

**LAND USE AMENDMENT
MARLBOROUGH (WARD 10)
MARGATE CLOSE NE EAST OF MARLBOROUGH WAY NE
BYLAW 1D2018**

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 not an existing suite located on the parcel and the application was not submitted as a result of a complaint.

The site is located within the Airport Vicinity Protection Area, however, not within a Noise Exposure Forecast Contour.

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 November 02

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 1D2018; and

1. **ADOPT** the proposed redesignation of 0.04 hectares ± (0.09 acres ±) located at 243 Margate Close NE (Plan 312LK, Block 26, Lot 49) 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 1D2018.

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.

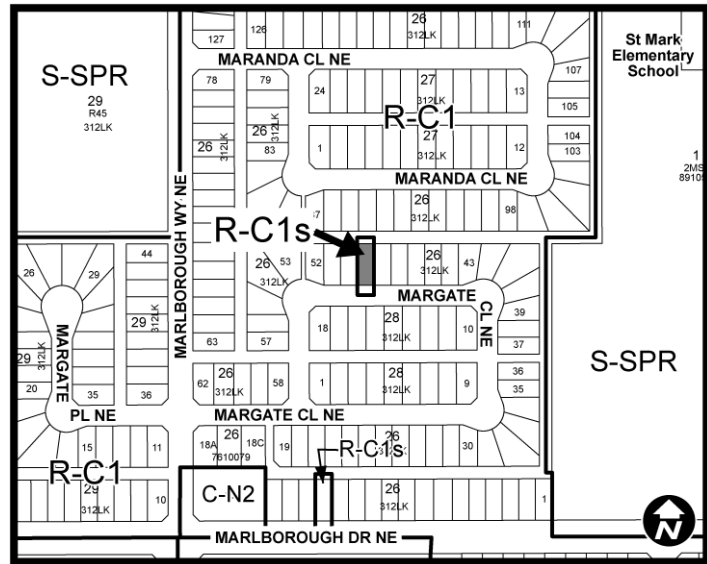
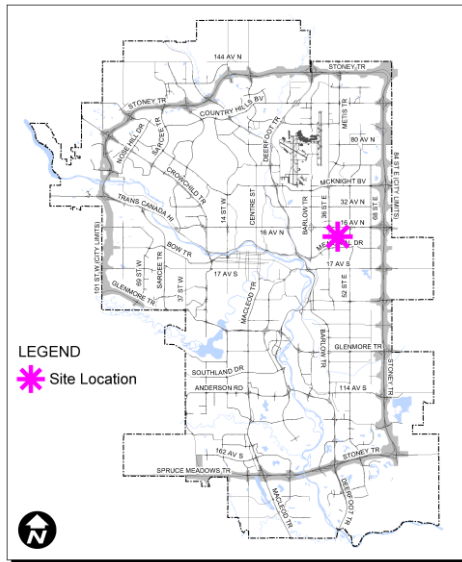
ATTACHMENT

1. Proposed Bylaw 1D2018
2. Public Submission

LAND USE AMENDMENT
MARLBOROUGH (WARD 10)
MARGATE CLOSE NE EAST OF MARLBOROUGH WAY NE
BYLAW 1D2018

MAP 22E

LOCATION MAPS



LAND USE AMENDMENT
MARLBOROUGH (WARD 10)
MARGATE CLOSE NE EAST OF MARLBOROUGH WAY NE
BYLAW 1D2018

MAP 22E

ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.04 hectares ± (0.09 acres ±) located at 243 Margate Close NE (Plan 312LK, Block 26, Lot 49) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: A. Palmiere

Carried: 7 – 0

LAND USE AMENDMENT
MARLBOROUGH (WARD 10)
MARGATE CLOSE NE EAST OF MARLBOROUGH WAY NE
BYLAW 1D2018

MAP 22E

Applicant:

Daniel Warman

Landowner:

Daniel Warman
Melody Charman

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Marlborough, the site is approximately 12 metres by 31 metres in size and is developed with a one-storey single detached dwelling, a two-car parking pad that is accessed from the rear lane. Low-density residential exist to the north, east, south, and west of the site. The parcel is in close proximity to two schools and a park space containing play fields.

