

**Land Use Amendment in Beddington Heights (Ward 4) at 1310 and 1312 Berkley Drive NW, LOC2018-0105**

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**EXECUTIVE SUMMARY**

This land use redesignation application was submitted by Rick Balbi Architect on 2018 May 08 on behalf of the landowners Little Scholars Daycare Inc and Gargi Devi Saini. The application proposes to change the designation of two adjacent properties from Residential – Contextual One/Two Dwelling (R-C2) District to a DC Direct Control District based on the Residential – Contextual One / Two Dwelling (R-C2) District to allow for the additional use of child care service.

The proposal is in keeping with the *Municipal Development Plan* and aligns with the *Child Care Service Policy and Development Guidelines*.

No development permit application has been submitted at this time.

**ADMINISTRATION RECOMMENDATION:**

That Calgary Planning Commission recommend that Council hold a Public Hearing; and

1. Adopt, by Bylaw, the proposed redesignation of 0.06 hectares  $\pm$  (0.14 acres  $\pm$ ) located at 1310 and 1312 Berkley Drive NW (Plan 7910490, Block 28, Lot 33) from Residential – Contextual One / Two Dwelling (R-C2) District to DC Direct Control District based on the Residential – Contextual One / Two Dwelling (R-C2) District to accommodate a Child Care Service, with guidelines (Attachment 3); and
2. Give three readings to the proposed Bylaw.

**RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, DATED 2018 OCTOBER 18:**

That with respect to Report CPC2018-1147, the following be approved, **after amendment**:  
 That Calgary Planning Commission recommends that Council:

1. **Hold a Public Hearing during a future Public Hearing of Council;**
2. Adopt, by Bylaw, the proposed redesignation of 0.06 hectares  $\pm$  (0.14 acres  $\pm$ ) located at 1310 and 1312 Berkley Drive NW (Plan 7910490, Block 28, Lot 33) from Residential – Contextual One / Two Dwelling (R-C2) District to DC Direct Control District based on the Residential – Contextual One / Two Dwelling (R-C2) District to accommodate a Child Care Service, with guidelines (Attachment 3); and
3. Give three readings to the proposed Bylaw **288D2018**.

**PREVIOUS COUNCIL DIRECTION / POLICY**

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None.

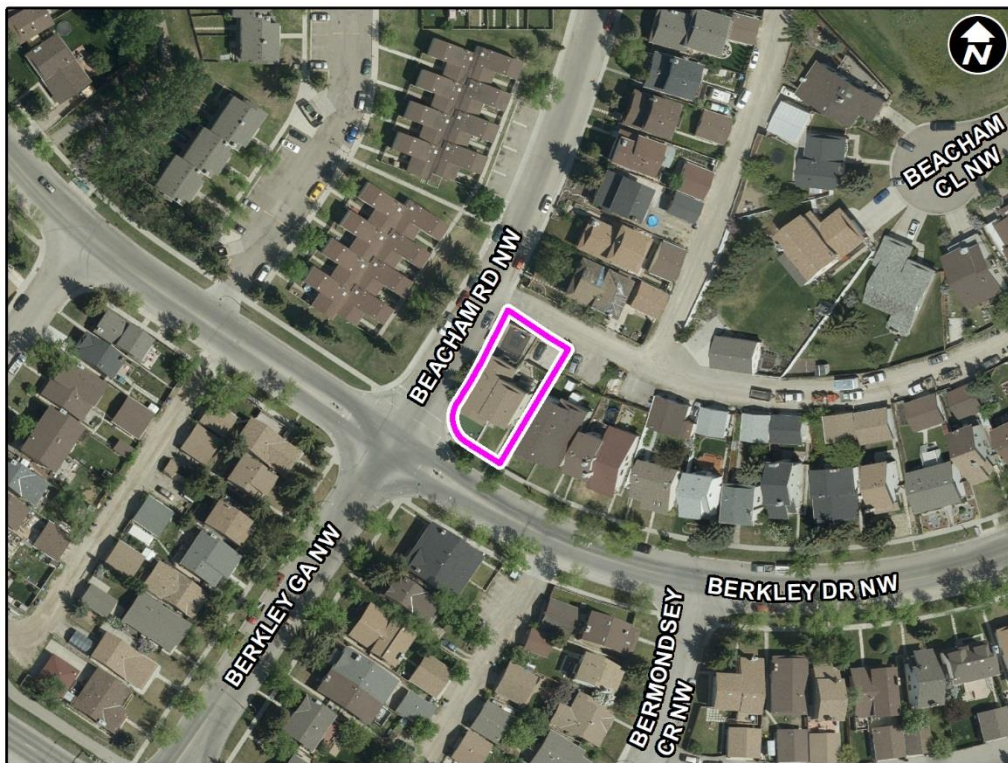
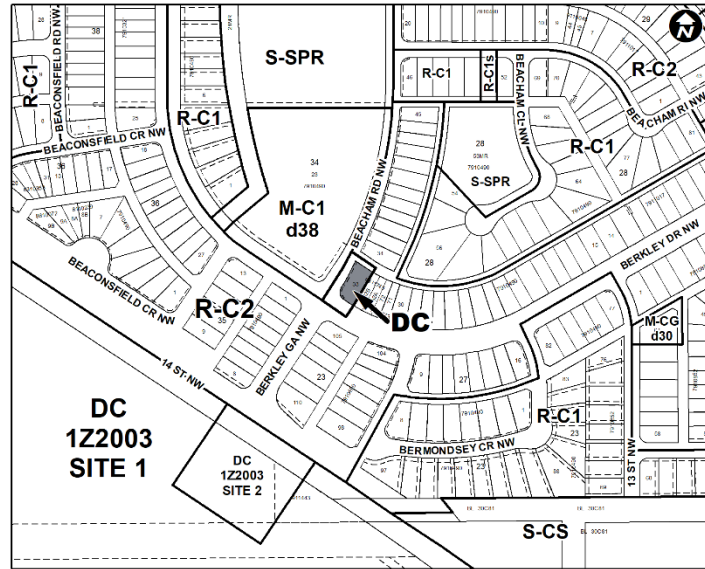
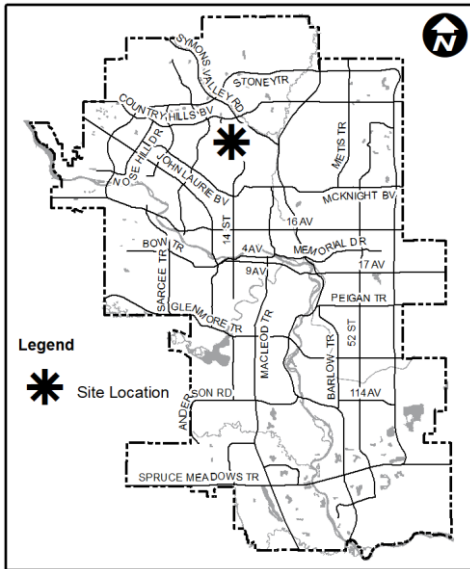
**BACKGROUND**

