

**LAND USE AMENDMENT
KINGSLAND (WARD 11)
KENDALL PLACE SW AND 5 STREET SW
BYLAW 118D2018**

MAP 28S

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 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 118D2018; and

1. **ADOPT** the proposed redesignation of 0.06 hectares ± (0.15 acres ±) located at 65 Kendall Place SW (Plan 3215HG, Block 3, Lot 56) 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 118D2018.

REASONS 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.

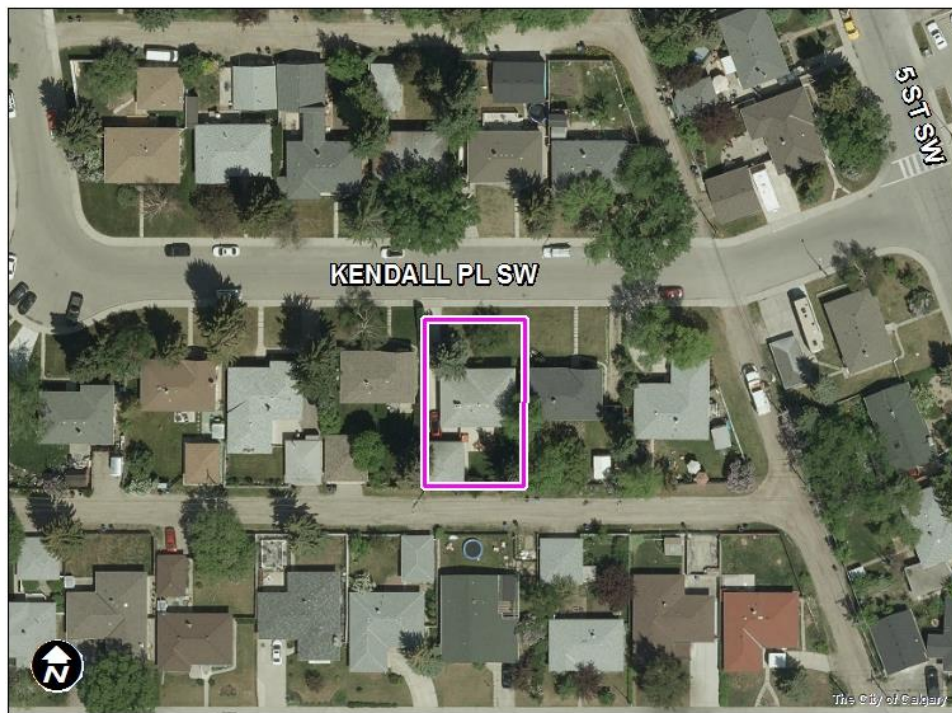
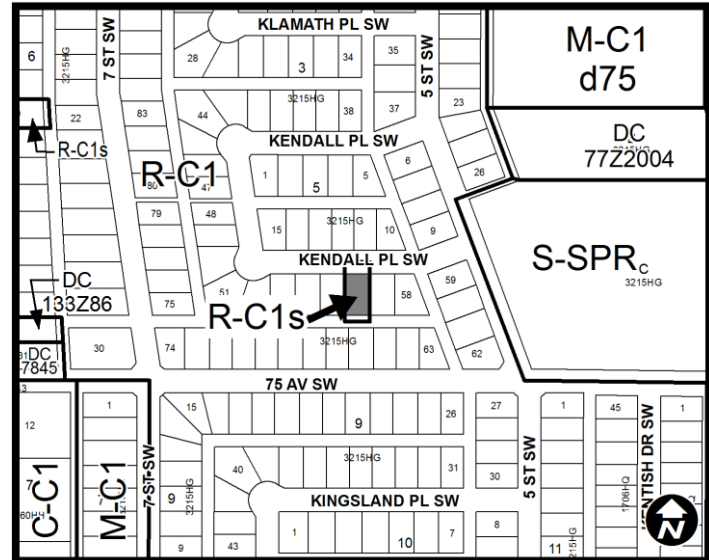
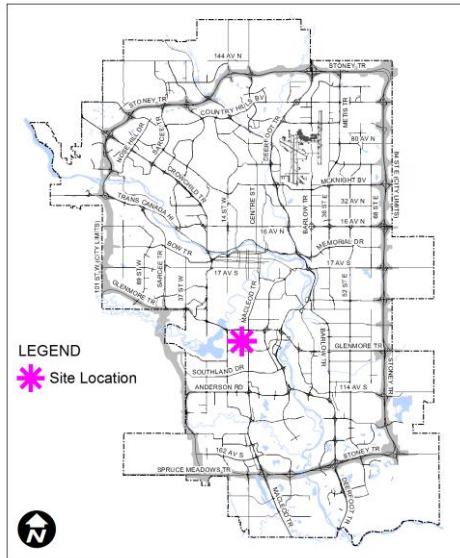
ATTACHMENTS

