

LAND USE AMENDMENT
GLAMORGAN (WARD 6)
GLACIER ROAD SW NORTH OF GLENMORE TRAIL SW
BYLAW 42D2016

MAP 1W

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. 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 January 28

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 42D2016; and

1. **ADOPT** the proposed redesignation of 0.07 hectares \pm (0.17 acres \pm) located at 63 Glacier Drive SW (Plan 2642HQ, Block 6, Lot 27) 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 42D2016.

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.

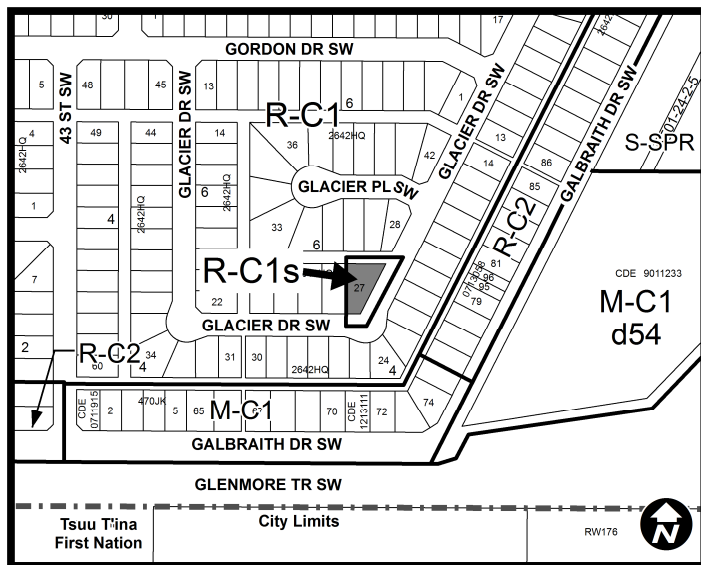
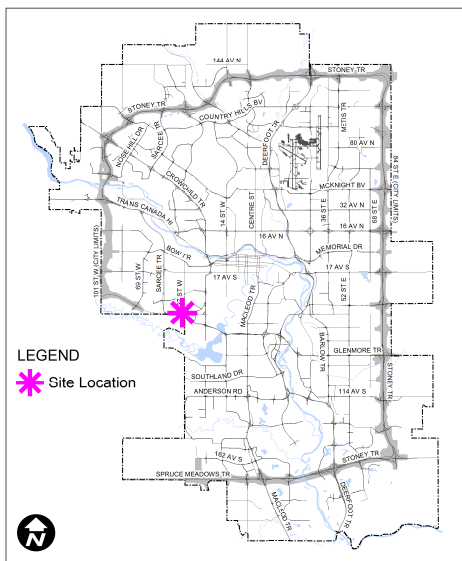
ATTACHMENTS

1. Proposed Bylaw 42D2016
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 63 Glacier Drive SW (Plan 2642HQ, Block 6, Lot 27) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: R. Wright

Carried: 8 – 0

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Applicant:

Design Mind

Landowner:

Ghaly Hanna

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Glamorgan, the site is approximately 16.37 metres wide by 36.7 metres deep. The parcel is developed with a single detached dwelling with an attached carport, accessed from the street. Single detached dwellings exist on all adjacent parcels. The closest transit stops are within 350 to 550 metres, located on 46 Avenue SW. They are bus stops for route 112.

LAND USE DISTRICTS

The proposed R-C1s district has the ability to accommodate secondary suites on parcels that already contain a single detached dwelling. 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 a secondary suite or backyard suite to be considered via the development or building permit process. If a secondary suite is a permitted use and meets all Land Use Bylaw rules, a development permit is no longer required, so long as a building permit application has been made on or before 2017 March 03.

LEGISLATION & POLICY

Municipal Development Plan (MDP)

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 site, the land use proposal is in keeping of overarching MDP policies including: *Developed Residential Area* policies (Section 3.5.1), *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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Glamorgan / Glenbrook Design Brief

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 no specific reference to the subject site, the land use proposal maintains the low residential density directive.

TRANSPORTATION NETWORKS

Pedestrian and vehicular access is available from Glacier Drive SW, with vehicular access to the existing attached carport from the street.

The area is served by Calgary Transit with a bus stop located approximately 360 metres away on 43 Street SW (route 112) that provides service to the Sunalta LRT station and the downtown to the east, as well as the 69 Street LRT station to the west. There are also three other nearby bus stops located between 350 to 550 metres away along 46 Avenue SW (route 112) that provides service to Richmond Square bus station where the 93 bus can be taken to 45 Street LRT station, as well as the 94 bus that goes to the Sirocco LRT station.

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 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 the MDP references associated with growth management matters.

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PUBLIC ENGAGEMENT

Community Association Comments

The application was circulated to the Glamorgan Community Association. In their response, it is stated that "The Glamorgan Community Association does not support this zoning request." (See APPENDIX II).

