

**LAND USE AMENDMENT  
WHITEHORN (WARD 5)  
NORTH OF 32 AVENUE NE AND WEST OF 52 STREET NE  
BYLAW 149D2016**

**MAP 34E**

**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. The application was not submitted as a result of a complaint. There is no existing secondary suite in the dwelling.

**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 May 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 149D2016; and

1. **ADOPT** the proposed redesignation of 0.05 hectares  $\pm$  (0.14 acres  $\pm$ ) located at 5036 Whitestone Road NE (Plan 7410224, Block 1, Lot 59) 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 149D2016.

**REASON(S) FOR RECOMMENDATION:**

The proposed R-C1s district, which allows for two forms of secondary suite uses (secondary suite, backyard suite), is compatible with the established character of the community. In addition, the proposal conforms to the relevant policies of the Municipal Development Plan and allows for a development that has the ability to meet the intent of Land Use Bylaw 1P2007. The parcel has rear lane access, is in close proximity of transit and can accommodate the required additional parking stall on site.

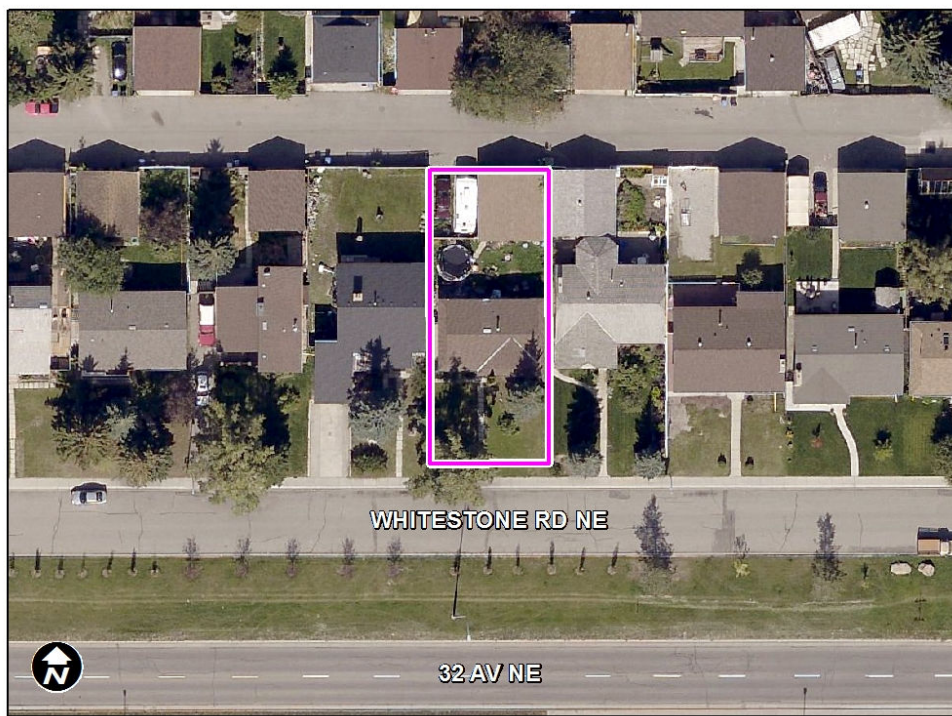
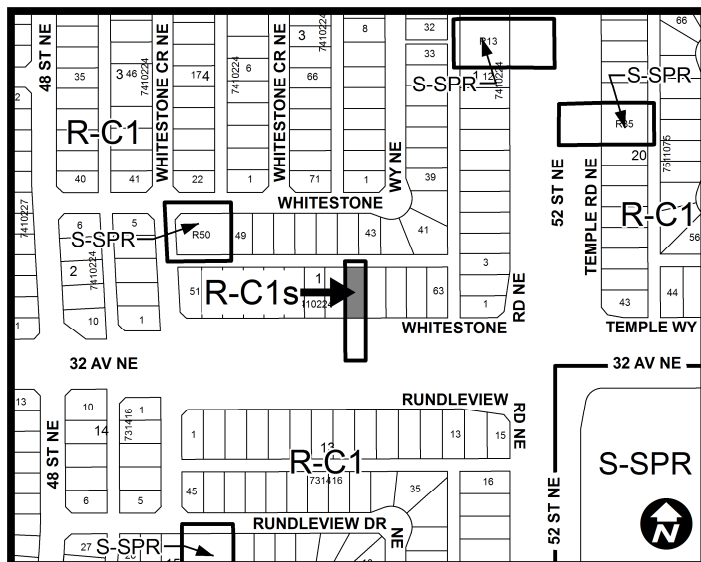
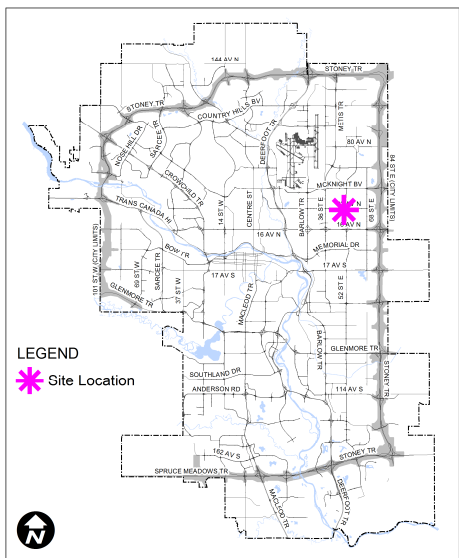
**ATTACHMENTS**

