

LAND USE AMENDMENT
CAMBRIAN HEIGHTS (WARD 7)
NORTHWEST OF NORTHMOUNT DRIVE NW
BYLAW 192D2016

MAP 33C

EXECUTIVE SUMMARY

This land use amendment application seeks to redesignate a single residential parcel from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District to allow for a secondary suite. A Secondary Suite currently exists on the site within the basement of the existing home.

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 Calgary.

ADMINISTRATION RECOMMENDATION(S)

2016 June 02

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 192D2016; and

1. **ADOPT** the proposed redesignation of 0.06 hectares \pm (0.14 acres \pm) located at 48 Cadogan Road NW (Plan 9043HA, Block 7, Lot 14) 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 192D2016.

REASON(S) FOR RECOMMENDATION:

The proposed R-C1s land use district allows for two additional residential uses (Secondary Suite, Backyard Suite). These uses are compatible with and complimentary to the existing low density residential character of the neighbourhood; therefore, the proposed R-C1s district is appropriate for the site. The following points further support the application:

- The site is in close proximity to major bus routes along Northmount Drive NW and 14 Street NW, as well as the 10 Street NW bike lane.
- The site is in close proximity to two schools (Cambrian Heights Elementary School and the Edelweiss Preparatory School) and the Alberta Bible College.
- The site is in close proximity to the commercial development located at Northmount Drive NW and 14 Street NW.

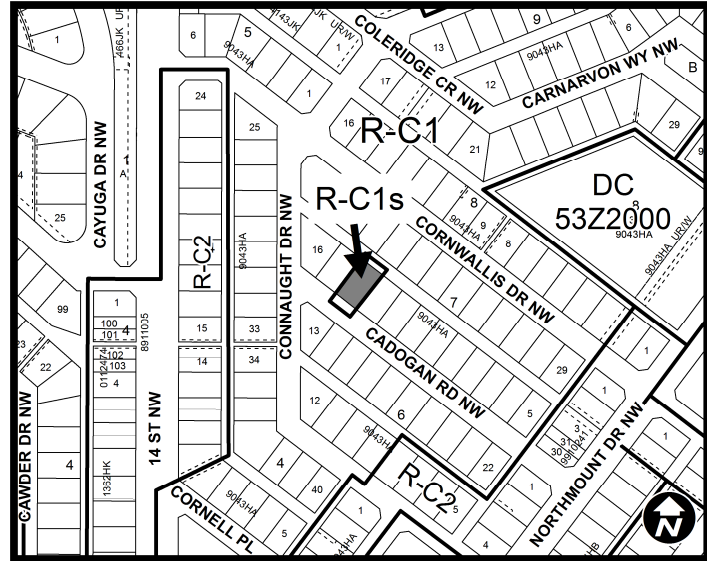
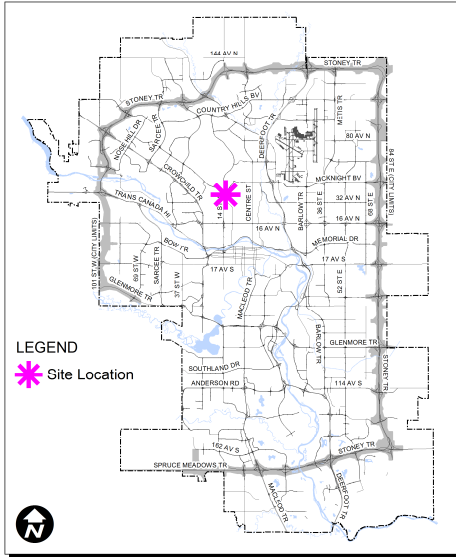
ATTACHMENT

1. Proposed Bylaw 192D2016

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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 0.06 hectares ± (0.14 acres ±) located at 48 Cadogan Road NW (Plan 9043HA, Block 7, Lot 14) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: J. Gondek

Carried: 6 – 0

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Applicant:

Ryan Morgan

Landowner:

Ryan Morgan

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Cambrian Heights, the site is approximately 18.3 metres wide by 30.5 metres deep. The parcel is developed with a single detached dwelling with a single front-drive attached garage with a driveway. Single detached dwellings exist on all adjacent parcels.

