

LAND USE AMENDMENT
EVERGREEN (WARD 13)
EVERHOLLOW STREET SW SOUTH OF EVERHOLLOW
RISE SW
BYLAW 28D2015

MAP 31SS

EXECUTIVE SUMMARY

This land use amendment application seeks to redesignate a residential parcel from R-1 to R-1s 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 January 15

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 28D2015; and

1. **ADOPT** the proposed redesignation of 0.04 hectares \pm (0.10 acres \pm) located at 140 Everhollow Street SW (Plan 0714571, Block 12, Lot 42) from Residential – One Dwelling (R-1) District **to** Residential – One Dwelling (R-1s) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 28D2015.

REASON(S) FOR RECOMMENDATION:

The two secondary suite uses allowed in the R-1s District are believed to be compatible and complementary residential uses to the established character of the community. The 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 the Land Use Bylaw 1P2007.

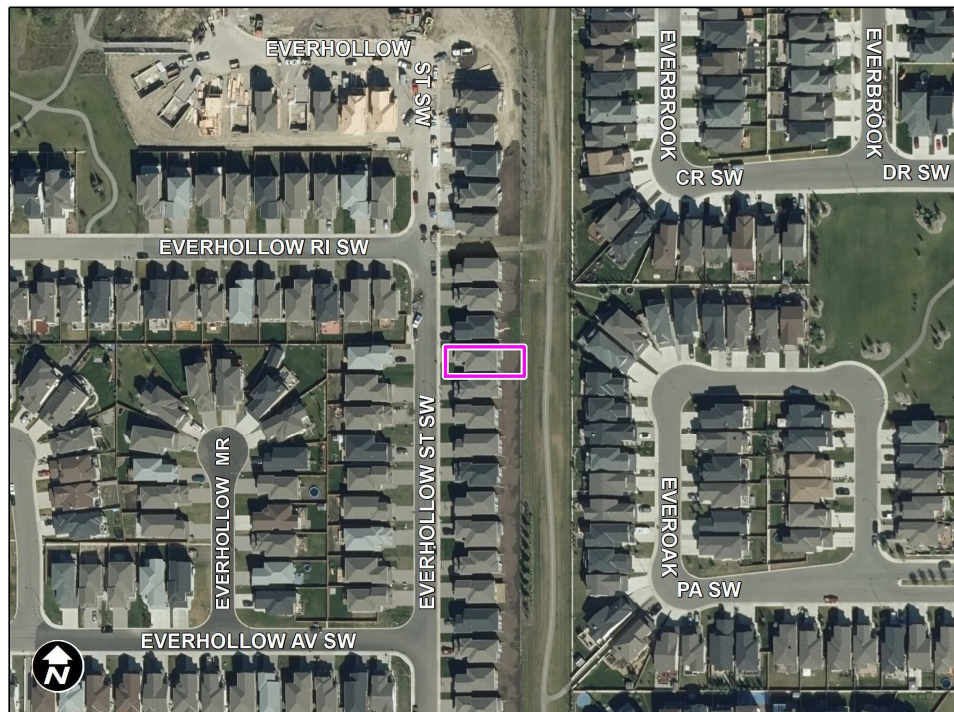
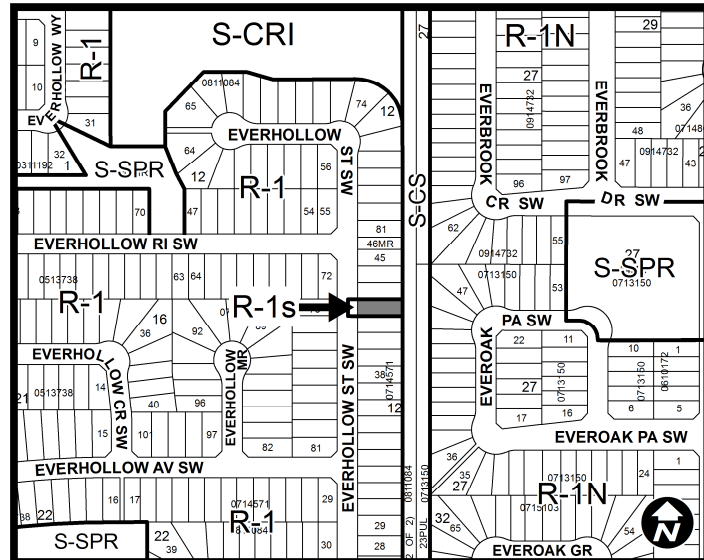
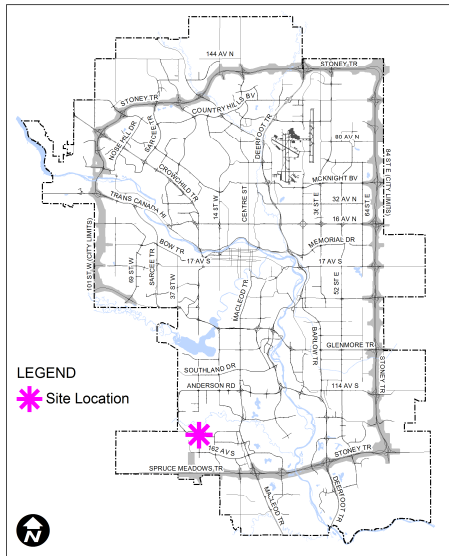
ATTACHMENT

