

**LAND USE AMENDMENT
BRENTWOOD (WARD 7)
BRECKEN ROAD NW AND BURGESS DRIVE NW
BYLAW 222D2017**

MAP 31C

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 May 18

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 222D2017; and

1. **ADOPT** the proposed redesignation of 0.05 hectares \pm (0.12 acres \pm) located at 2839 Brecken Road NW (Plan 6JK, Block 12, Lot 10) 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 222D2017.

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.

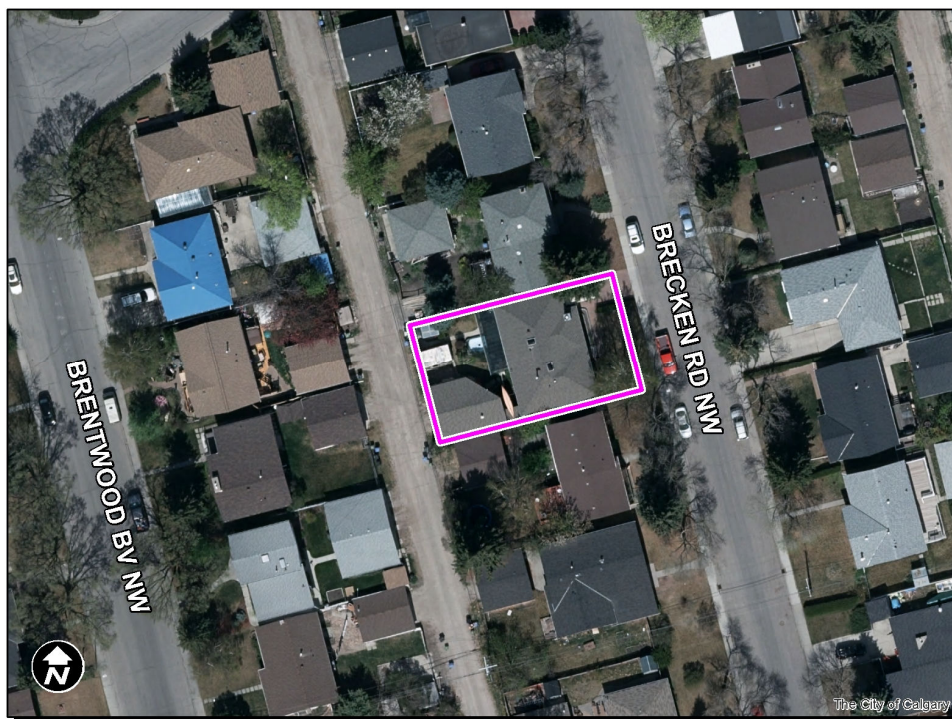
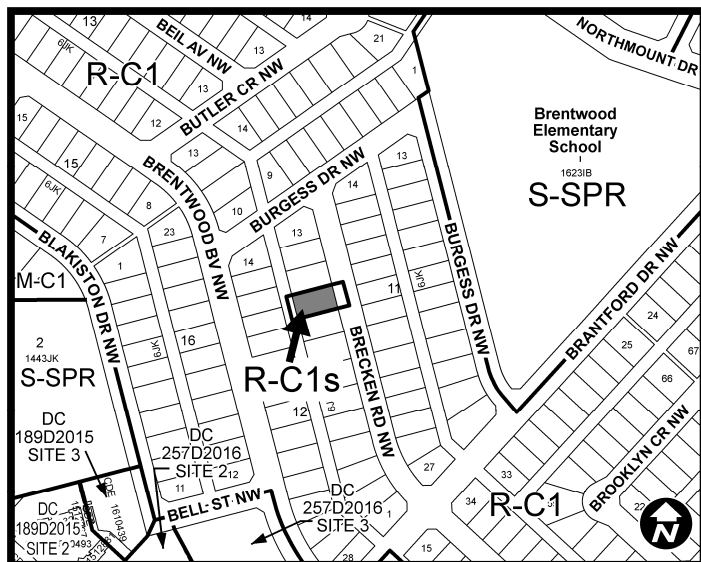
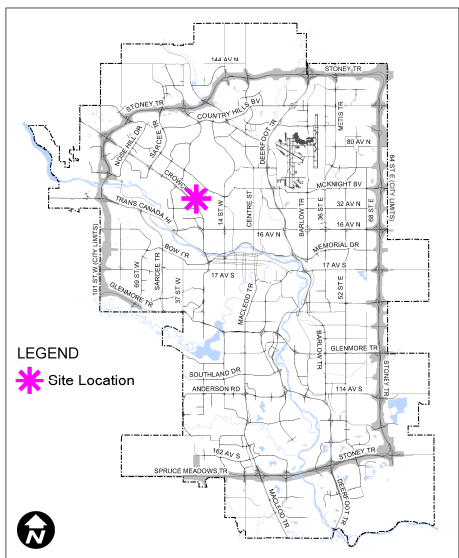
ATTACHMENT

