMENDMENT
GLAMORGAN (WARD 6)
EAST OF 45 STREET SW AND NORTH OF 46 AVENUE SW
BYLAW 208D2016

MAP 1W

EXECUTIVE SUMMARY

This land use amendment application seeks to redesignate a single residential parcel from Residential – Contextual One Dwelling (R-C1) 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 Calgary.

ADMINISTRATION RECOMMENDATION(S)

2016 June 30

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 208D2016; and

1. **ADOPT** the proposed redesignation of 0.06 hectares ± (0.14 acres ±) located at 24 Governor Drive SW (Plan 7108HF, Block 5, Lot 34) 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 208D2016

REASON(S) FOR RECOMMENDATION:

The proposed land use district allows for two forms of secondary suite uses (Secondary Suite, Backyard Suite). These uses can be compatible with and complimentary to the existing low density residential character of the neighbourhood; therefore, the proposed R-C1s district is appropriate for the site.

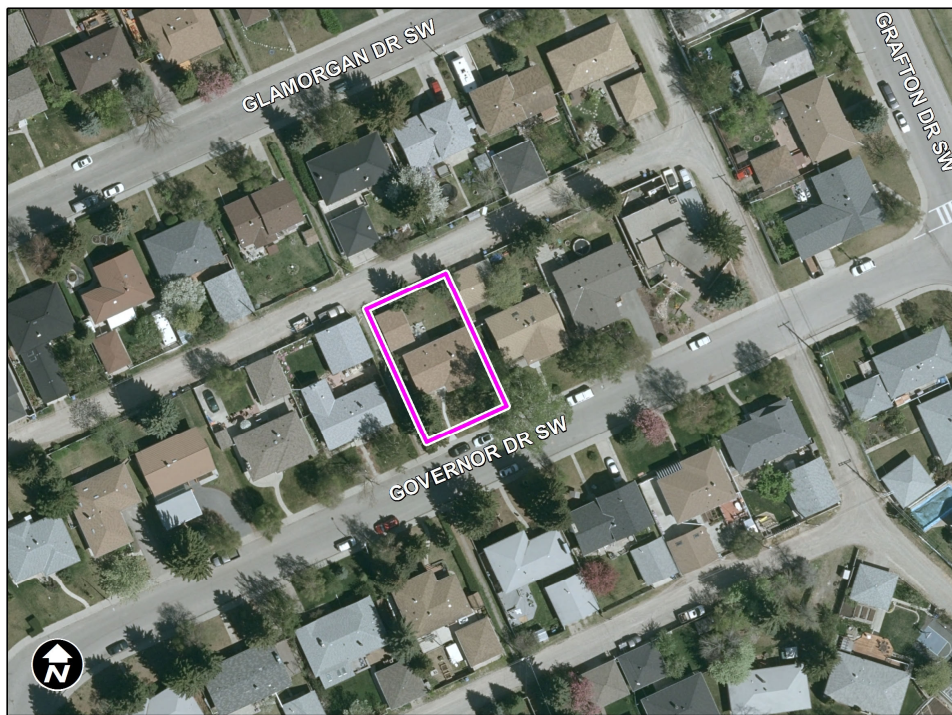
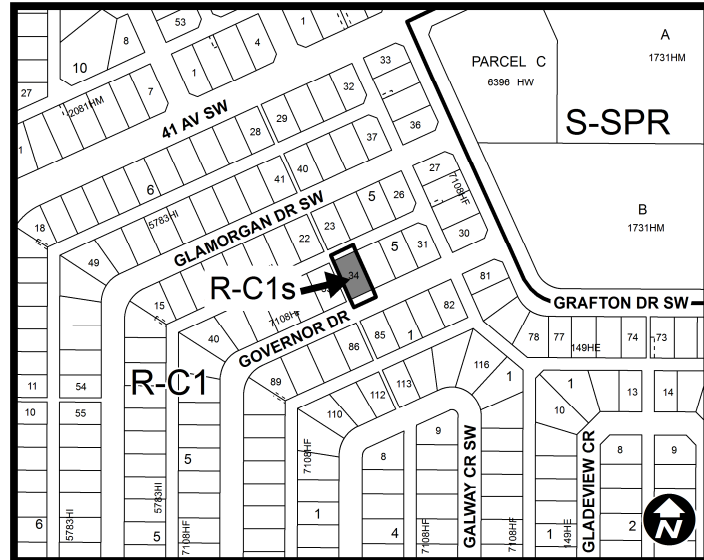
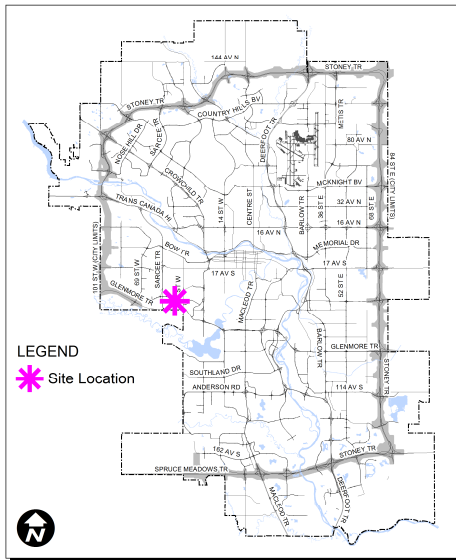
ATTACHMENT

