

LAND USE AMENDMENT
MONTGOMERY (WARD 7)
SOUTH OF 44 STREET NW AND EAST OF 21 AVENUE NW
Bylaw 135D2018

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. 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.

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 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 135D2018; and

1. **ADOPT** the proposed redesignation of 0.06 hectares ± (0.14 acres ±) located at 2222 - 44 Street NW (Plan 4994GI, Block 44, Lot 5) 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 135D2018.

REASONS FOR RECOMMENDATION:

The proposed R-C1 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 the Montgomery Area Redevelopment Plan and will allow for development that has the ability to meet the intent of Land Use Bylaw 1P2007.

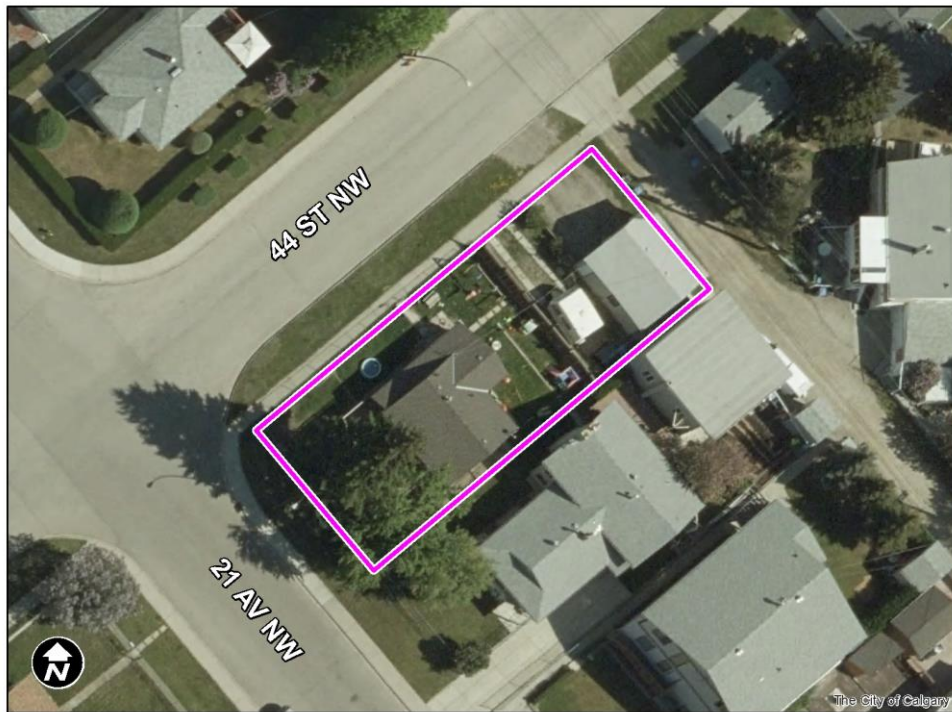
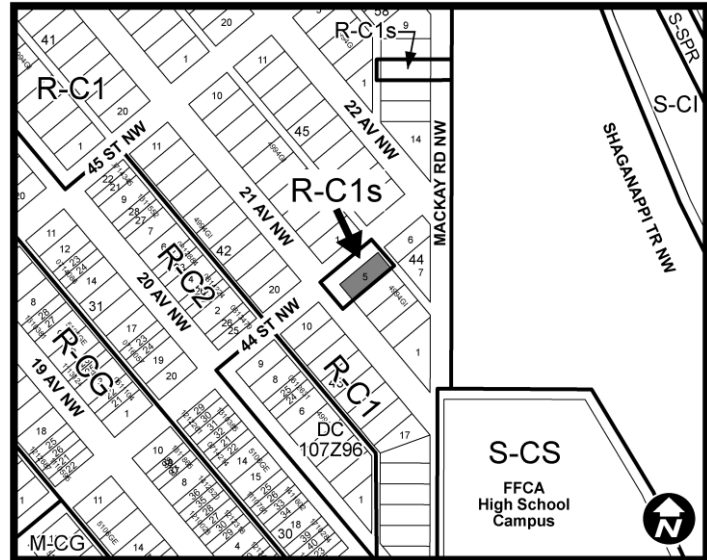
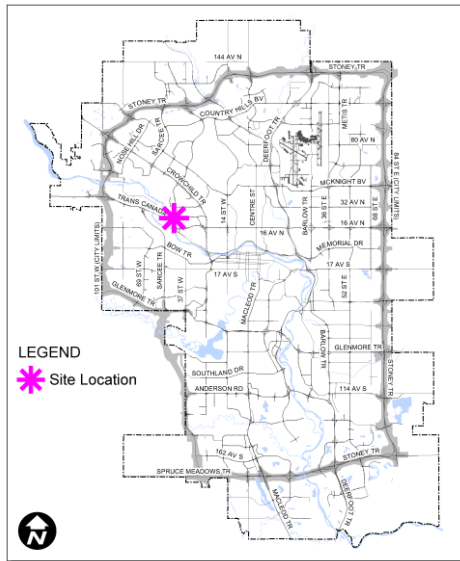
ATTACHMENT

