

**LAND USE AMENDMENT  
TUSCANY (WARD 1)  
TUSCANY HILLS WAY NW AND TUSCANY HILLS POINT NW  
BYLAW 275D2017**

**MAP 8NW**

**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)**

2017 June 29

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 275D2017; and

1. **ADOPT** the proposed redesignation of 0.07 hectares ± (0.17 acres ±) located at 19 Tuscany Hills Point NW (Plan 9611542, Block 1, Lot 82) 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 275D2017.

**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.

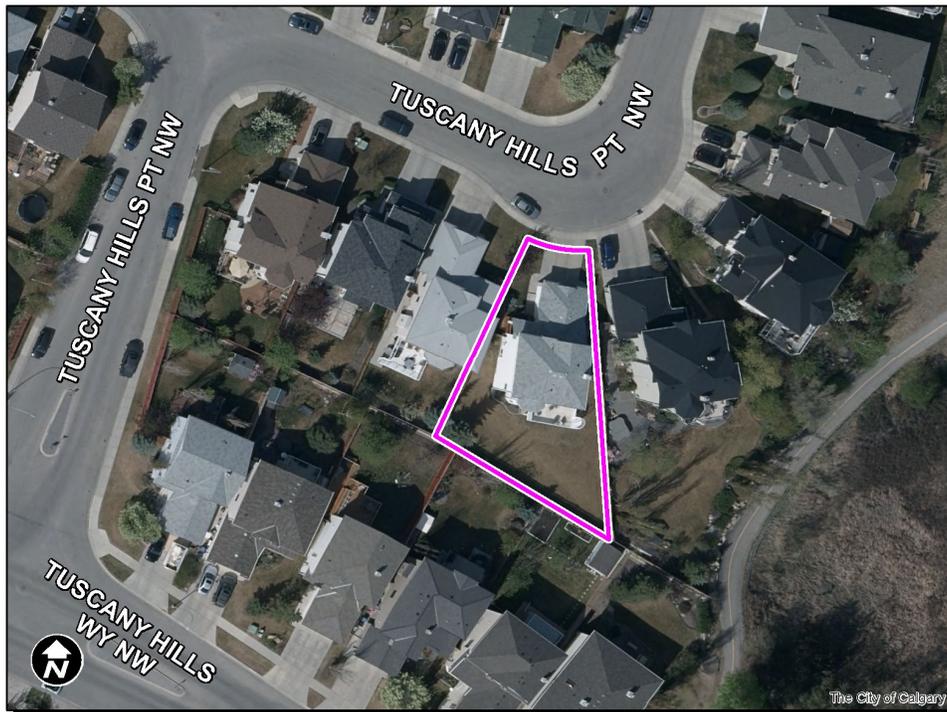
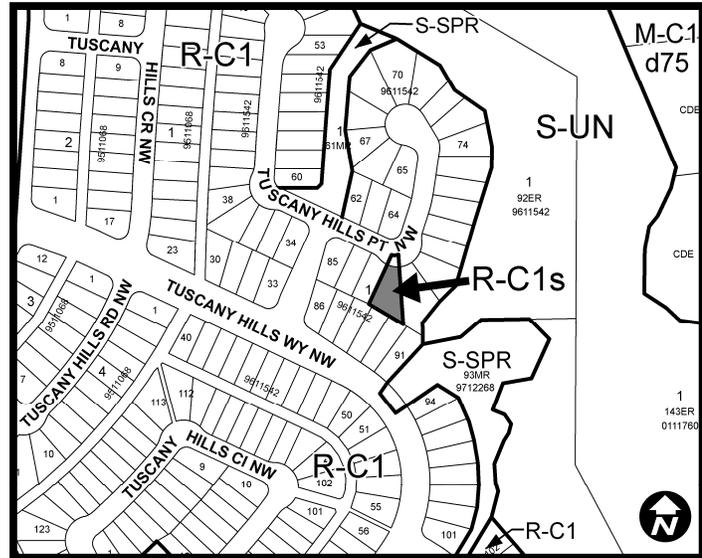
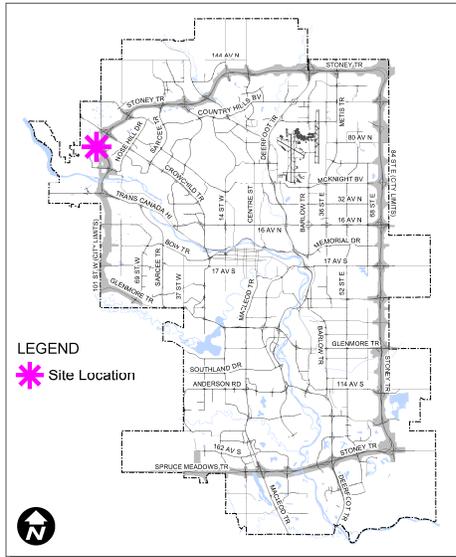
**ATTACHMENTS**