1. Proposed Bylaw 28D2015

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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 140 Everhollow Street SW (Plan 0714571, Block 12, Lot 42) from Residential – One Dwelling (R-1) District **to** Residential – One Dwelling (R-1s) District.

Moved by: M. Wade

Carried: 6 - 1

Opposed: S. Keating

Reasons for Opposition from Cllr. Keating:

- There is no rear lane, only a double attached garage and no neighbourhood consultation.

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Applicant:

Ramin Dadgar

Landowner:

Ramin Dadgar
Mina Badri Hamedian

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>	No	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 R-1 setting in the community of Evergreen, the parcel is approximately 12.2 metres by 32.8 metres in size and is developed with a single detached dwelling with an attached front drive double garage located off Everhollow Street SW.

LAND USE DISTRICTS

The proposed R-1s district allows for the development of a secondary suite in addition to a Single Detached Dwelling on a single parcel. The R-1s district allows for one additional secondary suite that may take one of two forms:

- Secondary Suite (Basement) as a permitted use; or
- Secondary Suite – Backyard Suite as a discretionary use.

The subject site meets the minimum R-1s parcel size requirements. As such, the parcel is large enough to accommodate a secondary suite and its associated Land Use Bylaw 1P2007 requirements such as minimum motor vehicle parking stalls. Relaxations to various land use provisions may also be considered at the development permit stage.

Council's potential approval of this land use application does not constitute approval of a specific secondary suite type, 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

The parcel is located within a *Residential Developing – Planned Greenfield with Area Structure Plan* 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 include: *Neighbourhood Infill & Redevelopment* and *Housing Diversity & Choice* policies.

This parcel is located in the Mindnapore III Community Plan (Non-Statutory/Adopted by Resolution of Council – 1997). Although secondary suites are not specifically identified in all neighbourhood areas within this plan, the plan encourages the development of a variety of dwelling unit types throughout the community in order to provide a broad range of housing choices to a diversity of people.

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TRANSPORTATION NETWORKS

Pedestrian and vehicular access is available from Everhollow Street SW. There is a utility right-of-way located to the rear of the parcel that also provides pedestrian access to the site. The site is of a sufficient size to accommodate the minimum motor vehicle parking requirements.

The area is served by Calgary Transit, with a bus stop for routes 11 and 12 that connect to Somerset-Bridlewood Station and school routes 766 and 857 available within 500 metres on Everridge Drive SE.

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

This land use proposal does not require additional capital infrastructure investment and therefore, no growth management concerns have been identified at this time.

PUBLIC ENGAGEMENT

Community Association Comments

No Community Association comments were received at the time of writing this report.

Citizen Comments

Six responses were received from adjacent land owners. One response had no objection to the application. The remaining five responses were letters of objection that included the following reasons:

- On-street parking concerns such as safety, on-street parking and increased traffic.

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- Decrease of surrounding property values.
- Community safety.
- Impact on infrastructure capacity and local community services.
- Concern about the change in neighbourhood character.
- Ability to meet Alberta Building Code requirements.

Public Meetings

No meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

We have newly immigrated to Canada yet after more than one and a half year I could not land a job. Therefore, it is necessary for me to develop our house basement as a secondary suite and give it for rent for the following two major reasons:

1. In order to increase my chance in job search process I should apply for the jobs out of the town. During my absence my family should feel safe. Being another family in the basement would provide a safe place feeling for them and a peace of mind for me when I would be out of the town.
2. It is going to be a hardship for me to pay mortgage and property tax monthly without having enough income. Therefore, it makes sense to use the basement as an income support to cover monthly expenses.

The last minor reason is using the same basement for our parents in the future when they want to come to Canada to visit us. This separate suite with complete facility would be ready place for them to stay for a while.

The house accommodates four parking spots in site (two in the garage and two on drive way). There are six bus stops for bus routes 11 and 12 and two schools nearby.

I hope with the above points I could provide sufficient reasons to comply my requirements.