

**LAND USE AMENDMENT
WHITEHORN (WARD 5)
SOUTHEAST OF 44 AVENUE NE AND 49 STREET NE
BYLAW 181D2015**

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. This application results from a complaint, in which the inspector found cooking facilities in the basement were removed prior to inspection. Therefore, there is no secondary suite is currently 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)

2015 September 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 181D2015; and

1. **ADOPT** the proposed redesignation of 0.04 hectares \pm (0.10 acres \pm) located at 416 Whiteside Road NE (Plan 7610067, Block 19, Lot 14) 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 181D2015.

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 (MDP) and allows for a development that has the ability to meet the intent of Land Use Bylaw 1P2007 (LUB). The parcel has the potential to accommodate the required parking, as it has a two-car parking pad located off the lane.

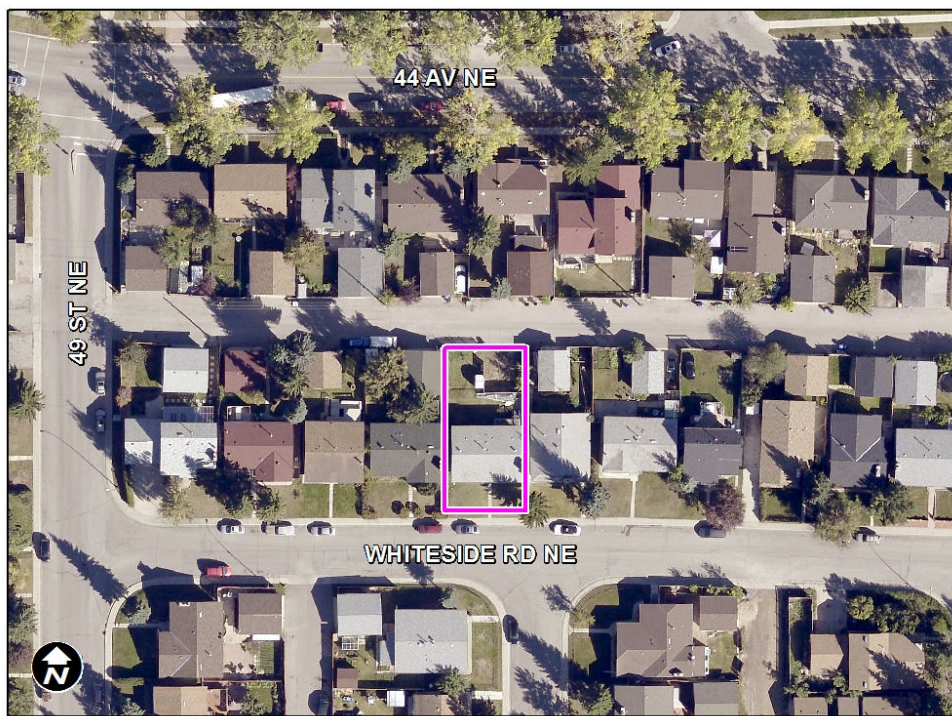
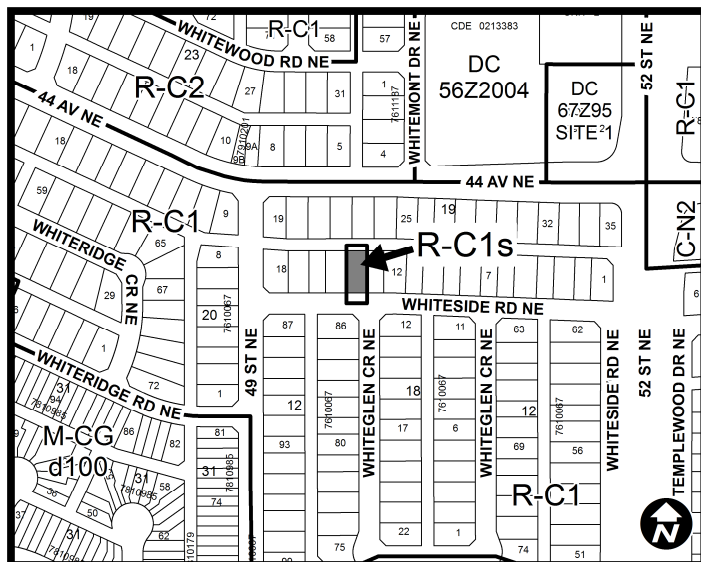
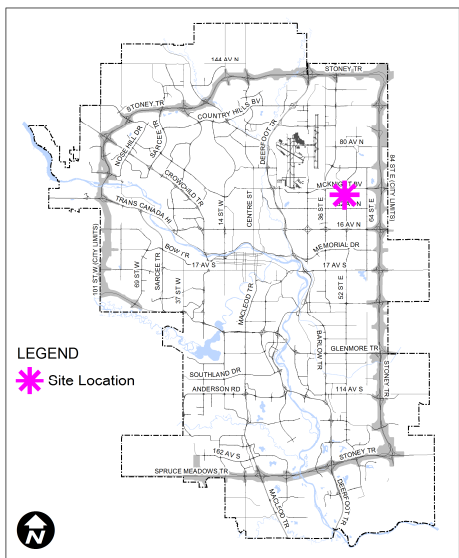
ATTACHMENTS

