

LAND USE AMENDMENT
MARLBOROUGH (WARD 10)
WEST OF 38 STREET NE SOUTH OF 14 AVENUE NE
BYLAW 114D2018

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)

2018 February 08

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 114D2018; and

1. **ADOPT** the proposed redesignation of 0.05 hectares ± (0.12 acres ±) located at 83 Marbank Way NE (Plan 1121LK, Block 2, Lot 14) 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 114D2018.

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.

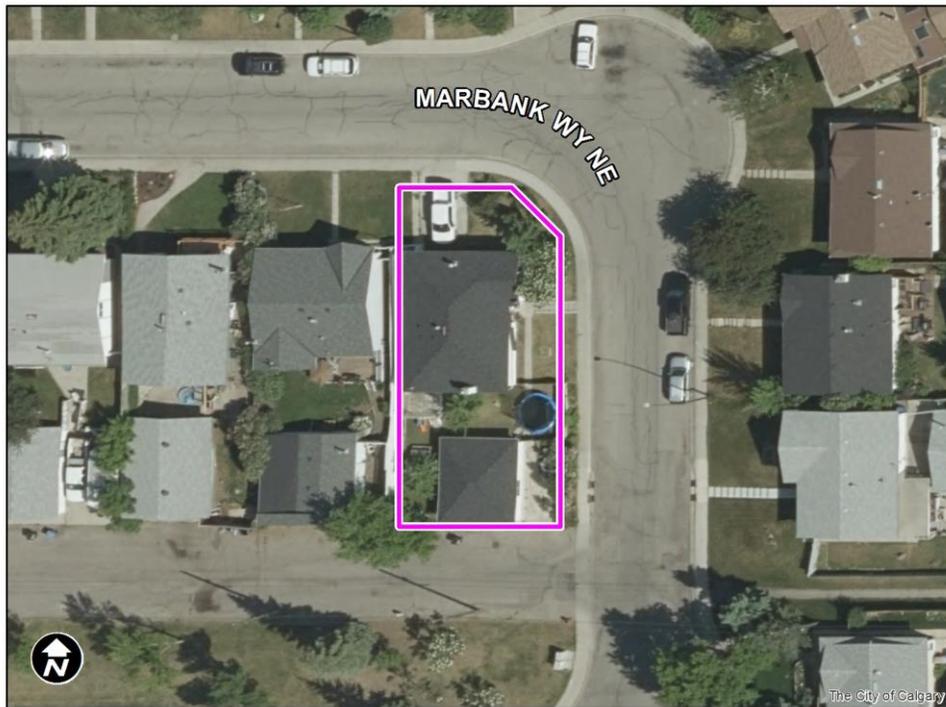
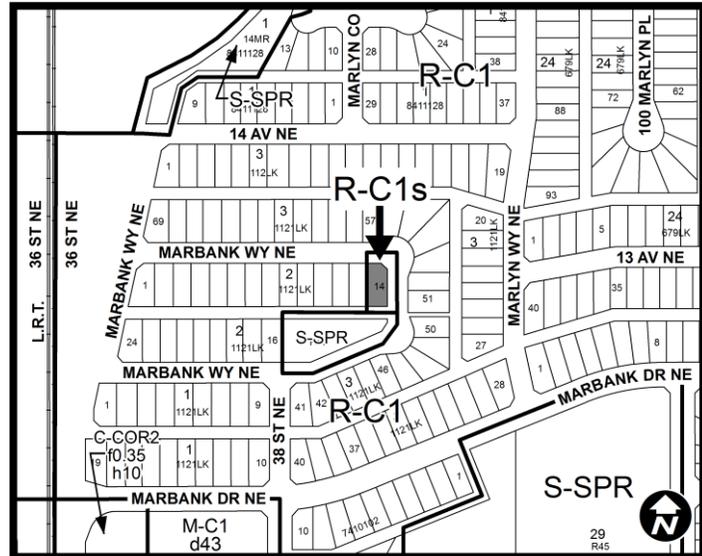
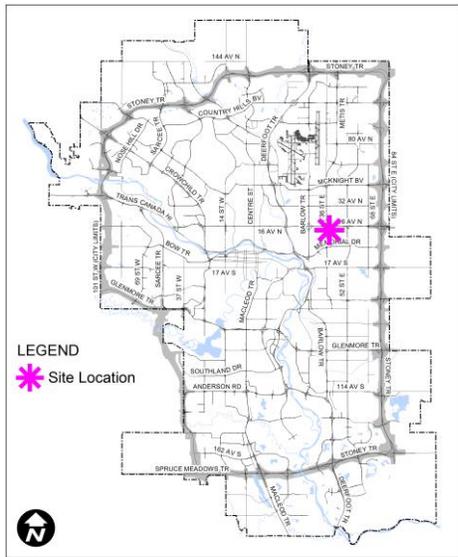
ATTACHMENT

1. Proposed Bylaw 114D2018

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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 83 Marbank Way NE (Plan 1121LK, Block 2, Lot 14) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: L. Juan

Absent: E. Woolley and R. Vanderputten

Carried: 7 – 0

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Applicant:

Jeeban Katuwal

Landowner:

Jagdish Chapagain
Sinura Sharma Chapagain

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Marlborough, the site is a corner parcel approximately 15 metres by 32 metres in size and is developed with a two-storey single detached dwelling with a two-car detached car garage that is accessed from the rear. There is also a one vehicle parking pad accessing Marbank Way NE. Single detached dwellings exist to the north, east and west of the site, while a City park is located immediately to the south.

According to data from The City of Calgary 2017 Census, the following table identifies Marlborough peak population and year, current 2017 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.

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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 for Marlborough.

TRANSPORTATION NETWORKS

Pedestrian and vehicular access to the site is available from Marbank Way NE and the rear lane. The area is served by Calgary Transit bus service with a bus stop location within approximately 450 metre walking distance of the site on Marbank Drive NE. The subject site is further situated within approximately 800 metre walking distance (11 minutes walking time) of the Marlborough LRT Station. 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.

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

Reasons stated for opposition are summarized as follows:

- Parking, services and community structures are designed around single family dwellings only.

Citizen Comments

Administration received three (3) letters in opposition to the application.

Reasons stated for opposition are summarized as follows:

- No firewall exists between the basement and main floor;
- Owner does not live at this dwelling, it would be rented out;
- Lack of available on-street parking;
- Concerns over increased traffic and more cars; and
- Impacts of putting additional structures in the backyard.

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

(R2017-07)

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?

- Generate more income to support family
- more housing facility available for increasing population of city of calgary.

2) Provide information on how you engaged with the neighboring land owners and/or the Community Association? What was the response?

good

3) Identify how you will provide the required parking for both the primary dwelling and the secondary suite on your parcel?

there is two car garage, two front parking spaces and one open space in side the property

4) Are there any potential negative impacts of this development that you are aware of?

NO

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.

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APPENDIX II

LETTERS SUBMITTED



THE COMMUNITY ON THE MOVE

CALGARY MARLBOROUGH COMMUNITY ASSOCIATION

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

November 16, 2017

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

RE: File # LOC2017-0333
83 Marbank Way NE
Calgary AB

We recognize the 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, appearing to read 'Laura Greenwood', is written over a faint, larger version of the CMCA logo.

Laura Greenwood
Calgary Marlborough Community Association

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.

