

**LAND USE AMENDMENT
ROYAL OAK (WARD 1)
WEST OF ROYAL BIRCH WAY NW ON ROYAL BIRCH
CRESCENT NW
BYLAW 130D2018**

MAP 21NW

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 no existing suite located on the parcel, however 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

2018 February 22

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 130D2018; and

1. **ADOPT** the proposed redesignation of 0.04 hectares ± (0.09 acres ±) located at 101 Royal Birch Crescent NW (Plan 0213482, Block 4, Lot 82) 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 130D2018.

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.

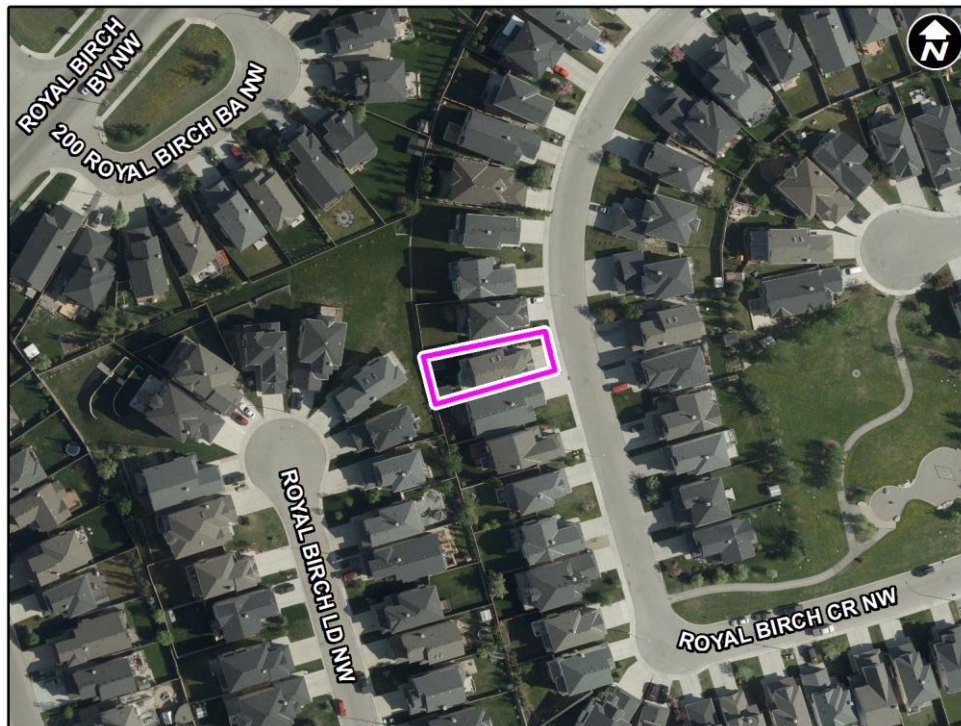
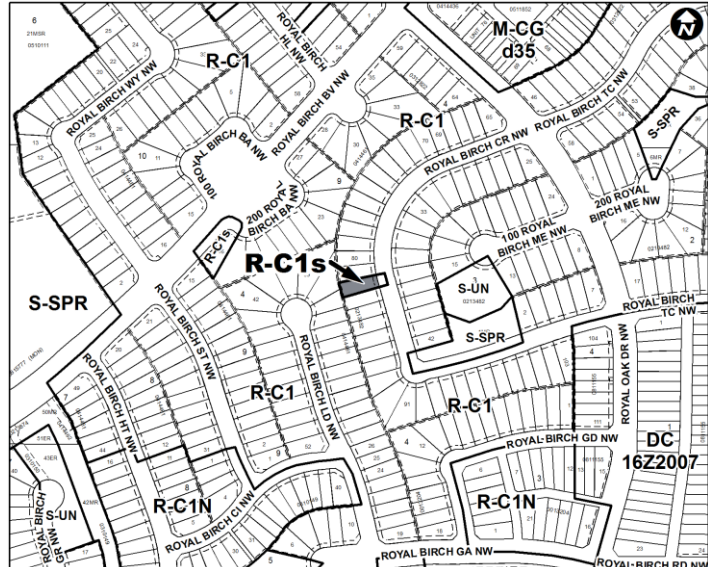
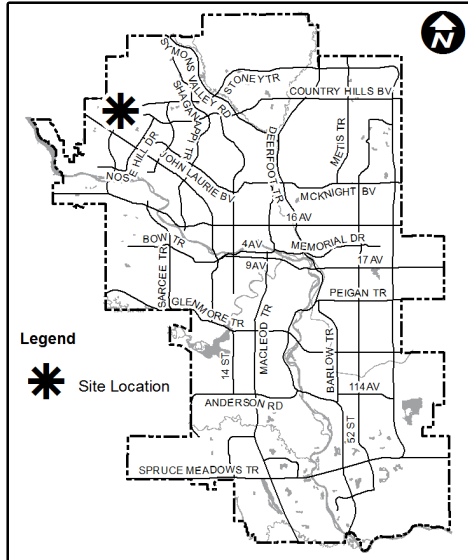
ATTACHMENT

