

**LAND USE AMENDMENT
HAYSBORO (WARD 11)
HANOVER ROAD AND ELBOW DRIVE SW
BYLAW 145D2015**

MAP 21S

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 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 30

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 145D2015; and

1. **ADOPT** the proposed redesignation of 0.05 hectares \pm (0.12 acres \pm) located at 144 Hanover Road SW (Plan 311HN, Block 16, Lot 51) 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 145D2015.

REASON(S) FOR RECOMMENDATION:

The proposed R-C1s district allows for two additional residential uses (Secondary Suite and Backyard Suite) which are compatible with and complimentary to the existing low density character of the community.

This proposal also conforms to the relevant policies of the Municipal Development Plan and allows for development that has the ability to meet the intent of the Land Use Bylaw 1P2007.

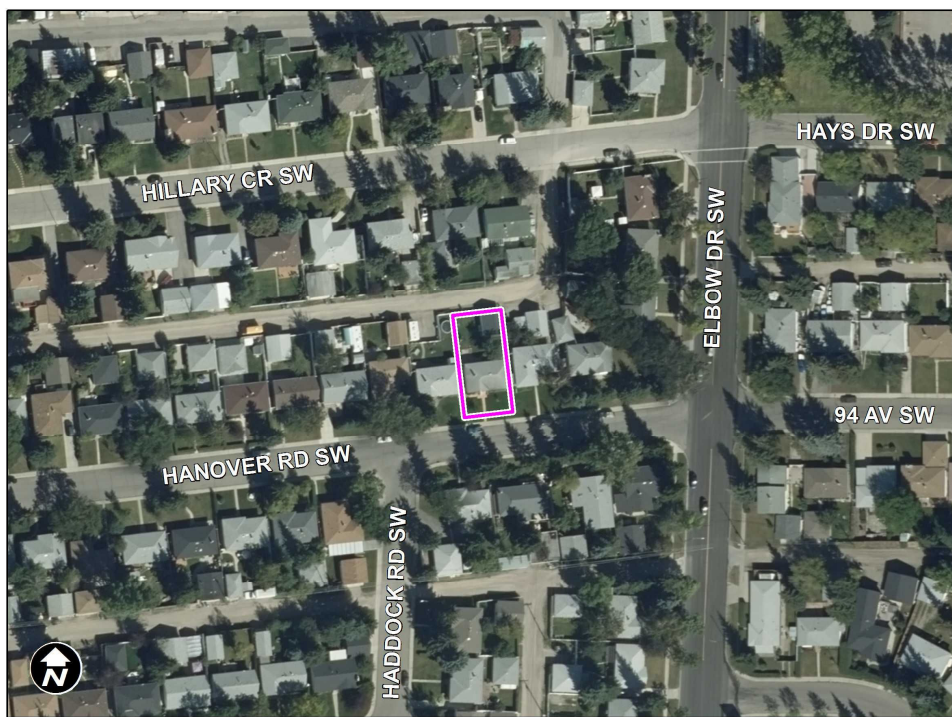
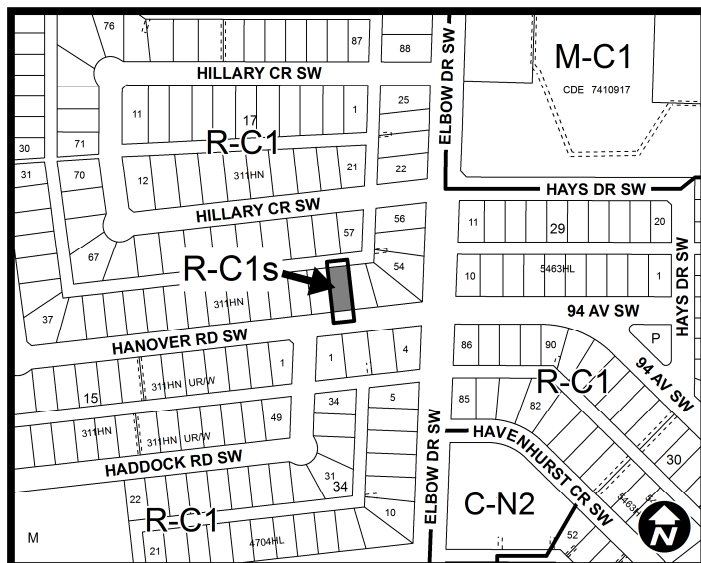
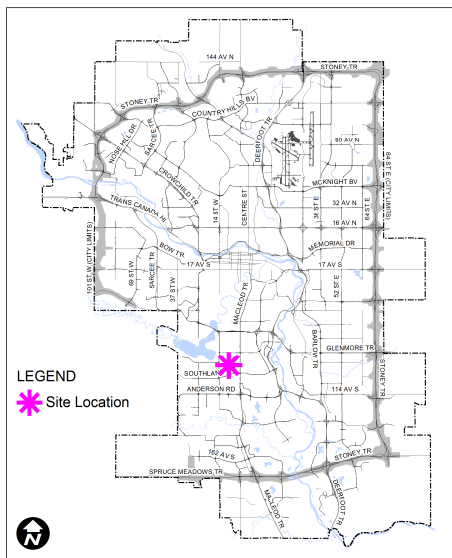
ATTACHMENT

