

**LAND USE AMENDMENT
MACEWAN (WARD 4)
MACEWAN DRIVE NW AND 14 STREET NW
BYLAW 109D2015**

MAP 17N

EXECUTIVE SUMMARY

This land use amendment application seeks to redesignate a single residential parcel located in the community of Macewan from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District to allow for a secondary suite.

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 June 04

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 109D2015; and

1. **ADOPT** the proposed redesignation of 0.04 hectares \pm (0.10 acres \pm) located at 56 MacEwan Meadow Way NW (Plan 8111911, Block 13, Lot 28) 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 109D2015.

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 lane access and can accommodate the required onsite parking in the existing attached front garage. In addition, the parcel is located in close proximity to public transportation.

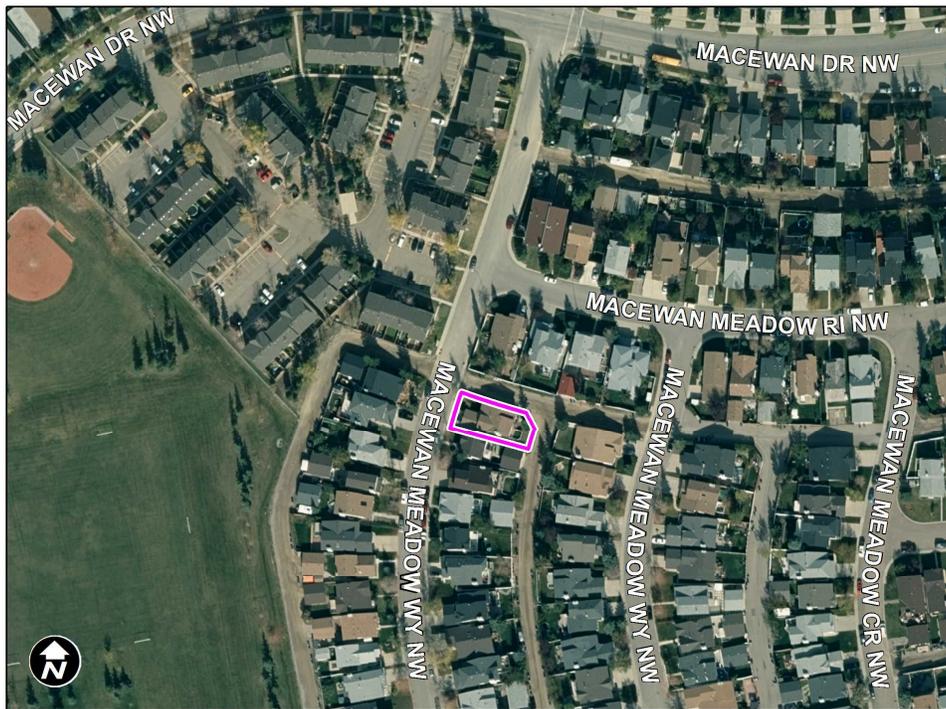
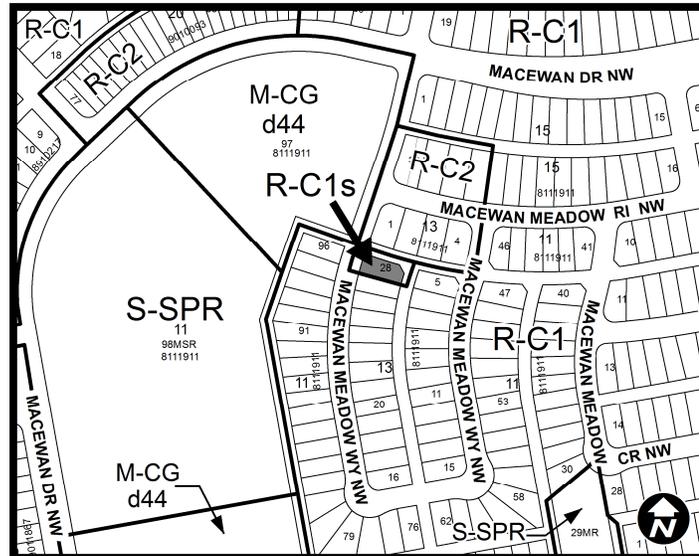
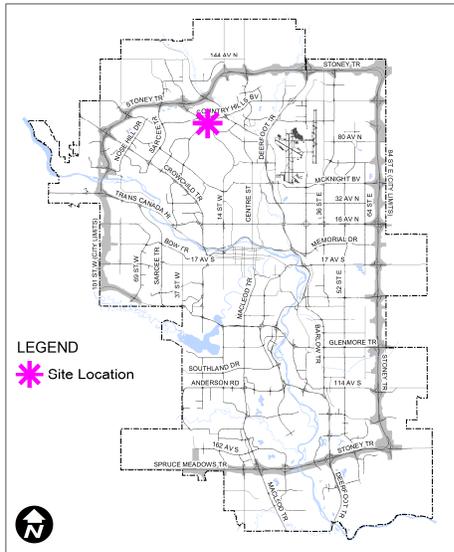
ATTACHMENT

