

**LAND USE AMENDMENT
MILLRISE (WARD 13)
SOUTH OF JAMES MCKEVITT ROAD SW AND WEST OF
MACLEOD TRAIL SW
BYLAW 168D2016**

MAP 33S

EXECUTIVE SUMMARY

This land use amendment application seeks to redesignate a single residential parcel in the community of Millrise from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District to allow for a secondary suite. This application was a result of a complaint as there is an existing illegal secondary suite within the dwelling.

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 May 19

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 168D2016; and

1. **ADOPT** the proposed redesignation of 0.05 hectares ± (0.12 acres ±) located at 104 Millside Drive SW (Plan 8110429, Block 3, Lot 5) 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 168D2016.

REASON(S) FOR RECOMMENDATION:

The proposed R-C1s land use district allows for two additional residential uses (Secondary Suite, Backyard Suite). These uses are 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 168D2016

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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 104 Millside Drive SW (Plan 8110429, Block 3, Lot 5) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: R. Wright

Carried: 7 – 0

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Applicant:

Nazar Sulaimanbekov

Landowner:

Nazar Sulaimanbekov
Aida Jumalieva

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Millrise, the site is approximately 14.2 metres wide by 33.55 metres deep. The parcel is developed with a single detached dwelling with a double front-drive attached garage with driveway. Single detached dwellings exist on all adjacent parcels. There is a block of R-C2 designated parcels to the north, located along Millrise Boulevard SW. A park exists to the south of the property along Millrise Road SW.

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 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 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 the development permit process.

LEGISLATION & POLICY

Municipal Development Plan (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 sites, 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).

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Midnapore Phase 2 Area Structure Plan (ASP)

The Midnapore Phase 2 ASP identifies the subject parcel as part of the *Residential Area*. Single family detached, semi-detached, duplex and multi-family dwellings are allowed in this Area. The ASP provides opportunity for a variety of dwelling units to be provided.

TRANSPORTATION NETWORKS

Pedestrian and vehicular access is available from Millside Drive SW. The site has an attached front double garage with a driveway. There is also an existing laneway that is fenced off from the property. The site is located close to a bus route along Millrise Drive SW, which is located 270 metres away.

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

An Environmental Site Assessment was not required.

GROWTH MANAGEMENT

This land use 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 the MDP references associated with growth management matters.

PUBLIC ENGAGEMENT

Community Association Comments

No comments were received by the Millrise Community Association.

Citizen Comments

One letter of objection was received. The letter expressed concern regarding the high number of residents who live in the principle dwelling and in the existing secondary suite.

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One phone call was received in support of the application.

Public Meetings

No public meetings were held by Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

Herewith I, Nazar Sulaimanbekov, would like to apply for a Land Use Redesignation for the property located at the municipal address of 104 Millside Drive SW (Plan: 8110429, Block 3, Lot 5) for the purposes of legalization of a secondary suite at this address.

I'd like to point out the following reasons for the approval:

- There are no alteration done to the exterior of the property. The presence of the secondary suite cannot be detected from the outside.
- Appearance of the neighbourhood is not affected in any way as the property exterior is not changed.
- This secondary suite contributes to the increase in the city rental vacancy rates.
- This suite provides affordable housing to families with limited income.
- The secondary suite development permits will ensure that this housing meets all safety requirements.