1. Proposed Bylaw 145D2014
2. **Public Submission**

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MAP 21S

LOCATION MAPS



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MAP 21S

ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.05 hectares \pm (0.12 acres \pm) located at 144 Hanover Road SW (Plan 311HN, Block 16, Lot 51) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: M. Wade

Carried: 6 – 0

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MAP 21S

Applicant:

Abcad Design

Landowner:

Jessica Guenther
Nolan Wirsche

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	6
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>	Yes	6

*Issue - Yes, No or Resolved

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PLANNING EVALUATION

SITE CONTEXT

Located in a low density Residential – Contextual One Dwelling (R-C1) District setting in the community of Haysboro, the site is approximately 15 metres by 32 metres in size and is developed with a single detached dwelling and detached double car garage accessed from the rear lane to the north. Single detached dwellings exist to the east, north and west of the site as well as across Hanover Road SW to the south.

LAND USE DISTRICTS

The proposed Residential – Contextual One Dwelling (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 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 minimum parking requirements and amenity space provisions. If any relaxations 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 the Residential Developed – Established Area as identified on Map 1 in the Municipal Development Plan (MDP). Although the MDP makes no specific reference to the site, the land use proposal is in keeping with a number of overarching MDP policies including: Developed Residential Areas policies (Section 3.5.1), 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 the community of Haysboro.

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MAP 21S

TRANSPORTATION NETWORKS

Pedestrian and vehicular access to the site is available from Hanover Road SW and the rear lane. The area is served by Calgary Transit bus service within 125 metre walking distance of the site on Elbow Drive SW. On-street parking adjacent to the site is unregulated and available for public use.

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 also 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 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 MDP references associated with growth management matters.

PUBLIC ENGAGEMENT

Community Association Comments

The Haysboro Community Association has provided a letter in support of the proposal. Their letter is attached in APPENDIX II.

Citizen Comments

Three letters were received in support of the proposed Land Use Amendment, which may be summarized as follows:

- Will accommodate additional density in the community while matching the community context.
- Higher densities will increase the diversity in the community.
- Will ease the pressure for those looking for affordable inner city accommodations.
- Provides a more environmentally friendly approach to city development.

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Sixty-five letters objecting to the proposal were also received, which may be summarized as follows:

- A Backyard Suite above the garage will cause overshadowing, overlooking and loss of privacy for adjacent parcels.
- A two storey Backyard Suite does not fit in with the context of the surrounding development which is predominantly one storey single detached dwellings.
- Precedent setting and will create interest in future redesignations to R-C1s.
- Redesignations should be done in a comprehensive manner.
- Will negatively impact land values and amenities in the community.
- Will increase noise and crime in the area.
- Will increase street and rear lane traffic and on-street parking.

Public Meetings

There were no public meetings held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

My clients wish to change the zoning of their property located at 144 Hanover Road SW to allow for a secondary suite. They wish to build a garage with a self contained suite above. Design and construction would be done in a professional manner following all appropriate bylaws. The reasons for the secondary suite are:

1. To make better use of the large property.
2. Provide some assistance with mortgage.
3. Provide a place for their aging parents to live.

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MAP 21S

APPENDIX II

LETTER SUBMITTED



1204 – 89th Avenue S.W. Calgary, AB T2V 0W4
Ph: 403-253-1563 Fax: 403-253-6524 Email: info@haysboro.org
www.haysboro.org

RE: Community comments on Land use amendment
Shanks Outdoor Cafe

Permit number LOC2014-0166

Address of development: 144 Hanover Road SW

Community Association is in opinion that City of Calgary should be responsible for consultations and approval of land use amendments for entire community. Decision in regards to Notice of Motion NM2014-June 9 in regards to Secondary Suites would be highly desired to clarify rules for all community members and to avoid spot zoning applications.

Proposed amendment was discussed on community association meeting and are supported by majority of the Community Association Board members but Board acknowledge strong neighbors disagreement with similar changes proposed for other properties in the neighborhood.

Concerns of the community are related to:

- Parking overspill
- Overshadowing and Overlooking adjacent backyards.
- Landlord responsibility

Community Association highly encourages applicant communication with neighbors to address their concerns and mitigate possible issues in detailed design stages of the project.

Regards,


Maciej Kijak
Civic Affairs Director
Haysboro Community Association