

**LAND USE AMENDMENT
BOWNESS (WARD 1)
48 AVENUE NW AND BOW GREEN CRESCENT NW
BYLAW 244D2017**

MAP 3NW

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 and to Administration's knowledge there 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 15

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 244D2017; and

1. **ADOPT** the proposed redesignation of 0.05 hectares \pm (0.13 acres \pm) located at 7908 - 48 Avenue NW (Plan 4573HS, Block 38, Lot 30) 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 244D2017.

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 Bowness Area Redevelopment Plan and will allow for development that has the ability to meet the intent of Land Use Bylaw 1P2007.

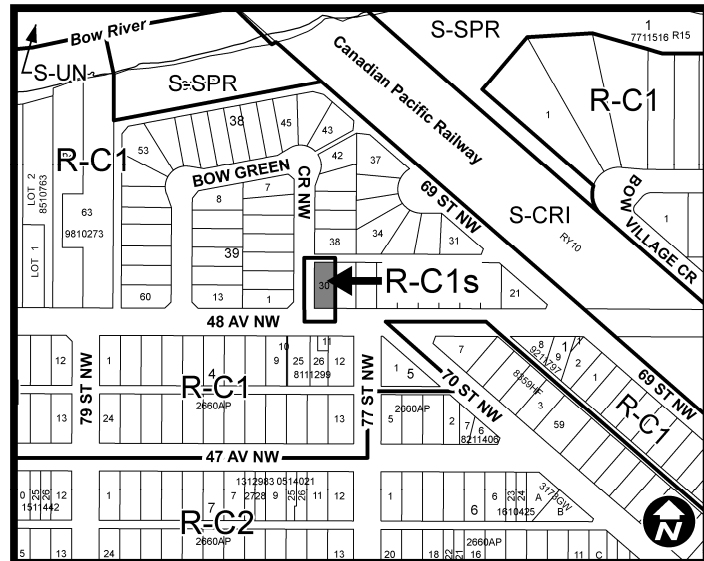
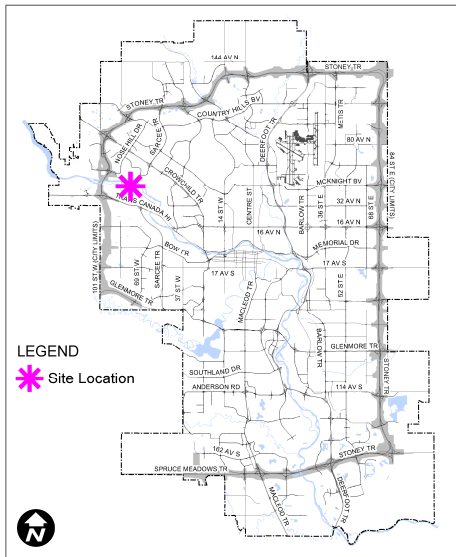
ATTACHMENT

1. Proposed Bylaw 244D2017
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 0.05 hectares ± (0.13 acres ±) located at 7908 - 48 Avenue NW (Plan 4573HS, Block 38, Lot 30) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: C. Friesen
Absent: L. Juan

Carried: 6 – 0

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Applicant:

Patrick Kenneth Wetter

Landowner:

Patrick Kenneth Wetter
Leah Christella Wetter

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Bowness, the site is approximately 15 metres by 33 metres in size and is developed with a one -storey single detached dwelling and a detached two-car garage that is accessed from Bow Green Crescent 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 Bowness' peak population and year, current population and the population amount and percentage difference between the peak and current populations if any.

Bowness	
Peak Population Year	1982
Peak Population	13,134
2016 Current Population	11,010
Difference in Population (Number)	-2,124
Difference in Population (Percent)	-16%

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).

TRANSPORTATION NETWORKS

Pedestrian and vehicular access to the site is available from 48 Avenue NW and Bow Green Crescent NW. The area is served by Calgary Transit bus service with a bus stop location within approximately 230 metre walking distance of the site on 46 Avenue 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 Bowness Community Association (APPENDIX II).

Reasons stated for no objection are summarized as follows:

- Very thorough presentation to the Bowness Community Association Planning & Development Committee.
- Applicant did legwork with respect to informing his neighbours.
- No comments/concerns received from neighbours.

Citizen Comments

Administration received two (2) letters, one in opposition to and one in support of the application.

Reasons stated for opposition are summarized as follows:

- Will ruin the area.

Reasons stated for support are summarized as follows:

- Will allow for further improvements to the home and create an economic advantage for the homeowner and those who cannot afford rent elsewhere.

Public Meetings

No public meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

7908 48th Avenue NW is located in the community of Bowness. The applicant desires to rezone their property from the Residential – Contextual One Dwelling (R-C1) district to R-C1s in order to allow for a basement suite and increase the housing choice in the neighbourhood. The following details how the proposal complies with the Land Use Bylaw, is in context with the surrounding area and is supported by adjacent neighbours.

With respect to the Land Use Bylaw, the dimensions of the property are in excess to that required for width, depth and parcel size under the R-C1s district. In addition, the location of the dwelling on the property meets the minimum front, rear and side yard setback requirements. The height of the dwelling is below the maximum allowed.

Under the R-C1s district, one off-street parking stall is required for a single-detached dwelling and another is required for the secondary suite. The property meets this requirement by accommodating four off street parking stalls through a two-vehicle garage that is accessed through a two-vehicle wide driveway. The street along the perimeter of the property can accommodate an additional six parking stalls based on a usable parking perimeter of ±36.0 metres at 6.0 metres of length per parking stall.

A secondary suite would be in context with the surrounding land use districts. Specifically, land designated R-C2 is located across the street and within ±65 metres of the subject property. The R-C2 district allows for secondary suites.

The subject corner property will have minimal impact on surrounding properties as it is located at the end of the block and thus shares only one property line with an adjacent parcel. The remaining property lines are shared with a street or a lane.

Completing the approval process will only result in minor upgrades to the basement suite. The proposed space for the basement suite includes window and ceiling height dimensions in excess of the requirements of the Building Code. As a result, construction activity and disturbances to neighbours will be limited as no structural alternations, exterior upgrades or modifications to the yard will be required to accommodate the secondary suite and bring it up to the health and safety standards of the Building Code.

Before making this submission, the applicant delivered letters to forty surrounding households requesting their feedback regarding the proposed rezoning. Seven letter of no objection were received. The applicant also met with the two closest neighbours in person and they stated that they had no objection with the proposal. Only one neighbour stated their objection and the applicant addressed their concerns regarding parking and strangers. In this regard, the vast majority of neighbours do not object to the rezoning.

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The applicant respectfully requests the support of neighbours, the Community Association, Administration and council with regard to this application to rezone their property to R-C1s.

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APPENDIX II

LETTERS SUBMITTED

May 9, 2017

Good Afternoon Felix

The owner of the above noted property and file came to the Bowness Community Association Planning and Development Committee meeting on May 3, 2017. He had a very thorough presentation prepared and had certainly done his legwork with respect to informing his neighbors. We see no problems with this application even despite the fact that he currently rents the property out. We have received no comments/concerns from neighbors and thus have no comments with respect to this application.

Thank you for the opportunity to comment,

Sydney Empson
Community Hub Coordinator
Bowness Community Association
7904 – 43 Ave NW
Calgary, AB
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P:403-288-8300
F:403-288-8307

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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.