According to data from the City of Calgary’s 2017 Civic Census, the following table identifies Marlborough’s peak population and year, current population and the population amount and percentage difference between the peak and current populations if any.

Marlborough	
Peak Population Year	1982
Peak Population	10,025
2017 Current Population	9,226
Difference in Population (Number)	-799
Difference in Population (Percent)	-8%

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.

LAND USE AMENDMENT
MARLBOROUGH (WARD 10)
MARGATE CLOSE NE EAST OF MARLBOROUGH WAY NE
BYLAW 1D2018

MAP 22E

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 Margate Close NE and the rear lane. The area is served by Calgary Transit primary transit network light rail transit with a light rail transit station location within approximately 700 metre walking distance of the site on 36 Street NE. A bus stop location is within 350 metre walking distance of the site on Marlborough Drive NE. On-street parking adjacent to the site is unregulated through 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.

**LAND USE AMENDMENT
MARLBOROUGH (WARD 10)
MARGATE CLOSE NE EAST OF MARLBOROUGH WAY NE
BYLAW 1D2018**

MAP 22E

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 received a letter in opposition to the application from the Marlborough Community Association (APPENDIX II).

The reasons stated for opposition is that parking, services and community structures are designed around single family dwellings.

Citizen Comments

Administration received 1 (one) letter in opposition to the application.

The reason stated for opposition is the limited availability of street parking within the community.

Public Meetings

No public meetings were held by the Applicant or Administration.

LAND USE AMENDMENT
MARLBOROUGH (WARD 10)
MARGATE CLOSE NE EAST OF MARLBOROUGH WAY NE
BYLAW 1D2018

MAP 22E

APPENDIX I

APPLICANT'S SUBMISSION

Currently at the residence at 243 Margate Close NE there are two people living as tenants. When we purchased the property, the basement was already developed with two bedrooms, bathroom, living area and a wet bar type of kitchen. The two tenants currently share the kitchen appliances in the main floor suite and to better accommodate and improve the living situation for these 2 professionals, we would like to modify the downstairs suite to include a kitchen facility.

Due to space limitations we would like to add a one or two burner induction cooktop and small toaster oven. The space already has a fridge and sink.

The two tenants have already been living at this address for over 2 years and as they both work fairly close by, are expected to stay longer term. Each has only one vehicle and there is ample room for both to park on the concrete pad in the rear of the property with access from the lane.

Both tenants also have animals. As we the owners are animal lovers, we chose to provide a residence that would allow pets, as many landlords in the Calgary area do not allow pets, creating a challenging time for pet owners who need to rent to find a home. Both tenants have also got to know some of the neighbours on the street and are now a part of this small cul de sac community.

We would like to ensure the safety of the residence for the tenants and legalize it so there are no future concerns with the status of the property.

LAND USE AMENDMENT
MARLBOROUGH (WARD 10)
MARGATE CLOSE NE EAST OF MARLBOROUGH WAY NE
BYLAW 1D2018

MAP 22E

APPENDIX II

LETTERS SUBMITTED



THE COMMUNITY ON THE MOVE

CALGARY MARLBOROUGH COMMUNITY ASSOCIATION

636 MARLBOROUGH WAY N.E., CALGARY, ALBERTA T2A 2V6

September 10, 2017

Circulation Control
Planning & Development #8201
PO Box 2100, Stn. M
Calgary, AB T2P 2M5

RE: File # LOC2017-0243
243 Margate CL NE
Calgary Alberta

We recognize the applicant's request and appreciate them going through the proper channels, however the Calgary Marlborough Community Association supports the R-C1 single family zoning for this community. We do not encourage secondary suites as parking, services and community structures are designed around single family dwellings.

Yours truly,

A handwritten signature in blue ink that reads 'Laura Greenwood'.

Laura Greenwood
Calgary Marlborough Community Association

M. Atkinson

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 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.