1. Proposed Bylaw 208D2016
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 0.06 hectares \pm (0.14 acres \pm) located at 24 Governor Drive SW (Plan 7108HF, Block 5, Lot 34) from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District.

Moved by: R. Wright

Carried: 5 – 0

Comments from Mr. Wright:

- The Community Association letter of 2016 May 27 indicates there are many issues with regard to a request to introduce a land use to allow for a single parcel to accommodate a secondary suite. The letter makes a series of assumptions which are not supported by the facts. These include the suggestion that a secondary suite will violate a “contract” that existed by virtue of the MGA, (Council has the right to modify any policy document through proper process and as such there is no “contract”), the suite will devalue surrounding properties (initial studies have shown the opposite), the requirement of the homeowner must live on the property (to my knowledge that has never been a requirement in Calgary), suggesting there is a petition opposing the secondary suite (no evidence) and parking issues (no evidence).
- The Association refers to a non-statutory design brief that was drafted almost 40 years ago which together with other stale dated documents, gives the impression the Community Association (and some other CA’s) would like to see its community frozen in time . Glamorgan has changed significantly since the Design Brief was written. For example it reached its peak population in 1982 and is now declining with about 11 percent fewer people as of the last census.
- The issue of secondary suites remains a contentious issue. Community Associations such as Glamorgan continue to rely on incorrect assumptions in making their arguments. This makes the task of resolving the issue even more difficult. Perhaps a public education program with documented evidence might help residents and community associations come to terms with this issue.

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Applicant:

Peter Maric

Landowner:

Caroline D Maric
Edward D Maric

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Glamorgan, the site is approximately 18.0 metres wide by 30.5 metres deep. The parcel is developed with a single detached dwelling with a detached single car garage that is accessed from the lane. Single detached dwellings exist adjacent to the parcel on the east and west sides, across the lane on the north side and across Governor Drive SW. There is a small pathway adjacent to the west side of the site.

Glamorgan	
Peak Population Year	1982
Peak Population	7,258
2016 Current Population	6,432
Difference in Population (Number)	826
Difference in Population (Percent)	-11.4%

LAND USE DISTRICTS

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

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 amenity space provisions. If any relaxation may be required, these may be considered at the development permit stage.

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 a permitting process. A development permit will be required if there are any proposed relaxation or if a Backyard Suite is proposed.

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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 (2009 – statutory)

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 of the subject site, the land use proposal is in keeping with overarching MDP policies including: *Developed Residential Areas* policies (Section 3.5.1), *Neighbourhood Infill and Redevelopment* policies (Section 2.2.5) and *Housing Diversity and Choice* policies (Section 2.3.1).

Glamorgan/Glenbrook Design Brief (1977 – non-statutory)

The subject site is located within a *Low-Density Residential* and a *Single Detached Residential District* as identified on the Existing Land Use and Existing Land Use Classification maps. Although the Design Brief makes not specific reference to the subject site, the land use proposal maintains the low density residential directive.

TRANSPORTATION NETWORKS

Pedestrian and vehicular access is available from Governor Drive SW, with vehicular access to the single detached garage from the rear lane.

The area is served by Calgary Transit with a bus stop for Route 112 located approximately 360 metres away from the subject site that provides service to the Sunalta LRT station.

UTILITIES & SERVICING

Water and sanitary 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 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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ENVIRONMENTAL SUSTAINABILITY

Not applicable to this land use amendment application.

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.

PUBLIC ENGAGEMENT

Community Association Comments

The application was circulated to the Glamorgan Community Association and a letter was received that is not in support of this application (See APPENDIX II).

