

LAND USE AMENDMENT
SCENIC ACRES (WARD 1)
NORTHWEST CORNER OF SCENIC WAY NW AND SCENIC
ROAD NW
BYLAW 55D2015

MAP 10NW

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 suite to encourage the development of legal and safe secondary suites throughout the city.

ADMINISTRATION RECOMMENDATION

2015 March 12

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 55D2015; and

1. **ADOPT** the proposed redesignation of 0.04 hectares ± (0.11 acres ±) located at 79 Scenic Way NW (Plan 8011298, Block 3, Lot 38) 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 55D2015.

REASON(S) FOR RECOMMENDATION:

The proposed Residential-Contextual One Dwelling District allows for two forms of secondary suite uses (Secondary Suite and Backyard Suite), all of which are believed to be compatible and complementary residential uses with the established character of the Scenic Acres. This proposal is in conformance with relevant policies in the Municipal Development Plan and has the ability to meet the intent and requirements of Land Use Bylaw 1P2007.

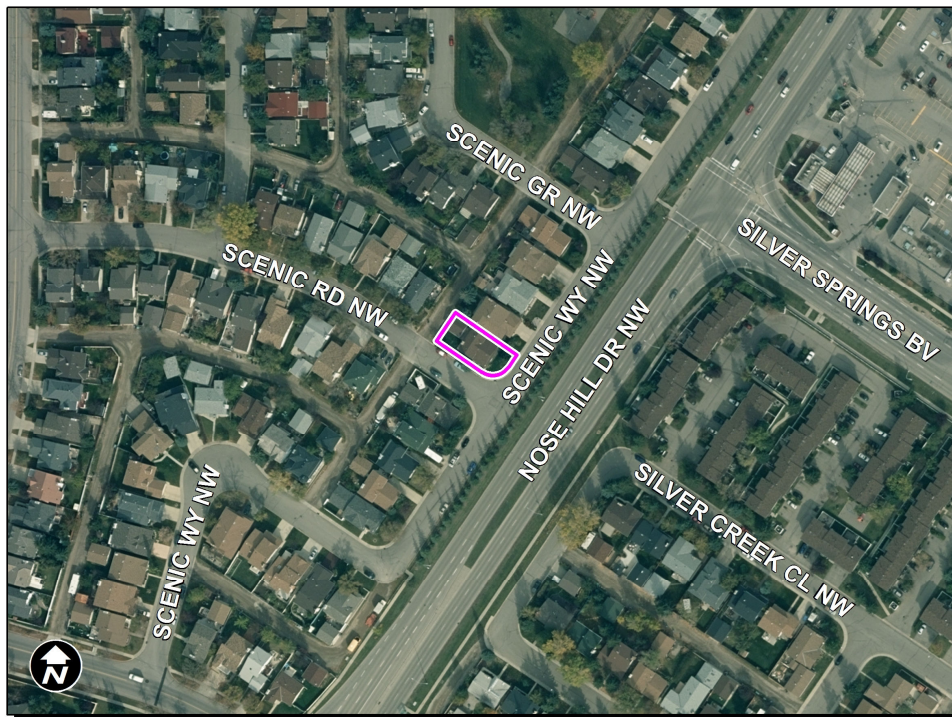
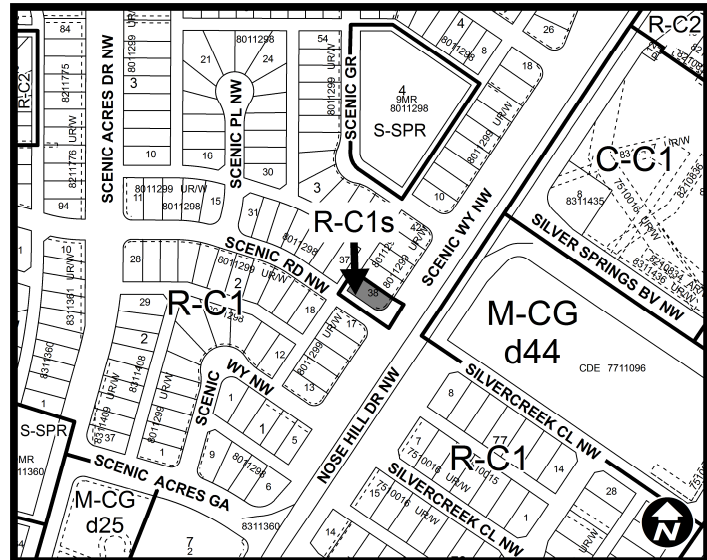
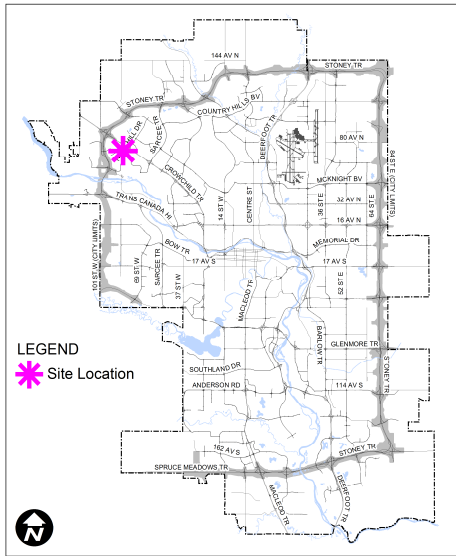
ATTACHMENT

