

LAND USE AMENDMENT  
MIDNAPORE (WARD 14)  
MIDVALLEY DRIVE SE AND MIDVALLEY WAY SE  
BYLAW 128D2016

MAP 35SS

**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, which contains an existing Single Detached Dwelling, does not contain a Secondary Suite or a Backyard Suite at this time, and this application was not submitted as a 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 April 21

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 128D2016; and

1. **ADOPT** the proposed redesignation of 0.07 hectares  $\pm$  (0.17 acres  $\pm$ ) located at 316 Midvalley Way SE (Plan 7810798, Block 23, Lot 24) 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 128D2016.

**REASON(S) FOR RECOMMENDATION:**

The proposed R-C1s district allows for two additional residential uses (Secondary Suite and 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 Land Use Bylaw 1P2007 (LUB).

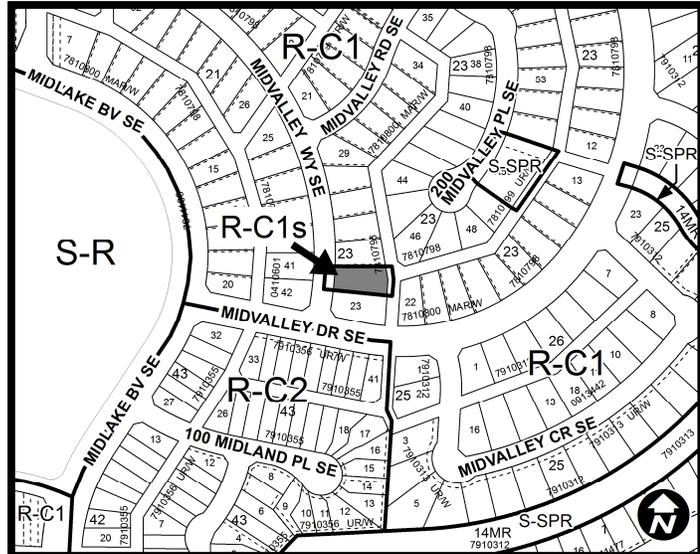
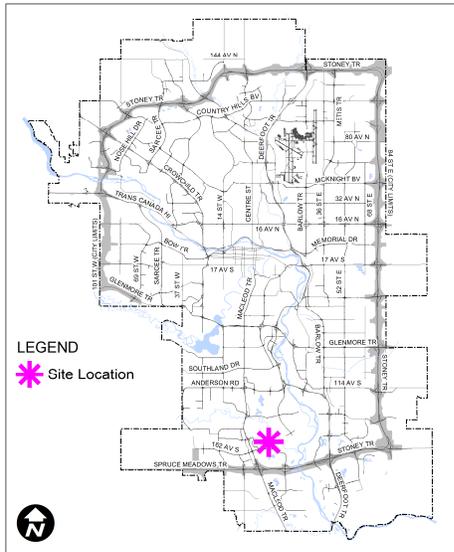
**ATTACHMENTS**

1. Proposed Bylaw 128D2016
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 0.07 hectares  $\pm$  (0.17 acres  $\pm$ ) located at 316 Midvalley Way SE (Plan 7810798, Block 23, Lot 24) from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District.

**Moved by: M. Foht**

**Carried: 9 – 0**

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**Applicant:**

Kevin J Becker

**Landowner:**

Kevin J Becker  
Tracey R Becker

**PLANNING EVALUATION**

**SITE CONTEXT**

Located in a low density residential R-C1 setting in the community of Midnapore, the site is approximately 17.0 metres by 38.0 metres in size and is developed with a split bi-level single detached dwelling with a detached double car garage accessed from the rear paved lane. Single detached dwellings exist to the north, south, east and west of the site.

**LAND USE DISTRICTS**

The proposed R-C1s district allows for a Secondary Suite or a Backyard Suite on parcels that contain a single detached dwelling. The R-C1s district allows for one additional permitted use (Secondary Suite) or one additional discretionary use (Backyard Suite). Approval of this land use application allows for an additional dwelling unit (either a Secondary Suite or Backyard Suite) to be considered via the development permit process.

**LEGISLATION & POLICY**

**Municipal Development Plan (Statutory – Approved by Council 2009)**

The site is located within the “Residential Developed – Established Area” area as identified on the Urban Structure Map (Map 1) in the Municipal Development Plan (MDP). The MDP makes no specific reference to this site. This land use proposal is consistent with MDP policies including the Developed Residential Areas policies (Section 3.5.1), the Neighbourhood Infill and Redevelopment policies (Section 2.2.5) and the Housing Diversity and Choice policies (Section 2.3.1).

**Revised Midnapore Phase 2 Area Structure Plan (Statutory – Approved by Council 1991).**

The ASP makes no specific reference or policy guidance for this site.

**TRANSPORTATION NETWORKS**

Pedestrian and vehicular access to the site is available from Midvalley Way SE. Access is also available from a paved rear lane. The area is served by Calgary Transit bus service with bus stop locations within 70 metres walking distance on Midvalley Drive SE. On-street parking is available adjacent to the site and is unregulated.

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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**

Administration received a "No Objection" response from the Midnapore/Sundance Community Association.

**Citizen Comments**

Administration received five (5) letters of opposition from adjacent landowners to the application.

Reasons stated for opposition are summarized as follows:

- Increased traffic and demand for on-street parking;
- Secondary suites will accommodate transient occupants and create derelict properties;
- Lowering of existing property values;
- Loss of privacy due to overlooking issues;
- Impacts to views from rear yards;
- Quality of building architecture and design; and
- Inconvenience of noise and activity from construction.

**Public Meetings**

No public meetings were held by the Applicant or Administration.

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**APPENDIX I**

**APPLICANT'S SUBMISSION**

The reason for making this application is to tear down the existing 2 car garage, rebuild a 3 car garage with a suite above. This is to offer an affordable housing option for my daughter who is a single mother of 2.

This type of structure is currently being offered in several new communities and my property could accommodate this type of structure without infringing on neighbours or adjacent city properties.