1. Proposed Bylaw 118D2018
2. Public Submissions

LAND USE AMENDMENT
KINGSLAND (WARD 11)
KENDALL PLACE SW AND 5 STREET SW
BYLAW 118D2018

MAP 28S

LOCATION MAPS



LAND USE AMENDMENT
KINGSLAND (WARD 11)
KENDALL PLACE SW AND 5 STREET SW
BYLAW 118D2018

MAP 28S

ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.06 hectares ± (0.15 acres ±) located at 65 Kendall Place SW (Plan 3215HG, Block 3, Lot 56) 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

LAND USE AMENDMENT
KINGSLAND (WARD 11)
KENDALL PLACE SW AND 5 STREET SW
BYLAW 118D2018

MAP 28S

Applicant:

Morrie Mcivor

Landowner:

Morrie Mcivor
Joanne Chevrette

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Kingsland, the site is approximately 12 metres by 33 metres in size, is developed with a one-storey single detached dwelling, and a detached two-car garage that is accessed from Kendall Place SW. Surrounding development consists of low-density residential development. The Kingsland Centre exists to the north, Henry Wise Wood High School and Kelvin Grove Park exist to the east, and commercial and residential development off of Elbow Drive SW exist to the south-west of the site.

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

Kingsland	
Peak Population Year	1971
Peak Population	5,341
2016 Current Population	4,667
Difference in Population (Number)	-647
Difference in Population (Percent)	-13%

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
KINGSLAND (WARD 11)
KENDALL PLACE SW AND 5 STREET SW
BYLAW 118D2018**

MAP 28S

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).

Kingsland Community Plan (2009, non-statutory)

There is no local area plan; however, in 2009 the Kingsland Community Association completed the Kingsland Community Plan which was accepted by Council for information but is a non-statutory document. The plan is supportive of secondary suites as a way to enable residents to remain in the community over their lifetime (section 4.1.2.1), and directs the Kingsland Community Association to review applications that meet City of Calgary requirements. Drafting an Area Redevelopment Plan (ARP) for Kingsland is on the 2018 Planning and Development work plan.

TRANSPORTATION NETWORKS

Pedestrian and vehicular access to the site is available from Kendall Place SW and the rear lane. The area is served by Calgary Transit primary transit network bus service with a bus stop location within approximately 350 metre walking distance of the site on Elbow Drive SW. 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.

LAND USE AMENDMENT
KINGSLAND (WARD 11)
KENDALL PLACE SW AND 5 STREET SW
BYLAW 118D2018

MAP 28S

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 neutral letter to the application from the Kingsland Community Association (APPENDIX II).

Citizen Comments

Administration received letters of support from three adjacent neighbours.

Public Meetings

No public meetings were held by the Applicant or Administration. The applicant has met with the Kingsland Community Association and discussed the proposal with adjacent neighbours.

LAND USE AMENDMENT
KINGSLAND (WARD 11)
KENDALL PLACE SW AND 5 STREET SW
BYLAW 118D2018

MAP 28S

APPENDIX I

APPLICANT'S SUBMISSION

1. What are the benefits of the redesignation, for you, the surrounding community and the City of Calgary?

We have made this application as we would like the option of having a secondary suite in our home. At this time our thoughts are to build a carriage house on top of our garage. The suite could be used as a rental suite, or even as a hobby studio for my partner Joanne and or I. To the best of our knowledge there are not many such suites in our neighbourhood. We understand that this supports the City of Calgary's plans to have more legal and to code secondary suites. Kingsland is an inner city community, we are close to lots of public transit, making our area accessible to downtown, post-secondary institutions, etc.

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

We met with three representatives from our community association on December 23, 2017. It was very helpful to hear their suggestions and concerns. At their suggestion we did have an initial verbal conversation with a handful of neighbours, including neighbours on either side of our home, across the street, and behind us - across from the alleyway. These initial conversations were very casual, where we informed the neighbours we were applying for rezoning for a secondary suite, and with no specific immediate plans. We shared our intention to build a carriage house on top of our garage. At this point, we received favourable responses. Mostly our neighbours have said that they believe people can do what they want to their homes. We also followed up with KCA's suggestion of formalizing the conversations. Specifically they asked us to have the neighbours on either side of us and directly behind us sign a letter saying they were in agreement with our request for rezoning. We did get three such signatures which we forwarded to the File Manager and a representative from KCA. We have not received a written confirmation from one of our immediate neighbours. Where this neighbour was verbally affirmative regarding our plans he has not given us written confirmation.