1. Proposed Bylaw 55D2015

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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 (0.11 acres \pm) located at 79 Scenic Way NW (Plan 8011298, Block 3, Lot 38) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: W. Smithers

Carried: 8 – 0

Comments from Ms. Gondek:

- Great engagement of neighbours by the applicant.

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Applicant:

Sorin (Andra) Chira

Landowner:

Sorin Chira

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

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PLANNING EVALUATION

SITE CONTEXT

The subject site is located in a low density, Residential – Contextual One Dwelling (R-C1) residential area in Scenic Acres. Adjacent districts are Multi-Residential - Contextual Ground-Oriented (M-CG) and Commercial – Community 1 (C-C1). The parcel is laned, approximately 14 by 30 metres in size and currently developed with a single detached dwelling and detached double garage.

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) and one additional discretionary use (Backyard Suite).

Land Use Bylaw 1P2007 requires a minimum R-C1s parcel width requirement of 15 metres; therefore, a relaxation to the minimum parcel width will likely be required at Development Permit stage.

Approval of this land use redesignation 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 *Residential, Developed – Established Area* as identified on Map 1: Urban Structure of the Municipal Development Plan (MDP). Although the MDP does not make specific reference to this site, the proposal is in keeping with a number of MDP policy areas including: *Neighbourhood Infill & Redevelopment* and *Housing Diversity & Choice* policies.

TRANSPORTATION NETWORKS

The site is less than 200 metre walking distance to a transit bus stop (Nose Hill Drive NW), and the parcel has an accessible rear lane that could accommodate an additional parking stall. There is an existing double car garage on the site.

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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.

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

The Scenic Acres Community Association primary concern was parking but ultimately has no objection to application.

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

The use of Land Re-designation is for building a Secondary Suite to rent. As this is a 4-level split house, there is enough room to build an addition kitchen. The house has a walk-out basement so it will be very easy to live in the upper half of the house and rent the bottom half. This gives the freedom and privacy to the tenants to use a separate entrance. As this is a corner house, there are parking spots beside the house and in front of the house. If parking becomes a problem, the backyard has enough space for a secondary garage. The house is conveniently located close to Crowfoot Shopping Area, 15 min walk to C-train and couple of minute to buses. The University of Calgary is 15 min away with the C-train.

As this application requires approval of the neighbours, I have already discussed with some of my immediate neighbours and took their approvals. The following addresses were asked for permission: 83 Scenic Way NW, 75 Scenic Way NW, 12 Scenic Road NW and 15 Scenic Road NW.

This will help City of Calgary with its tight rental market and allow more affordable housing options. As there is benefit to the city and no harm to the community and my neighbourhood area, I asked for your support in this application.

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APPENDIX II

LETTERS SUBMITTED

Our formal response to File Number LOC2014-0204 for 79 Scenic Acres Way NW:

- SACA appreciates the City taking the lead in removing the most common concern (about reduced on-street parking availability) from these Land Use Amendments Applications (to R-C1s) in the developed communities. Through your leadership we can with confidence assure nearby residents and the broader community that City Planning, Development and Assessments staff will make certain a compliant and dedicated off-street parking space is evident on plans attached with any future DP Application for a secondary suite at this address.
- Additionally, from your comments in our phone conversation yesterday, should a secondary suite ultimately be developed at this address (or at any other lots in Scenic Acres, or other like communities) the enforcement of that the dedicated parking space requirement and its actual use will be rigorous; the tenant required to park there and no 'resident on-street parking permit' granted for the tenant's vehicle should parking restrictions later be implemented at the address.
- Similar to the City Council and Administration's current positions, SACA also takes a 'case-by-case, no guarantees at either the Land Use Amendment Application or later DP Application stage' approach to its position, responses or comments at each stage of the process a landowner must take towards perhaps ultimately building and managing a legal and compliant secondary suite in developed communities. SACA reserves the right to take and express its own and unique position on each future Land Use Amendment Application and/or the Development Permit Application that may arise from an earlier approved Land Use Amendment.
- Conditional on the above three points then, and not at the time of writing this made aware of any nearby neighbour or broader community resident material concerns being raised with this application, Scenic Acres Community Association has no objections to this Land Use Amendment Application for 79 Scenic Way NW

Sincerely,
David Wright
Community Development Director
Scenic Acres Community Association
mobile: 403-607-2852