

LAND USE AMENDMENT
MARLBOROUGH (WARD 10)
SOUTHWEST OF MARLBOROUGH DRIVE NE AND 52 STREET
NE
BYLAW 134D2016

MAP 22E

EXECUTIVE SUMMARY

This land use amendment application seeks to redesignate a single residential parcel located in the community of Marlborough from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District to allow for a secondary suite. 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. This decision came into effect 2014 January 01.

ADMINISTRATION RECOMMENDATION(S)

2016 April 21

That Calgary Planning Commission recommends **APPROVAL** of the proposed Land Use Amendment.

That Council hold a Public Hearing on Bylaw 134D2016; and

1. **ADOPT** the proposed redesignation of 0.12 hectares \pm (0.29 acres \pm) located at 5148 Marshall Road NE (Plan 5897JK, Block 6, Lot 37) 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 134D2016.

REASON(S) FOR RECOMMENDATION:

The proposed R-C1s district, which allows for two forms of secondary suite uses (Secondary Suite, and Backyard Suite), is compatible and complementary with the established character of the community. In addition, this proposal conforms to the relevant policies of the Municipal Development Plan and allows for a development that has the ability to meet the intent of Land Use Bylaw 1P2007. Further, the following points support the application:

- The site is located in close proximity to a local park;
- The parcel has a rear lane; and
- The site meets the lot depth, width, and area requirements.

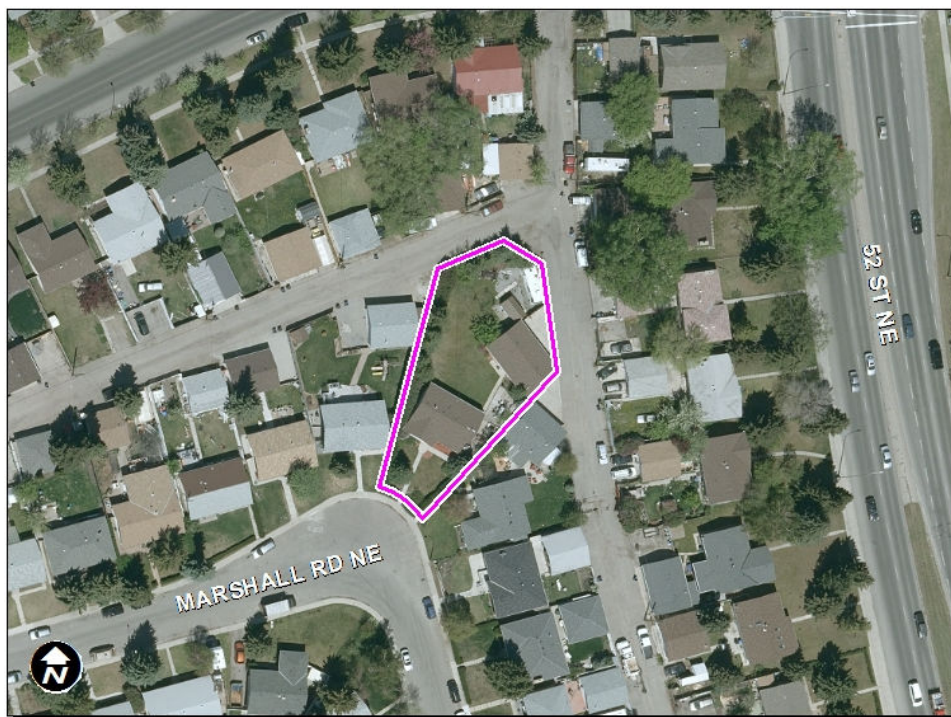
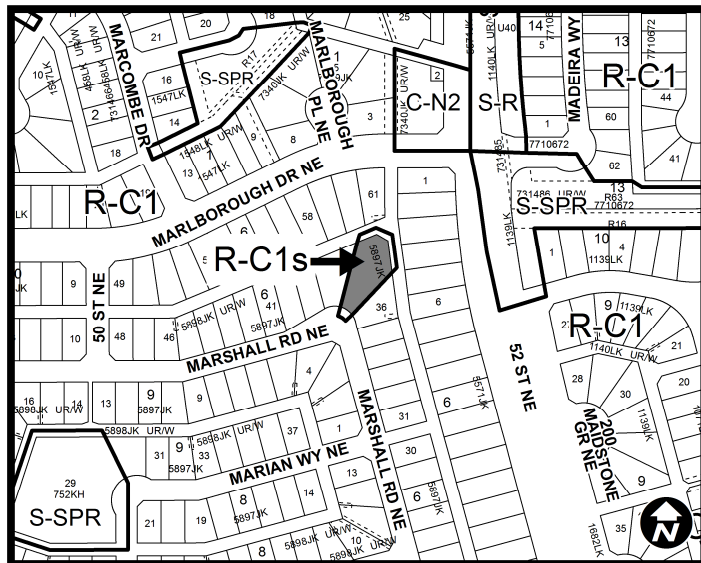
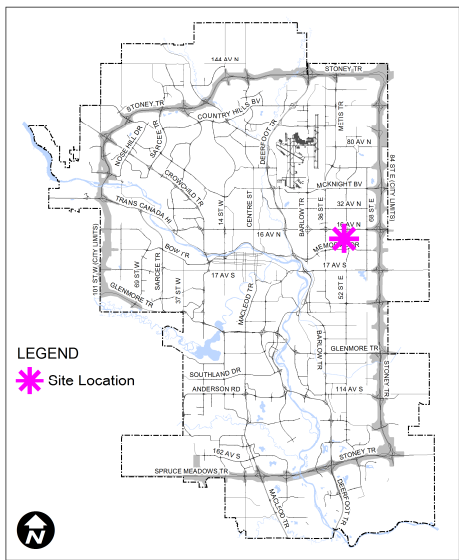
ATTACHMENTS

