

**LAND USE AMENDMENT  
MARLBOROUGH (WARD 10)  
44 STREET NE AND MEMORIAL DRIVE E  
BYLAW 316D2017**

**MAP 22E**

**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 an existing suite located on the parcel and the application was 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)**

2017 August 10

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 316D2017; and

1. **ADOPT** the proposed redesignation of 0.05 hectares ± (0.12 acres ±) located at 4635 Marwood Way NE (Plan 6689JK, Block 5, Lot 39) 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 316D2017.

**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.

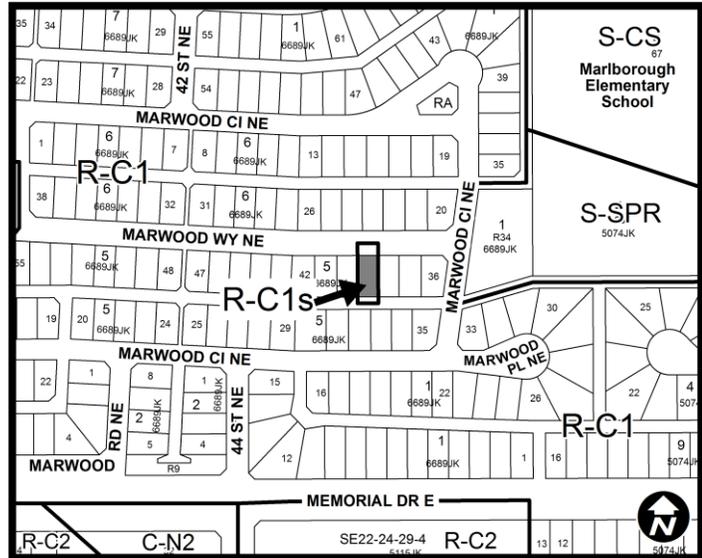
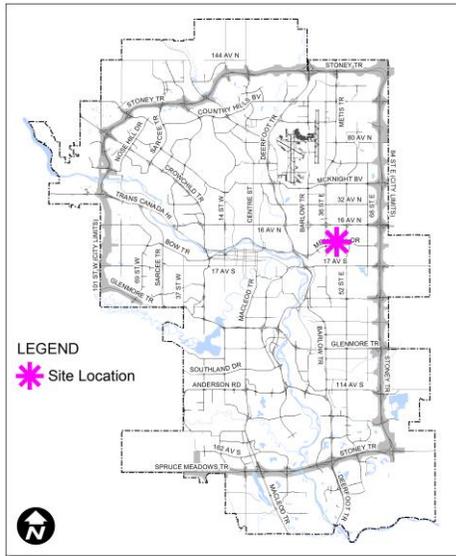
**ATTACHMENT**

1. Proposed Bylaw 316D2017
2. Public Submission

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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 4635 Marwood Way NE (Plan 6689JK, Block 5, Lot 39) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

**Moved by: L. Juan**

**Carried: 7 – 0**

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**Applicant:**

Fern Maas

**Landowner:**

Fern Maas  
Stacia Maas

**PLANNING EVALUATION**

**SITE CONTEXT**

Located in a low density residential R-C1 setting in the community of Marlborough, the site is approximately 15.0 metres by 30.0 metres in size and is developed with a single-storey single detached dwelling with an existing suite. A detached two-car garage is accessed from the rear lane. Single detached residential houses exist to the north, east, south, and west of the site with Marlborough Elementary School and playfields located approximately 150 metres to the northeast.

According to data from The City of Calgary 2016 Census, the following table identifies Marlborough peak population and year, current population and the population amount and percentage difference between the peak and current populations if any.

<b>Marlborough</b>	
Peak Population Year	1982
Peak Population	10,025
2016 Current Population	8,784
Difference in Population (Number)	-1,241
Difference in Population (Percent)	-12.4%

**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 Marwood Way NE and the rear lane. The area is served by Calgary Transit bus service with a bus stop location within approximately 200 metres walking distance of the site on Memorial Drive East. On-street parking adjacent to the site is not regulated by the Calgary Parking Authority’s residential parking permit system.

## **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 if a Backyard Suite is proposed at the development permit stage.

## **ENVIRONMENTAL ISSUES**

An Environmental Site Assessment was not required.

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**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.

**PUBLIC ENGAGEMENT**

**Community Association Comments**

Administration did not receive a response from the Marlborough Community Association at the time of writing this report.

**Citizen Comments**

One letter was received in opposition to the proposal. The main concerns of this letter included:

- Parking;
- Previous noise issues at this residence; and
- Negligent care of the property.

**Public Meetings**

No public meetings were held by the Applicant or Administration.

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**APPENDIX I**

**APPLICANT'S SUBMISSION**

Reasoning for secondary suite application

This area is well suited to secondary suites, due to:

- This house has a large 2 car garage, parking for suite tenants will be in garage
- Easy access to public transportation
- Creates affordable housing
- Close to all amenities, walking distance to shopping area, owning vehicle not necessary
- Many secondary suites already exist in the area
- Making this suite legal will ensure safety of tenants

## APPENDIX II

### 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 simply 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.