1. Proposed Bylaw 109D2015
2. **Public Submission(s)**

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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 (0.10 acres \pm) located at 56 MacEwan Meadow Way NW (Plan 8111911, Block 13, Lot 28) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: R. Wright

Absent: G.-C. Carra and J. Gondek

Carried: 6 – 0

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Applicant:

Santosh Chadha

Landowner:

Santosh Chadha
 Bal Krishna Chadha

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>	N/A	N/A
Public Engagement <i>Were major comments received from the circulation</i>	Yes	6

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PLANNING EVALUATION

SITE CONTEXT

The subject site is located on a corner, with a lane along the north and east sides in a primarily low density residential setting. Immediately adjacent to the north is a section of Residential – Contextual One/Two Dwelling (R-C2) district containing single and semi-detached dwellings. To the northwest, there is a Multi-Residential – Contextual Grade-Oriented (M-CGd44) district consisting of town homes. The subject site consists of a single detached dwelling with a two car, front garage.

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 R-C1s district allows for one additional secondary suite that may take one of the following three forms:

- Secondary Suite as a permitted use; or
- Secondary – Suite – Detached Garage or Secondary Suite – Detached Garden as a discretionary use.

The proposed R-C1s district is appropriate and complimentary to the established land use pattern of the area and allows for a more efficient use of the land. The development of a secondary suite on this site can meet the intent of Land Use Bylaw 1P2007.

Site Specific Considerations

The subject site has a width of approximately 13.38 metres and therefore, does not meet the minimum R-C1s parcel width requirement of 15 metres. Additionally, the subject site has an area of 394.59 square metres, which does not meet the R-C1 minimum parcel area requirement of 400 square metres. As a result, relaxation of the Land Use Bylaw 1P2007 parcel width and parcel area requirement will need to be requested at the development permit stage.

Nonetheless, the parcel meets the minimum parcel depth requirement, contains the required on-site motor vehicle stalls (one stall for the single detached dwelling unit and one stall for the secondary suite.) and has the capacity to accommodate a single detached dwelling with a secondary suite.

LEGISLATION & POLICY

Municipal Development Plan

The parcel is identified as Developed Residential Area – Established Area on Map 1 – Urban Structure in the Municipal Development Plan. The Developed Residential Area – Established Area supports the retention of housing stock, or moderate intensification in a

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form and nature that respects the scale and character of the neighbourhood. The *Neighbourhood Infill and Redevelopment policies* of the MDP encourage growth and change in low-density neighbourhoods through development and redevelopment that is similar in scale and built form and increases the mix of housing choices, including accessory suites (secondary suites.) Furthermore, the MDP also states redevelopment should support the revitalization of local communities by adding population.

TRANSPORTATION NETWORKS

The single detached dwelling has a two – car front drive garage accessible from the street. The parcel is well served by Calgary Transit with bus stops for several routes located approximately 177 metres to the north on MacEwan Drive NW.

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.

