

**LAND USE AMENDMENT
HAWKWOOD (WARD 2)
NORTH OF SARCEE TRAIL NW AND JOHN LAURIE BOULEVARD NW
BYLAW 106D2016**

MAP 13NW

EXECUTIVE SUMMARY

This land use amendment application seeks to redesignate a single residential parcel located in the community of Hawkwood from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District to allow for a secondary suite. This application is the result of a complaint in which an illegal dwelling unit was found on the property.

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. This decision came into effect 2014 January 01.

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 106D2016; and

1. **ADOPT** the proposed redesignation of 0.06 hectares \pm (0.13 acres \pm) located at 55 Hawkhill Way NW (Plan 8111958, Block 16, Lot 32) 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 106D2016.

REASON(S) FOR RECOMMENDATION:

The proposed R-C1s district, which allows for two forms of secondary suite uses (Secondary Suite, and Backyard Suite), is compatible and complementary with the established character of the community. In addition, this 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. Further, the following points support the application:

- The site is able to accommodate the required vehicle parking; and
- The site is immediately adjacent to Hawkcliff Park.

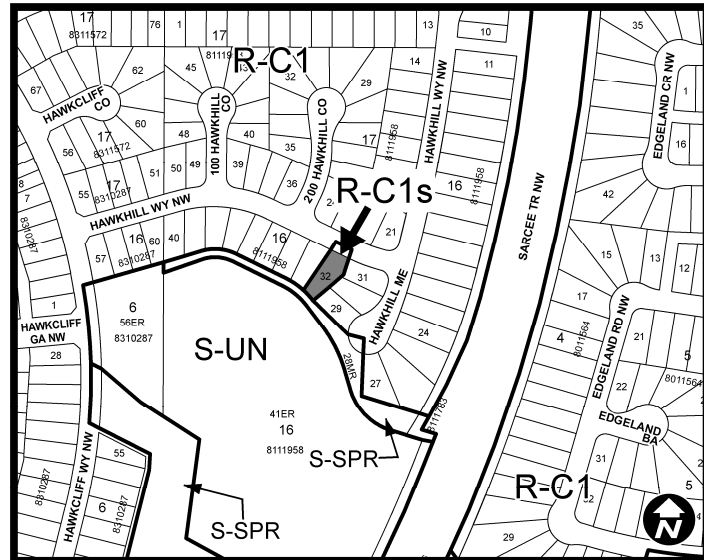
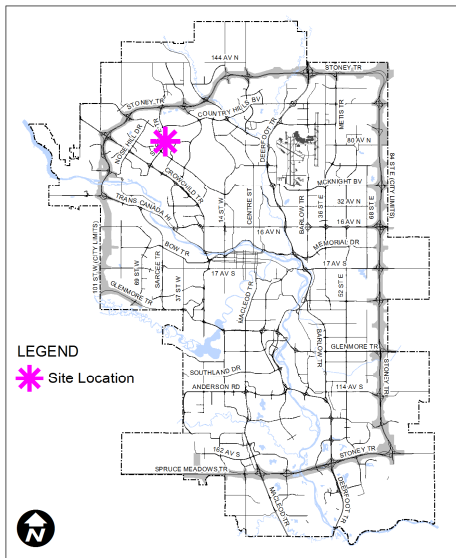
ATTACHMENTS

1. Proposed Bylaw 106D2016
2. Public Submissions

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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 \pm (0.13 acres \pm) located at 55 Hawkhill Way NW (Plan 8111958, Block 16, Lot 32) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: J. Gondek

Carried: 6 – 2

Opposed: S. Keating and M. Foht

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:

Deidre Anne Piattelli

Landowner:

Deidre Anne Piattelli

PLANNING EVALUATION

SITE CONTEXT

The subject site is located on Hawkhill Way NW in a low density residential R-C1 setting in the community of Hawkwood. To the east of the site is Sarcee Trail NW and south of the site is John Laurie Boulevard NW. The site itself is developed with a single detached dwelling with a two-car driveway and two-car garage accessed from Hawkhill Way NW.