1. Proposed Bylaw 135D2018

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LOCATION MAPS



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ADMINISTRATION'S RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.06 hectares ± (0.14 acres ±) located at 2222 - 44 Street NW (Plan 4994GI, Block 44, Lot 5) 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:

Maximus General Contracting

Landowner:

Maximus General Contracting

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Montgomery, the site is approximately 15 metres by 36 metres in size and is developed with a one-storey single detached dwelling with a detached two-car garage that is accessed from 44 Street NW. Single detached dwellings exist to the north, east, south, and west of the site. The Foundations for the Future Charter Academy High School Campus is located south east of the subject parcel.

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 – 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).

Montgomery Area Redevelopment Plan (2008)

The site is located within the “Low Density Residential” area on the Future Land Use Plan (Figure 1.3) in the *Montgomery Area Redevelopment Plan (ARP)*. Low-density residential development is encouraged in this area. In these locations, all R-1, R-2 and Direct Control Districts with low-density residential guidelines shall continue. Secondary suites are compatible and consistent with the low-density residential character of this area.

TRANSPORTATION NETWORKS

Pedestrian and vehicular access to the site is available from 44 Street NW and there is a rear lane. The area is served by Calgary Transit Primary Transit Network bus service with a bus stop location within approximately 350 metres walking distance of the site on Bowness Road NW. 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.

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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 support to the application from the Montgomery Community Association (APPENDIX II).

Citizen Comments

Administration did not receive any responses from citizens.

Public Meetings

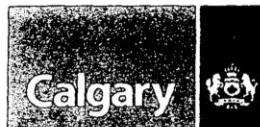
No public meetings were held by the Applicant or Administration.

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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?

The redesignation will help to meet the need in the City for affordable housing. The proposed development on the site will meet all the requirements of a secondary suite. Initially it will be used to provide housing for my 87 year old mother whom is ready to move out of her principal residence but not ready to move into a seniors home. The long term use will be to provide affordable housing for students or staff at the University of Calgary, Foothills Hospital or Children's Hospital. My wife and I will benefit from additional retirement income.

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

I have known the two adjacent neighbors since 2007 when I purchased the property. They have been aware of my plans for years and welcome the redevelopment plans for the property.

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

The new double car garage will provide parking for the primary dwelling with access from the alley on the north side. The existing driveway access off of 44 Street NW will be maintained and provide off street parking for the secondary suite.

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

No negative impact. This proposal is consistent with the ongoing redevelopment in the inner city community of Montgomery.

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



03 December, 2017

Giyana Brenkman
Planning Development and Assessment
City of Calgary
Giyana.Brenkman@calgary.ca
403.268.2678

Dear Giyana:

RE: LOC2017-0336 4440 21 AV NW
Land Use Amendment – R-C1 to R-C1s

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

The Committee has no issues with this application.

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.

