

LAND USE AMENDMENT
ACADIA (WARD 11)
SOUTH OF 94 AVENUE SE ON 3 STREET SE
BYLAW 376D2017

Item # 8.1.7

MAP 22S

EXECUTIVE SUMMARY

This land use amendment application seeks to redesignate a single residential parcel from a Residential – Contextual One Dwelling (R-C1) District to a Residential – Contextual One Dwelling (R-C1s) District to allow for either a Secondary Suite or a Backyard Suite as an additional use. The site contains an existing single detached dwelling. To Administration's knowledge there is not an existing suite located on the parcel 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'S RECOMMENDATION

2017 October 19

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 376D2017; and

1. **ADOPT** the proposed redesignation of 0.05 hectares \pm (0.11 acres \pm) located at 9515 - 3 Street SE (Plan 577JK, Block 45; Lot44) 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 376D2017.

REASON(S) FOR RECOMMENDATION:

The proposed R-C1s district, which allows for one of two forms of secondary suite uses (Secondary Suite or Backyard Suite), is compatible with and complementary to the established character of the community. The proposal conforms to relevant policies of the Municipal Development Plan and will allow for development that has the ability to meet the intent of Land Use Bylaw 1P2007.

ATTACHMENT

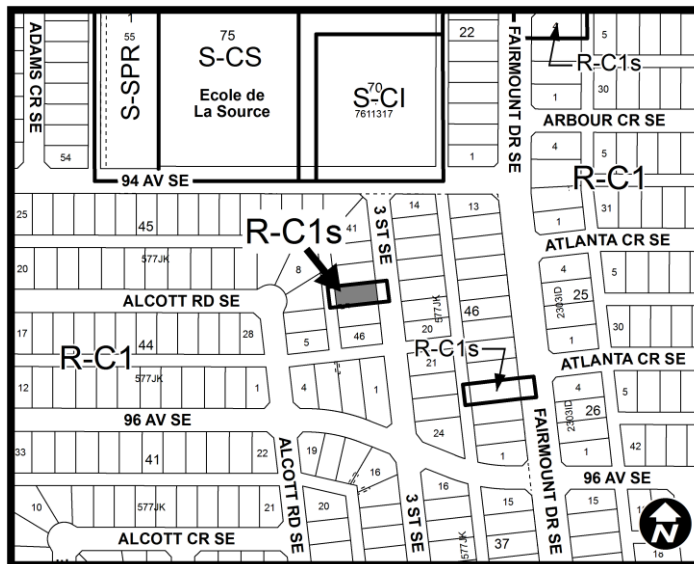
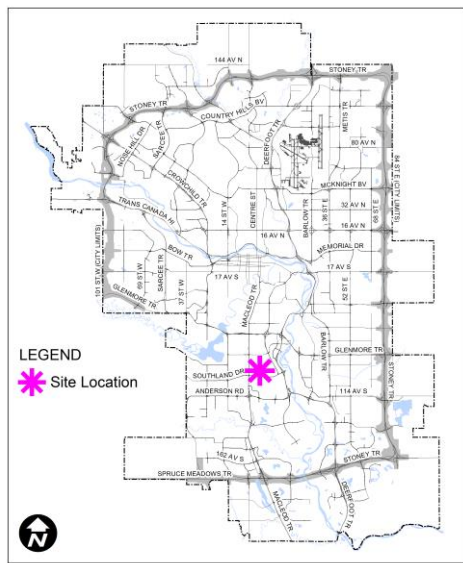
1. Proposed Bylaw 376D2017
2. Public Submission

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LOCATION MAPS



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ADMINISTRATION'S RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.05 hectares \pm (0.11 acres \pm) located at 9515 - 3 Street SE (Plan 577JK, Block 45; Lot44) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: S. Keating

Carried: 9 – 0

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Applicant:

Bill Muskovitch

Landowner:

Bill Muskovitch
Audrey Muskovitch

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Acadia, the site is approximately 15 metres by 30 metres in size and is developed with a one storey single detached dwelling and a detached two car garage that is accessed from the rear lane and a single car parking pad that is accessed from 3 Street SE. Single detached dwellings exist to the north, east, south, and west of the site.

According to data from the City of Calgary's 2017 Civic Census, the following table identifies Acadia peak population and current population and the population amount and percentage difference between the peak and current populations.

Acadia	
Peak Population Year	1999
Peak Population	13,589
2017 Current Population	10,660
Difference in Population (Number)	-2,929
Difference in Population (Percent)	-22%

LAND USE DISTRICTS

The proposed R-C1s district allows for an additional dwelling unit (either a permitted use Secondary Suite or a discretionary use Backyard Suite) on parcels that contain a single detached dwelling.

Approval of this land use application allows for an additional dwelling unit (either a Secondary Suite or Backyard Suite) to be considered via the development permit process. A development permit is not required if a Secondary Suite conforms to all Land Use Bylaw 1P2007 rules – only a building permit would be required.