Citizen Comments

Adjacent landowners were notified of the application and this application was also notice posted to the subject site. Administration received 5 letters of opposition, one of which was signed by 7 residents. All letters received were in opposition to the application and are summarized as follows:

- Lack of care for rental properties by absentee landlords and transient renters;
- Decreasing property values;
- Decreasing quality of life;
- Preference for maintaining the character of the community;
- Precedent for multi-family units in a single detached area, where there are other areas designated for higher density;
- Parking and traffic concerns on the street and lane; and
- Increased noise concerns.

Public Meetings

No public meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

I am writing to you regarding the rezoning of our family home from a RC-1 to RC-1s designation.

Initially we would like to develop a secondary basement suite for my sister, to allow her to live independently from my mother, while still being able to offer the two of them the ability to look after one another. My sister has a disability and needs to transition from living with my mother to a situation that allows her to live more independently. During this period, having separate living quarters, with her own bathroom and kitchen, but with close supervision, will allow her to transition to living independently after my mother is no longer able to live independently herself.

In the longer term, there is the possibility to create affordable housing in an area of increasing demand. Our home is situated within walking distance to Mount Royal University, a short 10 to 15 minute walk. We are close to several major transportation routes, shopping centres and merely 20 minutes by bus to downtown.

We easily would be able to meet the criteria for redevelopment based on the size of our lot and plans for the basement suite. We have ample parking, outdoor space and the ability to create a secure, private entrance. We believe based on these factors, we would make an excellent contribution to Calgary's need to affordable housing.

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APPENDIX II

COMMUNITY ASSOCIATION COMMENTS

May 27, 2016

Hi Wendy:

I am writing on behalf of the Glamorgan Community Association regarding LOC2016-0105 - at 24 Governor Drive S.W. This zoning request is unusual as it is in the heart of our Community and at the heart of our R-1 Zoning. This is a clear example of "spot zoning" that was disallowed by previous City Councils as this type of "spot zoning" changes not only the character of the lot in question but it becomes the anomaly along the entire street. The Glamorgan Community Association does not support this zoning request.

This request has far reaching implications that will affect the adjacent neighbours as well as all residents along Governor Drive. This entire street is purposely zoned R-1 and was designed for this type of zoning. The Glamorgan/Glenbrook Design brief is our policy document and specifically lays out areas within our community for various zoning types. Glamorgan is currently used by the University of Calgary Urban Studies Course as an example of thoughtful and sustainable zoning. This type of application goes against the principals used in the design of our community. This type of application also undermines the contract in place with R-1 homeowners as laid out in the Municipal Government Act. R-1 homeowners purchase properties and pay a premium with the expectation that the R-1 zoning remains in place with one (1) dwelling on site.

We have received concerns from a number of the directly affected residents and we trust that their objections have been sent to the File Manager voicing concerns.

- 1) This is a interesting application, as to the best of our knowledge, the landowners are not the current occupants.
- 2) We are aware that there is a petition circulating among the residents of Governor Drive regarding this application.
- 3) There are aging infrastructure issues. Given that this area of our Community was built in the 1950's, there is potential for significant upgrades to this site as well as all of the affected residents along Governor Drive, which will come at a substantial cost.
- 4) Initially, "Secondary Suites" were to be contained within an R-1 home provided that the homeowner resided within the residence. Will the landowner now become the "resident homeowner or will this property simply become a rental with 2 suites? This is the question, we as the Glamorgan Association have been asked, by concerned residents who feel this will not

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only devalue their properties but will change the context as well as the streetscape and add parking issues into the mix.

What is also very disconcerting, is that File Managers are being encouraged by Management to simply "rubber-stamp approval" for these types of applications and send them directly to Council. Management is also recommending by-passing CPC whose function is to review these applications and make recommendations. This practice not only destroys trust in the system but it also calls into question the ability of Council to make truly informed decisions. The City of Calgary has a fiduciary duty to review these applications and make the appropriate recommendations based on the collective input, that take into account the issues surrounding these sites and the impacts on the existing neighbourhood.

We do not support the removal of the R-C1 designation. R-C1 provides stability of streetscape as well as community. There are many parcels located within our Community currently zoned for duplexes and suites. Given the lack of information in the circulation package and the potential impacts on the street, alley and directly affected neighbours, we do not support this application.

Respectfully submitted,

Beryl Ostrom

President, Glamorgan Community Association