This land use amendment was submitted on 2018 May 8 by Rick Balbi Architect on behalf of the landowners, Little Scholars Daycare Inc. and Gargi Saini. No development permit has been submitted at this time. As noted in the Applicant's Submission (Attachment 1), the applicant is intending on expanding an existing child care service into the eastern half of the existing semi-detached dwelling.

At the time of construction of the semi-detached building in 1979, a development permit was approved to allow a child care facility in the west unit as this was a listed use in the district at the time. This child care facility has been operating with service to 35 to 40 children since that time. The east side of the building is currently operating as a day home with service to six children.

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Location Maps



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### Site Context

The subject site is located on a corner parcel in the community of Beddington Heights on the corner of Beacham Road NW and Berkley Drive NW, which is one of the primary access points to the Beddington Heights community.

Surrounding development includes semi-detached dwellings to the east, single detached dwellings to the south and north, and multi-residential development to the west. Nose Hill Park is located one block southwest of the site, across 14 Street NW (a controlled intersection with crosswalks). Two other local parks are located within 300 metres of the site.

The site is currently developed with a semi-detached dwelling bridging two parcels (these parcels were originally one lot when first developed, but they underwent subdivision sometime since then). The corner parcel has an area of approximately 330 square metres and the east parcel has an area of approximately 240 square metres. The west unit is currently used as a child care service, and in related operations, the east side is currently a dwelling unit operating a day home with six children. Parking for the east unit is provided in a parking pad accessed from the rear lane on the east parcel. No on-site parking is currently provided on the west parcel.

### INVESTIGATION: ALTERNATIVES AND ANALYSIS

This proposal allows for a child care service facility to operate within the existing semi-detached dwelling and is in keeping with the applicable legislation as identified in the Strategic Alignment section of this report.

### Planning Considerations

The primary planning consideration in evaluation of this application constituted determining whether a child care service use could be accommodated on the subject site and whether it fits within the policies of the *Municipal Development Plan* and the *Child Care Service Policy and Development Guidelines*.

### Land Use

The subject site is currently designated Residential – Contextual One/Two Dwelling (R-C2) District. The R-C2 designation allows for low density residential development in the form of single detached dwellings, semi-detached dwellings, and duplex dwellings. The district also provides for two forms of home based child care for up to ten children (home based child care – classes 1 and 2).

This application proposes redesignating the two parcels from the existing Residential – Contextual One/Two Dwelling (R-C2) District to a Direct Control (DC) District based on the Residential – Contextual One/Two Dwelling (R-C2) District.

The proposed Direct Control District is intended to:

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- allow the additional discretionary use of child care service;
- allow for a residential use consistent with the surrounding development if a child care service is discontinued; and
- be based on the rules of the Residential – Contextual One/Two Dwelling (R-C2) District.