1. Proposed Bylaw 130D2018
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 0.04 hectares ± (0.09 acres ±) located at 101 Royal Birch Crescent NW (Plan 0213482, Block 4, Lot 82) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: J. Scott

Carried: 6 – 0

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Applicant:

Pao Truong

Landowner:

Pao Truong
Lei Zhang

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Royal Oak, the site is approximately 12.0 metres by 33.0 metres in size and is developed with a two-storey single detached dwelling and double-car garage that is accessed from Royal Birch Crescent NW. Single detached dwellings exist to the north, east, south, and west of the site.

According to data from The City of Calgary 2017 census, the following table identifies Royal Oak's peak population and year, current 2017 population and the population amount and percentage difference between the peak and current populations.

Royal Oak	
Peak Population Year	2015
Peak Population	11,749
2017 Current Population	11,682
Difference in Population (Number)	-67
Difference in Population (Percent)	-1%

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).

Rocky View/Calgary Intermunicipal Development Plan (IDP)

The subject site is located within the Rocky View/Calgary Intermunicipal Development Plan (IDP) Policy Area. The Policy Area contains lands immediately adjacent to the shared border. The subject site is not located within any special policy area or key focus area. As per the inter-municipal circulation and referral process, the application was circulated to Rocky View County for comments and no concerns were identified.

Municipal Development Plan (2009)

The site is located within a “Residential Developing, Planned Greenfield with Area Structure Plan (ASP)” area as identified 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 Neighbourhood Infill and Redevelopment policies (subsection 2.2.5) and Housing Diversity and Choice policies (subsection 2.3.1).

Rocky Ridge Area Structure Plan (ASP) (Statutory – 1992)

There is no specific reference to the subject parcel or Secondary Suites in the policy.

TRANSPORTATION NETWORKS

Pedestrian and vehicular access to the site is available from Royal Birch Crescent NW and there is no rear lane. The area is served by Calgary Transit via the transit bus service which is located approximately 250 metres from the site on Royal Oak Drive NW. The Tuscan light rail transit station is located approximately 2.8 kilometres from the site on Crowchild Trail NW. On-street parking adjacent to the site is unregulated.

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.

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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.

PUBLIC ENGAGEMENT

Community Association Comments

The Rocky Ridge/Royal Oak Community Association were circulated; administration received a 'no position' response.

Citizen Comments

Two letters of objection were received by Administration. The following concerns were expressed in response to the proposal:

- Possibility of increased traffic and further lack of on-street parking in the area; and
- Tenants of secondary suites may lack care and consideration for the homes and the neighbourhood.

Public Meetings

No public meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION



Land Use Redesignation Applicant's Submission
Secondary Suites
PL 1264 (R2017-09)

0377

This form is to be filled out by the applicant and provided to The City of Calgary at the time of submission. These comments are included in a report which is presented to the Calgary Planning Commission and a Public Hearing of City Council. Your comments **must** be limited to the area designated on this page to ensure it will fit the space requirements of the report.

- 1) What are the benefits of the redesignation, for you, the surrounding community and the City of Calgary?
The benefits for home owner: It can bring additional revenue.
The benefits for the surrounding community: 1/ It provides affordable and safe housing without affecting neighborhood character.
2/ It increases the independent accommodation options for students, seniors and persons with disabilities.
The benefits for the City of Calgary: 1/ The City can monitor the health and safety condition in the suite.
2/ It provides affordable housing without government assistance.
3/ It helps attract and retain people to live in Calgary.
- 2) Provide information on how you engaged with the neighboring land owners and/or the Community Association?
What was the response?
We attempted to contact the neighbours, however, no one answered the door.
We emailed the community association on Nov 31/2017, and was informed the email was forwarded to appropriate chair, HOA, and the Casades in Royal Oak. We have not heard back from them. Please see the attached printed email.
- 3) Identify how you will provide the required parking for both the primary dwelling and the secondary suite on your parcel?
1/ Our double garage can be shared by the tenants living in the primary dwelling and the secondary suite.
2/ Two extra cars can be parked on the drive way.
3/ In front of our house, there is room to park one car.
4/ There is lots parking space available by the nearby playground with less than one minute walk.
- 4) Are there any potential negative impacts of this development that you are aware of?
No, we are not aware.

NOTE: Applications must be submitted without personal information on any plans. Omitting this information will protect builders and tenants by reducing the risk of any personal information being wrongfully displayed, while also following the Province of Alberta's FOIP Act. If you consider the information to be personal, do not put it on the plans

ISC: Protected

J. Bitar

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.

