

**LAND USE AMENDMENT
HAMPTONS (WARD 2)
NORTH OF COUNTRY HILLS BOULEVARD NW AND WEST OF
HAMPTONS BOULEVARD NW
BYLAW 91D2016**

MAP 24NW

EXECUTIVE SUMMARY

This land use amendment application seeks to redesignate a single residential parcel from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District to allow for a secondary suite. The application was not submitted as a result of a complaint. There is no existing secondary suite in 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 March 10

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

That Council hold a Public Hearing on Bylaw 91D2016; and

1. **ADOPT** the proposed redesignation of 0.06 hectares \pm (0.14 acres \pm) located at 135 Hampshire Circle NW (Plan 9011790, Block 4, Lot 47) 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 91D2016.

REASON(S) FOR RECOMMENDATION:

The proposed R-C1s district, which allows for two forms of secondary suite uses (secondary suite, backyard suite), is compatible with the established character of the community. In addition, the 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. The parcel is located midblock, is in close proximity of transit and can accommodate the required additional parking stall on site.

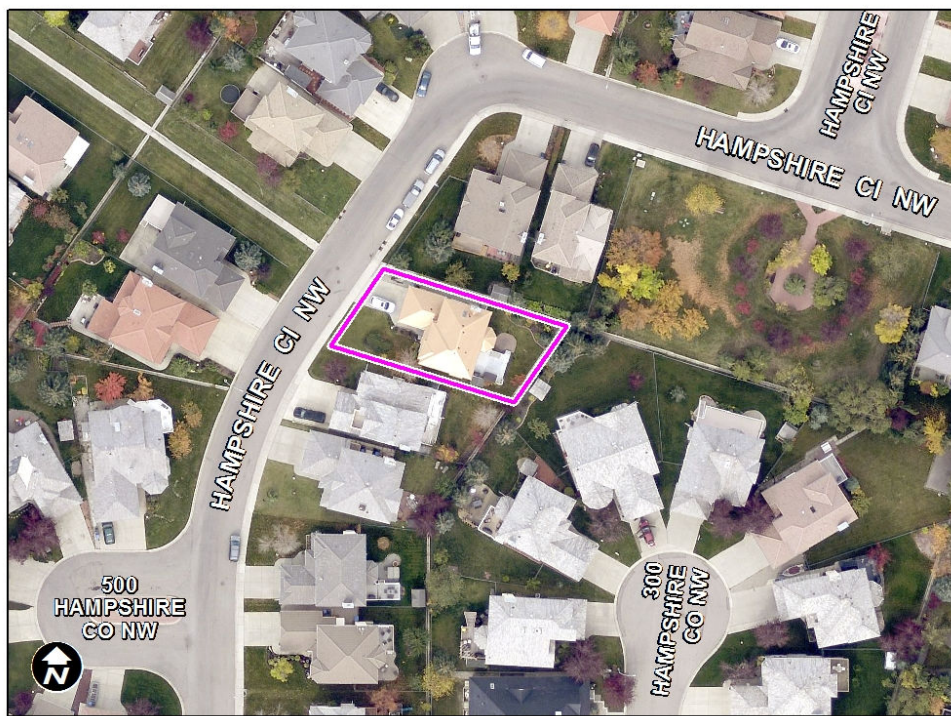
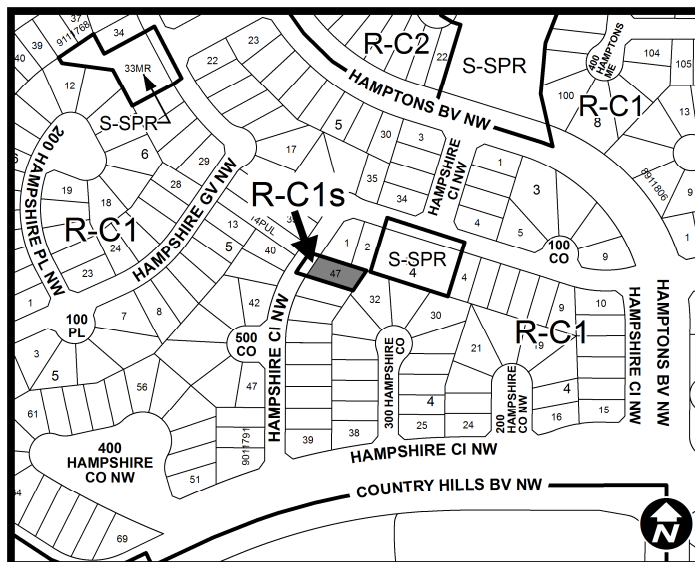
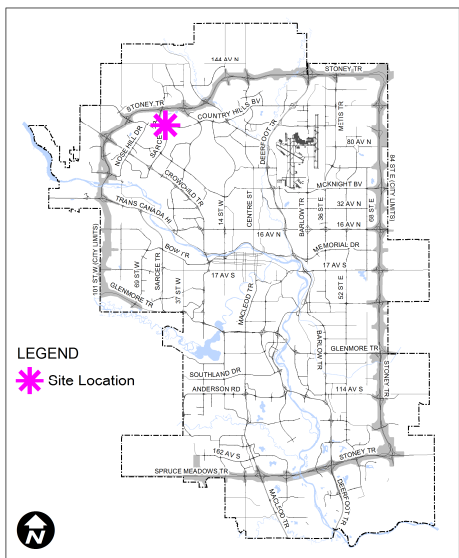
ATTACHMENTS

