

**LAND USE AMENDMENT
ACADIA (WARD 9)
96 AVENUE SE AND 3 STREET SE
BYLAW 147D2015**

MAP 22S

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 147D2015; and

1. **ADOPT** the proposed redesignation of 0.05 hectares \pm (0.13 acres \pm) located at 9719 – 3 Street SE (Plan 577JK, Block 38, Lot 11) 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 147D2015.

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.

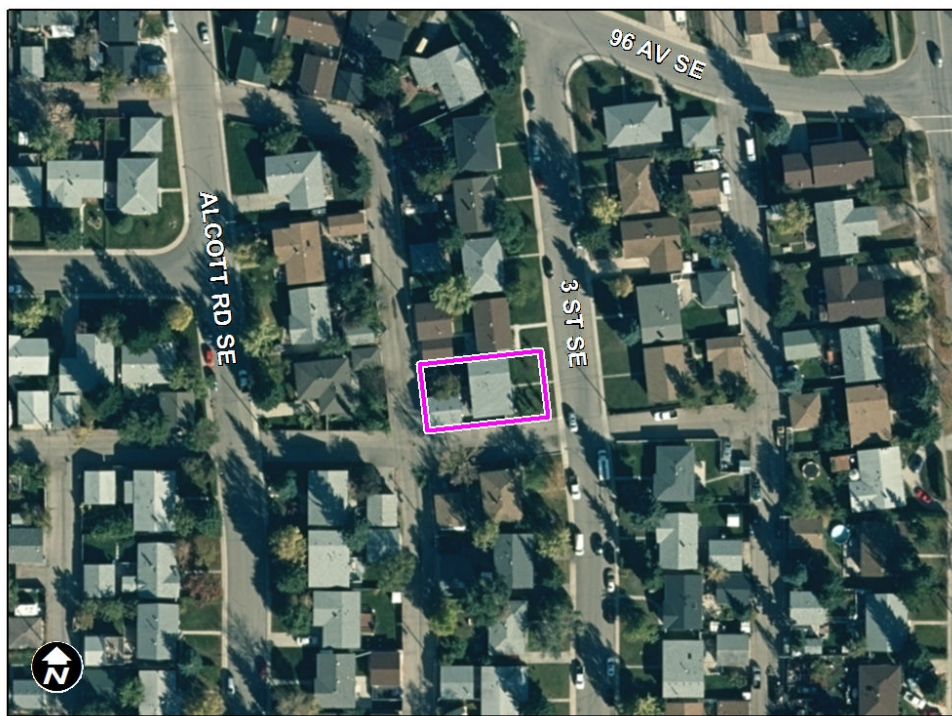
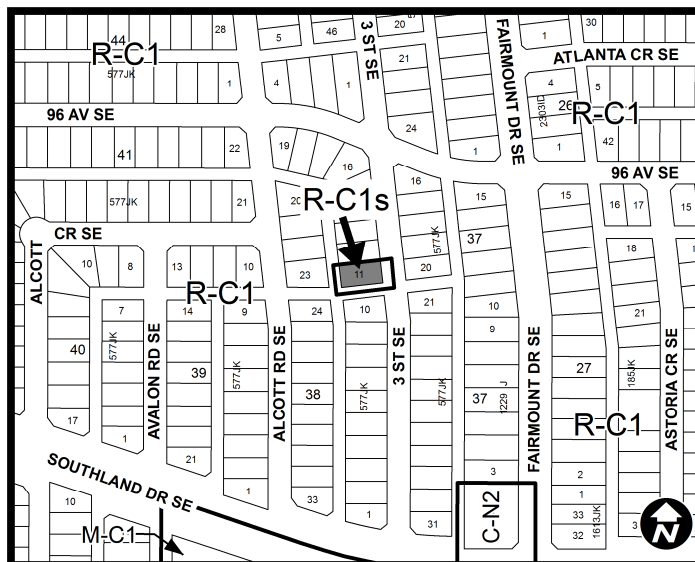
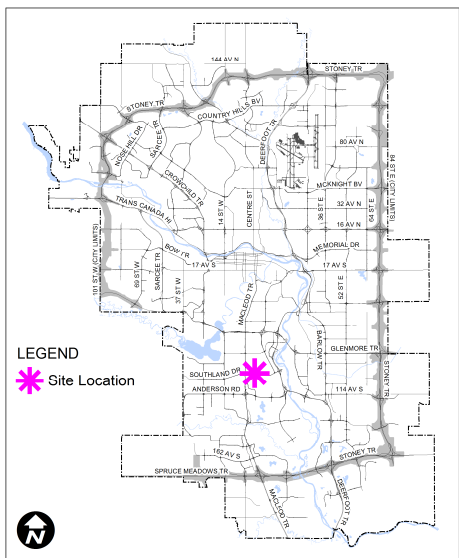
ATTACHMENT

