

LAND USE AMENDMENT  
BOWNESS (WARD 1)  
WEST OF 79 STREET NW AND NORTH OF BOWGLEN ROAD  
NW  
BYLAW 156D2016

MAP 34W

**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 does not currently exist on the site and this application is not the 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 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 156D2016; and

1. **ADOPT** the proposed redesignation of 0.06 hectares ± (0.14 acres ±) located at 8131 – 43 Avenue NW (Plan 2074HB, Block 5, Lot 18) 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 156D2016.

**REASON(S) FOR RECOMMENDATION:**

The proposed land use district allows for two additional residential uses (Secondary Suite, Backyard Suite). These uses can be 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.

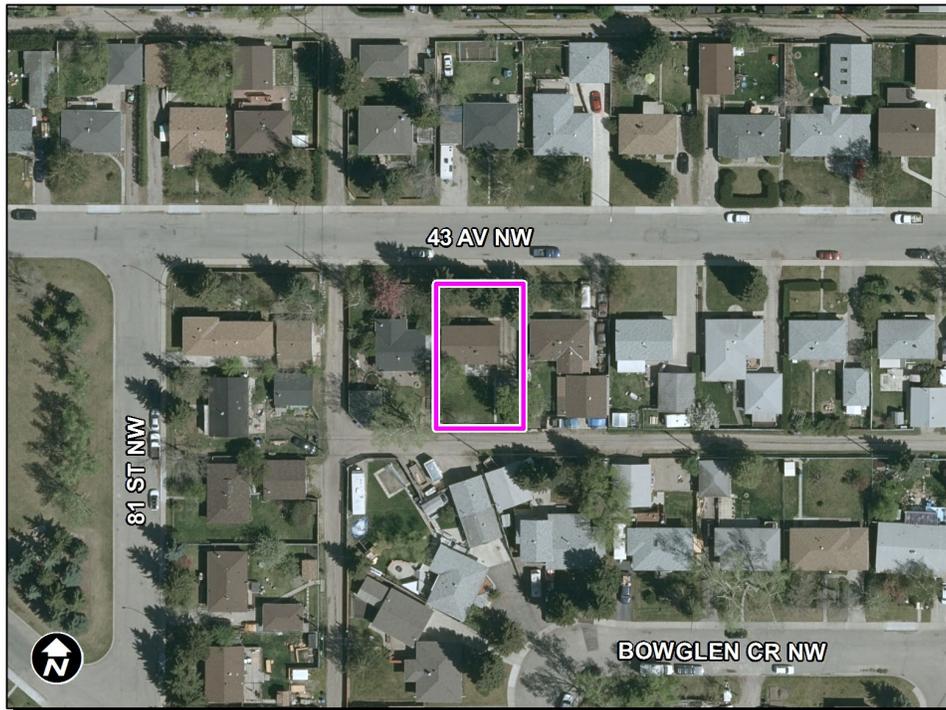
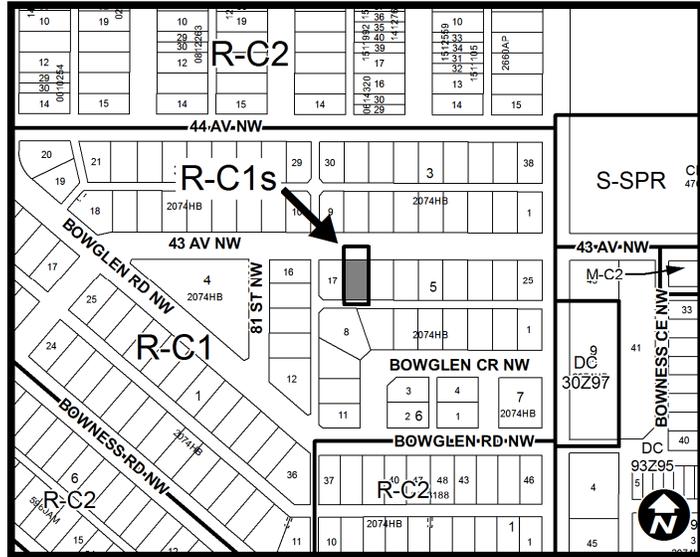
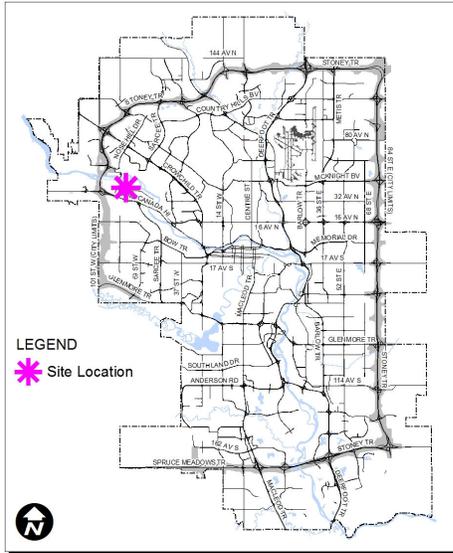
**ATTACHMENTS**

1. Proposed Bylaw 156D2016
2. Public Submission

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LOCATION MAPS



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MAP 34W

**ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION**

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.06 hectares  $\pm$  (0.14 acres  $\pm$ ) located at 8131 – 43 Avenue NW (Plan 2074HB, Block 5, Lot 18) from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District.

