

**LAND USE AMENDMENT  
SUNDANCE (WARD 14)  
NORTH OF STONEY TRAIL SE & EAST OF SUNLAKE ROAD SE  
BYLAW 118D2014**

**MAP 26SS**

**EXECUTIVE SUMMARY**

This land use amendment application seeks to redesignate a single 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 118D2014; and

1. **ADOPT** the proposed redesignation of 0.05 hectares  $\pm$ (0.12 acres  $\pm$ ) located at 104 Sunlake Road SE (Plan 9110767, Block 82, Lot 50) 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 118D2014.

**REASON(S) FOR RECOMMENDATION:**

The proposed R-C1s district allows for three forms of secondary suite uses (Secondary Suite, Secondary Suite – Detached Garage and Secondary Suite – Detached garden) which are compatible and complimentary with the established low density character of the community. This proposal also conforms with the relevant policies of the Municipal Development Plan and allows for development that has the ability to meet the intent of the Land Use Bylaw 1P2007.

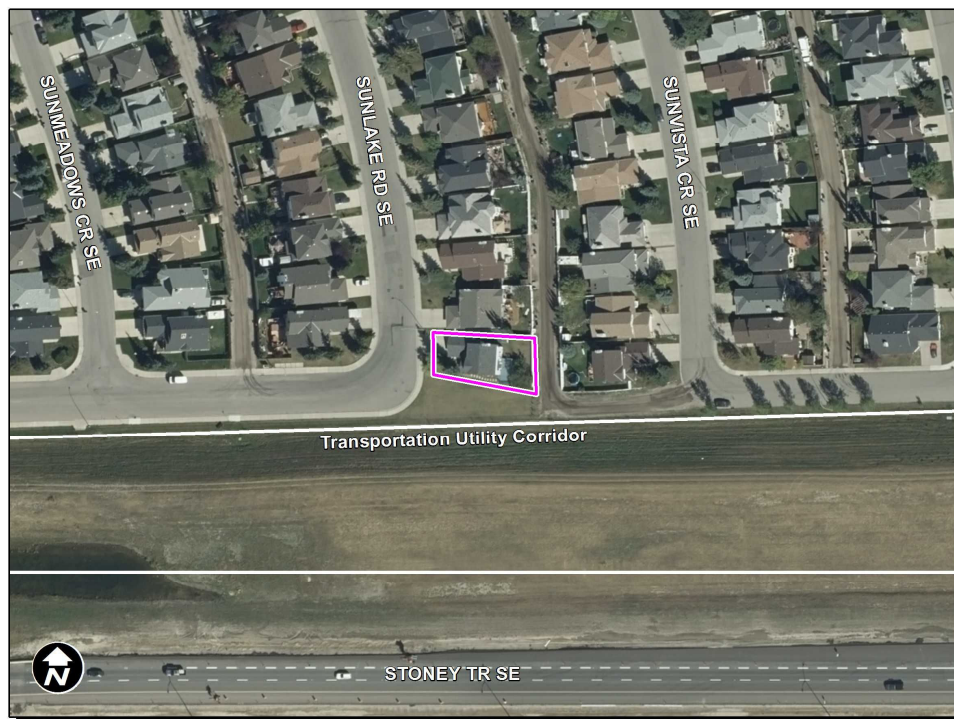
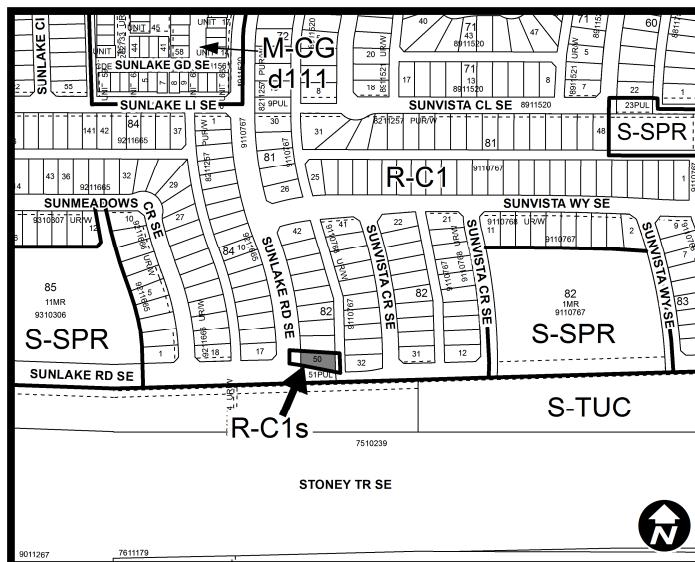
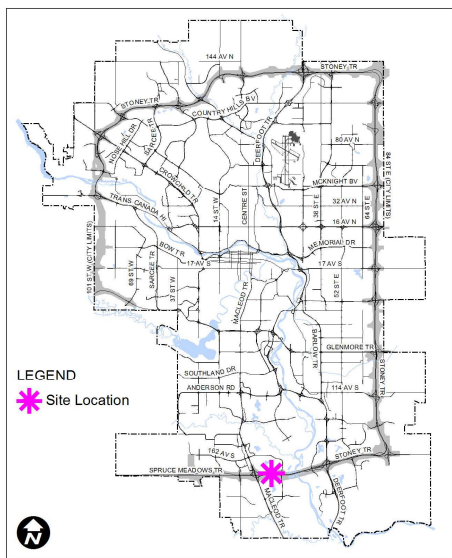
**ATTACHMENT**