LAND USE DISTRICTS

The proposed Residential – Contextual One Dwelling (R-C1s) District allows for the development of a secondary suite on a parcel containing a single detached dwelling. The suite may take one of the following two types:

- Secondary suite as a permitted use (located within the main residential building and secondary to the main residential use).
- Backyard suite as a discretionary use (located in a detached building located behind the front facade of the main residential building and secondary to the main residential use).

Approval of this land use application does not constitute approval of a specific secondary suite type, but rather it allows for a secondary suite to be considered via the development or building permit process. If the secondary suite is a permitted use and meets all Land Use Bylaw rules, a development permit is no longer required.

Site Specific Considerations

The subject site has a width of 14.7 metres and therefore, does not meet the minimum R-C1s parcel width requirements of 15 metres. As a result, relaxation of the Land Use Bylaw 1P2007 requirement will be reviewed at the development permit stage.

Nonetheless, the parcel area meets the minimum parcel depth and area requirement and has the capacity to accommodate:

- a single detached dwelling with a secondary suite; and
- the two required on-site motor vehicle parking stalls (one stall for the single detached dwelling unit and one stall for the secondary suite)

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LEGISLATION & POLICY

Municipal Development Plan (MDP)

The site is identified as Developed *Established* Residential area on Map 1 Urban Structure of the MDP. The Developed Area supports moderate intensification in a form and nature that respects the scale and character of the neighbourhood. The MDP also notes redevelopment should support the revitalization of local communities by adding population. Furthermore, the MDP encourages modest redevelopment in the Established Area.

Crowchild Phase 3 Area Structure Plan (ASP)

The parcel falls under Cell C of the Crowchild Phase 3 ASP. However, there are no applicable policies to this application in the ASP.

TRANSPORTATION NETWORKS

Pedestrian and vehicle access is available from Hawkhill Way NW. The parcel is served by Calgary Transit with a bus stop for the 76, 802, 813, and 816 routes, located 400 metres away on Hawkwood Boulevard 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 secondary suite proposed.

ENVIRONMENTAL ISSUES

An Environmental Site Assessment was not required.

ENVIRONMENTAL SUSTAINABILITY

There are no environmental features provided in this application.

GROWTH MANAGEMENT

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

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PUBLIC ENGAGEMENT

Community Association Comments

The community association was circulated and had the following comments/concerns (APPENDIX II):

- The parcel owner should reside on the property;
- Tenants of secondary suites may lack care and consideration for the homes and neighbourhood;
- Parking must be provided on-site; and
- Adding more secondary suites could become an issue for City inspections.

Citizen Comments

Four letters of objection were received by Administration. The following concerns were expressed in response to the proposal:

- Possibility of increased traffic and further lack of on-street parking in the area;
- Tenants of secondary suites may lack care and consideration for the homes and neighbourhood;
- Potential decrease in property values;
- Community safety; and
- Surrounding parcels are zoned R-C1.

Public Meetings

No meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

I am applying for a rezoning of my home currently zoned R-C1, to be rezoned R-C1s.

The reason for this application is for me to add additional income to my pensions so that I can remain in my home as a senior.

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APPENDIX II

LETTERS SUBMITTED

Following are comments/concerns re the above application:

- Secondary suites, while initially noble for reasons of additional income for some, often lead to not one set of renters but two. These renters often do not care for the property in terms of summer and winter maintenance. If the City required and enforced (by-law) that the owner of a home MUST reside in that residence, then a lot of these potential issues would be resolved.

- Secondary suites should only be allowed where off-street parking is available. Hawkwood is already very congested with multiple vehicles (both operational and non-operational, commercial and personal) on our residential streets. If tenants were forced to park in a garage or in a driveway/alley and that was enforced, then a lot of these potential issues would be resolved.

- Hawkwood already has many illegal secondary suites where the City cannot inspect nor enforce the rules already. Adding more would only exacerbate the situation.

Finally, in summary, our main concern is the homeowner not residing in the residence and parking issues. We think there should be a way to support affordable housing for Calgarians while preserving the community lifestyle Hawkwood and other community residents seek.

Please let me know if you need anything further.

Donna Chapman
Planning and Development
Hawkwood Community Association