1. Proposed Bylaw 134D2016
2. Public Submissions

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MAP 22E

LOCATION MAPS



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MAP 22E

ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.12 hectares \pm (0.29 acres \pm) located at 5148 Marshall Road NE (Plan 5897JK, Block 6, Lot 37) 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:

Chukwuemeka Udensi

Landowner:

Chukwuemeka Udensi

PLANNING EVALUATION

SITE CONTEXT

The subject site is located on Marshall Road NE in a low density residential R-C1 setting in the community of Marlborough. To the north of the site is Marlborough Drive NE and east of the site is 52 Street NE. The site itself is developed with a single detached dwelling with a two-car garage accessed from the lane.

LAND USE DISTRICTS

The proposed Residential – Contextual One Dwelling (R-C1s) District allows for the development of a secondary suite on a parcel containing a single detached dwelling. The suite may take one of the following two types:

- Secondary suite as a permitted use (located within the main residential building and secondary to the main residential use).
- Backyard suite as a discretionary use (located in a detached building located behind the front facade of the main residential building and secondary to the main residential use).

Approval of this land use application does not constitute approval of a specific secondary suite type, but rather it allows for a secondary suite to be considered via the development or building permit process. If the secondary suite is a permitted use and meets all Land Use Bylaw rules, a development permit is no longer required.

Site Specific Considerations

The subject site meets the minimum lot requirements of the R-C1s district. The parcel has the capacity to accommodate:

- a single detached dwelling with a secondary suite;
- the two required on-site motor vehicle parking stalls (one stall for the single detached dwelling unit and one stall for the secondary suite)

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MAP 22E

LEGISLATION & POLICY

Municipal Development Plan (MDP)

The site is identified as Developed *Established* Residential area on Map 1 Urban Structure of the MDP. The Developed Area supports moderate intensification in a form and nature that respects the scale and character of the neighbourhood. The MDP also notes redevelopment should support the revitalization of local communities by adding population. Furthermore, the MDP encourages modest redevelopment in the Established Area.

Area Redevelopment Plan

There are no Area Redevelopment Plans for this area.

TRANSPORTATION NETWORKS

Pedestrian and vehicle access to the site is available from 52 Street NE. The parcel is served by Calgary Transit with a bus stop for Routes 72 and 176 located 450 metres from the front of the site, and 180 metres from the rear of the site.

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 secondary suite proposed.

ENVIRONMENTAL ISSUES

An Environmental Site Assessment was not required.

ENVIRONMENTAL SUSTAINABILITY

There are no environmental features provided in this application.

GROWTH MANAGEMENT

The proposed amendment does not trigger capital infrastructure investment and therefore there are no growth management concerns at this time.

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PUBLIC ENGAGEMENT

Community Association Comments

No comments were received from the Marlborough Community Association by CPC Report submission date, despite multiple contact attempts by Administration.

Citizen Comments

A petition with nine signatures was submitted with the application in support of the land use amendment.

Administration also received three letters of objections. The following concerns were expressed in response to the proposal:

- Possibility of increased traffic and further lack of on-street parking in the area;
- Potential decrease in property values;
- Tenants of secondary suites may lack care and consideration for the homes and neighbourhood;
- Community safety; and
- Surrounding parcels are zoned R-C1.

Public Meetings

- No meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

I will like to rezone my property in order to have a legal, standardized and City compliant Basement suite. This will allow low/moderate income earners to have a safe place to live and affordable housing.

The property meets the width and depth requirements for a secondary suite, and has a rear lane. There is already a double garage and a double parking pad that provides ample parking.

Nine of my immediate neighbours / homeowners have signed that they agree with our desire to rezone.