1. Proposed Bylaw 149D2016
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  $\pm$  (0.14 acres  $\pm$ ) located at 5036 Whitestone Road NE (Plan 7410224, Block 1, Lot 59) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

**Moved by: M. Foht**

**Carried: 8 – 0**

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**Applicant:**

Samuel Law

**Landowner:**

Olivia Yui Pud

**PLANNING EVALUATION**

**SITE CONTEXT**

Located in a low density residential R-C1 setting in the community of Whitehorn, the site is approximately 14.9 metres wide by 36.6 metres deep. The parcel is developed with a single detached dwelling with a detached double garage accessed off the rear lane. Single detached dwellings exist to the north, west and east of the parcel and to the south of the site is 32 Avenue NE. The parcel is approximately 200 metres from a bus stop.

**LAND USE DISTRICTS**

The proposed R-C1s district has the ability to accommodate secondary suites 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 does not meet the minimum R-C1s parcel width requirements (15.0 metres). As such, the site would require a minor relaxation to the Land Use Bylaw 1P2007 requirements in order to accommodate a secondary suite. Any required relaxations 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 (MDP) (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).

There is no local area plan for Whitehorn.

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**TRANSPORTATION NETWORKS**

Pedestrian access is available from Whitestone Road NE with vehicular access by the rear lane. The area is served by Calgary Transit with a bus stop located approximately 200 metres walking distance from the site along 52 Street NE. Unrestricted on-street parking is permitted in the area.

**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 Whitehorn Community Association was circulated regarding this application. No response was received.

**Citizen Comments**

There were two letters received from the surrounding neighbours. These were opposed to the land use amendment application. The reasons for opposition were primarily based on issues that arose from previous tenants in the dwelling.

**Public Meetings**

No public meetings were held by the Applicant or Administration.

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**APPENDIX I**

**APPLICANT'S SUBMISSION**

To Calgary Planning Commission and City Council

I Samuel Law, am making an application for Land Use Redesignation from the current R-C1 district to R-C1s to accommodate the additional use of a Secondary suite within the basement. This property is owned by my sister Olivia Pud.

We are seeking approval for the Redesignation because we believe our property is suitable to allow for a suite in the basement. Our property is on a lot which has adequate street parking for visitors, but we also have enough parking within the driveway and garage at the rear. The lot itself is large enough to meet the 1P2007 Land use bylaw Rules.

Our house location is within walking distance to bus stops, grocery stores, commercial units as it is corner to 52 St NE and 32 AV NE.

Thank you for your time and consideration.