1. Proposed Bylaw 147D2015
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 0.05 hectares \pm (0.13 acres \pm) located at 9719 – 3 Street SE (Plan 577JK, Block 38, Lot 11) 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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Applicant:

Sedona Construction

Landowner:

Dana Humbert
Julie Turner

| 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 Acadia, the site is approximately 17 metres by 30 metres in size and is developed with a single detached dwelling and detached double car garage accessed from the rear lane to the west. Single detached dwellings exist to the north, west and south of the site as well as across 3 Street SE to the east.

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 Acadia.

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TRANSPORTATION NETWORKS

Pedestrian and vehicular access to the site is available from 3 Street SE and the rear lane. The area is served by Calgary Transit bus service within 250 metre walking distance of the site on Fairmount Drive SE. 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 onsite 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 Acadia Community Association indicated they have no objection to the proposal. Their letter is attached in APPENDIX II.

Citizen Comments

One letter was received in support of the proposal and three letters were received in opposition to the proposal. The reasons for objection can be summarized as follows:

- Secondary suites are not currently allowed in the R-C1 district.
- Will increase traffic and on-street parking.
- Will increase noise and garbage in the area.
- Negative perception of existing illegal suites.

Public Meetings

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

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APPENDIX I

APPLICANT'S SUBMISSION

I am making this application on behalf of my clients to allow the redesignation from RC1 to RC1s on the property at 9719 3 St SE Calgary. This would allow them to install a secondary suite in the unused and unfinished basement of this property. This would help supplement their mortgage payments and to help with the shortage of legal rental units in the city of Calgary. I hope that you will approve this application as this seems to be a common situation with many residents in the city of Calgary.

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APPENDIX II

LETTERS SUBMITTED



The City of Calgary
PLANNING, DEVELOPMENT & ASSESSMENT

REQUEST FOR COMMENT ON APPLICATION

Date: March 26, 2015

To: Acadia Community Association
Marvin Olson
9864 Athens Rd SE
Calgary, Alberta
T2J 1B9

NOTE: The community contact person and address are only as current as the information provided to this office by the Community Association. If there are any changes please contact the Subdivision Secretary at the address to the right.

Return To: **Circulation Control**
Planning, Development & Assessment #8201
P.O. Box 2100 Station M
Calgary AB T2P 2M5
email: CPAG.Circ@calgary.ca

File Number: LOC2015-0039

9719 3 ST SE 577JK;38;11

Community: ACADIA
Alderman: Gian-Carlo Carra

Ward: 09 **Map:** 22S

Applicant: SEDONA CONSTRUCTION

Contact: Phil Boyes (587) 899-7362

Parcel Owner: DANA HUMBERT
9719 3 ST SE
CALGARY AB CANADA T2J 0W9
(See title for additional owners.)

Application: Land Use Amendment

Site Area: 0.05 ha

Existing Use:
Residential - Contextual One Dwelling (R-C1) District

Proposed Use:
Residential - Contextual One Dwelling (R-C1s) District

Attached are the plans and application material for this proposal. Please submit your response to the above sender by:

DUE DATE Thursday April 16, 2015

If you want to discuss this application further, please call the File Manager:

Christine Khandl (403) 268-5434 <mailto:Christine.Khandl@calgary.ca>

Please note that any written submissions made in response to this application will form part of the official record, and upon final decision of the application the correspondence will be available for public viewing.

No Objection Acadia Community Assoc.

See Accompanying Letter

Signed: [Signature]

Signed: _____

Date: 06/04/2015

Date: _____

Agency: Acadia Community Assoc

Agency: _____