The review of the application considered as an alternative the stock land use district Special Purpose – Community Institution (S-CI) District as suggested in the *Child Care Service Policy and Development Guidelines*. However, this land use district provides for a number of uses that would not be compatible in this location and context (for example, columbarium, conference and event facility, post-secondary learning institution). Thus, a Direct Control (DC) District with the Residential – Contextual One/Two Dwelling (R-C2) District as the base district is proposed.

### ***Development and Site Design***

A discretionary use development permit application will be required to enable the expansion of the child care service use on these parcels. The ultimate number of children, on-site parking stalls, location of pick-up and drop-off stalls, and outdoor play areas will be determined through that process. The child care service operators will also require Provincial licensing and thus will be further evaluated by the Calgary Region Child and Family Services Authority.

### ***Environmental***

There are no existing environmental conditions on these residential parcels. An environmental site assessment was not required for this application.

### ***Transportation***

The site is located on a collector street (Berkley Drive NW) and has rear lane access. Berkley Drive NW serves as one of the primary access points to the community of Beddington Heights. The site is within 150 metres of a transit stop. A transportation impact assessment was not required.

### ***Utilities and Servicing***

Water, sanitary and storm mains are available to this site. Further details for servicing and waste collection facilities will be reviewed at the development permit stage.

### **Stakeholder Engagement, Research and Communication**

In keeping with Administration's standard practices, this application was circulated to relevant stakeholders and notice posted on-site. Notification letters were sent to adjacent land owners and the application has been advertised online. No public meetings were held by the applicant or Administration.

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A letter from the Beddington Heights Community Association was submitted by the applicant (Attachment 2). The community association letter indicates general support for the use but raised concerns about traffic and the ultimate provision of parking on the site. These items will be reviewed at the development permit stage.

No letters were received from the public as a result of the notice posting. The applicant provided 52 signed form letters within their submission indicating support for the proposed land use. The signatories were from various locations within and nearby the community.

Following Calgary Planning Commission, notifications for the Public Hearing of Council will be posted on-site and mailed out to adjacent landowners. In addition, Commission's recommendation and the date of the Public Hearing will be advertised.

### **Strategic Alignment**

#### ***South Saskatchewan Regional Plan (Statutory, 2014)***

The recommendation by Administration in this report has considered and is aligned with the policy direction of the *South Saskatchewan Regional Plan (SSRP)* which directs population growth in the region to Cities and Towns and promotes the efficient use of land.

#### ***Municipal Development Plan (Statutory, 2009)***

These parcels are located in the Established Area of the Developed Communities as identified on Map 1: Urban Structures in the *Municipal Development Plan*. Modest redevelopment in these areas is encouraged in a form of development that respects the scale and character of the neighbourhood.

The *Municipal Development Plan* recognizes that child care services are an integral part of 'complete communities' and should be accommodated within neighbourhoods as appropriate. This application proposes expanding the child care service into the east parcel and is intended to retain the existing semi-detached building form and thus fits within the established context of the surrounding community. Additionally, the location of the site, along a primary entrance to the community of Beddington Heights, adds to the convenience this service provides for parents in the area. The letters of support provided by the applicant further show that the use is valued by the community.

#### ***Child Care Service Policy and Development Guidelines (Non-statutory, 2009)***

The application conforms to a number of the site selection criteria listed in the *Child Care Service Policy and Development Guidelines*. The following location criteria were consistent with the guidelines:

- the site is located on a corner site;
- the site is on a collector street;
- the site is large enough to accommodate outdoor play areas; and

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- the site can provide parking on-site (there is a slight grade difference between the lane and the rear yard of the corner parcel, however, this could be modified to accommodate access).

The site is not in an activity focused area such as a school or commercial area. However, this site is situated at one of the main entrances to Beddington Heights off 14 Street NW and thus already experiences higher levels of traffic and activity as would be associated with an activity focused area.

**Social, Environmental, Economic (External)**

The proposed land use allows the continuation and expansion of a needed service for families and contributes to the goal of complete communities.

**Financial Capacity**

***Current and Future Operating Budget:***

There are no known impacts to the current and future operating budgets at this time.

***Current and Future Capital Budget:***

The proposed land use amendment does not trigger capital infrastructure investment and therefore there are no growth management concerns at this time.

**Risk Assessment**

There are no significant risks associated with this proposal and operational risks which have been identified will be managed at the time of development permit.

**REASONS FOR RECOMMENDATIONS:**

The proposal is consistent with the applicable policies of the *Municipal Development Plan* and the *Child Care Policy and Development Guidelines*. The redesignation will support the continuation of an existing child care service and contributes to the goal of establishing complete communities through providing important related child care services.

**ATTACHMENT(S)**

1. Applicant's Submission
2. Community Association Letter
3. **Proposed Bylaw 288D2018** - Proposed DC Direct Control District Bylaw