

**LAND USE AMENDMENT  
WHITEHORN (WARD 5)  
WHITNEL PLACE NE AND 42 STREET NE  
BYLAW 58D2016**

**MAP 34E**

**EXECUTIVE SUMMARY**

This land use amendment application seeks to redesignate a single residential parcel located in the community of Whitehorn from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District to allow for a secondary suite.

There are no current or active complaints on file.

**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 February 11

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 58D2016; and

1. **ADOPT** the proposed redesignation of 0.04 hectares  $\pm$  (0.09 acres  $\pm$ ) located at 80 Whitnel Place NE (Plan 7711574, Block 5, Lot 40) 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 58D2016.

**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. This proposal conforms to the relevant policies of the Municipal Development Plan (MDP), and allows for a development that has the ability to meet the intent of Land Use Bylaw 1P2007. The parcel has lane access and can accommodate the required onsite parking in the existing detached rear garage. In addition, the parcel is located in close proximity to public transportation.

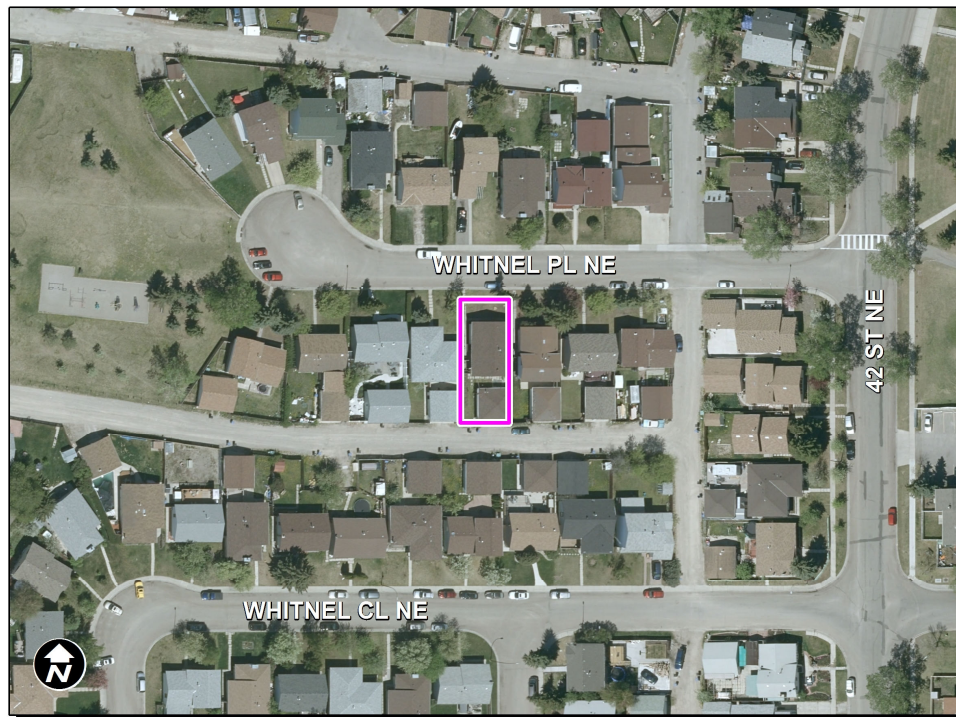
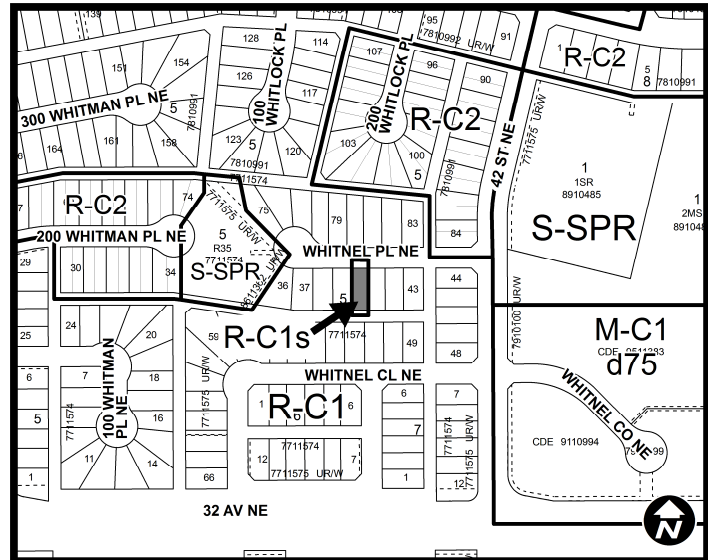
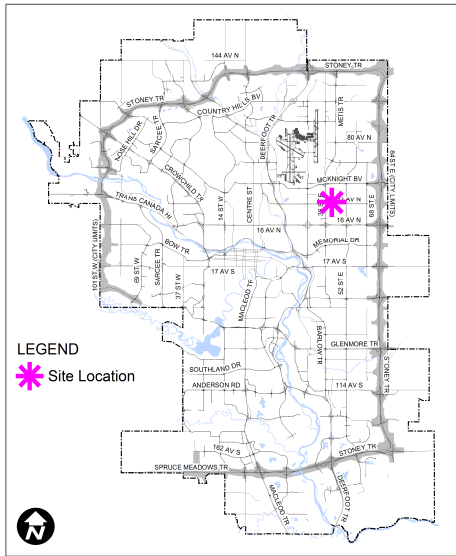
**ATTACHMENTS**