1. Proposed Bylaw 118D2014.

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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 0.05 hectares  $\pm$  (0.12 acres  $\pm$ ) located at 104 Sunlake Road SE (Plan 9110767, Block 82, Lot 50) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

**Moved by: J. Gondek**

**Carried: 7 – 1**

Opposed: S. Keating

Reason for Approval from Ms. Gondek:

- The citizen comment on page 7 of 9 that makes reference to “a variety of housing choices” is not accurate. The community profile indicates 91% of the community is single detached dwellings. Further, of those households that rent accommodations in this community, 56% are spending over the 30% of their income on housing.
- Options like secondary suites are needed for variety and affordability in this community.

Reasons for Approval from Ms. Wade:

- Provides an affordable housing rental option in their neighbourhood which is predominately single family housing.
- Supportive on rental housing option within established communities and the ability to provide mortgage helper for young families, wishing to purchase, along with the option to house elderly family member.

Reasons for Opposition from Cllr. Keating:

- Lack of matrix for evaluation
- No Community Association letter
- Nine letters of opposition, no idea where they live, need to identify proximity to application.

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**Applicant:**

Mervin Braet

**Landowner:**

Mervin Braet  
Merisha Angeloi Braet

Planning Evaluation Content	Issue	Page
<b>Density</b> <i>Is a <b>density increase</b> being proposed.</i>	No	5
<b>Land Use Districts</b> <i>Are the changes being proposed <b>housekeeping</b> or <b>simple bylaw amendment</b>.</i>	Yes	5
<b>Legislation and Policy</b> <i>Does the application comply with policy direction and legislation.</i>	Yes	5
<b>Transportation Networks</b> <i>Do different or specific <b>mobility considerations</b> impact this site</i>	No	6
<b>Utilities &amp; Servicing</b> <i>Is the site in an area under <b>current servicing</b> review and/or has <b>major infrastructure</b> (water, sewer, storm and emergency response) concerns.</i>	No	6
<b>Environmental Issues</b> <i>Other considerations eg. sour gas or contaminated sites</i>	No	6
<b>Public Engagement</b> <i>Were <b>major comments</b> received from the circulation</i>	Yes	7

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**PLANNING EVALUATION**

**SITE CONTEXT**

Located in a low density residential R-C1 setting in the community of Sundance, the parcel is an irregularly shaped lot that is slightly less than 15 metres wide by 32 metres deep and is developed with a single detached dwelling and attached front drive double car garage accessed from Sunlake Road SE.

**LAND USE DISTRICTS**

The proposed 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 two additional discretionary uses (Secondary Suite – Detached Garage and Secondary Suite – Detached Garden). Council's potential approval of this land use 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.

**Site Specific Considerations**

The subject site does not meet the minimum R-C1s parcel dimensions required for a Secondary Suite. The minimum parcel width for a parcel designated R-C1s is 15.0 metres (APPENDIX II); however, the subject parcel has a width of 14.9 metres. As a result, relaxations of the Land Use Bylaw 1P2007 may be required at the development permit stage.

The parcel is large enough to accommodate:

- A Single Detached Dwelling with a Secondary Suite; and
- A total of two on-site motor vehicle parking stalls in the attached front drive double car garage (one stall for the single detached dwelling unit and one stall for the secondary suite).