GROWTH MANAGEMENT

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

PUBLIC ENGAGEMENT

Community Association Comments (APPENDIX II)

- Recognizes the concerns of the residents and support their decision and concerns to petition against the application.
- Many on the board do support secondary suites in general, however, this specific case is an approval for secondary suites within a rental property unoccupied by the owner and this is the concern.

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Citizen Comments

Thirty-four letters of objection have been received from residents of surrounding dwellings with a number of comments which can be summarized as follows:

- Neighbourhood cannot support the higher density due to the current MCGd44 (Calgary Housing) and R-C2 adjacent, in an already dense population. Increase in density has adverse effects on quality of life and housing value;
- Increase in automobile and pedestrian traffic;
- Sets precedence for secondary/rental suites in the community;
- Parking for residents will spill out onto the already crowded street and alley, and cause congestion and possible property damage (fences);
- Undue noise and disruption;
- Past history of unkept yards and homes;
- Increase in criminal activity – marijuana grow ops, police raids, meth labs, drug dealers, break and enters, drug problems for youths, speeding vehicles up and down the street;
- Decline in property values;
- Changes the character of the neighbourhood – 2 units would not cater to the existing family atmosphere of the neighbourhood;
- Creates an unsafe and unsecure neighbourhood for current residents and children;
- Eroded quality of life;
- Lower income renters of secondary suites causes social and economic hardships on neighbours;
- Resdesignating the parcel would eliminate long term buyers and halt property improvement;
- Current homeowners paid for R-C1 “status” and expect to get what they pay for.
- Lack of consideration for neighbours by owners of the rental property, as owners do not listen to the neighbours, or care for the property as if they were living in the home. With that comes graffiti, vandalism and undesirable elements as renters;
- Applicants submission is inaccurate:
 - Property is not close to a river;
 - Not close to train station;
 - Not close to University of Calgary;
 - Not close to Southern Alberta Institute of Technology;
 - Not close to Mount Royal College;
 - Not close to shopping malls.

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Administration has considered the comments received and would respond as follows:

- Any parcel proposed for a secondary suite as part of a redesignation application would be considered on its individual merit;
- The proposed secondary suite can accommodate parking on the parcel;
- Any land use redesignation would be reviewed and considered based solely on its planning merit.

Public Meetings

- No meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

Advantages to City of Calgary:

- More affordable housing and availability
- Mitigates urban sprawl which contributes to pollution
- Allows better use of the public transportation system
- More income for city
- Economical growth
- Enhanced city
- Attracts more people to affordable Calgary

Advantages to applicant:

- Help with high housing prices
- More usable space in the house
- Chance for elderly to have someone in the house if an emergency arises
- Chance to interact with more new people

Advantages to public:

- More choices to live in more better areas in the city
- Close to river
- Close to natural park
- Close to bus and train stations
- Close to University of Calgary
- Close to SAIT
- Close to Mount Royal University
- Close to Shopping Malls
- Close to Schools (Public and Catholic Schools)
- Close to Golf Course

Overall win-win situation for everyone

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APPENDIX II

COMMUNITY ASSOCIATION LETTER



*Sandstone MacEwan Community Association
1100 Berkshire Blvd NW.
Calgary, Alberta
T3K 3V8*

March 30, 2015

Jessica Siriphokham
City of Calgary
Land Use and Zoning

Dear Jessica,

It has come to the attention of the board of the Sandstone MacEwan Community Association that the residents of MacEwan Meadow Way N.W. are concerned with the application for a secondary suite at at 56 MacEwan Meadow Way N.W. I would like to advise you that on behalf of the board we recognize the concerns of these residents and support their decision and concerns to petition against this application.

Although many on our board do support the development of secondary suites in general, we understand that this specific case is about approval for a secondary suites within a rental property that is not occupied by the owner. The application and approval of multiple rental units in an R-1 dwellings that are not occupied by the owner are of concern to the community association and we will be monitoring developments through our ward concillors office as this issue unfolds.

Thank you again,


Darren Way
President
Sandstone MacEwan Community Association