

LAND USE AMENDMENT
SOUTHVIEW (WARD 10)
35 STREET SE AND 22 AVENUE SE
BYLAW 131D2015

MAP 9E

EXECUTIVE SUMMARY

This land use amendment application seeks to redesignate a residential parcel that is developed with an existing single detached dwelling 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 July 16

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 131D2015; and

1. **ADOPT** the proposed redesignation of 0.05 hectares \pm (0.13 acres \pm) located at 2203 – 35 Street SE (Plan 1392JK, Block 1, Lot 13) 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 131D2015.

REASON(S) FOR RECOMMENDATION:

The proposed R-C1s district which allows for two forms of secondary suite uses (Secondary Suite, Backyard Suite) are believed to be compatible and complementary residential uses with the established character of the community. This proposal conforms with relevant policies in the Municipal Development Plan (MDP) and local area plan and would allow for development that has the ability to meet the intent and requirements of Land Use Bylaw 1P2007 (LUB).

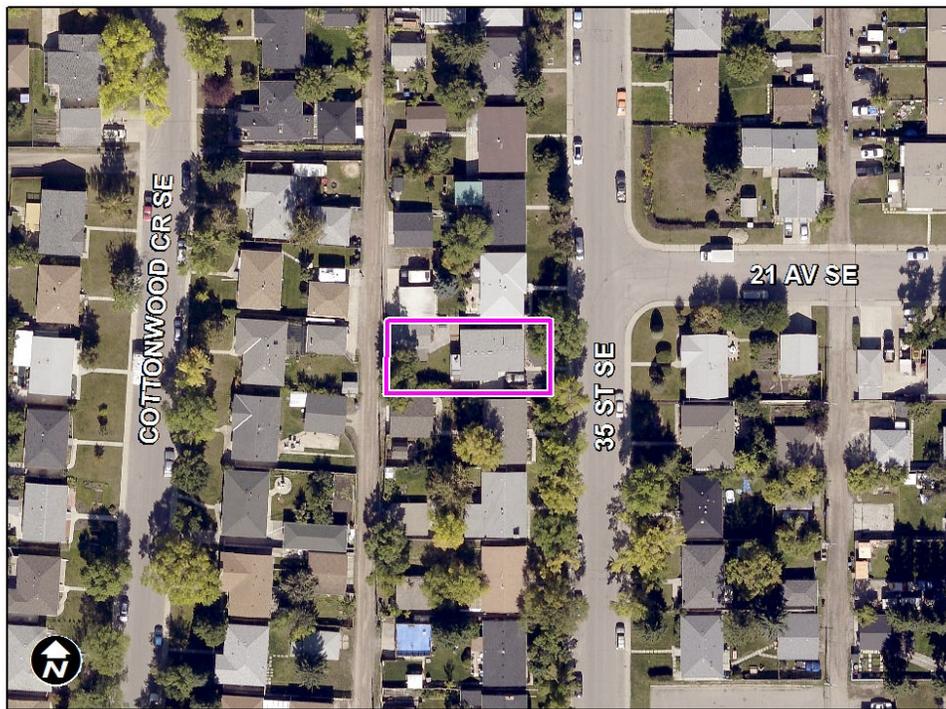
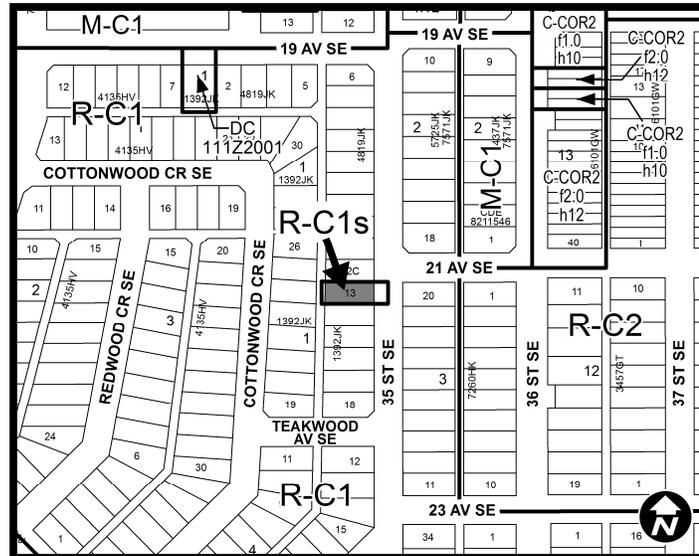
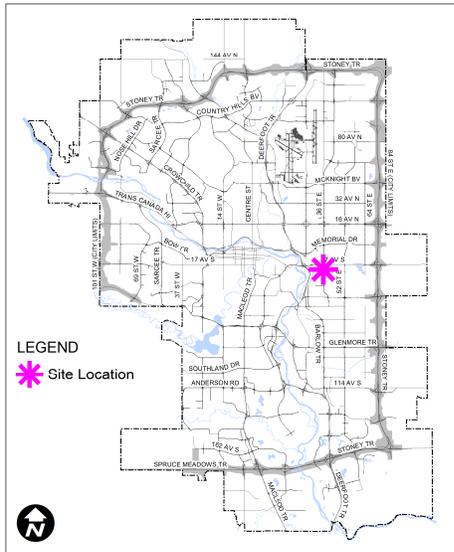
ATTACHMENT

