

**LAND USE AMENDMENT
SIGNAL HILL (WARD 6)
17 AVENUE SW AND SIROCCO DRIVE SW
BYLAW 86D2014**

MAP 11W

EXECUTIVE SUMMARY

This land use application seeks a redesignation of the subject site from Residential – Contextual One Dwelling (R-C1) District to Direct Control (DC) District to accommodate the additional use of Child Care Service.

PREVIOUS COUNCIL DIRECTION

None

ADMINISTRATION RECOMMENDATION(S)

2014 July 17

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 86D2014; and

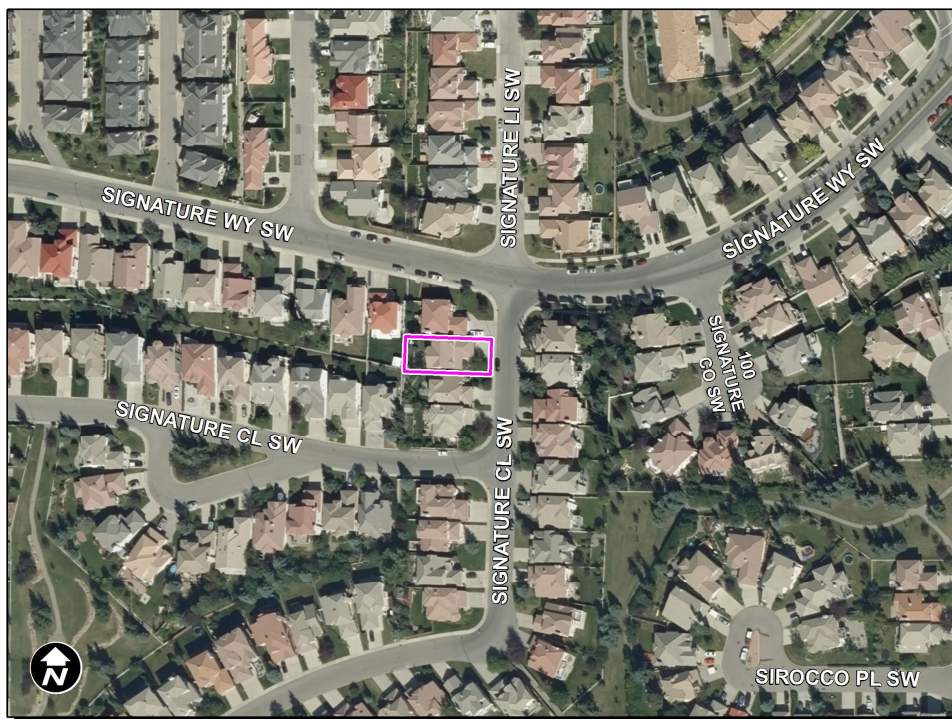
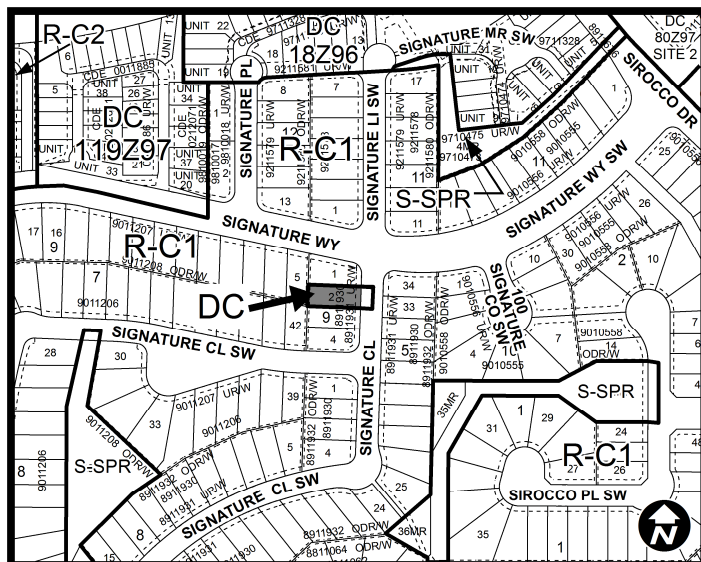
1. **ADOPT** the proposed redesignation of 0.05 hectares \pm (0.12 acres \pm) located at 9 Signature Close SW (Plan 8911930, Block 9, Lot 2) from Residential – Contextual One Dwelling (R-C1) District to DC Direct Control District to accommodate child care service, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 86D2014.

