

**LAND USE AMENDMENT
WILDWOOD (WARD 8)
3 AVENUE EAST OF 40 STREET SW
BYLAW 346D2017**

MAP 13W

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 September 21
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 346D2017; and	
1. ADOPT the proposed redesignation of 0.05 hectares \pm (0.14 acres \pm) located at 4020 - 3 Avenue SW (Plan 7986GW, Block 5, Lot 5) 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 346D2017.	

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.

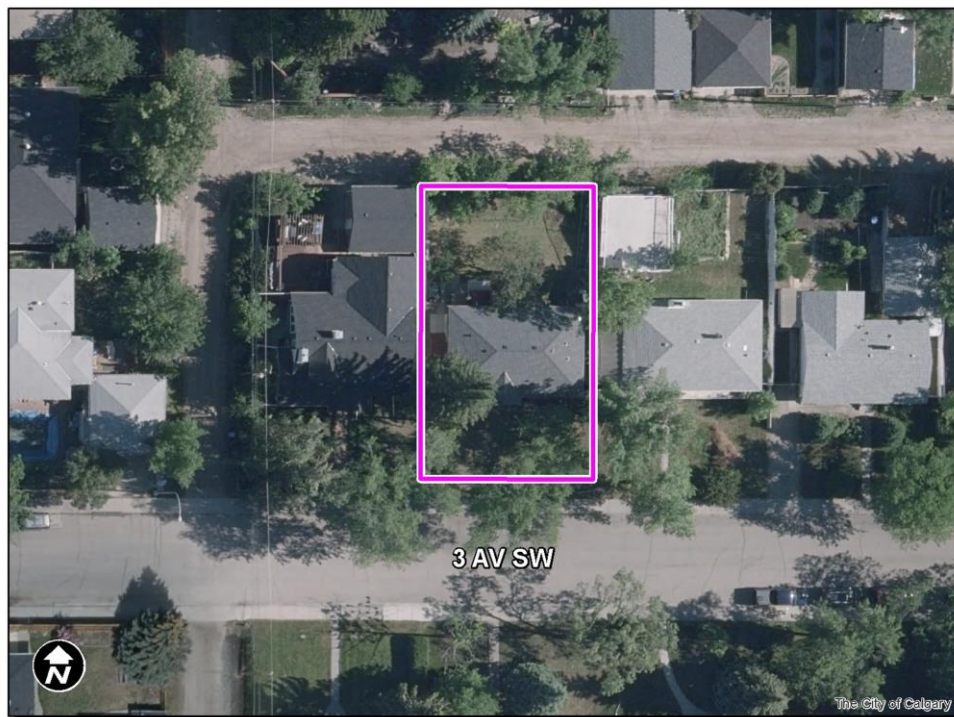
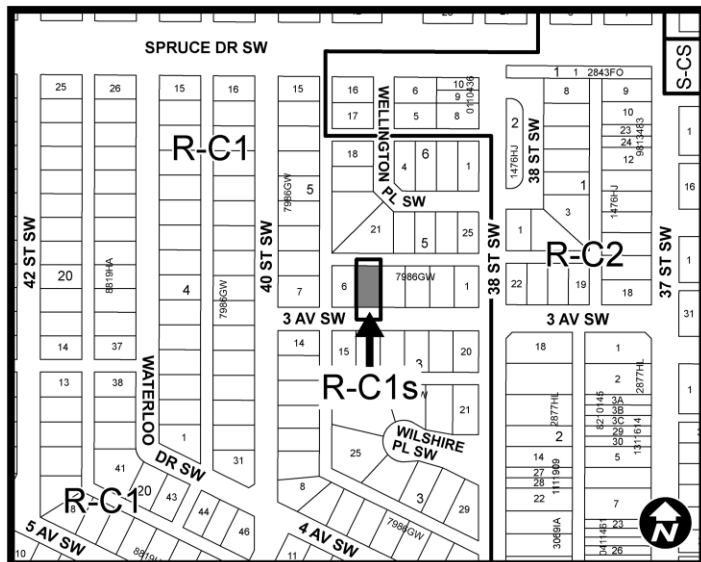
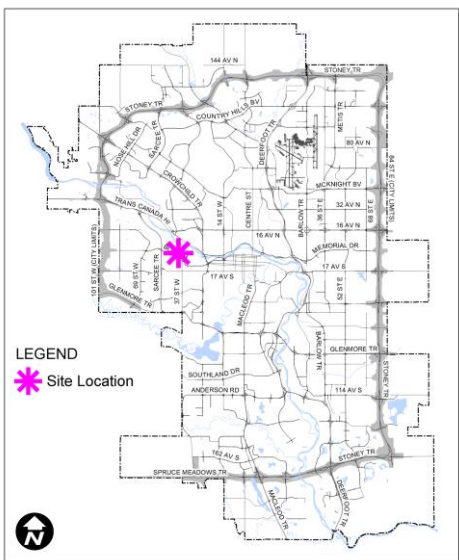
ATTACHMENT

1. Proposed Bylaw 346D2017
2. Public Submissions

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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 (0.14 acres \pm) located at 4020 - 3 Avenue SW (Plan 7986GW, Block 5, Lot 5) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: A. Palmiere

Carried: 6 – 0

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Applicant:

Robert W Oulton

Landowner:

Terri J Fisher
Robert W Oulton

PLANNING EVALUATION

SITE CONTEXT

Located in a low-density residential R-C1 setting in the community of Wildwood, the site is approximately 18 metres by 30 metres in size and is developed with a one-storey single detached dwelling. Single detached dwellings exist to the north, east, south, and west of the site.

