

**LAND USE AMENDMENT
MONTGOMERY (WARD 7)
SOUTH OF MONTANA CRESCENT NW
BYLAW 65D2018**

MAP 25W

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 on the same parcel as a single detached dwelling. The site contains an existing single detached dwelling with a detached double garage. 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 RECOMMENDATION(S)

2017 December 14

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 65D2018; and

1. **ADOPT** the proposed redesignation of 0.07 hectares ± (0.17 acres ±) located at 4735 Montana Crescent NW (Plan 485GR, Block 5, Lot 9) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District, in accordance with Administration’s recommendation;
2. Give three readings to the proposed Bylaw 65D2018.

REASONS FOR RECOMMENDATION:

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

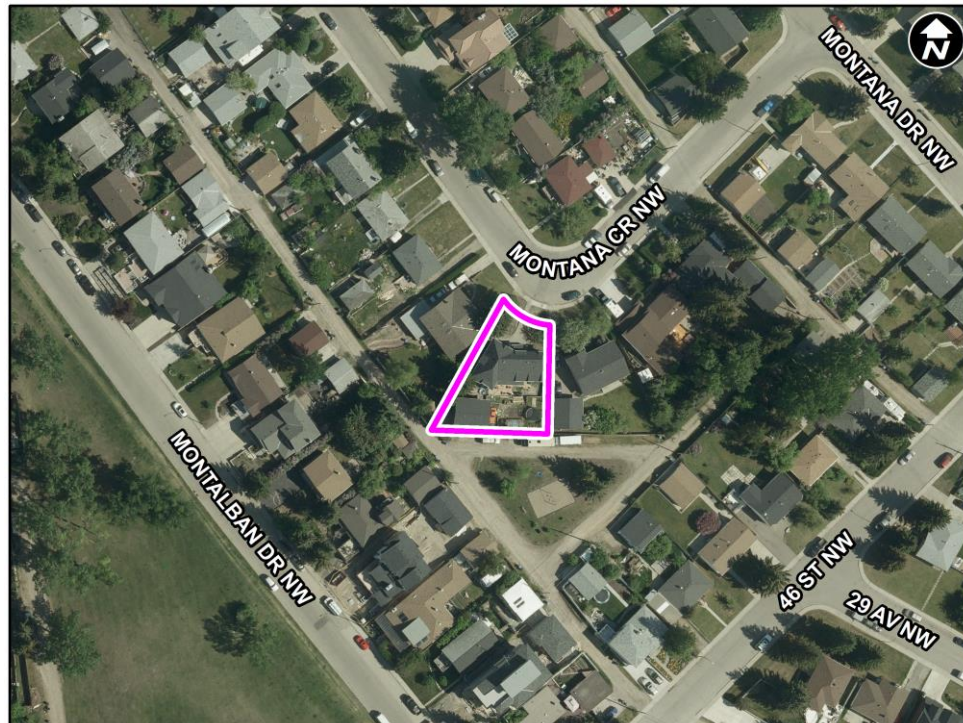
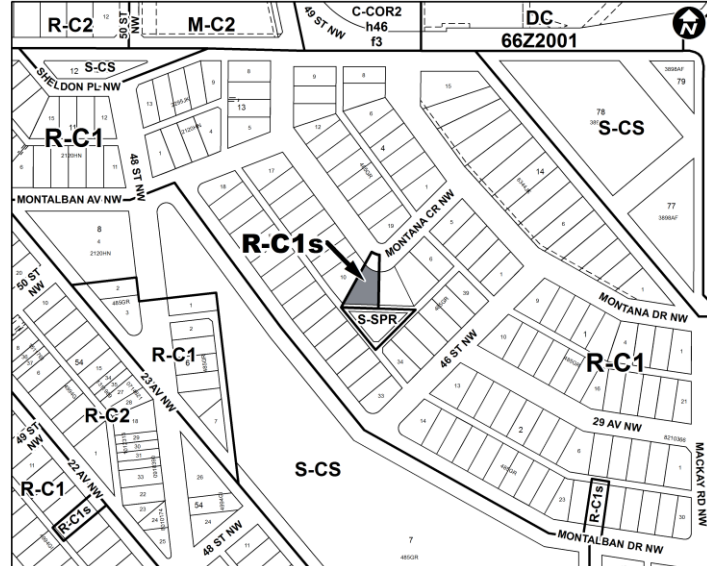
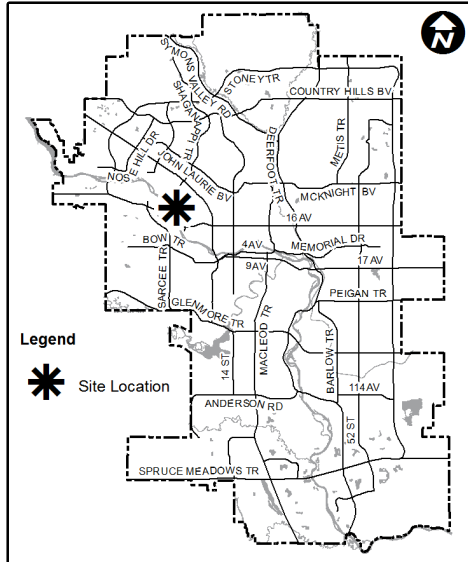
ATTACHMENT

1. Proposed Bylaw 65D2018

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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 0.07 hectares ± (0.17 acres ±) located at 4735 Montana Crescent NW (Plan 485GR, Block 5, Lot 9) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: L. Juan

Carried: 9 – 0

2017 December 14

MOTION:

Amend Administration's Recommendation, to align with Council recent decision to review the Secondary Suite process, by adding a Recommendation 3 to read:

“Direct Administration to forward the Report and proposed Bylaw for LOC2017-0306 to the 2018 March 12 Public Hearing of Council, and advertise accordingly.”

