

**LAND USE AMENDMENT
CEDARBRAE (WARD 11)
SOUTH OF 107 AVENUE SW & EAST OF OAKFIELD DRIVE SW
BYLAW 117D2014**

MAP 18S

EXECUTIVE SUMMARY

This land use amendment application seeks to redesignate a residential parcel from R-C1 to R-C1s 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)

2014 September 11

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 117D2014; and

1. **ADOPT** the proposed redesignation of 0.05 hectares \pm (0.12 acres \pm) located at 3147 – 107 Avenue SW (Plan 7610792, Block 5, Lot 2) 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 117D2014.

REASON(S) FOR RECOMMENDATION:

The three secondary suite uses allowed in the R-C1s District are compatible and complementary to the established low density character of the community. The proposal also 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.

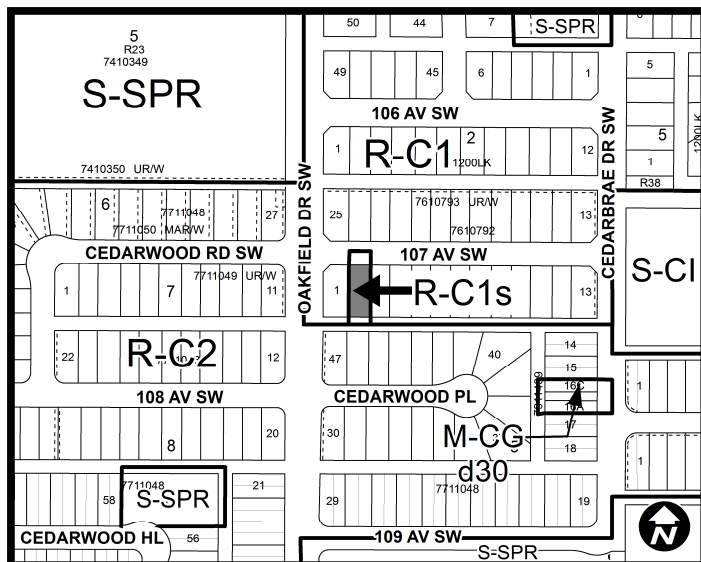
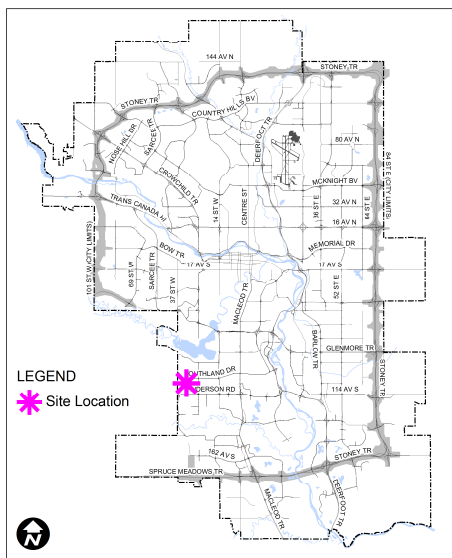
ATTACHMENT

1. Proposed Bylaw 117D2014
2. Public Submissions

LAND USE AMENDMENT
CEDARBRAE (WARD 11)
SOUTH OF 107 AVENUE SW & EAST OF OAKFIELD DRIVE SW
BYLAW 117D2014

MAP 18S

LOCATION MAPS



LAND USE AMENDMENT
CEDARBRAE (WARD 11)
SOUTH OF 107 AVENUE SW & EAST OF OAKFIELD DRIVE SW
BYLAW 117D2014

MAP 18S

ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.05 hectares \pm (0.12 acres \pm) located at 3147 – 107 Avenue SW (Plan 7610792, Block 5, Lot 2) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: M. Wade

Carried: 8 – 0

Reasons for Approval from Ms. Wade:

- It is important to legalize the illegal suites to address Health and Safety.
- Very supportive of legalizing suites for this reason.

LAND USE AMENDMENT
CEDARBRAE (WARD 11)
SOUTH OF 107 AVENUE SW & EAST OF OAKFIELD DRIVE SW
BYLAW 117D2014

MAP 18S

Applicant:

Spomenka Petrovic

Landowner:

Spomenka Petrovic

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>	No	6
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
Public Engagement <i>Were major comments received from the circulation</i>	No	7

*Issue - Yes, No or Resolved

**LAND USE AMENDMENT
CEDARBRAE (WARD 11)
SOUTH OF 107 AVENUE SW & EAST OF OAKFIELD DRIVE SW
BYLAW 117D2014**

MAP 18S

PLANNING EVALUATION

SITE CONTEXT

The subject site is located in a low density residential R-C1 setting in the community of Cedarbrae. The laned site is developed with a single detached dwelling and a single parking pad accessed from 107 Avenue SW.

