

LAND USE AMENDMENT
TUSCANY (WARD 1)
NORTHWEST OF TUSCANY BOULEVARD NW AND STONEY
TRAIL NW
BYLAW 131D2016

MAP 17NW

EXECUTIVE SUMMARY

This land use amendment application seeks to redesignate a single residential parcel located in the community of Tuscany from DC Direct Control District to Residential – Contextual One Dwelling (R-C1s) District to allow for a secondary suite. A Secondary Suite does currently exist in the basement of the home, and this application is 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 the city.

ADMINISTRATION RECOMMENDATION(S)

2016 April 21

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 131D2016; and

1. **ADOPT** the proposed redesignation of 0.05 hectares \pm (0.12 acres \pm) located at 2 Tuscany Springs Bay NW (Plan 0311565, Block 54, Lot 68) from DC Direct Control District to Residential – Contextual One Dwelling (R-C1s) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 131D2016.

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. The parcel can be accessed from both the street and the lane, and can accommodate the required onsite parking. Furthermore, public transit is within close proximity to the site.

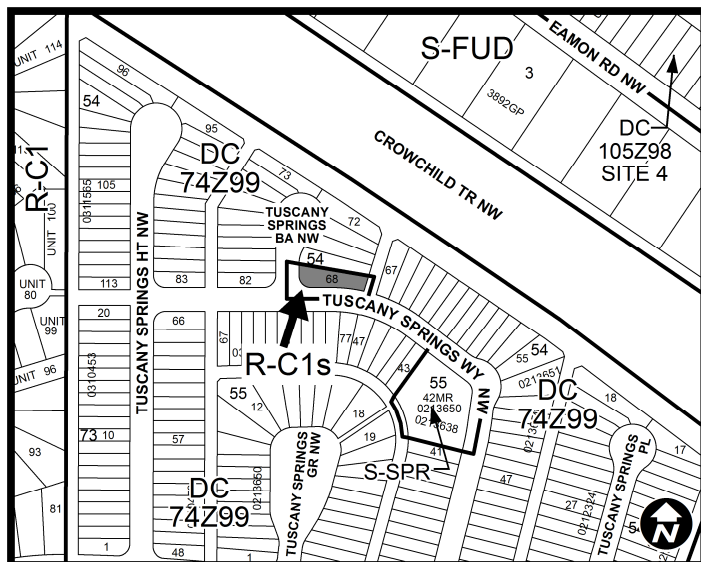
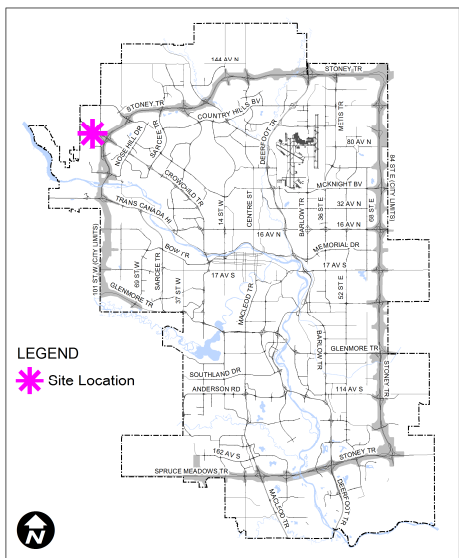
ATTACHMENTS

1. Proposed Bylaw 131D2016
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 0.05 hectares \pm (0.12 acres \pm) located at 2 Tuscany Springs Bay NW (Plan 0311565, Block 54, Lot 68) from DC Direct Control District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: G.-C. Carra

Carried: 8 – 1
Opposed: M. Foht

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Applicant:

Christopher Inkster

Landowner:

Victoria Jacobson
Christopher Inkster
Alan Overend

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential setting in the community of Tuscany, the parcel is developed with a single detached dwelling with a detached three-car garage accessed from the lane. Single detached dwellings exist to the north, south, west and east of the parcel. The site is approximately 250 metres from Tuscany Station.

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 site is 12.0 metres wide by 45.0 metres deep. The subject site generally meets the minimum R-C1s parcel size requirements with the exception of the lot width, which is 3.0 metres deficient of the bylaw requirement for the use of Backyard Suite. Relaxations for the site will be considered at the development permit stage. 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.

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).

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Revised West Scenic Acres Area Structure Plan

Although this parcel falls under the Revised West Scenic Acres Area Structure Plan, there are no relevant policies related to this application.

TRANSPORTATION NETWORKS

Pedestrian and vehicular access is available from Tuscany Springs Way NW, with vehicular access to the detached garage from the rear lane. The area is served by Calgary Transit with Tuscany Station located approximately 250 metres away on Crowchild Trail NW. On-street parking adjacent to the site is by permit only.

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. 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 Tuscany Community Association was circulated as per the normal circulation process; the CA indicated that they had no comments on the application.

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Citizen Comments:

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

- Potential traffic and parking issues; and
- The application could set a precedent for future applications

Public Meetings:

No meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

We the homeowners at 2 Tuscan Springs Bay NW would like to get approval for a secondary suite in the basement of our property. We believe that we would be excellent candidates because we are able to provide onsite parking for extra vehicles, and we are also very close to the LRT, which will be helpful for families who do not have transportation.

We have thought about the impacts this may have on our neighbours. The entrance would be through the backyard where tenants could walk from their parking spot through the yard to the back door. The entrance door is close to our neighbours' house, so we will build a privacy wall in the spring, so that they still have privacy.

We live on site and will be extremely selective of the tenants that would be allowed in our home. We want to create a space for other families to live, but maintaining the integrity of our community is very important to us. Being brought up in Tuscan, we appreciate what this community has to offer, and we want to give others the opportunity to experience this as well. We plan to start our family here and we will continue the upkeep of the property, and guarantee there will be no issues with any aesthetics of the property.

We have undertaken some preliminary public engagement and spoke with our neighbours within our cul-de-sac and adjacent to our property. We spoke with fifteen neighbours and received signed support from fourteen of them. We also received one letter that did not support us. We also contacted the community association and ward councillor, whom both stated that they were unable to give an opinion at this time.