Moved by: R. Vanderputten

Carried: 9 – 0

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Applicant:

Sarah Carol Poffenroth

Landowner:

Sarah Carol Poffenroth
Trevor Wayde Poffenroth

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Montgomery, the site is approximately 23.0 metres by 30.0 metres and 702.0 square metres in size. The site is developed with a single detached dwelling and a double detached garage with access from the rear lane.

The subject site is surrounded by properties zoned R-C1 with a small triangular park designated Special Purpose – School, Park and Community Reserve (S-SPR) directly across the rear lane to the south of the subject site. Council approved an R-C1s land use amendment on a parcel to the southwest of the subject site allowing for a secondary suite. To the south of the subject site and below the ridge of Montgomery, several R-C1s properties exist.

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

Montgomery	
Peak Population Year	1969
Peak Population	5,287
2017 Current Population	4,353
Difference in Population (Number)	-934
Difference in Population (Percent)	-18%

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 – Inner City 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).

Montgomery Area Redevelopment Plan (2012)

The subject site is situated within the Low Density Residential area of the ARP, as identified on Figure 1.3 - Future Land Use Plan. The proposed R-C1s land use district is a low density residential district which allows for an increased mix of housing types. The Residential Land Use policies of the ARP encourages a mix of housing types while acknowledging that single family housing is likely to be the predominant housing type (subsection 2.5 a and f). The application is generally in keeping with this policy.

TRANSPORTATION NETWORKS

Access to the site is available from Montana Crescent NW with vehicular access, for the purpose of on-site parking, from the rear lane.

The area is served by Calgary Transit with a standard bus stop (Route 422) on 48 Street NW, approximately 300 metres or a 4 minute walking distance from the subject site. Route 408, with a bus stop on 49 Street NW, is approximately 350 metres or a 4 to 5 minute walking distance from the subject site. The nearest Primary Transit location is the Bus Rapid Transit Route #305 located on Bowness Road NW, approximately 1.1 kilometres or a 16 minute walking distance from the subject site.

On-site parking is provided in a double detached garage with access from the rear lane. There is sufficient space on the subject site to provide additional parking. On-street parking adjacent to the site is unregulated through the Calgary Residential Parking Permit system.

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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.

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 from the Montgomery Community Association stating that they have no concerns with the application for a secondary suite on the subject site. (Appendix II).

Citizen Comments

Administration received one (1) letter supporting the City of Calgary's policies to encourage Smart Growth and densification of existing neighborhoods, and the re-zoning applications that will be required to accomplish this objective. The letter supports this application for the resignation from R-C1 to R-C1s to enable the development of a secondary suite on the subject site.

Administration also received one (1) letter of objection with the reasons summarized as follows:

- there is sufficient rental accommodation available in Upper Montgomery in the form of illegal suites and rental rooms for students – there is no need for this application;
- parking issues;
- residents paid a premium for this unique area containing single detached dwellings;
- the new University District and Stadium Shopping Centre developments will provide the required accommodation for the growth in population;
- residents of secondary suites do not become part of the community but put additional

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- demand on city infrastructure; and
- the redesignation for secondary suites is permanent and cannot be rescinded.

Public Meetings

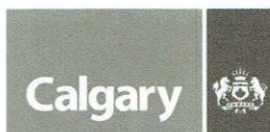
No public meetings were held by the Applicant or Administration.

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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?

After the redesignation I will be able to apply for secondary suite development. Once the secondary suite is developed it will be a source of income by renting out. The surrounding community will have more people to interact with. City of Calgary will be benefitted by having accomodating more people in already developed area which will save cost of developing infrastructure in new residential area.

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

Neighbouring land owners and Community Association are very positive about redesignation for secondary suite.

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

There is an existing single garage which meets the parking requirement for the main dwelling. There is open space beside the existing garage for the parking requirement of secondary suite.

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

There are no any potential negative impact of this development.

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



08 November, 2017

Giyán Brenkman
Planning Development and Assessment
City of Calgary
giyan.brenkman@calgary.ca
403.268.2678

Dear Giyan:

RE: LOC2017-0306 4735 Montana Cr. NW
Land Use Amendment to accommodate a secondary suite
R-C1 to R-C1s

The Planning Committee has reviewed the above-noted proposal for a Land Use Amendment to R-C1s.

The Committee has no concerns with this proposal.

Regards,

Janice Mackett,
Planning Committee Chair
Montgomery Community Association
cc: Councillor Druh Farrell
Community Liaison – Ward 7
Ms. Marilyn Wannamaker, President, MCA
Members of the MCA Planning Committee

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.