REASON(S) FOR RECOMMENDATION:

The proposed land use redesignation is in line with policies contained within the Municipal Development Plan. The redesignation contributes to create a complete community where services can be obtained within one's home community. Additionally, the application generally meets criteria identified in the Child Care Service Policy and Development Guidelines.

ATTACHMENT

1. Proposed Bylaw 86D2014
2. **Public Submission(s)**

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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.05 hectares \pm (0.12 acres \pm) located at 9 Signature Close SW (Plan 8911930, Block 9, Lot 2) from Residential – Contextual One Dwelling (R-C1) District to DC Direct Control District to accommodate child care service with guidelines (APPENDIX II).

Moved by: M. Wade

Carried: 4 – 3

Opposed: R. Wright, M. Logan
and R. Honsberger

Reasons for Opposition from Mr. Logan:

- Inconsistent with the criteria outlined for sensitive introduction of child care dedicated use:
 - Not on a collector.
 - Parking unlikely to be on-site, staff will be in that area. More likely pick-up and drop-off on street, blocking driveways.
 - Not a corner site.
 - Not in close proximity to outdoor play space.
 - Limited rear yard play space due to site grades.

Reasons for Opposition from Mr. Wright:

- The nature of the street and the ability to park is very limited. The number of children and associated drop-off is too intense for the site. This no longer performs as a residential use.

Comments from Ms. Wade:

- In order to understand demand for the child care facility, it would be helpful to identify on a map. The nearest facilities and some analysis of supply/demand to determine need for their facility, ie: number of children seeking child care.
- It is important to understand the social economic context of specific use land use redesignation to meet community needs.

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Applicant:

Anita Mazhar

Landowner:

Irfan Mazhar
Anita Mazhar

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 recommendation create capital budget impacts or concerns.</i>	No	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 and storm) concern</i>	No	6
Environmental Issues <i>Other considerations eg. sour gas or contaminated sites</i>	No	6
Growth Management <i>Does this site have the appropriate growth management direction.</i>	Yes	6
Public Engagement <i>Were major comments received from the circulation</i>	No	7

*Issue - Yes, No or Resolved

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PLANNING EVALUATION

SITE CONTEXT

The subject site is located within the Signal Hill community along Signature Close SW and within one parcel of Signature Way SW. The subject site is currently developed with a single detached dwelling with a double front drive garage. No rear lane exists on this property and the rear yard slopes upwards to the west.

LAND USE DISTRICTS

This land use application seeks a redesignation of the subject site from Residential – Contextual One Dwelling (R-C1) District to Direct Control (DC) District based on the R-C1 District with the addition of Child Care Service as a discretionary use.

The proposed land use district is a DC Direct Control District. The Child Care Service and Development Guidelines provide two different options both designed to accommodate Child Care Service in low density residential areas.

“An application for a land use redesignation for a child care service in a low density residential area where a residential use will be maintained on the parcel, in conjunction with the child care service, should be designated as a DC - Direct Control District. Where there will be no dwelling unit on the parcel, the S-CI - Special Purpose – Community Institution district should be considered as an appropriate land use district.”

Although Administration generally discourages the use of Direct Control Districts and the intent of this application is to establish a child care service without the presence of a dwelling unit, the use of a Direct Control District is in this case appropriate considering the site is located in a primarily low density residential area. Should the operation of the facility cease again, the proposed DC, unlike the S-CI district, would allow the subject site to be reused for residential or other R-C1 uses compatible with the adjacent area.

The proposed DC Direct Control District is based on the rules of the R-C1 low density residential district with the additional discretionary use of Child Care Service. No additional rules are included.

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LEGISLATION & POLICY

Municipal Development Plan (MDP)

The subject property is identified by the MDP as Residential Developed Established Area.

The MDP contains a number of sections that encourage quality living environment while providing for vibrant public spaces, parks, and other local amenities.

Creating Great Communities section of the MDP states the following:

“Recognize child care service as an integral part of the ‘complete communities’ and accommodate these services as appropriate within residential communities and workplace context.”

Child Care Service and Development Guidelines

In June of 2009, Council adopted the Child Care Service and Development Guidelines (M2009-009) and subsequently aligned the Land Use Bylaw 1P2007 with the newly revised Provincial Child Care Licensing Act.

The Child Care Service and Development Guidelines provide for development of accessible child care services of different sizes in a variety of land use districts as well as providing site selection criteria and guidelines for low density residential areas.

The site selection criteria encourage the following:

- Locations on collector streets.
- Proximity to activity area (e.g. school site, park).
- Adequate on-site outdoor space dedicated for a play area.
- Sufficient on-site parking.
- Corner sites.