1. Proposed Bylaw 222D2017

LAND USE AMENDMENT
BRENTWOOD (WARD 7)
BRECKEN ROAD NW AND BURGESS DRIVE NW
BYLAW 222D2017

MAP 31C

LOCATION MAPS



LAND USE AMENDMENT
BRENTWOOD (WARD 7)
BRECKEN ROAD NW AND BURGESS DRIVE NW
BYLAW 222D2017

MAP 31C

ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.05 hectares \pm (0.12 acres \pm) located at 2839 Brecken Road NW (Plan 6JK, Block 12, Lot 10) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: A. Palmiere

Carried: 9 – 0

2017 May 18

MOTION: The Calgary Planning Commission accepted correspondence from:

- Brentwood Community Association dated 2017 May 16;

as distributed, and directs it to be included in the report in APPENDIX III.

Moved by: A. Palmiere

Carried: 9 – 0

LAND USE AMENDMENT
BRENTWOOD (WARD 7)
BRECKEN ROAD NW AND BURGESS DRIVE NW
BYLAW 222D2017

MAP 31C

Applicant:

Kerry Wiebe Developments

Landowner:

Dennis Saunders
Irene Saunders

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Brentwood, the site is approximately 15 metres by 30 metres in size and is developed with a single-storey single detached dwelling with a two-car garage that is accessed from the rear lane. Single detached housing immediately surrounds the site. Brentwood Elementary, the Brentwood Village Shopping Centre are located further north and south of the site.

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

Brentwood	
Peak Population Year	1969
Peak Population	9,086
2016 Current Population	7,133
Difference in Population (Number)	-1,953
Difference in Population (Percent)	21%

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.

**LAND USE AMENDMENT
BRENTWOOD (WARD 7)
BRECKEN ROAD NW AND BURGESS DRIVE NW
BYLAW 222D2017**

MAP 31C

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 Brecken Road NW and the rear lane. The area is served by Calgary Transit light rail transit with the Brentwood light rail transit station location within approximately a 600 metre walking distance of the site. 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.

**LAND USE AMENDMENT
BRENTWOOD (WARD 7)
BRECKEN ROAD NW AND BURGESS DRIVE NW
BYLAW 222D2017**

MAP 31C

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 Brentwood Community Association.

Citizen Comments

Administration received one letter in opposition to the application.

Reasons stated for opposition are summarized as follows:

- traffic congestion

Public Meetings

No public meetings were held by the Applicant or Administration.

**LAND USE AMENDMENT
BRENTWOOD (WARD 7)
BRECKEN ROAD NW AND BURGESS DRIVE NW
BYLAW 222D2017**

MAP 31C

APPENDIX I

APPLICANT'S SUBMISSION

We request approval to change the zoning on our home at 2839 Brecken Rd NW from RC1 to RC1S. As we are at retirement age, a secondary suite will provide us with a monthly income and allow us to retire in our home with less concern about finances.

A properly permitted secondary suite will provide us peace of mind knowing that whoever is living there, whether it be family or another person's family that they are safe, all the proper permits have been taken out and the space has been inspected. With city inspections, we will also know that the space has been developed in a proper and correct manner.

There is plenty of off- street parking on the property and both the main floor and basement living areas will have access to the rear deck and yard. The Brentwood C-train station is a 5 minute walk from our home and the Brentwood shopping center is 3 blocks away. There is an elementary school 1 block from our home, and the nearest bus stop is 2 blocks away.