Citizen Comments

The application was circulated to adjacent landowners and was notice posted. Administration received three letters of opposition, summarized as follows:

- The size of the building will be too large and will create access issues into the back lane and from neighbouring driveways.
- A new dwelling will add to the growing traffic and parking problems along Glacier Drive as there are already parking impacts with Mount Royal University students already parking along this street.
- Willingness to consider a rental suite in the home or perhaps something smaller in scale.
- The Glamorgan community is designated as R-C1, not R-C1s.
- Not comfortable with the changing nature of the community as all homes are single family dwellings with a garage. The garages are being used as garages and not as secondary suites.
- Discrepancy within the applicant's statement stating the dwelling will be used for family, but then also discusses it being used as a rental.
- Disagreement on the 2-storey nature of the immediate area.
- Concerns about access and disruption of servicing located within the subject lane.
- Concerns about drainage (existing and further potential problems if another dwelling is built).
- Disagreement with a secondary building being built for the use as a rental property.
- Impact on neighbouring parcels privacy as some of the trees along the rear lane are deciduous and only provide private in the summer months or do not have trees at all.

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 present a rezoning application from R-C1 to R-C1s, Garage/Backyard suite.

Originally purchased in 1968, we have been residing in the very friendly neighbourhood for 47 years.

Our lot is enormous and rarely used with the exception of lawn care. The lot and home have always been maintained, never any issues with the neighbours.

We would like to build a Garage/Backyard suite. This would be intended for family stays only. Not a rental dwelling.

The garage would be used for storage and a car park.

In many years ahead, the suite will increase the supply of safe and affordable rental housing, especially for those students attending nearby Mount Royal University.

We would like to fully comply with the City of Calgary building codes, making this build legal, safe and aesthetically pleasing as well as provide privacy for the neighbours.

We are fortunate to live in a community with huge mature evergreens. These trees will help add privacy.

Directly across the lane (facing north) there are 4 homes (east to west) each are two storey homes with very tall trees blocking any privacy issues. We will ensure the windows in the suite will be built to privacy code.

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APPENDIX II

LETTERS SUBMITTED

From: Beryl Ostrom [REDACTED]
Sent: December-22-15 12:58 PM
To: 'kirsten.wishlow@calgary.ca'
Cc: Kathy Morgan (eaward6@calgary.ca); 'Bonnie St Pierre'
Subject: Community Response LOC 2015-0153 - 63 Glacier Drive S.W,

Hi Kirsten:

I am writing on behalf of the Glamorgan Community Association regarding LOC2015-0153 at 63 Glacier Drive S.W. This zoning request is unusual as it is for a potential self-sustaining second residence on and R-C1 lot. This could also be interpreted as an R-2 application or a potential subdivision application residing within the block. This is a clear example of "spot zoning" that was disallowed by previous City Councils. This type of "spot zoning" changes not only the character of the lot in questions but the context of entire street as well. 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 residents along Glacier 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. We have all types with the exception of industrial. 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 already heard concerns from a number of the affected residents. Photos of the site are also attached to help place things in context.

1) This site does not currently have a garage yet the application speaks to a suite in a garage. In talking with the File Manager, there is no current application for a garage. However the Applicants have indicated they would like to put up a 4-car garage. There is the potential to erect a "garage", convert the entire building to a "suite" and have an 1100 sq.ft. house placed on this site. This would effectively circumvent the R-2 process as well as the subdivision process as the lot is quite large.

2) There are currently severe drainage issues along the alley and north along Glacier Drive. With the type of construction proposed, the drainage issue will become more significant and would directly affect the garage of the neighbour to the north of the site. That garage site is quite a bit lower and the potential for water damage is increased significantly. At this time, we do not know which side of the alley the water and sewer lines are located. Given that this area of our Community was built in the 1960's, there is potential for significant upgrades to this site as well as all of the affected residents along Glacier Drive and Glacier Place, which will come at a substantial cost.

K. Wishlow

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3) The current home has a carport attached to the south side of the house. This application does not speak to a change of use.

4) Initially, "Secondary Suites" were to be contained within an R-1 home provided that the homeowner resided within the residence. This application has the potential to simply become two (2) rental residences on one (1) site. Somewhere along the way, that has been lost in the process.

Backyard suites and over-the-garage suites have more potential to be disruptive to the neighbouring properties. These are "out of sight and out of mind" in terms of public visibility and are not contained within the primary residential. In this case "out of sight" would not apply as the lot is extremely visible from the street. This application does not speak to the placement of the "suite" nor any requirements for separate water, sewer and electrical capacity and parking concerns.

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 affect neighbours, we do not support this application.

Respectfully submitted,

Beryl Ostrom

President, Glamorgan Community Association

[Submitted photos on following pages]

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