

**LAND USE AMENDMENT  
RUTLAND PARK (WARD 11)  
34 AVENUE SW SOUTH OF RICHMOND ROAD SW  
BYLAW 165D2015**

**MAP 7C**

**EXECUTIVE SUMMARY**

This land use amendment proposes redesignation of a 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 subject site does not contain a secondary suite at this time and the 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)**

2015 August 27

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 165D2015; and

1. **ADOPT** the proposed redesignation of 0.05 hectares  $\pm$  (0.14 acres  $\pm$ ) located at 3420 – 34 Avenue SW (Plan 199GM, Block 14, Lot 5) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District, in accordance with Administration's recommendation, as amended; and
2. Give three readings to the proposed Bylaw 165D2015.

**REASON(S) FOR RECOMMENDATION:**

This proposal is in conformance with the applicable policies of the Municipal Development Plan. The subject parcel exceeds the lot area, width, and depth requirements, has lane access, and is able to accommodate the parking requirements set out in the Land Use Bylaw.

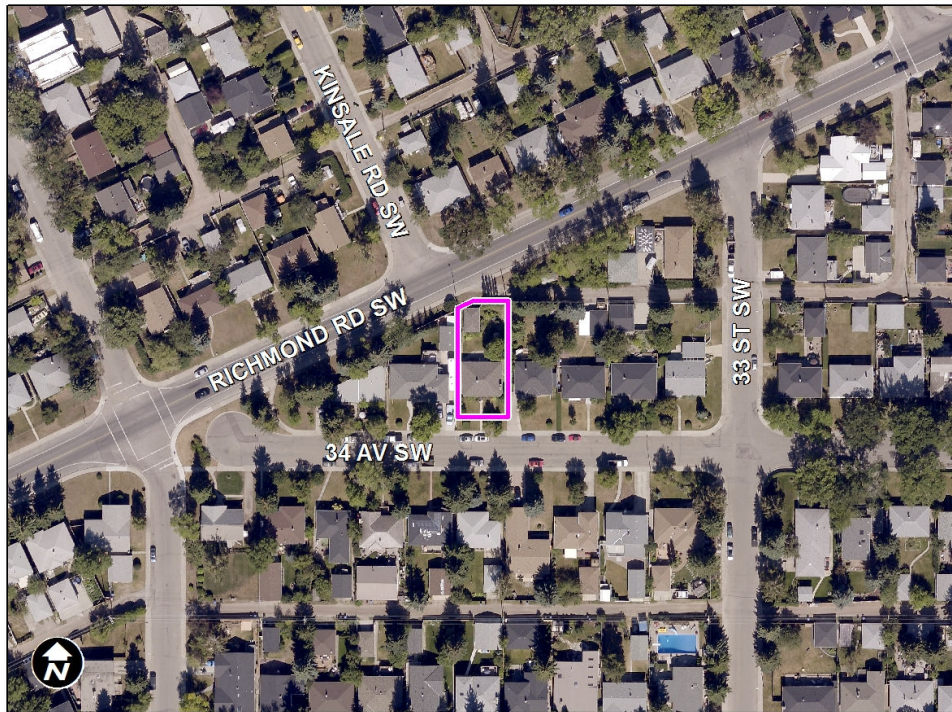
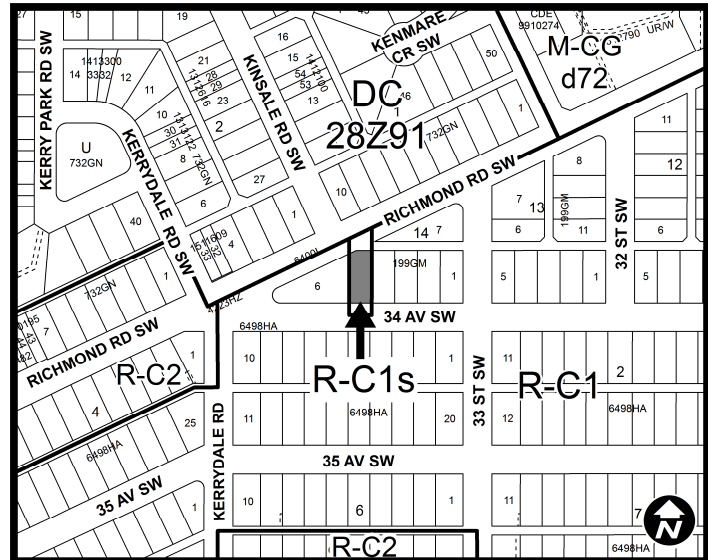
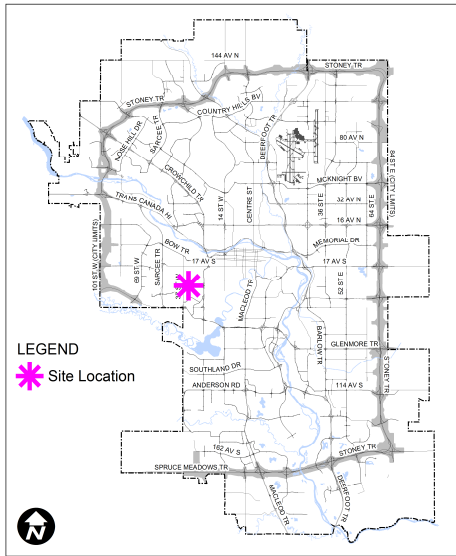
**ATTACHMENT**

1. Proposed Bylaw 165D2015

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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 0.05 hectares  $\pm$  (0.14 acres  $\pm$ ) located at 3420 – 34 Avenue SW (Plan 199GM, Block 14, Lot 5) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

