

**LAND USE AMENDMENT
WHITEHORN (WARD 5)
NORTH OF 32 AVENUE NE AND EAST OF 36 STREET NE
BYLAW 294D2017**

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 no 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 July 27

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 294D2017; and

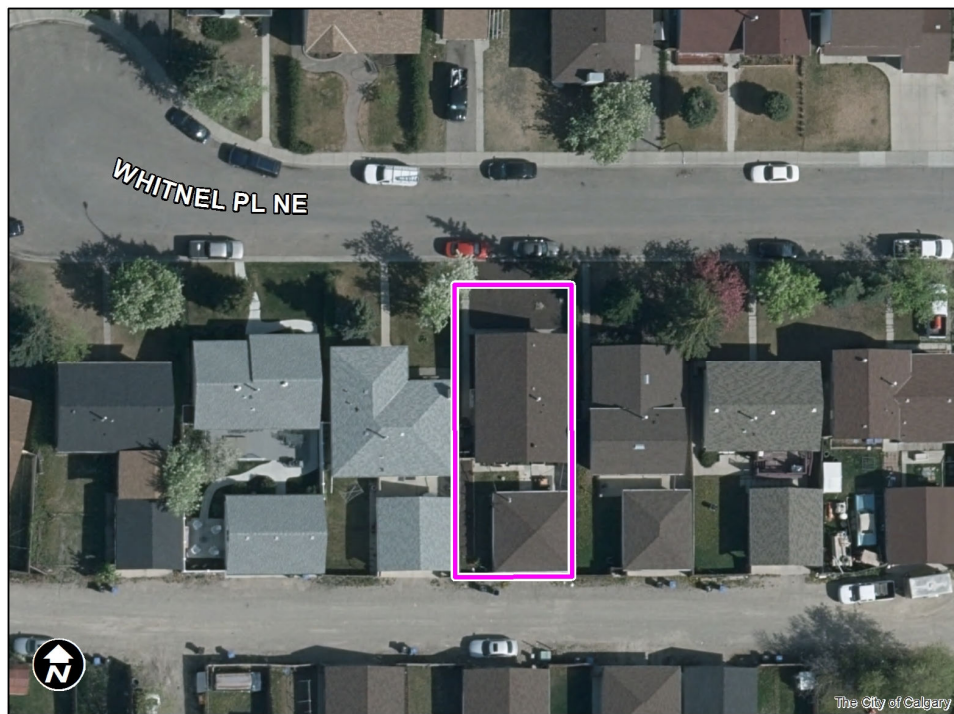
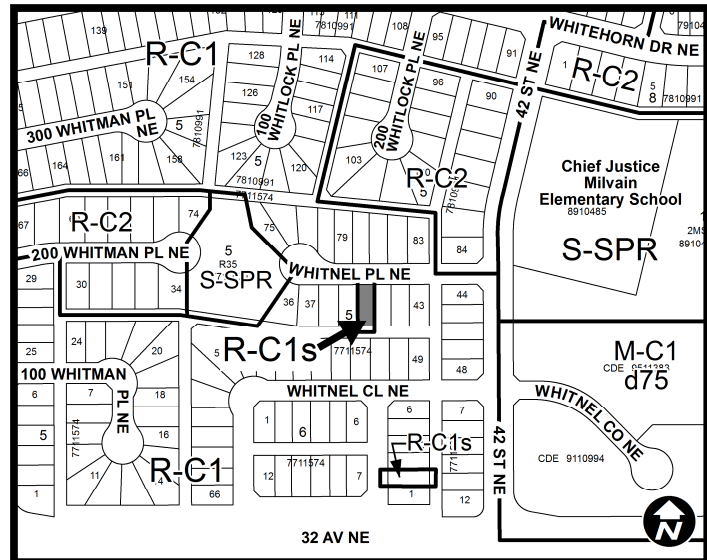
1. **ADOPT** the proposed redesignation of 0.04 hectares \pm (0.09 acres \pm) located at 80 Whitnel Place NE (Plan 7711574, Block 5, Lot 40) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 294D2017.

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 294D2017

MAP 34E[illegible]

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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.04 hectares \pm (0.09 acres \pm) located at 80 Whitnel Place NE (Plan 7711574, Block 5, Lot 40) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: A. Palmiere

Carried: 8 – 0

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Applicant:

Kusum Gyawali

Landowner:

Kamala Neupane
Krishna Neupane

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Whitehorn, the site is approximately 12.19 metres by 30.48 metres in size and is developed with a one-storey single detached dwelling with basement, two-car garage that is accessed from rear lane. Low density residential uses 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 Whitehorn's peak population and year, current population and the population amount and percentage difference between the peak and current populations if any.

| Whitehorn | |
|------------------------------------|--------|
| Peak Population Year | 2015 |
| Peak Population | 12,421 |
| 2016 Current Population | 12,374 |
| Difference in Population (Number) | -47 |
| Difference in Population (Percent) | 0% |

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.

Previously, a similar land use amendment application was filed and abandoned by Council at the 2016 April 11 Public Hearing. The proposal for a R-C1s redesignation was refused because the parcel did not meet the land use bylaw minimum width and depth requirements for a secondary or backyard suite at that time. Since that previous proposal, the land use bylaw minimum width and depth have been amended and the subject parcel now conforms with the bylaw requirements for a secondary or backyard suite.

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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).

There is no local area plan.

TRANSPORTATION NETWORKS

Pedestrian and vehicular access to the site is available from Whitnel Place NE and the rear lane. The area is served by Calgary Transit light rail transit with a Whitehorn light rail transit location within approximately 900 metre walking distance of the site on 36 Street NE. 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.

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 did not receive a response from the Whitehorn Community Association.

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

My clients (Krishna Neupane & Kamala Neupane) want to make re-designation of land use for the purpose of renting secondary suite (basement suite). Few reasons to apply for land use re-designation application in a process to develop secondary suite in the house are:

1. Renting purpose-

They want to rent their basement suite safe and legal way. After land use re-designation process, they will go for the development permit and basement suite design alteration according to Alberta building code and Calgary City standard assuring tenant safety and comfort. Secondary suite (basement) can be a good alternative source of income for them, which improves their family financial situation. In addition to this, it provides an alternative low cost residence, which helps to solve affordable housing problem in the City, where the population is growing fast.

2. Availability of amenities-

Grocery stores, gas station, drug stores, Hospital, family clinics, and Whitehorn LRT station are named to few available amenities within walkable distance from the house, which lies near a major intersection between 32 Avenue and 36 Street NE. These available facilities in the beautiful community of Whitehorn will be a good fit for a tenant in a secondary suite. In addition, Chief Justice Milvain School is approximately 100 meter from the house, Anne Gale Junior High School is within comfortable walking distance and Pearson High School is also conveniently commutable distance from the house. Fire Station No. 22 is within 2 kms from the house. Likewise, there are plenty of playgrounds around the house.

3. Reduce infrastructure investments and increase revenue-

Secondary suite accommodates an additional family in the same house. Therefore, City does not need to invest to develop physical infrastructures. Not only the City's infrastructure development cost has it been reduced, dense population of the area makes transit operation more cost effective. In addition to this, secondary suite permission motivate landlord to develop suite and rent it. It can increase property valuation as well as property tax which can increase City's revenue remarkably.

Therefore, it is a suitable house to approve for secondary suits land re-designation and I would like to request City council to provide permit for re-designation of land use for this parcel.

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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 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.