1. Proposed Bylaw 58D2016
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 0.04 hectares  $\pm$  (0.09 acres  $\pm$ ) located at 80 Whitnel Place NE (Plan 7711574, Block 5, Lot 40) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

**Moved by: M. Tita**

**Carried: 5 – 2**

Opposed: S. Keating and M. Foht

Reasons for Opposition from Mr. Foht:

- The relaxations required to accommodate a secondary suite are unwarranted. Care should be taken in approving any R-C1s land use amendments allowing relaxation. The development permit processes might be swayed by CPC approval, not withstanding concerns over relaxations.

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**Applicant**

Phanindra (Kusum) Gyawali

**Landowner**

Kamala Neupane  
Krishna Neupane

**PLANNING EVALUATION**

**SITE CONTEXT**

The subject site is located mid block, with a lane located along the south property line. The site is primarily surrounded by Residential – Contextual One Dwelling (R-C1) and Residential – Contextual One / Two Dwelling District (R-C2) consisting of mostly single-detached and semi-detached dwellings. To the east across 42 Street NE lies a section of Multi-Residential – Contextual Low Profile (M-C1) district consisting of a townhouse development. Special Purpose – School, Park, and Community Reserve District (S-SPR) districts to the west containing a park and to the east containing a school (Chief Justice Milvain Elementary School). The subject site houses a single detached dwelling with a two car, rear garage.

**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 three forms:

- Secondary Suite as a permitted use; or
- Secondary – Suite – Detached Garage or Secondary Suite – Detached Garden as a discretionary use.

The proposed R-C1s district is appropriate and complimentary to the established land use pattern of the area and allows for a more efficient use of the land. The development of a secondary suite on this site can meet the intent of Land Use Bylaw 1P2007.

**Site Specific Considerations**

The subject site has a width of approximately 12.39 metres and therefore does not meet the minimum R-C1s parcel width requirement of 15 metres. Additionally, the subject site has an approximate area of 371.87 square metres, which does not meet the R-C1 minimum parcel area requirement of 400 square metres. As a result, relaxation of the Land Use Bylaw 1P2007 parcel width and parcel area requirement will need to be requested at the development permit stage.

Nonetheless, the parcel meets the minimum parcel depth requirement, contains the required on-site motor vehicle stalls (one stall for the single detached dwelling unit and one stall for the secondary suite.) and has the capacity to accommodate a single detached dwelling with a secondary suite.

