

LAND USE AMENDMENT
SILVER SPRINGS (WARD 1)
SOUTHWEST OF SARCEE TRAIL NW AND CROWCHILD TRAIL NW
BYLAW 57D2015

MAP 2NW

EXECUTIVE SUMMARY

This land use amendment application seeks to redesignate a single residential parcel located in the community of Silver Springs from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District to allow for a backyard suite. There is an existing single detached dwelling on the property with an existing detached double garage. The applicant intends to develop a secondary suite on top of the existing detached two car garage.

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 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 57D2015; and

1. **ADOPT** the proposed redesignation of 0.08 hectares \pm (0.19 acres \pm) located at 316 Silver Brook Way NW (Plan 1210LK, Block 7, Lot 33) 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 57D2015.

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 residential uses with the established character of the community. This proposal is in conformance with relevant policies in the Municipal Development Plan and would allow for development that has the ability to meet the intent and requirements of Land Use Bylaw 1P2007. Specifically, the parcel has lane access, is located on a corner, can provide the required parking on-site, and is close to public transit.

ATTACHMENT

1. Proposed Bylaw 57D2015
2. **Public Submission(s)**

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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.08 hectares \pm (0.19 acres \pm) located at 316 Silver Brook Way NW (Plan 1210LK, Block 7, Lot 33) 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:

- (p7/8) The letter from the Applicant shows how the interests of residents are not necessarily served by the Community Association when it comes to secondary suites. Perhaps it's time to re-examine the role of CAs in evaluating secondary suite rezoning applications. Perhaps CAs should act as stakeholders in the engagement process for the discussion surrounding secondary suites in general, but not for individual applications.

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Applicant:

Jeremey Klassen

Landowner:

Craig R Kretz
 Ruth G Kretz

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	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) District in the community of Silver Springs. The site is developed with a single detached dwelling and a detached two car garage that is accessed from the lane.

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 two forms:

- Secondary Suite as a permitted use; or
- Backyard Suite 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. In addition, the development of a secondary suite on this site can meet intent of Land Use Bylaw 1P2007.

SITE SPECIFIC CONSIDERATIONS

The subject parcel has a parcel width of 18.9 metres and a depth of 32.1 metres and therefore meets the minimum lot requirements of the R-C1s district for a backyard suite. The parcel has the capacity to accommodate:

- A single detached house with a secondary suite;
- A minimum total of two on-site motor vehicle parking stalls with access from the lane (one stall for the single detached dwelling unit and one stall for the secondary suite).

LEGISLATION & POLICY

Municipal Development Plan (Statutory / Approved by Council – 2009)

The parcel is located within the Residential Development – 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 overarching MDP policy areas including: Developed Residential Areas, Neighbourhood Infill & Redevelopment and Housing Diversity & Choice policies.

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TRANSPORTATION NETWORKS

Pedestrian access is available from Silver Brook Way NW. Vehicular access to existing on-site parking is from the lane (two car garage on the lane, and two stalls on the driveway). The parcel is well served by Calgary Transit with several bus stops located 345 metres of Silver Brook Way NW, and a C-Train station in relatively close proximity.

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 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

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

PUBLIC ENGAGEMENT

Community Association Comments

The Silver Springs Community Association submitted a letter indicating that they object to the proposed application for a secondary suite (see attached letter in APPENDIX II).

Citizen Comments

One letter of support and four letters of objection were received by Administration. The following concerns were expressed in response to the proposal:

- Growing traffic and parking concerns in the area; and
- A detached suite may have an adverse effect on the community.

Public Meetings

No meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

The community of Silver Springs is blessed with residential planning that now dates back to the early 1970's when green space, schools and community facilities, large residential lots and back lanes attracted some discriminating home buyers for these very reasons. In the decades in between Silver Springs has continued to be a NW community of preference, now not only attracting a new generation of young families but has retained many of its original home owners and returning buyers all for these same reasons. Into the mix, discussions are now being generated – "How do we age in place", for our senior community, or, "can I develop a basement suite" by our first time home buyers.

Specific to redevelopment applications and secondary suites, the Board of Directors have to commence the engagement of the community at large on this issue. Not only for near term developments but also to create transparent policy guidelines for decades to come. Simply stating you are not in favour of these rezoning changes, or indicating that you are waiting for more direction from City Council does not do justice of your fiduciary duties to the community at large. We are all aware of non-compliant basements suite, garden apartments and home based businesses that are in use, which makes a mockery of the compliant legal process. As members of the SSCA we look forward to more discussions, correspondence and progress on this topic.

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APPENDIX II

LETTERS SUBMITTED

David,

I just wanted to pass on a few of the comments we received from residents regarding the above land use re-designation.

We brought the issue up at our November community engagement night and from the sample of 50ish members that filled out our questionnaire about 54% were opposed to secondary suites. I personally dropped off letters to the closest 20 residents near the site asking for their input and we received 3 responses, 2 of which are included below – the 3rd was also against the re-designation. At this time the Silver Springs Board has started the community engagement process on the issue but we do not have enough information at this time to say if residents are for or against secondary suites. We believe Mr. Maklad has some legitimate concerns with regards to parking and privacy.

From the discussions we have had at a board level we believe secondary suites would be less of an issue if they had a license attached that had to be renewed every few years.

Here are the letters

Thank you for your time and have a great day

Jeremy Gukert

President
Silver Springs Community Association
(403) 805-2570