We have also sent the KCA a visual of what our idea of a tasteful carriage house could look like. Please note, we live in a beautiful little bungalow and we would want to maintain the integrity of our home and of our beautiful little community. Our current garage sits approximately three feet above the alleyway. In a rebuild we would dig our garage down to alley level, which would lower the height considerably.

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

Regarding parking, we have a very long, approximately 100 feet driveway. We have a 2 car garage, and a driveway that can accommodate 4 cars.

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

Not to our knowledge.

LAND USE AMENDMENT
KINGSLAND (WARD 11)
KENDALL PLACE SW AND 5 STREET SW
BYLAW 118D2018

MAP 28S

APPENDIX II

LETTERS SUBMITTED



Kingsland Community Association

505 78th Avenue SW
Calgary, Alberta T2V 0T3
Bus: 403.255.1400
Fax: 403.255.1407
Email:
admin@kingslandcommunity.ca

Jan 22, 2018

KATE VAN FRAASSEN - File Manager
Planning, Development and Assessment #8201
The City of Calgary, 5th Floor, Municipal Building, 800 Macleod Trail SE
PO Box 2100, Station M, Calgary, AB Canada T2P 2M5
Phone: (403) 268-5947

Re: LOC2017-0375 65 Kendall Dr SW R-C1 to R-C1s Application

Dear Ms. Van Fraassen,

Kingsland Community Association (KCA) has been asked to respond to the land use amendment application, and the following are our comments:

1. KCA has shifted from oppose to neutral for this application for a backyard suite in the heart of the residential R-C1 district. There is no need for suites to proliferate in the next decade but we support them when applicant is KCA Plan and City bylaw compliant. Kingsland already has a growing and diverse range of dwelling options and does not require such suites to achieve current planning goals.
2. KCA met with the applicant and directly engaged with the most affected residents. Our door campaign suggested more opposition than support. However, the applicant has since been able to secure letters of support from parcels to the south (lane), east (adjacent) and north (street), while we believe parcels to the west are not supportive of a backyard suite development.
3. KCA Plan offers an attractive growth vision for Kingsland with mixed density options, and we are doing our part to achieve growth and revitalization goals. Our recent population decline is due to vacated rentals, and we believe single family dwellings are seeing resurgence with younger families.
4. In 2014, Kingsland population was 4812 people, with 2309 occupied dwellings. We had 762 (28%) single family dwellings with 33% owner occupancy. Several projects are expected to increase our density over the next 5 years:

LAND USE AMENDMENT
KINGSLAND (WARD 11)
KENDALL PLACE SW AND 5 STREET SW
BYLAW 118D2018

MAP 28S

- 32 units (rental) for low income (constructed, 67 Av)
- 4 units (rental) conversion of 1 duplex (DP pending, 68 Av)
- 110 condos to replace 11 duplexes (DP pending, 69 Av)
- 2 suites added to duplex (subdivision pending, 67 Av)
- 2 infills with suites to replace bungalow (subdivision pending, Elbow Dr)
- 1 or 2 suites added to duplex (LOC pending, Kingsmere Cr)
- 94 seniors units (rental) to replace 6 bungalows (LOC / DP emerging, 7 St)
- 400+ units at Market on MacLeod (LOC / DP emerging)
- 141 units on vacant land (DP on hold, 5 St)

5. KCA Plan is constantly refining our growth parcel inventory as we clarify preferred built form visions for blocks as applications arise, and we have engaged with our Ward Councilor to align when possible. Applicants should meet with us prior to submission and prior to a purchase with intent to rezone. There are some vacant and dated properties in the multi-residential district with underutilized density which may see redevelopment within the next decade and are not reflected above.

6. KCA is aware of perhaps 100 parcels outside the heart of R-C1 that seem better suited to backyard or basement suites. Significant concerns with lane suites are resident privacy and the creation of new rental holding properties. Our Plan requires clarifications to guard against these unwanted outcomes.

7. KCA requests the file manager to notify me when the CPC meeting and public hearing dates are scheduled. We thank you for the opportunity to provide feedback on this application. We would be pleased to meet to discuss if that would be beneficial.

Best Regards,

Darren MacDonald

Darren MacDonald, KCA Planning Director

LAND USE AMENDMENT
KINGSLAND (WARD 11)
KENDALL PLACE SW AND 5 STREET SW
BYLAW 118D2018

MAP 28S

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.