1. Proposed Bylaw 275D2017
2. Public Submission

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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 19 Tuscan Hills Point NW (Plan 9611542, Block 1, Lot 82) from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District.

**Moved by: L. Juan**

**Carried: 7 – 1**

Opposed: M. Foht

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**Applicant:**

Kellea Louise Cole

**Landowner:**

Kellea Louise Cole

**PLANNING EVALUATION**

**SITE CONTEXT**

Located in a low density residential R-C1s setting in the community of Tuscan, the site is approximately 18 metres by 36 metres in size and is developed with a two-storey single detached dwelling and an attached two-car garage that is accessed from Tuscan Hills Point NW. Single detached dwellings exist to the north, east, south, and west of the site.

According to data from The City of Calgary 2016 Census, the following table identifies Tuscan's peak population and year, current population, and the population amount and percentage difference between the peak and current populations if any.

<b>Tuscan</b>	
Peak Population Year	2015
Peak Population	19,737
2016 Current Population	19,662
Difference in Population (Number)	-75
Difference in Population (Percent)	0.4%

**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 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 (SSRP)

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 (MDP)

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).

There is no local area plan.

## **TRANSPORTATION NETWORKS**

Pedestrian and vehicular access to the site is available from Tuscany Hills Point NW and there is no rear lane. The area is served by Calgary Transit bus service with a bus stop location within approximately 550 metres walking distance of the site on Tuscany Boulevard NW. 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 a letter of no objection to the application from the Tuscany 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**

As the registered owner of the property at 19 Tuscany Hills Point NW Calgary, AB T3L 2C7, I am applying to change the land use designation of the property to allow for a legal secondary suite for the following reasons:

- Provide an affordable, safe alternative housing choice in an established neighbourhood
- Supplement my retirement income
- Invest in my home to provide a flexible living option at retirement to remain in my home

Approval considerations:

- Ample parking
- Large lot size with yard
- Proximity to public transit – bus and C-train
- Proximity to schools, Tuscany Community Centre, shopping and other amenities
- Proximity to natural and recreational areas –Rotary/Mattamy Greenway and 12 Mile Coulee Natural Environment Park

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APPENDIX II

TUSCANY COMMUNITY ASSOCIATION'S SUBMISSION

June 5, 2017

To: Circulation Control -- CPAG.Circ@calgary.ca

**Re: Land Use Amendment LOC2017-0141**

The Tuscany Community Association (TCA) respectfully offers the following comments regarding this application for a Land Use Amendment, to accommodate the development of a Secondary Suite.

This application asks for a change of land use, from R-C1 to R-C1s. Although the TCA has not been provided with detailed drawings/plans, we understand construction work required will be confined to the lower level of the home, and will include a separate entrance.

The applicant notified the Tuscany Community Association in May about the secondary suite application. Ms. Cole was asked whether she had proactively spoken to nearby homeowners about the application, and she responded to say the City has a process to formally advise adjacent landowners. As with other secondary suite applications in Tuscany, I then checked with some of the neighbours; a few voiced minor concerns regarding parking, traffic, and a decline in property values, but no serious objections were expressed.

The TCA has not received any written expressions of support or objection to the application from other homeowners in the area, so does not support or object to this application.

Regards,

Kelli Taylor

Past-President and Chair of Planning & Development  
Tuscany Community Association  
([planning@tuscanyc.org](mailto:planning@tuscanyc.org))

cc: Shane Gagnon, City of Calgary File Manager  
Ward Sutherland, Ward 1 Councillor  
Kellea Cole, Applicant  
bcc: TCA Board of Directors

### 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 simply 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.

