

**LAND USE AMENDMENT
WHITEHORN (WARD 10)
WHITESTONE CRESCENT NE NORTH OF WHITESTONE WAY NE
BYLAW 60D2018**

MAP 34E

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 on the parcel, as stated in an Inspection Report from 2017 August. However, the application was submitted as a result of a complaint of an illegal dwelling unit made in 2017 June.

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 60D2018; and

1. **ADOPT** the proposed redesignation of 0.05 hectares ± (0.12 acres ±) located at 211 Whitestone Crescent NE (Plan 7410224, Block 4, Lot 10) 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 60D2018.

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.

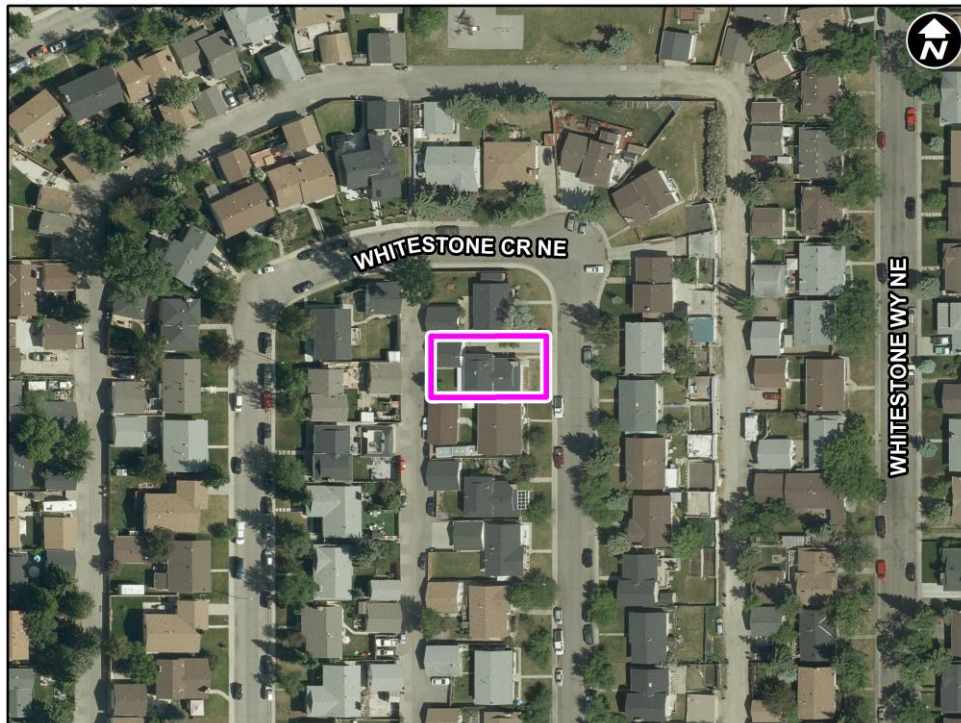
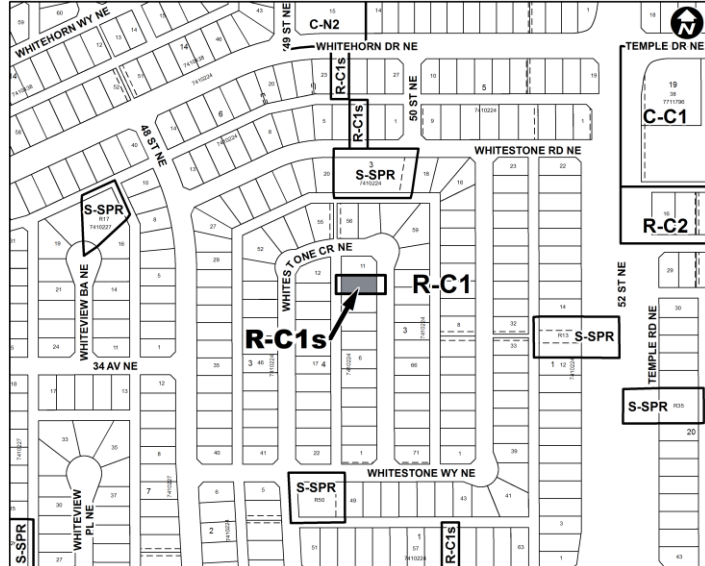
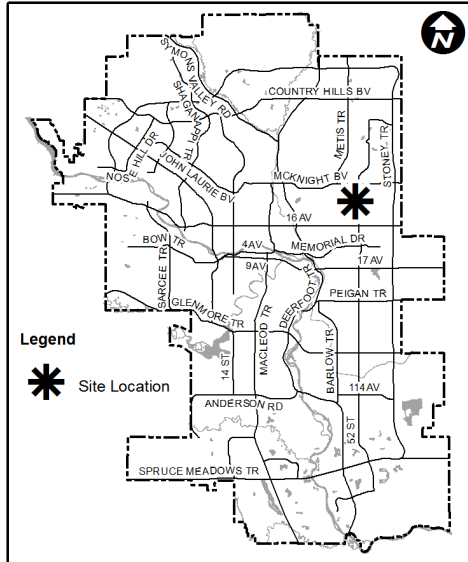
ATTACHMENT

1. Proposed Bylaw 60D2018

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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 211 Whitestone Crescent NE (Plan 7410224, Block 4, Lot 10) from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District.