LAND USE DISTRICTS

The proposed R-C1s district has the ability to accommodate a secondary suite on parcels that already contain a single detached dwelling on a single parcel. The R-C1s district allows for one additional permitted use (secondary suite) or one additional discretionary use (backyard suite).

The subject site meets the minimum R-C1s parcel size requirements. As such, the site can accommodate a secondary suite and its associated Land Use Bylaw 1P2007 requirements, including the minimum parking requirement and the amenity space provisions. If any relaxation may be required, these may be considered at the development permit stage.

Approval of this land use application does not constitute approval of a specific secondary suite type, but rather it allows for an additional dwelling unit (in the form of a secondary suite) to be considered via the development permit process.

LEGISLATION & POLICY

Municipal Development Plan (2009):

The subject site is located within a *Residential, Developed-Established Area* as identified on Map 1: Urban structure of the Municipal Development Plan (MDP). Although the MDP makes no specific reference to the subject sites, the land use proposal is in keeping of overarching MDP policies including: *Established Areas* policies (Section 3.5.3), *Neighbourhood infill and redevelopment* policies (Section 2.2.5) and *Housing diversity and choice* policies (Section 2.3.1).

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TRANSPORTATION NETWORKS

Pedestrian and vehicular access is available from Cadogan Road NW, which intersects with Northmount Drive NW. The site has a single front-drive garage, a rear lane, and a driveway. The site is located close to major bus routes along Northmount Drive NW, 14 Street NW, and 10 Street NW. Dedicated bike lanes are also provided in close proximity along 10 Street NW.

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 depending on the type of a secondary suite proposed. This aspect would be determined at the development permit stage.

ENVIRONMENTAL ISSUES

An Environmental Site Assessment was not required.

GROWTH MANAGEMENT

This land use 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 the MDP references associated with growth management matters.

PUBLIC ENGAGEMENT

Community Association Comments: The Cambrian Heights Community Association submitted a letter of objection to the application. The Association has passed a motion outlining the process it would like to see take place prior to supporting a land use bylaw amendment in the community, including actions it would like to see The City of Calgary take. Please see APPENDIX II, Attachment 1 to view this motion.

Citizen Comments: The owners of the properties located directly beside the subject property submitted letters of support for the application.

Public Meetings: No public meetings were held by the Applicant or Administration.

APPENDIX I

APPLICANT'S SUBMISSION

I am the owner of a home in the community of Cambrian Heights with the address 48 Cadogan Rd NW. I live in the home with my wife and our twenty-month-old son. I am writing this letter to provide you with information concerning our application for a land use redesignation, which would allow for the use of a secondary suite on the property.

Through this application process, it is our goal to ensure that the existing basement suite meets all of Alberta's Safety Code requirements and to ensure that we have acquired all of the necessary permits. Currently at the home, the basement is rented to a single mother and her fourteen-year-old daughter. Because a suite at the residence is not a legal use, and in order to comply with city requirements, we have had to share the home's upstairs kitchen facilities with our renters. This situation is obviously not ideal for either family. On a personal level, having a basement suite has provided my family with additional income, allowing my wife to work part time and raise our son at home. Beyond the additional financial support and sustainability that a legal suite will provide, our family feels a strong sense of pride knowing that we can provide Calgarians with a safe, clean, and affordable place to reside. Regarding safety, the basement has been upgraded including the addition of a new second furnace, interconnected smoke detectors, improvements to the electrical system, and new egress windows in each of the bedrooms.

We are cognizant of the fact that many residents of Calgary have concerns associated with parking issues around the use of secondary suites. With this in mind, we have always been very careful to avoid any parking issues. We make certain that our renters and ourselves only utilize the parking spots directly in front of our home, on our driveway, and in our garage. We avoid blocking the spots of any homes in the neighbourhood and are very respectful of all of our neighbours. That being said, the home has historically had an additional parking pad located in the back yard (that was converted to a greenhouse), and the plan is to have this additional parking spot re-established.