**Moved by: G.-C. Carra**

**Carried: 5 – 0**

Absent: C. Friesen and R. Honsberger

**2015 August 27**

**AMENDMENT:** In the “Planning Evaluation Content” table, “Density” row, “\*Issue” column delete “Yes” and insert “No”.

**Moved by: R. Wright**

**Carried: 5 – 0**

Absent: C. Friesen and R. Honsberger

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**Applicant:**

David Robertson

**Landowner:**

David Robertson  
Annalise Van Ham

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>	No	5
<b>Legislation and Policy</b> <i>Does the application comply with policy direction and legislation.</i>	Yes	5
<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	6

\*Issue - Yes, No or Resolved

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## **PLANNING EVALUATION**

### **SITE CONTEXT**

The subject parcel is located in the Community of Rutland Park, on 34 Avenue SW east of Richmond Road SW. Surrounding development consists predominantly of low density residential dwellings, with a commercial area and middle school located 400 metres west.

### **LAND USE DISTRICTS**

The proposed R-C1s District allows for the development of a secondary suite in addition to a Single Detached Dwelling on a single parcel.

The subject site exceeds the R-C1s parcel area requirements of 400 square metres. As such, the parcel is large enough to accommodate a secondary suite and its associated Land Use Bylaw 1P2007 requirements such as minimum motor vehicle parking stalls. Relaxations to various land use provisions may also be considered at the development permit stage.

### **LEGISLATION & POLICY**

#### **Municipal Development Plan (2009 – statutory)**

The subject site is identified within the Developed- Established area on Map 1 – Urban Structure of the Municipal Development Plan (MDP). Although the document makes no specific reference to the site, the proposed land use amendment is in keeping with a number of overarching MDP policies.

- *Neighbourhood Infill and Redevelopment* policies encourage higher residential densities and redevelopment that is similar in scale and nature, and that increases the mix of housing choices including accessory suites.
- *Housing Diversity and Choice* policies encourage the provision of a wide range of housing types, tenures and densities that may meet affordability, accessibility, life cycle and lifestyle needs of different groups; an adaptation of the City's existing housing stock to enable changing households to remain in the same neighbourhood for longer time periods through allowing accessory suites in low density areas.

The subject site is not located within an area with an applicable Area Redevelopment Plan.

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**TRANSPORTATION NETWORKS**

A Transportation Impact Assessment was not required.

The site is located approximately 400 metres from the nearest transit stop, servicing the #72, 73, 13 and 306 routes, and offers service to Mount Royal University and Westbrook LRT station. There are no parking restrictions in the area.

**UTILITIES & SERVICING**

All required services are available for the proposed land use. The existing servicing can accommodate the proposed development without the need for upgrades or adjustments to the existing infrastructure.

**ENVIRONMENTAL ISSUES**

An Environmental site assessment was not required.

**ENVIRONMENTAL SUSTAINABILITY**

Not applicable to this land use amendment application.

**GROWTH MANAGEMENT**

The proposed land use amendment does not trigger capital infrastructure investment and therefore there are no growth management concerns.

**PUBLIC ENGAGEMENT**

**Community Association Comments**

The Community Association was circulated and had no objection.

**Citizen Comments**

No citizen comments were received.

**Public Meetings**

No public meetings were held

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## **APPENDIX I**

### **APPLICANT'S SUBMISSION**

My wife and I are preparing for the departure of our adult son and for downsizing normally associated with preparation ultimately for retirement. We have considered several options for the future of our property and we have concluded that constructing a laneway home best balances our needs and interests with those of our immediate neighbours.

Our property is on the northern boundary of Rutland Park and backs onto Richmond Road. Traffic noise in our backyard is distracting and unpleasant. Our current garage is an aging single bay unit that was constructed in the 1950's. Its current state requires that we park our two vehicles on the street in front our home.

We believe that by constructing a well-designed laneway home, we can:

- Reduce the street parking we currently use on 34 Ave SW
- Reduce noise and improve the environment in our backyard
- Improve our property without changing the frontage character of 34 Avenue SW
- Provide much needed rental accommodation adjacent to Mount Royal University
- Support the sustainability targets set in Calgary's Municipal Development Plan

New developments constructed immediately on the north side of Richmond Road in 2014 are all two story, semi-detached homes. A well-designed laneway home on the northern edge of our property will be smaller, but similar and complementary in form. Like the new homes on the north side, the laneway will improve the streetscape for pedestrians and for the neighbours facing our backyard. It can provide convenient street-side access for the laneway's occupants from Richmond Road, preventing any concerns with additional traffic at the front of our property.

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### APPENDIX III

#### COMMUNITY ASSOCIATION LETTER

June 6, 2015

This is being written with regards to the proposed land use redesignation for 3420 34 Ave SW from R-C1 to R-C1s. The applicant has been in contact with the community association and asked for our input in advance of his application to the City.

Our development guidelines specifically state:

*The Association's general position is that the current land use designations are appropriate and allow for sufficient densification. Accordingly, the Association will generally oppose any application to redesignate a parcel to a higher-density or commercial land use, unless it provides a specific benefit to the Community, as opposed to solely the developer.*

It is our belief that this particular land use redesignation would benefit our community. Specifically it would create a more residential appearance on that section of Richmond Road SW and accordingly help with traffic calming. From this standpoint, we support this redesignation.

Equally important to us as a Community Association is the input of surrounding and adjacent neighbours. By the applicant's account, the surrounding and adjacent neighbours do not seem to have major objections. **Based on the documentation that the applicant has provided, we do NOT have any objections to redesignation of this lot to R-C1s.**

Thank you for your time.

Regards,

Leanne Ellis

RPCA VP Development and Traffic