Moved by: M. Foht

Carried: 9 – 0

Reasons for Approval from Mr. Foht:

- I supported the application for the secondary suite because it fit the City of Calgary requirements for Secondary Suites and my criteria; a back lane, with a pad and a garage for parking as well as sufficient street parking.
- What did concern me was the Community Association's comment. "Until the community has some level of confidence that our opinion or concerns have any value to Council we will not be commenting." That comment is a condemnation of the process. This community does not feel they are heard or if they are heard, no one on Council cares.

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 LOC2017-0299 to the 2018 March 12 Public Hearing of Council, and advertise accordingly."

Moved by: R. Vanderputten

Carried: 9 – 0

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Applicant:

Prabhjot Singh Tung

Landowner:

Prabhjot Singh Tung

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Whitehorn, the site is approximately 16 metres by 31 metres in size and is developed with a one-storey single detached dwelling and a detached two-car garage that is accessed from both the rear lane and driveway from Whitestone Crescent NE. Surrounding development consists of low-density residential R-C1 development to the north, east, south, and west of the site.

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

Whitehorn	
Peak Population Year	2015
Peak Population	12,421
2017 Current Population	11,985
Difference in Population (Number)	-436
Difference in Population (Percent)	-4%

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 through 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 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 Whitehorn.

TRANSPORTATION NETWORKS

Pedestrian and vehicular access to the site is available from a front driveway off Whitestone Crescent NE and the rear lane to a two-car detached garage. The area is served by Calgary Transit service with a bus stop location within an approximately 360 metre walking distance on Whitehorn Drive NE. The nearest Light Rail Transit Station is Whitehorn Station approximately 2.2 kilometres away. 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.

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.

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PUBLIC ENGAGEMENT

Community Association Comments

Administration received an email response from the Whitehorn Community Association. The Whitehorn Community Associations comments are as follows:

“Until our community association has some level of confidence that our opinions or concerns have any value to council we will not be commenting. Thank you.”

Administration has followed up with the Whitehorn Community Association.

Citizen Comments

Administration received four (4) letters in opposition to the application. One of the letters was signed by seven (7) residents.

Reasons stated for opposition are summarized as follows:

- wants area to remain R-C1, as that is the reason for purchasing a home in the area;
- potential adverse effect to property values;
- the home is not owner occupied, and the lack of monitoring has led to neglect to maintenance of the property;
- concerns of numerous renters living on the property;
- potential for a continued high turn-over of tenants;
- negative impacts to safety due to past tenant behaviour;
- increased pressure on parking;
- increased traffic and visitors to the area;
- not located near a post -secondary education institution; and
- concerns of the accuracy of the Applicant’s Submission, as none of the seven (7) residents who are in opposition to the application were contacted by the home owner/applicant.

Public Meetings


No public meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

	<p>Land Use Redesignation Applicant's Submission Secondary Suites (R2017-07)</p>
<p>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.</p>	
<p>1) What are the benefits of the redesignation, for you, the surrounding community and the City of Calgary?</p> <ul style="list-style-type: none">• I wish to invest in my house to boost my income to pay down my mortgage.• It will enable my extended family and elderly parents to live nearby.• It is likely to increase the value of my property.• It will be a safe secondary suite that will meet all the requirements under Alberta Safety Codes Act.• It will help in maximizing use of existing infrastructure in the neighbourhood. <p>2) Provide information on how you engaged with the neighboring land owners and/or the Community Association? What was the response?</p> <p>- our intention to change zoning from R-C1 to R-C1S was discussed with neighbours. Also discussed was development of a safe living suite authorized by the city of Calgary and they did not seem to have a problem with it.</p> <p>3) Identify how you will provide the required parking for both the primary dwelling and the secondary suite on your parcel?</p> <p>- A parking pad in front of garage has a parking space for more than 3 vehicles and a double detached garage also provides parking space for 2 vehicles.</p> <p>4) Are there any potential negative impacts of this development that you are aware of?</p> <p>None, that I am aware of.</p>	
<p><small>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.</small></p>	
<p><small>The City of Calgary P.O. Box 2100 Stn. M Calgary, AB, Canada T2P 2M5 calgary.ca</small></p>	

APPENDIX II

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.