1. Proposed Bylaw 91D2016
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 135 Hampshire Circle NW (Plan 9011790, Block 4, Lot 47) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: J. Gondek

Carried: 7 – 2

Opposed: M. Foht and S. Keating

Reasons for Opposition from Mr. Foht:

- I opposed the change of use to allow to the secondary suite because of the lack of a rear lane. Rear lanes allow for additional parking or garages to accommodate parking for the secondary suite.

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Applicant:

Richard J. Kimmitt

Landowner:

Richard J. Kimmitt

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Hamptons, the site is approximately 17 metres wide by 36 metres deep. The parcel is developed with a single detached dwelling with a front driveway and attached double garage. Single detached dwellings exist to the north, south, west and east of the parcel. There is a small park to the east of the subject site. The parcel is approximately 230 metres from a bus stop.

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 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 (MDP) (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).

There is no local area plan for Hamptons.

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TRANSPORTATION NETWORKS

Pedestrian and vehicular access is available from Hampshire Circle NW with vehicular access by the front driveway only. There is no laneway. The area is served by Calgary Transit with a bus stop located approximately 230 metres walking distance from the site along Hamptons Boulevard NW. Unrestricted on-street parking is permitted in the area.

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

The Hamptons Community Association was circulated regarding this application and is opposed to the application for the following reasons:

- The community was not planned to accommodate anything other than single family homes; and
- Changing the zoning will diminish the quality of life of the surrounding neighbours.

Citizen Comments

There were four letters received from the surrounding neighbours. These were all opposed to the land use amendment application. The reasons for opposition can be summarized as:

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- The historical single-detached (R-C1) nature of the community;
- Traffic and parking issues;
- Negative impact on quality of life and property values; and
- The applicant's rationale for the redesignation is not valid.

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APPENDIX I

APPLICANT'S SUBMISSION

Reasons we would like to rezone our property.

1. Rezoning fee has been waived.
2. Extra income – economy is slow.
3. Make use of extra unused square footage.
4. Assist married children with housing costs.
5. Retirement planning.
6. Legal suites help the rental market.

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APPENDIX II

LETTERS SUBMITTED



February 4, 2016

Circulation Control
Planning, Development & Assessment #8201
P.O. Box 2100 Station M
Calgary, AB T2P 2M5

Attn: Steve P. Jones
Re: File # LOC2016-0001

Dear Mr. Jones,

The Hamptons Community Association is opposed to changing Residential - Contextual One Dwelling (R-C1) District to Residential - contextual One Dwelling (R-C1s) District. The Hamptons Community was not designed nor intended for anything other than single family homes. Our community was not planned to accommodate additional parking or back entry access to secondary suites, as we do not have back lanes. We feel that changing zoning and allowing secondary suites will diminish the quality of life of surrounding neighbours.

Regards,

A handwritten signature in black ink, appearing to read "Perry Genereux".

Perry Genereux
President Hamptons Community Association