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 (Basement) as a permitted use; or,
- Secondary Suite – Detached Garage as a discretionary use; or,
- Secondary Suite – Detached Garden also 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. Additionally, the development of a secondary suite on this site can meet the intent of the Land Use Bylaw 1P2007 with relaxation of parcel width at the development permit stage.

Site Specific Considerations

The subject site has a parcel width of 14.02 metres and therefore, does not meet the minimum 15 metres R-C1s parcel width dimension required for any type of secondary suite.

Nonetheless, the parcel is of a sufficient size and has the capacity to accommodate:

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

As a result, only the parcel width relaxations of the Land Use Bylaw 1P2007 may be required at the development permit stage.

LAND USE AMENDMENT
CEDARBRAE (WARD 11)
SOUTH OF 107 AVENUE SW & EAST OF OAKFIELD DRIVE SW
BYLAW 117D2014

MAP 18S

LEGISLATION & POLICY

Municipal Development Plan (MDP) (Statutory/Approved by Council - 2009)

The parcel is located within a *Developed Residential –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: *Residential – Developed, Neighbourhood Infill & Redevelopment* and *Housing Diversity & Choice* policies.

Cedarbrae does not have a local area plan.

TRANSPORTATION NETWORKS

Pedestrian access is available from 107 Avenue SW. Vehicular access is available from 107 Avenue SW and the rear lane.

The area is served by Calgary Transit with a number of bus routes and bus stops located within walking distance to the north of the subject site.

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.

PUBLIC ENGAGEMENT

Community Association Comments

The Community Association Letter – see APPENDIX III

**LAND USE AMENDMENT
CEDARBRAE (WARD 11)
SOUTH OF 107 AVENUE SW & EAST OF OAKFIELD DRIVE SW
BYLAW 117D2014**

MAP 18S

Citizen Comments

Four objections were received against the application which can be summarized as follows:

- will exacerbate the existing limited on-street & laneway parking;
- will reduce the appeal of the single family character of the community; and,
- will reduce value for the adjacent parcels.

A secondary suite - basement was reportedly existed in the single detached dwelling. Currently, there is no active complaint of an illegal suite at this site.

Public Meetings

No meetings were held by the applicant or Administration.

**LAND USE AMENDMENT
CEDARBRAE (WARD 11)
SOUTH OF 107 AVENUE SW & EAST OF OAKFIELD DRIVE SW
BYLAW 117D2014**

MAP 18S

APPENDIX I

APPLICANT'S SUBMISSION

Since I heard about need for more living space in Calgary and secondary suites I realized I can have one in my house. However the problem is that my house is in a "wrong" zone so this is the main reason for my application.

If granted land use redesignation I will be able to provide a nice and clean living space in a family setting at affordable price. The house is settled in a very beautiful old neighbourhood. Cedarbrae Elementary school is so close that a little child can walk and come home for lunch and the bus stop is one block away. Those who wish to be physically active the Southland Leisure Center is a few minutes drive. Community Hall is at the walking distance with its football and soccer fields.

House has a large backyard and long driveway that can accommodate 3 cars with the additional space for 2 cars on the street in front of the house.

If land use redesignation is granted it will be a great additional source of income that will help me with the mortgage payments now and be additional income in retirement years. I love my house and would like to enjoy it many years to come.

LAND USE AMENDMENT
CEDARBRAE (WARD 11)
SOUTH OF 107 AVENUE SW & EAST OF OAKFIELD DRIVE SW
BYLAW 117D2014

MAP 18S

APPENDIX II

TABLE 1 – PARCEL WIDTH REQUIREMENTS

Land Use District	Secondary Suite (Basement)	Secondary Suite – Detached Garage	Secondary Suite – Detached Garden
R-C1s	15 m	15 m	15 m
R-1s	11 m	11 m	13 m
R-C1N	9 m	13 m	13 m
R-1N	9 m	13 m	13 m
R-C2	9 m	13 m	13 m

LAND USE AMENDMENT
CEDARBRAE (WARD 11)
SOUTH OF 107 AVENUE SW & EAST OF OAKFIELD DRIVE SW
BYLAW 117D2014

MAP 18S

APPENDIX III

COMMUNITY LETTER SUBMITTED

From: Bowen, Paul [mailto:Paul.Bowen@agrium.com]
Sent: Monday, August 25, 2014 1:55 PM
To: Ang, Benedict
Subject: LOC 2014-0108

Hi Ben –

The Cedarbrae Community Association has no objection to the secondary suite application for 3147 – 107 Ave SW. Please move the application forward.

Cheers-
Paul Bowen
Past-President
Cedarbrae Community Association

Paul J. Bowen