

**LAND USE AMENDMENT  
WESTGATE (WARD 8)  
WEST OF 10 AVENUE SW AND 47 STREET SW  
BYLAW 104D2016**

**MAP 13W**

**EXECUTIVE SUMMARY**

This land use amendment application seeks to redesignate a residential parcel from Residential – One Dwelling (R-C1) District to Residential – One Dwelling (R-C1s) District to allow for a secondary suite. The subject site does not contain a secondary suite at this time and the application was not submitted as a result of a complaint.

**PREVIOUS COUNCIL DIRECTION**

None.

**ADMINISTRATION RECOMMENDATION(S)**

2016 March 24

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 104D2016; and

1. **ADOPT** the proposed redesignation of 0.05 hectares  $\pm$  (0.14 acres  $\pm$ ) located at 4919 – 10 Avenue SW (Plan 4334HM, Block 24, Lot 34) 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 104D2016.

**REASON(S) FOR RECOMMENDATION:**

The propose R-C1s District which allows for two forms of secondary suite uses (Secondary Suite, Backyard Suite) which are compatible and complementary to the established low density character of the community. The proposal also conforms to the relevant policies of the Municipal Development Plan.

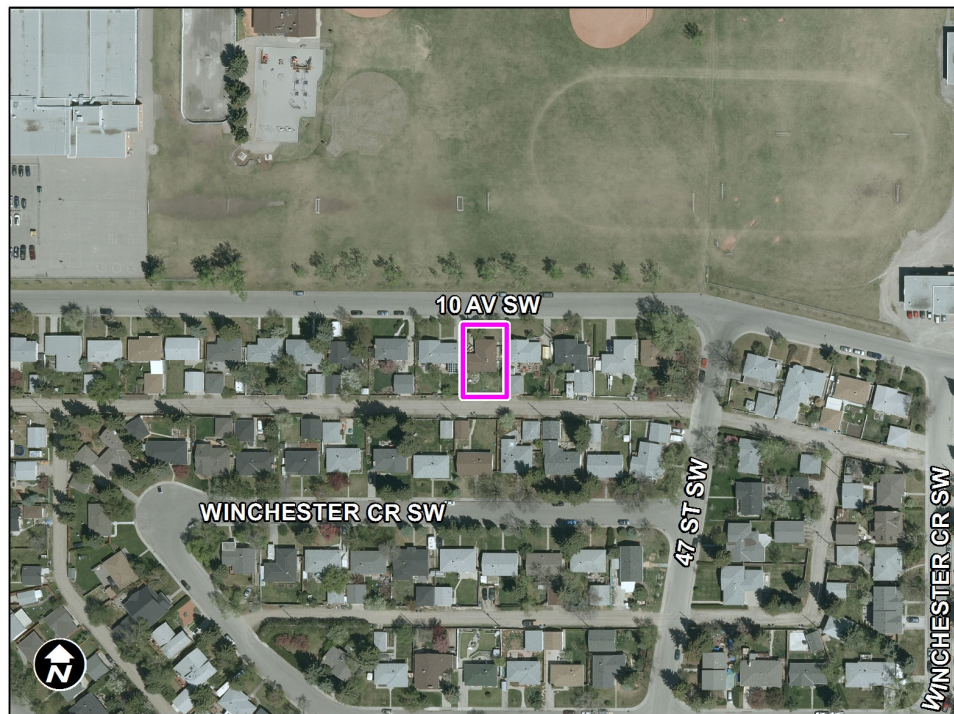
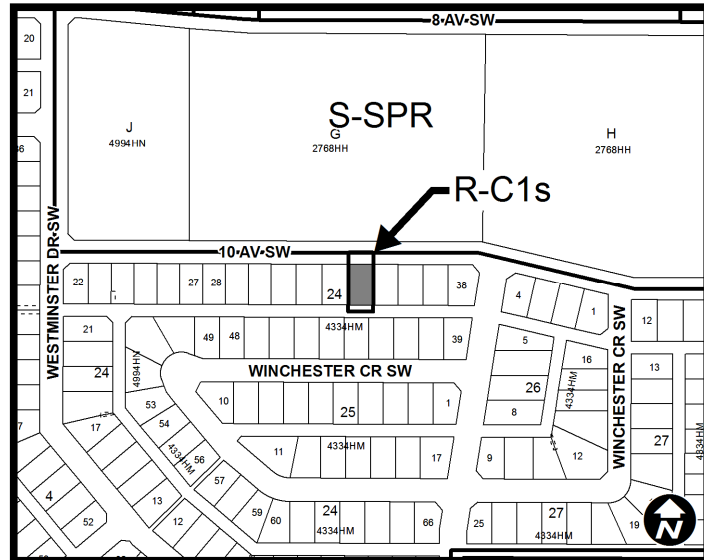
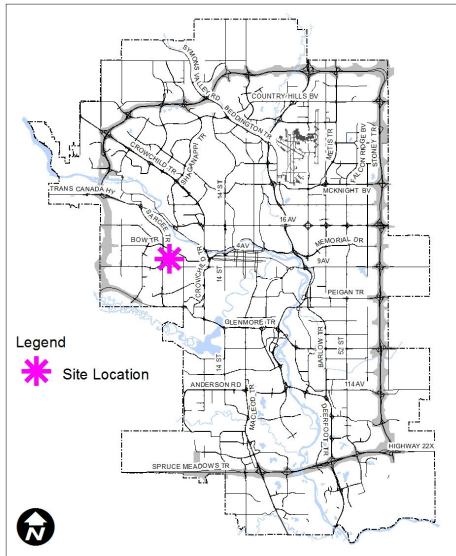
**ATTACHMENTS**

1. Proposed Bylaw 104D2016
2. Public Submission

LAND USE AMENDMENT  
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LOCATION MAPS



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MAP 13W

**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 4919 – 10 Avenue SW (Plan 4334HM, Block 24, Lot 34) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

**Moved by: M. Foht**

**Carried: 8 – 0**

Comments from Ms. Wade:

- To the best of my knowledge there is no statistical evidence that renters keep their units in a lesser fashion than owners. In addition, there is no statistical information that renters are a safety threat to a community. I would challenge that this evidence be provided when these statements are being made by citizens.

