

**LAND USE AMENDMENT  
ROYAL OAK (WARD 2)  
WEST OF ROYAL BIRCH BOULEVARD NW AND ROYAL  
BIRCH WAY NW  
BYLAW 176D2015**

**MAP 21NW**

**EXECUTIVE SUMMARY**

This land use amendment application seeks to redesignate a single residential parcel located in the community of Royal Oak from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District to allow for a secondary suite. There is no secondary suite currently on the property.

**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)**

2015 September 10

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 176D2015; and

1. **ADOPT** the proposed redesignation of 0.04 hectares  $\pm$  (0.09 acres  $\pm$ ) located at 33 Royal Birch Hill NW (Plan 0510111, Block 10, Lot 50) 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 176D2015.

**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. The parcel has the potential to accommodate the required parking, as it has a two-car garage and driveway accessed from the front of the parcel. Furthermore, public transportation is within close proximity to the subject site.

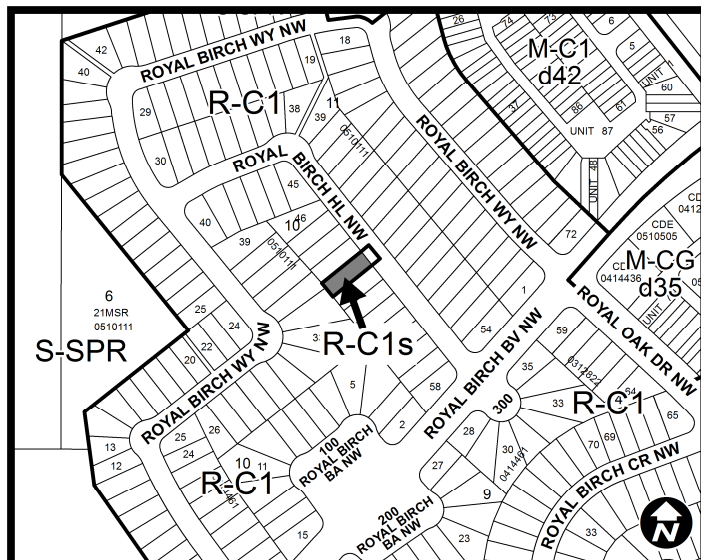
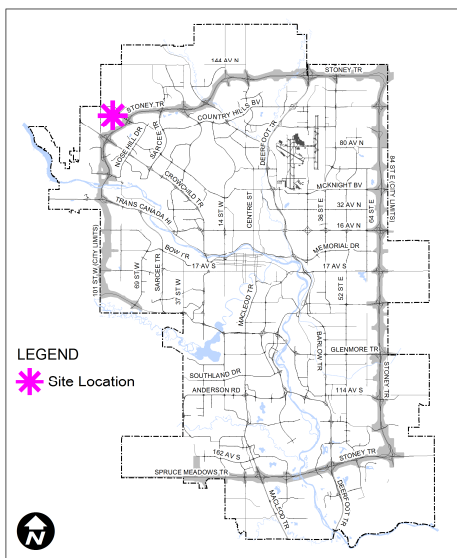
**ATTACHMENTS**

1. Proposed Bylaw 176D2015
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 0.04 hectares  $\pm$  (0.09 acres  $\pm$ ) located at 33 Royal Birch Hill NW (Plan 0510111, Block 10, Lot 50) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

**Moved by: J. Gondek**

Absent: G.-C. Carra

**Carried: 5 – 2**

Opposed: S. Keating and  
R. Honsberger

Reasons for Opposition from Mr. Honsberger:

- No lane.
- Not on a corner lot.
- Does not meet minimum size.
- Neighbours object.

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**Applicant:**

Permit Masters

**Landowner:**

Hussein Sunderji

Planning Evaluation Content	Issue	Page
<b>Density</b> <i>Is a <b>density increase</b> being proposed.</i>	No	5
<b>Land Use Districts</b> <i>Are the changes being proposed <b>housekeeping</b> or <b>simple bylaw amendment</b>.</i>	Yes	5
<b>Legislation and Policy</b> <i>Does the application comply with policy direction and legislation.</i>	Yes	6
<b>Transportation Networks</b> <i>Do different or specific <b>mobility considerations</b> impact this site</i>	No	6
<b>Utilities &amp; Servicing</b> <i>Is the site in an area under <b>current servicing</b> review and/or has <b>major infrastructure</b> (water, sewer, storm and emergency response) concerns.</i>	No	6
<b>Environmental Issues</b> <i>Other considerations eg. sour gas or contaminated sites</i>	No	6
<b>Growth Management</b> <i>Is there growth management direction for this site. Does the recommendation create capital budget impacts or concerns.</i>	No	6
<b>Public Engagement</b> <i>Were <b>major comments</b> received from the circulation</i>	No	7

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## **PLANNING EVALUATION**

### **SITE CONTEXT**

The subject site is located on Royal Birch Hill NW in a low density residential R-C1 setting in the community of Royal Oak. To the east of the site is Royal Birch Boulevard NW and northeast of the site is Country Hills Boulevard NW. The site itself is developed with a single detached dwelling with a two-car garage accessed from the street.

### **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); or
- 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, so long as a building permit application has been made on or before 2017 March 03.

### **Site Specific Considerations**

The subject site has an approximate width of 12.2 metres and therefore, does not meet the minimum R-C1s parcel width requirements of 15 metres. As a result, relaxation of the Land Use Bylaw 1P2007 requirement will be required at the development permit stage.

Nonetheless, the parcel meets the minimum parcel depth requirement and has the capacity to accommodate:

- a single detached dwelling with a secondary suite; and
- 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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## **LEGISLATION & POLICY**

The parcel is identified as a “Developing Planned Greenfield with Area Structure Plan” area on Map 1 Urban Structure of the MDP. The parcel is located in the Residential & Related Uses area on Map No. 2 of the Rocky Ridge Area Structure Plan, which allows for single detached, semi-detached, duplex and multi-family dwellings, as well as related uses.

## **TRANSPORTATION NETWORKS**

Pedestrian and vehicle access is available from Royal Birch Hill NW. The parcel is served by Calgary Transit with a bus stop for the 157 located 230 metres away on Royal Birch Drive NW, which has a direct connection to the Tuscany 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 secondary suite proposed. This aspect would be determined at the development permit stage.

## **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**

The Rocky Ridge/Royal Oak Community Association has signed off on this proposal with no objections.

**Citizen Comments**

Five letters of objection were received by Administration. 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; and
- Potential noise and debris from construction.

**Public Meetings**

No meetings were held by the Applicant or Administration.

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**APPENDIX I**

**APPLICANT'S SUBMISSION**

The land use re-designation at 33 Royal Birch Hill NW is to re-designate the property from R-C1 – Contextual One Dwelling District to R-C1s to allow for the potential to develop a secondary suite in the basement of the single family dwelling. The proposal is supported by policy such as the Municipal Development Plan.

The applicant suggests the following reasons for approval:

- There will be no impact on adjacent properties, nor will the amenity of the neighbourhood be negatively impacted
- Parking can be accommodated on site and will be either in the garage, or on the driveway
- Transit adequately services the property with connections to the LRT station
- The homeowner is fully aware of the development and building permit process to follow after the land use redesignation. The basement configuration allows for the development of a safe suite completely up to regulations to be constructed.