**Moved by: J. Gondek**

**Carried: 8 – 0**

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Applicant:

Janice Fehler

Landowner:

Janice Fehler

**PLANNING EVALUATION**

**SITE CONTEXT**

Located in a low density residential R-C1 setting in the community of Bowness, the site is approximately 18.4 metres wide by 30.3 metres deep. The parcel is developed with a single detached dwelling with a front driveway and detached single car garage that is accessed from 43 Avenue NW. Single detached dwellings exist adjacent to the parcel on the east and west sides, across the lane on the south side and across 43 Avenue NW on the north side.

**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) and 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 a permitting process.

**LEGISLATION & POLICY**

Municipal Development Plan (MDP) (2009)

The subject site is located within the *Residential Developed: Inner City* area as identified on Map 1 in the Municipal Development Plan (MDP). Although the MDP makes no specific reference to the subject site, the land use proposal conforms to overarching policies of the MDP including *Neighbourhood infill and redevelopment* policies (section 2.2.5), *Housing Diversity and Choice* policies (section 2.3.1), and *Inner City Areas* policies (section 3.5.2).

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Bowness Area Redevelopment Plan (1995)

The subject site is located within the *Residential: Low Density, Conservation and Infill* area as identified on Map 2 of the Bowness Area Redevelopment Plan (ARP). Although the ARP does not specifically mention secondary suites, one of the objectives of the residential land use areas is to *maintain and provide within the community a variety of housing types capable of accommodating different age groups, household types, and income levels*. Furthermore, there is also a policy in the ARP which states that the community should *support a low density residential and infill policy. The intent is to maintain stability in the community and protect the existing residential character and quality of the neighbourhood* (section 7.2). The proposed land use amendment to accommodate a secondary suite is in keeping with the aforementioned policy and objective of the ARP.

**TRANSPORTATION NETWORKS**

Pedestrian access is available via 43 Avenue NW and vehicular access is available via 43 Avenue NW and the rear lane. Unrestricted on-street parking is permitted in the area.

The subject site is located approximately 461 metres away from a bus stop for Routes 1 and 407 on Bowness Road NW, just east of 79 Street NW, that provides service to the downtown core and LRT.

**UTILITIES & SERVICING**

Water and sanitary 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 secondary suite proposed. This aspect would be determined at the development permit/building permit stage.

**ENVIRONMENTAL ISSUES**

An Environmental Site Assessment was not required.

The subject site is not located within the floodway, flood fringe of overland flow area.

**ENVIRONMENTAL SUSTAINABILITY**

Any environmental sustainability features would be provided at the development permit/building permit stage.

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## GROWTH MANAGEMENT

The proposed amendment does not trigger capital infrastructure investment and therefore there are no growth management concerns at this time.

## PUBLIC ENGAGEMENT

### Community Association Comments

The Bowness Community Association responded stating that the residents' biggest concern was having sufficient parking space provided for future occupants of the secondary suite. This concern is addressed at the development permit stage. The letter did not state support or opposition to this application.

### Citizen Comments

Six letters were received from citizens during the circulation period. Two of the letters are in support of secondary suites. The remainder stated the following reasons for objection:

- Concern regarding rental properties and absentee landlords;
- Decreasing property values;
- Maintaining the character of the neighbourhood;
- Concerns about parking and congestion on street and on the lane, including during special events; and
- Impacts during construction on neighbouring properties (i.e. noise and lane access).

### Public Meetings

No meetings were held.

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**APPENDIX I**

**APPLICANT'S SUBMISSION**

I am the owner of the above mentioned property and I am applying for Land Use Redesignation (secondary suites) from an RC1 to an RC1s redesignation. I would like to build a new home on the above mentioned property and I would like to create a secondary suite in the basement. This is the first step in the process of rebuilding as I would like to have the redesignation prior to creating a blueprint of the future house for this property. This will provide me with the opportunity to incorporate the secondary suite into the design.

Thank you for the opportunity to apply for land use redesignation.

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**APPENDIX II**

**LETTER SUBMITTED BY THE BOWNESS COMMUNITY ASSOCIATION**

Hi Wendy, below are the comments for the application LOC2016-0047.

Residents living adjacent to 8131 43 Ave understand the requirement of a land use amendment application prior to the development permit application. Therefore since site plans are not yet prepared, one of the main implications of secondary suites typically involve the issue of available parking space. Residents are hoping to see sufficient parking space provided for future occupants of the secondary suite at the development permit application stage.

Thank you for the opportunity to comment on this application and an extension to comment!

**Tracy Tsui**  
Planning and Development Assistant



**Planning & Development Committee**  
**Bowness Community Association**

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