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## **LEGISLATION & POLICY**

### **Municipal Development Plan (MDP)**

The parcel is identified as Developed Residential Area – Established Area on Map 1 – Urban Structure in the Municipal Development Plan. The Developed Residential Area – Established Area supports the retention of housing stock, or moderate intensification in a form and nature that respects the scale and character of the neighbourhood. The *Neighbourhood Infill and Redevelopment policies* of the MDP encourage growth and change in low-density neighbourhoods through development and redevelopment that is similar in scale and built form and increases the mix of housing choices, including accessory suites (secondary suites). Furthermore, the MDP also states redevelopment should support the revitalization of local communities by adding population.

There is currently no Area Redevelopment Plan (ARP) or Area Structure Plan (ASP) governing the subject site, therefore the Calgary Municipal Development Plan (MDP) is used for guidance.

## **TRANSPORTATION NETWORKS**

The single detached dwelling has a two – car rear drive garage accessible from the lane. The parcel is well served by Calgary Transit with bus stops for several routes located approximately 330 metres travelling east along Whitehorn Drive NE, and approximately 412 metres travelling west along Whitehorn Drive NE.

## **UTILITIES & SERVICING**

All required services are available for the proposed land use. The existing servicing can accommodate the proposed development without the need for upgrades or adjustments to the existing infrastructure.

## **ENVIRONMENTAL ISSUES**

An Environmental Site Assessment was not required.

## **GROWTH MANAGEMENT**

The proposed land use 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**

No comments received by CPC Report submission date.

**Citizen Comments**

One letter of objection was received. The concerns noted were:

- Parking and the possibility the tenants may own multiple cars and parking in the cul-de-sac; and
- The community is a single family neighbourhood and would like to see it stay as a single family neighbourhood.

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**APPENDIX I**

**APPLICANT'S SUBMISSION**

Date: November 26, 2015

City of Calgary  
Planning, Development & Assessment  
P.O. Box 2100, Stn. M, # 810  
Calgary, AB, Canada T2P 2M5

**To Whom It May Concern**

Subject: **Regarding the Land Use Re-designation Application**

My clients (Krishna Neupane & Kamala Neupane) want to make re-designation of land use for the purpose of renting secondary suite (basement suite). Few reasons to apply for land use re-designation application in a process to develop secondary suite in the house are:

**1. Renting purpose-**

They want to rent their basement suite safe and legal way. After land use re-designation process, they will go for the development permit and basement suite design alteration according to Alberta building code and Calgary City standard assuring tenant safety and comfort. Secondary suite (basement) can be a good alternative source of income for them, which improves their family financial situation. In addition to this, it provides an alternative low cost residence, which helps to solve affordable housing problem in the City, where the population is growing fast.

**2 Availability of amenities-**

Grocery stores, gas station, drug stores, Hospital, family clinics, and Whitehorn LRT station are named to few available amenities within walkable distance from the house, which lies near a major intersection between 32 Avenue and 36 Street NE. These available facilities in the beautiful community of Whitehorn will be a good fit for a tenant in a secondary suite. In addition, Chief Justice Milvain School is approximately 100 meter from the house, Anne Gale Junior High School is within comfortable walking distance and Pearson High School is also conveniently commutable distance from the house. Fire Station No. 22 is within 2 kms from the house. Likewise, there are plenty of playgrounds around the house.

**3 Reduce infrastructure investments and increase revenue-**

Secondary suite accommodates an additional family in the same house. Therefore, City does not need to invest to develop physical infrastructures. Not only the City's infrastructure development cost has it been reduced, dense population of the area makes transit operation more cost effective. In addition to this, secondary suite permission motivate landlord to develop suite and rent it. It can increase property valuation as well as property tax which can increase City's revenue remarkably.

J. Siriphokham

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Therefore, it is a suitable house to approve for secondary suits land re-designation and I would like to request City council to provide permit for re-designation of land use for this parcel.

Sincerely,

Phanindra Gyawali (Kusum)

On the behalf of

Krishna Neupane/Kamala Neupane

80 Whitnel Place NE, Calgary, AB T1Y 4J4