**LEGISLATION & POLICY**

**Municipal Development Plan (statutory - 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: Developed Residential Areas, Neighbourhood Infill and Redevelopment and Housing Diversity and Choice policies.

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More specifically, the Developed Residential Area policies of the MDP support the retention of housing stock, or moderate intensification in a form and nature that respects the scale and character of the neighborhood.

Neighbourhood Infill and Redevelopment policies of the MDP generally encourage higher residential densities and redevelopment that is similar in scale and that increases the mix of housing choices, including accessory suites.

In addition, the Housing Diversity and Choice policies of the MDP encourage an adaptation of the city's existing housing stock in order to allow for families to remain in the same homes for longer time period. Some strategies may include, but are not limited to, allowing accessory units in low density areas.

Revised Midnapore Phase 2 Area Structure Plan (statutory – 1991)

The Area Structure Plan is silent on the matter of secondary suites.

## **TRANSPORTATION NETWORKS**

Pedestrian and vehicular access to the site is available from Sunlake Road SE as well as a potential access from the existing rear lane (APPENDIX I).

The area is served by Calgary Transit bus service within 15 metre walking distance of the site on Sunlake Road SE.

The site is of a sufficient size to accommodate the minimum motor vehicle parking requirements. The site already includes an attached front drive double car garage and therefore, has the ability to meet the minimum parking requirements of Land Use Bylaw 1P2007 should a development permit for a secondary suite be submitted in the future.

On-street parking adjacent to and in the vicinity of the site is unregulated and available for public use.

## **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 also be required depending on the type of secondary suite proposed, with this aspect being determined at the development permit stage.

## **ENVIRONMENTAL ISSUES**

An Environmental Site Assessment was not required.

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**PUBLIC ENGAGEMENT**

**Community Association Comments**

No comments received by CPC Report submission date.

**Citizen Comments**

Administration received nine letters in opposition to the application. The reasons for opposition can be summarized as follows:

- Area was not zoned for secondary suites and the application sets a precedent in the area;
- Will change the character of the area and decrease the value of adjacent homes;
- Application does not meet the development controls registered by the Sundance Lake Residents Association;
- Application was not circulated to all land owners along the laneway and street;
- Secondary suites are not required as there are already a variety of housing choices in the area and existing problems due to rental properties;
- Basement is too small to accommodate a family;
- Will bring multiple tenants who have no obligation to maintain the property;
- Current users of the parcel do not abide by the Noise and Responsible Pet Ownership Bylaws and do not maintain the property;
- Property was a former illegal drug operation;
- Proposed parking pad in the rear of the property causes a number of concerns including: increased traffic, accidents, noise and dust in the laneway, snow conditions in winter months making the lane impassable, and reduced availability of amenity space on the property;
- Accidents on Sunlake Road SE will increase, current parking issues on Sunlake Road SE will worsen and parking may not be possible at certain times of the year as Sunlake Road SE is a snow route;
- Increase in traffic is contrary to traffic calming measures elsewhere in the neighbourhood; and,
- Tenants will not use transit and the LRT system is over capacity.

**Public Meetings**

No meetings were held by the applicant or Administration.

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**APPENDIX I**

**APPLICANT'S SUBMISSION**

I Mervin Braet, of 104 Sunlake Rd wish to make a case that this property is highly suitable for a secondary suite.

- It is situated on a city bus route that will take you directly to the C-Train.
- Is 1.2 km's to Sundance Elementary School, 1.7 km's to Father James Whelihan High School, 1.8 km's to Midsun Junior High School, 2.1 km's to a Walk in Medical Clinic and 3 km's to Shawnessy Shopping Centre.
- The suite will have its own double driveway of the back alley, with lots more parking on frontage road.



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**APPENDIX II**

**PARCEL WIDTH REQUIREMENTS – TABLE 1**

	<b>Secondary Suite (basement)</b>	<b>Secondary Suite – Detached Garage</b>	<b>Secondary Suite – Detached Garden</b>
<b>R-C1s</b>	15 m	15 m	15 m
<b>R-1s</b>	11 m	13 m	13 m
<b>R-C1N</b>	9 m	13 m	13 m
<b>R-1N</b>	9 m	13 m	13 m
<b>R-C2</b>	9 m	13 m	13 m