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LEGISLATION & POLICY

South Saskatchewan Regional Plan (2014)

The site is located within the “City, Town” area as identified on Schedule C: South Saskatchewan Regional Plan Map in the *South Saskatchewan Regional Plan* (SSRP). The SSRP makes no specific reference to this site. The land use proposal is consistent with the SSRP policies including the Land Use Patterns policies (subsection 8.14).

Municipal Development Plan (2009)

The site is located within a “Residential Developed – Established Area” on the Urban Structure Map (Map 1) in the *Municipal Development Plan* (MDP). While the MDP makes no specific reference to this site. This land use proposal is consistent with MDP policies including the Developed Residential Areas policies (subsection 3.5.1), the Neighbourhood Infill and Redevelopment policies (subsection 2.2.5) and the Housing Diversity and Choice policies (subsection 2.3.1).

There is no local area plan.

TRANSPORTATION NETWORKS

Pedestrian and vehicular access to the site is available from 3 Street SE and the rear lane. The area is served by Calgary Transit bus service with a bus stop location within approximately 350 metre walking distance of the site on Fairmount Drive SE. On-street parking adjacent to the site is regulated through the Calgary Parking Authority’s residential parking permit system.

UTILITIES & SERVICING

Water and sanitary 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 if a Backyard Suite is proposed at the development permit stage.

ENVIRONMENTAL ISSUES

An Environmental Site Assessment was not required.

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. The proposal is in alignment with MDP references associated with growth management matters.

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PUBLIC ENGAGEMENT

Community Association Comments

Administration received a letter in support of the application from the Acadia Community Association (APPENDIX II).

Citizen Comments

Administration received two letters in opposition to the application from nearby residents.

Reasons stated for opposition are summarized as follows:

- Parking;
- Absentee landlords;
- Property values;
- Neighbourhood safety; and
- Ongoing building maintenance.

Public Meetings

No public meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

Reasons to approve the application for a secondary suite at 9515 3rd Street SE Calgary.

There are many benefits to legal secondary suites; they are affordable, in family friendly neighbourhoods, sustainable and most importantly are built to code.

Acadia is a wonderful part of the city. It has schools, fitness facilities, walkable shopping, easy access to bus and LRT. In fact it has been voted one of the best communities in the city. My home in Acadia is well suited for a one bedroom secondary suite. It has a detached double garage and a front driveway so street parking will not be an issue. The lot is large, well fenced so my neighbours privacy will be maintained. These good neighbour amenities are just some of the reasons which make this an excellent location for a secondary suite.

A home is a major investment. In these economic times, help paying a mortgage is of great importance. Having a legal basement suite will give me extra cash in my pocket to invest in my business (I am a small business owner). But the main reason I wish to have this suite approved is that it will be legal and built to code – safe for myself and for my neighbours.

Safety and comfort for my tenants is key. Once it has been deemed legal, the person there can enjoy having a back yard rather than a small balcony, having a pet and know that their landlord values their safety. As for my neighbours, they too will know that the home will be safe.

Being a landlord comes with responsibility, one that will be taken seriously and with respect to my tenants, neighbours and community. As stated, a home is a major investment so it will be well maintained.

Thank you for your consideration of this application.

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APPENDIX II

COMMUNITY ASSOCIATION COMMENTS



Acadia Community Association
HOME OF THE ACADIA RECREATION COMPLEX

Planning and Development
City of Calgary
% Ian Bamford

August 26th, 2017

Re: LOC2017-0227

The Acadia Community Association would like to offer its support to the application for re-designation from R-C1 to R-C1s at 9812 Austin RD. SE.

We greatly value the ability of young families to make Acadia their home, and add vibrancy to our social fabric with a diversity of living options. As Calgary continues to add to its population, we view Secondary Suites as a mechanism by which density can be added to our community while preserving the character of our neighbourhood. As the Wyldewood Estates is developed in future years, the addition of light density in the adjoining blocks will help to ease the transition to the towers.

Our location between two major corridors, and proximity to the primary transit network make Acadia an ideal area for the addition of suites from a transportation perspective. Suites also create a stepping-stone for potential long-term residents, as we have a number of medium-density parcels and a number of single-family dwellings, which tend to present a large financial jump for tenants. We feel our community would be served well by this addition to our built environment.

Kim Warnke,
Planning Committee Chair
On behalf of the Acadia Community Association
planning@acadiaca.com

APPENDIX III

IMPORTANT TERMS

While there are specific Land Use Bylaw 1P2007 definitions and development rules for Secondary Suite and Backyard Suite uses, the following information is provided to simplify and enhance general understanding of these two different uses (Secondary Suite or Backyard Suite).

Important terms

Secondary suite: A self-contained dwelling unit within the main residence that has separate living, cooking, sleeping and bathroom facilities. These are commonly referred to as basement suites or in-law suites.



Backyard suite: A self-contained dwelling unit in a detached building that has separate living, cooking, sleeping and bathroom facilities. These are commonly referred to as garage suites, garden suites, or laneway homes.