The subject site is not located directly on a collector street, although it is within one parcel distance of Signature Way SW and the intent of the criteria to efficiently provide for pickup and drop-off area can be accommodated without negatively impacting the community. The site is located within 250 metres of a significant open space and school site and can accommodate on-site outdoor space. The site has a double attached garage with double driveway to accommodate parking 4 vehicles. The subject site is not a corner parcel.

TRANSPORTATION NETWORKS

A Traffic Impact Assessment was not required as part of the land use redesignation application.

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UTILITIES & SERVICING

All required servicing is available for the proposed land use.

ENVIRONMENTAL ISSUES

An Environmental Site Assessment was not required for this application.

ENVIRONMENTAL SUSTAINABILITY

Not applicable

GROWTH MANAGEMENT

This land use amendment 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

A letter stating no concerns with the proposal was submitted by the Signal Hill Community Association.

Citizen Comments

Six letters of opposition were received from community members. The concerns highlighted in these letters include:

- Increased traffic
- Low availability of parking
- Perceived drop in land value
- Increased noise
- Concerns the parcel is not large enough for a child care service

Public Meetings

No public meetings were held for this application.

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APPENDIX I

APPLICANT'S SUBMISSION

We would like to establish a daycare facility at our residential property at 9 Signature Close SW.

Having lived in this house for 6 years, we found this area lacking in child care facilities. With our love for children and education we wish to transform this property to provide safe, stimulating, high quality educational childcare facility that would greatly benefit this residential community and the surrounding subdivisions.

We have evaluated that this part of the city is in need of more high quality childcare facilities. The family demographics have changed in this area with more families with younger children have moved into the new communities/subdivisions in this area. The present childcare facilities in this area are not fulfilling the required need.

9 Signature Close SW is an ideal location for such an endeavour, as it is on a quiet street with close access to the main arteries to go downtown, and either to the north quadrant or the further south. It will give parents the flexibility of dropping their children off at a high quality daycare in a suburb with very close proximity to the downtown hub. It is a much needed facility for all the new south west sub-divisions above Signature Park/Signal Hill, such as Aspen Woods, Discovery Ridge, Cougar Ridge, Springborough, Wentworth, West Springs, Springbank Hill, and as well as the established communities of Strathcona, Christie Park and Coach Hill and many more inner city communities. This location gives parents easy access to the LRT, providing the parents public transportation option.

The Facility will be run from 7:00-am – 6:30 pm. It will accommodate 10-15 children. With the LRT close by, many parents will not need their cars for pick up and drop off. Parking will not be limited Signature Close, as Signature Way and Sirrocco and other adjacent streets would aid with parking. Parking will be various times, depending on parents timing, so there will not be an influx of cars all at the same time. As well the parking would be limited to 10-15 minutes so parking would not be occupied by parents for lengthy periods of time. The facility will be closed on weekends and major holidays. Signature Close being a less travelled street, will not be burdened by a few more cars. The facility will be tastefully, and subtly marketed and will keep the integrity of the street and uphold the higher standards of the locality. Being a childcare facility it will uphold the standard of the area. The landscaping in the front and back will remain intact, again upholding the standards of the locality. The childcare facility will help the community with providing high quality childcare services in an area with a deficit of good childcare facilities in close proximity to the neighbourhood. The childcare facility will be an asset to the community.

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APPENDIX II

PROPOSED DIRECT CONTROL GUIDELINES

Purpose

- 1 This Direct Control District is intended to provide for:
 - (a) the additional **use** of **Child Care Service** in a low density residential district;
 - (b) the ability to return the site to low density residential use.

Compliance with Bylaw 1P2007

- 2 Unless otherwise specified, the rules and provisions of Parts 1, 2, 3, 4 of Bylaw 1P2007 apply to this Direct Control District.

Reference to Bylaw 1P2007

- 3 Within this Direct Control District, a reference to a section of Bylaw 1P2007 is deemed to be a reference to the section as amended from time to time.

Permitted Uses

- 4 The **permitted uses** of the Residential – Contextual One Dwelling (R-C1) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

- 5 The **discretionary uses** of the Residential – Contextual One Dwelling (R-C1) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District with the addition of:
 - (a) **Child Care Service**

Bylaw 1P2007 District Rules

- 6 Unless otherwise specified, the rules of the Residential – Contextual One Dwelling (R-C1) District of Bylaw 1P2007 apply in this Direct Control District.

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APPENDIX III

LETTERS SUBMITTED

Hi Brad,

The Signal Hill Community Association has no concerns regarding the proposed land use amendment to a Direct Control district on the property at 9 Signature Cl SW to accommodate child care services.

Regards,
Shawna Waller