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

Wildwood	
Peak Population Year	1968
Peak Population	4,294
2017 Current Population	2,629
Difference in Population (Number)	-1,665
Difference in Population (Percent)	-39%

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 (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 3 Avenue SW and the rear lane. The area is served by Calgary Transit bus service with a bus stop location within approximately 300 metre walking distance of the site on Spruce Drive SW. On-street parking adjacent to the site is unregulated.

UTILITIES & SERVICING

Water, and sanitary services are available and can accommodate the potential addition of a Secondary Suite without the need for off-site improvements at this time. Storm sewer mains are not available to service the site. 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.

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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 letter in opposition to the application from the Wildwood Community Association. Reasons stated for opposition are summarized as follows:

- Previously the community has expressed 95 percent opposition to secondary suites;
- Inconsistency of garage suite with surrounding properties;
- No precedent;
- Both resident and visitor parking would add to traffic in the alley;
- Potential for overlooking; and
- Shadowing concerns.

Citizen Comments

Administration received three (3) letters in opposition to the application. Reasons stated for opposition are summarized as follows:

- Adverse impacts to privacy, light, and aesthetics;
- Higher elevation of main unit relative to northern neighbours;
- Will set a precedent in R-C1 area, R-C2 lots nearby;
- Potential for looming over backyard across alley; and
- Adds to existing threats to property value.

Administration received one (1) letter in support of the application from the neighbour immediately east of the subject site, closest to the proposed development.

Public Meetings

No public meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

July 4, 2017

Dear the City of Calgary,

I am applying for a backyard suite above the new garage that is going to be built. There is a 7-8ft drop from my house to the alley that would allow for a backyard suite above the garage without becoming an obtrusive building within eyesight. I have a home business and would like to develop the upper suite in the garage for office use, as well for guests if needed. If you have any questions please feel free to contact myself anytime.

Sincerely,

Rob Oulton

A handwritten signature in dark ink, appearing to be 'Rob Oulton', with a stylized, flowing script.

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APPENDIX II

LETTERS SUBMITTED

Wildwood Community Association
P.O. Box 34161 RPO Westbrook Postal Outlet
Calgary, AB T3C 3W2

August 15, 2017

Circulation Controller
Planning and Development IMC 8201
P.O. Box 2100 Station M
Calgary, AB T2P 2M5

Attention: Derek Pomreinke

Re: Land Use application LOC2017-0208 4020 3rd Avenue SW

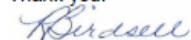
Wildwood Community Association (WCA) appreciates the opportunity afforded it by the development process to provide comments on specific development or land use applications. As a general policy, the WCA encourages development within Wildwood that is diverse in design yet recognizes our existing RC-1 context and respects people in our community.

We have reviewed the above application and we would like to submit our comments. We have been in communication with many directly affected neighbours. This land use application is causing concerns among the neighbours. We have asked that they also submit their comments to you for review while making your decisions. The Community Association would like to make it clear that we are opposed to this rezoning. Some of our reasoning is listed below:

1. 95% of Wildwood residents who expressed an opinion on the Secondary Suite Bylaw, defeated in 2015, opposed the rezoning of any Wildwood properties from R-C1 to R-C1s.
2. A two storey Garage Suite is the most inconsistent built-form relative to neighbouring properties and the neighbourhood in general.
3. There is no precedent approval for this built form in Wildwood. We have had two other Land use / Development applications for this same type of build, and they have both been denied in our neighbourhood. (DP 2014-1788 and LOC2015-0200).
4. A two storey Garage Suite is the most intrusive form of Secondary Suite:
 - a. Adds to alley traffic.
 - b. Alley way is not designed to accommodate visitor parking.
 - c. Visitor parking would add to street parking
 - d. Suite overlooking would reduce rear yard privacy for at least 4 adjacent residences.
 - e. Increased shadowing would affect the adjacent residences.
5. Even though this is the change in Land use, the owner has included comments in his application to state that he would be using this space as a home office or additional visitor space. Once the application is approved, if it is, we would have no guarantee that this would be the intended use of this space.

WCA does not support this application. We know that the submission of drawings is not required at this time but we do not want to have an approval of rezoning without seeing the resultant buildings. We hope our comments receive fair consideration from the Board in its deliberations on this matter. Please keep the WCA advised of further progress with this Application. We are prepared to provide further feedback and support with regard to contextual and local knowledge.

Thank you.



Robyn Birdsell
Wildwood Development Committee

D. Pomreinke

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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.