Comments from Ms. Gondek:

- When complainants argue that renters might have lackluster standards of yard upkeep, that they may provide safety concerns to a neighbourhood, and that their car ownership should be regulated by neighbours, it creates the image of the renter as an unwanted and unworthy community member. That's not a tolerant position and not one that I expect from residents of the city of Calgary.

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**Applicant:**

Kori Stewart

**Landowner:**

Kori Stewart  
Ross Stewart

**PLANNING EVALUATION**

**SITE CONTEXT**

Located in a low density residential setting in the community of Westgate, the site is approximately 18.0 metres x 32.0 metres in size. The site is four lots west of the corner of 47 Street SW and 10 Avenue SW and is developed with a singled detached dwelling with an attached garage accessed from 10 Avenue SW.

**LAND USE DISTRICTS**

The proposed R-C1s District allows for the development of a secondary suite in addition to a Single Detached Dwelling on a single parcel. The R-C1s district allows for one additional secondary suite that may take one of the following two forms:

- Secondary Suite (Basement) as a permitted use; or
- Backyard Suite as a discretionary use.

	<b><u>Parcel Width</u></b>	<b><u>Parcel Depth</u></b>	<b><u>Parcel Area</u></b>
<b>LUB Requirement</b>	15.0 metres	30.0 metres	400.00 square metres
<b>Subject Site (approx.)</b>	18.0 metres	32.0 metres	566.55 square metres

As shown in the table above, the subject site meets the minimum parcel size requirements. As such, the site can accommodate a secondary suite and its associated Land Use Bylaw 1P2007 requirements such as minimum parking and amenity space provisions. If necessary, relaxations to various land use provisions may also be considered at the development permit stage.

Approval of this land use redesignation 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.

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## LEGISLATION & POLICY

### Municipal Development Plan (MDP)

The parcel is located within the Residential, *Developed – Established Area* as identified on *Map 1: Urban Structure* of the MDP). While the MDP does not make specific reference to the site, the proposal is in line with a number of MDP policy areas including: *Residential – Developed*, *Neighbourhood Infill & Redevelopment* and *Housing Diversity & Choices* policies.

## TRANSPORTATION NETWORKS

Pedestrian access is available from 10 Avenue SW which connects to 47 Street SW to the east and Westminster Drive SW to the west.

The site is located approximately 345 metres from the transit stop, servicing the Route 93 and Route 412, and offers service to the 45 Street SW LRT station and the Westbrook LRT station respectively. It is also located at 890 metres from the 45 Street SW LRT station.

There are no parking restrictions in the area.

## UTILITIES & SERVICING

Water, 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 stage.

## PUBLIC ENGAGEMENT

### Community Association Comments

The Westgate Community Association has written in opposition of the proposed redesignation. Concerns include:

- Traffic impacts; and
- Potential future development on the subject site.

### Citizen Comments

Three citizen letters of objections were received by Administration in response to this application. The objections against this application can be summarized as follows:

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- Potential occupants;
- Traffic impacts; and
- Potential future on-site development.

**Public Meetings**

No public meetings were held by the applicant or Administration.

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**APPENDIX I**

**APPLICANT'S SUBMISSION**

My wife and I are writing this letter to be included in our application for land use redesignation from R-C1 to R-C1s. It is a well known fact that affordable housing is a rare thing to find here in the city of Calgary. It is our hope that we will be approved to add a basement suite on the existing parcel and provide an affordable home to someone in need of such. We have no desire to be rezoned only to become a nuisance to our neighbours. We care about our neighbours and our community and are responsible homeowners/landlords. Please consider our application.

J. Friedman

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**APPENDIX III**

**LETTERS SUBMITTED**

Good morning Jarred

The above noted application has been discussed with residents living on 10 Avenue SW. They are all opposed to the re-zoning of this property to accommodate a secondary suite.

Currently the property is rented with tenants coming and going, predominately during the late evening hours. Apparently the residence has been operating with Air B & B, neighbours have advised mattresses were delivered on a regular basis, they are concerned that the garage is being used as an additional sleeping room?

Property owners along 10 Avenue SW purchased their homes due to the location and the predominantly R-C1 zoning and wish it to remain as such.  
We understand this is an absentee landlord situation and will remain that way.

The said site is located across from Westgate Elementary school and playground, a 30kph zone. Westgate CA is involved with a traffic impact study to mitigate the increased traffic on both 10 Avenue & 8 Avenues SW.  
Additional traffic along 10 Avenue SW will further add to the issues we are attempting to address.

Concern has been expressed by neighbours that the property owner has displayed plans for a large 2 story house to be built on this site.  
However this application has only requested a re-zoning. Perhaps you are aware of the future plans?

The adjoining owner occupied residences along 10 Avenue SW are concerned with the future of this address should the zoning be changed taking into consideration the concerns they have been dealing with. We cannot support this application and request the re-zoning be rejected and the property remain as a single family residence with R-C1 zoning.

Should you require additional information please contact myself.  
For and on behalf of Westgate Community Association Pat Guillemaud President.