LAND USE AMENDMENT
BRENTWOOD (WARD 7)
BRECKEN ROAD NW AND BURGESS DRIVE NW
BYLAW 222D2017

MAP 31C

APPENDIX II

IMPORTANT TERMS

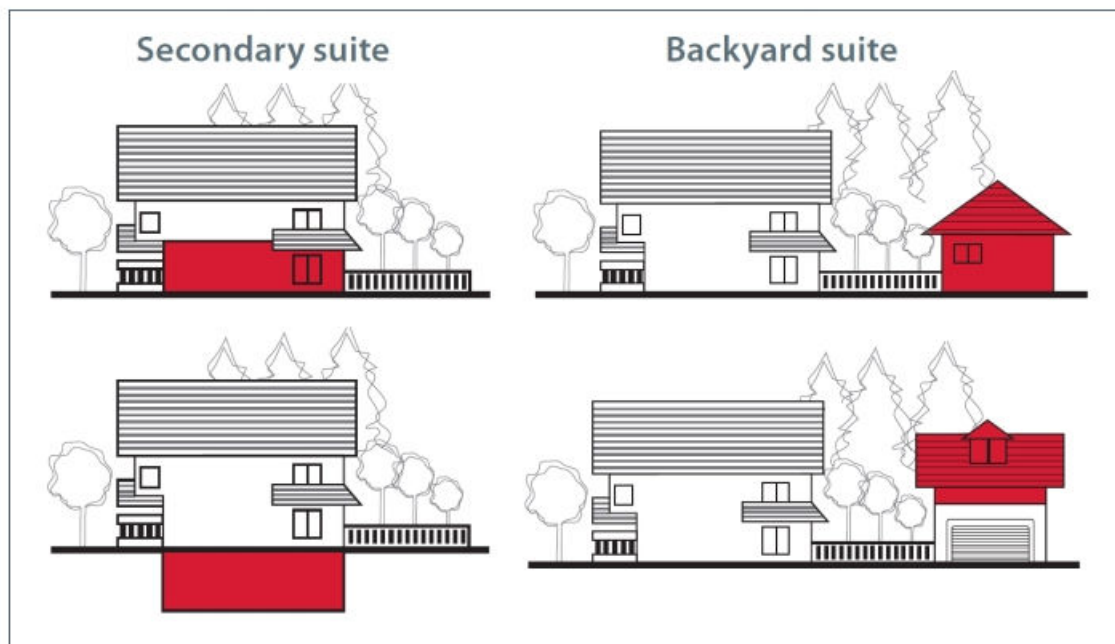
While there are specific Land Use Bylaw 1P2007 definitions and development rules for Secondary Suite and Backyard Suite uses, the following information is provided to simply and enhance general understanding of these two different uses (Secondary Suite or Backyard Suite).

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.



LAND USE AMENDMENT
BRENTWOOD (WARD 7)
BRECKEN ROAD NW AND BURGESS DRIVE NW
BYLAW 222D2017

MAP 31C

APPENDIX III

From: Melanie Swailes <melanie.brentwoodDTC@shaw.ca>
Date: May 16, 2017 at 12:07:44 PM EDT
To: "Furness, Jordan A." <Jordan.Furness@calgary.ca>
Subject: RE: LOC2017-0080 - 2839 Brecken Rd NW

Hi Jordan,

Thanks for taking the time to discuss this application yesterday.

As mentioned, the Brentwood Community Association receives many comments regarding secondary suites from area residents. Some would not like to see any secondary suites at all in R-C1 neighbourhoods while others are not opposed provided certain conditions are met. **All would prefer to see owner-occupied suites.** The majority of complaints we hear appear to be cases where both the main home and the secondary suite are rented out so there is an absentee landlord. While we realize only the use, not the user, can be regulated, **we hear from our residents that having an owner on site tends to lessen potential problems with property upkeep, garbage handling, yard maintenance and unruly tenants.**

The other concern we have is that the current R-C1s designation does not distinguish between a basement suite or a backyard / garage / laneway unit. **We feel that the application should specify which type is being applied for and the applicant can then ONLY build that type of unit.** A basement suite does not affect adjacent homes through massing, shadowing, privacy or other potential negative impacts, whereas backyard, laneway or garage suites have significant impact on adjacent properties.

A neighbour might not be opposed to a secondary suite in a basement but greatly opposed to a new second storey over a garage overlooking his property (especially in an area where most homes are single-storey bungalows). The current system means that either is possible and in fact, adjacent neighbours do not even know which is planned. It is almost impossible for them to submit comments. This is akin to your neighbour applying for a DP to build a garage in the backyard, then once approved, deciding to build an addition out the front instead: we don't allow that, and we should also require a specific designation for secondary suites. **The Planning Department should consider separate designations, for example R-C1s (basement), R-C1g (over garage) and R-C1L (laneway). Under the current system, an applicant is given leeway to build whatever he wishes and neighbours are at a significant disadvantage.**

Any neighbours who do comment on an application should have their opinions factor into a decision about a suite since they are the ones who will have to live with the results.

Thank you.

Melanie Swailes
Chair, Development and Transportation Group
Brentwood Community Association

J. Furness