1. Proposed Bylaw 131D2015

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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 (0.13 acres \pm) located at 2203 – 35 Street SE (Plan 1392JK, Block 1, Lot 13) from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District.

Moved by: M. Wade

Carried: 9 – 0

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Applicant:

Beverly Mah

Landowner:

Beverly Mah
 Ronald Mah

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

*Issue - Yes, No or Resolved

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PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Southview, the parcel is approximately 15 metres wide by 34 metres deep, in size and is developed with a single detached dwelling. The detached dwelling does not contain an existing secondary suite.

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) and 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 LUB requirements such as minimum parking and amenity space provisions. Relaxations to various land use provisions may also 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) (Statutory/Approved by Council - 2009)

The parcel is located within a *Developed Residential – Inner City Area* as identified on Map 1: Urban Structure of the MDP. Although the MDP does not make specific reference to this site, the proposal is in keeping with a number of overarching MDP policy areas including: Residential – Developed, Neighbourhood Infill & Redevelopment and Housing Diversity & Choice policies.

Forest Lawn Design Brief

The Forest Lawn Design Brief was approved by Council in 1975. It outlines an Area Improvement Plan for the Forest Lawn Sector. The plan identifies this area a residential area for low to medium density family residential use with associated facilities.

TRANSPORTATION NETWORKS

Pedestrian and vehicular access is available from 35 Street SE as well as from the existing rear lane. The area is served by Calgary Transit with a number of bus routes and stops within short walking distance (250 metres) of the parcel on 36 Street SE, including the number 23, 51 and 57 bus routes.

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UTILITIES & SERVICING

Site services for utilities 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.

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. In addition, the proposal is in alignment with the MDP references associated with growth management matters.

PUBLIC ENGAGEMENT

Community Association Comments: No comments were received.

Citizen Comments: No comments were received.

Public Meetings: No meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

As my husband and I are now at retirement age, we wish to pursue approval for a safe secondary suite as a potential income source allowing us to remain in our neighbourhood. We had moved to this location to be close to our daughter's residential group home for severely disabled adults to monitor her health and well being.

We believe our basement suite also meet the needs of a low income tenant as it will be;

- Close to Calgary Transit bus corridor along 17 Avenue SE
- Close to International Avenue (17 Avenue) restaurants and shops
- Centrally located providing easy access to downtown
- Walkable distance four blocks from Calgary Co-Op
- Near senior housing and activities
- Close to parks for recreation and Southview brow for walking
- Existing parking pad for tenant available in addition to existing garage
- Existing deck to back yard and garden

We also believe having a legal basement suite meeting City building codes criteria:

- Would enhance our neighbourhood and set an example for others to follow
- Our home would increase in value thus adding to City Assessment tax rolls
- We will be an invested landlord living on site.