

**LAND USE AMENDMENT  
 SOMERSET (WARD 13)  
 SOMERSIDE GROVE SW AND SOMERCREST STREET SW  
 BYLAW 361D2017**

**MAP 28SS**

**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. The application was submitted as a result of a complaint. To Administration’s knowledge there is not an existing basement suite located on the parcel.

**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 October 05

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 361D2017; and

1. **ADOPT** the proposed redesignation of 0.04 hectares ± (0.09 acres ±) located at 104 Somerside Grove SW (Plan 9910669, Block 22, Lot 50) 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 361D2017.

**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 361D2017



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**ADMINISTRATION'S RECOMMENDATION TO CALGARY PLANNING COMMISSION**

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.04 hectares ± (0.09 acres ±) located at 104 Somerside Grove SW (Plan 9910669, Block 22, Lot 50) from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District.

**Moved by: D. Leighton**

**Carried: 7 – 1**

Opposed: M. Foht

Reasons for Opposition from Mr. Foht:

- I opposed the application because the width of the lot is one metre less than the minimum width for a secondary suite. The width of the lot will reduce the street parking available to the residents of the property.

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**Applicant:**

Sherry Steele

**Landowner:**

Sherry Steele

**PLANNING EVALUATION**

**SITE CONTEXT**

Located in a low density residential R-C1 setting in the community of Somerset, the site is approximately 11 metres by 33 metres in size and is developed with a two-storey single detached dwelling and a detached two-car garage that is accessed from the rear lane. The site is surrounded with low density residential to the north, east, south, and west of the site.

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

<b>Somerset</b>	
Peak Population Year	2014
Peak Population	8,751
2017 Current Population	8,546
Difference in Population (Number)	-205
Difference in Population (Percent)	-2%

**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 and building permit processes. The parcel does not conform to all *Land Use Bylaw 1P2007* rules. A development permit is required for the development of a Secondary Suite or a Backyard Suite.

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Bylaw Requirement		Provided	Variance (±)	
390 Parcel Width (minimum)	12.0m	11.0m	1.0m	8.3%

The applicants have indicated in their submission that a Secondary Suite is proposed. In Administration's opinion this will not impact the visual appearance of the parcel, so the required relaxation for parcel width does not appear to be a significant issue.

## **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).

### Revised Midnapore Phase 2 Area Structure Plan

The parcel lies within the 'Residential and related uses' area on Map 2 of this document. Policy 4.1(a) states that 'a variety of dwelling units shall be provided'. There are no specific comments on secondary suites within this document.

## **TRANSPORTATION NETWORKS**

Pedestrian and vehicular access to the site is available from Somerside Grove and the rear lane. The area is served by Calgary Transit bus service (Route 14) with a bus stop location within approximately 300 metres walking distance of the site on Somercrest Street SW. The area is served by Calgary Transit Light Rail Transit service with the Somerset/Bridlewood LRT Station within approximately 2.2 kilometres distance (on bus route 14). On-street parking adjacent to the site is unregulated.

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## UTILITIES & SERVICING

Water, sanitary, and storm 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.

## PUBLIC ENGAGEMENT

### Community Association Comments

Administration did not receive a response from the Somerset/Bridlewood Community Association.

### Citizen Comments

Administration received one letter in opposition to the application.

Reasons stated for opposition are summarized as follows:

- Thought that this was already an approved secondary suite;
- The potential for a continued high turn-over of tenants which has already occurred;
- Unacceptable tenant behaviour, and
- No on-site parking provided and the owner uses the existing garage for storage.

### Public Meetings

No public meetings were held by the Applicant or Administration.

**APPENDIX I**

**APPLICANT'S SUBMISSION**

To the Calgary Planning Commission and the City Council:

The reason as to why I am making this application to the City of Calgary is because of the location of my property. This application is for my secondary suite.

My property is in the SW of town. It is a beautiful location that is still in the city but just out of the way of the hustle and bustle of the busy life. It is 2.2 kilometers west of the Shawnessy shopping centre. The shopping centre includes an Urgent care which is only 3.2 kilometers east of my property. There are several walk in clinics, Fire departments, dentist offices, C-Trains, a YMCA, Wal-Mart, Safeway, and Co-op, Shoppers Drug mart, a public water park with tennis courts, basket ball courts and soccer fields. There are many elementary schools and high schools to choose from including the wonderful St. Mary's College. This area also has a plethora of places to shop and restaurants to discover.

My property is just north of Spruce Meadows and 22X which can lead you northeast to Edmonton or northwest to Cochrane, Canmore, Banff, Lake Louise, Jasper etc. It is only 9.3 kilometers south from South Centre Mall and 13 kilometers west of the South Health Campus Hospital. It is the perfect area for someone who wants to have all the amenities of a big city but who does not want to venture out too far.

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.