As a testament to our work at minimizing impacts on our neighbours and the surrounding community, we have discussed our intentions with our neighbours and have garnered their support. We have included letters of support with this application from both of our adjacent neighbours. My wife and I love the community that we reside in, and we feel that success with this application for redesignation will only help to further strengthen our neighbourhood, community and city. We sincerely hope that you take this information into consideration and that a recommendation for land-use redesignation will be made and approved.

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APPENDIX II

COMMUNITY ASSOCIATION SUBMISSION

Gary Wilson, Director
Planning Committee
Cambrian Heights Community Association

Jill Sonogo, File Manager
City of Calgary

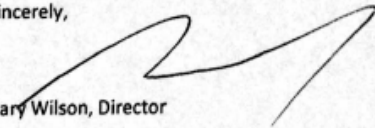
February 23, 2016

RE LOC2016-0016

Dear Ms. Sonogo,

Please allow me to register our objection to the land use amendment contemplated in LOC2016-0016. Our community association passed a resolution in 2015 specifically addressing the secondary suite issue and the conditions we would want satisfied before any secondary suite rezoning could be considered. Please see attached. Although this resolution was passed in response to the city administration's initiative to rezone whole areas, it is also applicable on an individual application basis. Given this, and considering that these conditions have not been met in this application, we have no choice but to object to this application.

Sincerely,


Gary Wilson, Director

Cambrian Heights Community Association

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Attachment 1

Whereas the vast majority of properties in the Cambrian Heights community are zoned R-C1 or R-1,

And whereas any changes to the land use, insofar as it relates to the Cambrian Heights community, to incorporate secondary and/or backyard suites, whether as a permitted or discretionary use, in the areas zoned R-C1 and R-1 will have a significant impact on the nature and character of the existing community and its current residents,

Therefore be it resolved that the Cambrian Heights Community Association adopts the position that any decision on the part of the City of Calgary to amend the Land Use Bylaw 1P2007, or any subsequent land use bylaw, to incorporate secondary and/or backyard suites, whether as a permitted or discretionary use, in the areas zoned R-C1 and R-1 in the Cambrian Heights community be subject to the following conditions:

1. That the City of Calgary present a comprehensive plan, in advance, outlining the definitive action that it will take in conjunction with any changes to the land use bylaw to incorporate secondary and/or backyard suites, whether as a permitted or discretionary use, to build and strengthen the community including, but not limited to, the following:
 - a. Focusing exclusively on owner occupied secondary and/or backyard suites
 - b. Ensuring the development of secondary and/or backyard suites does not infringe on the rights of neighbouring properties to enjoy their existing privacy and right to light
 - c. Provides a strong mechanism for the control of any established secondary and/or backyard suites to ensure they remain as a positive influence on the community
 - d. Provides confirmation to the community that existing city infrastructure (water, sewer, etc) is sufficient now, and for the foreseeable future, to meet any demands associated with the development of secondary and/or backyard suites
 - e. Proactive steps that will be taken to manage on-street parking to ensure neighbouring properties are not unduly impacted by any decision on the part of a property owner to have a secondary and/or backyard suite
 - f. Proactive steps that will be taken to mitigate the anticipated impacts of increased traffic flow resulting from the development of secondary and/or backyard suites
 - g. Proactive steps that will be taken, in anticipation of increased density, to increase the availability of alternative means of transportation (transit, cycling, etc) to ensure convenient access to/from the community
2. That any decision by the City of Calgary to amend the land use bylaw, insofar as it affects the Cambrian Heights community, to incorporate secondary and/or backyard suites, whether as a permitted or discretionary use, be subject to the approval of the Cambrian Heights community through the use of a petition form signed by at least two-thirds of the affected property owners who represent at least one-half the total assessment of the affected area, according to the last revised assessment roll (one owner of multiple properties within the affected area will count as only one vote). All signatures must be obtained within a 60-day period, in accordance with the provisions in the Municipal Government Act. The responsibility to initiate and complete, through an independent third party, the petition shall rest solely with the City of Calgary.