1. Proposed Bylaw 181D2015
2. Public Submission

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3. 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 (0.10 acres \pm) located at 416 Whiteside Road NE (Plan 7610067, Block 19, Lot 14) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: M. Wade

Carried: 7 – 0

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Applicant:

Phanindra (Kusum) Gyawali

Landowner:

Karna Rai
Novin Rai

Planning Evaluation Content	Issue	Page
Density <i>Is a density increase being proposed.</i>	No	5
Land Use Districts <i>Are the changes being proposed housekeeping or simple bylaw amendment.</i>	Yes	5
Legislation and Policy <i>Does the application comply with policy direction and legislation.</i>	Yes	6
Transportation Networks <i>Do different or specific mobility considerations impact this site</i>	No	6
Utilities & Servicing <i>Is the site in an area under current servicing review and/or has major infrastructure (water, sewer, storm and emergency response) concerns.</i>	No	6
Environmental Issues <i>Other considerations eg. sour gas or contaminated sites</i>	No	6
Growth Management <i>Is there growth management direction for this site. Does the recommendation create capital budget impacts or concerns.</i>	No	6
Public Engagement <i>Were major comments received from the circulation</i>	No	7

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PLANNING EVALUATION

SITE CONTEXT

The subject site is located on Whiteside Road NE in a low density residential R-C1 setting in the community of Whitehorn. To the west of the site is 49 Street NE and north of the site is 44 Avenue NE. The site itself is currently developed with a single detached dwelling with a two-car parking pad accessed from the lane. At the time of this report, a two-car garage was being constructed in place of the two-car parking pad.

This application results from a complaint, in which the inspector found cooking facilities in the basement were removed prior to inspection. Therefore, there is no secondary suite is currently on the property.

LAND USE DISTRICTS

The proposed Residential – Contextual One Dwelling (R-C1s) District allows for the development of a secondary suite in 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, so long as a building permit application has been made on or before 2017 March 03.

Site Specific Considerations

The subject site has an approximate width of 15.5 metres and depth of 35.5 metres and therefore meets the minimum lot requirements of the R-C1s district. The parcel has the capacity to accommodate:

- a single detached dwelling with a secondary suite;
- 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

The parcel 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.

TRANSPORTATION NETWORKS

Pedestrian access is available from Whiteside Road NE, with vehicle access to on-site parking from the lane. The parcel is well served by Calgary Transit with bus stops for the 38 and 72 routes located 210 metres away on 44 Avenue NE and the 23, 66, and 176 routes located 500 metres away on 52 Street NE.

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.

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 as per the normal circulation process. However, no comments were received by the CPC Report submission date despite several attempts to make contact with the Community Association.

Citizen Comments

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

- Possibility of increased traffic and lack of on-street parking in the area; and,
- Tenants of secondary suites may lack care and consideration for the homes and neighbourhood.

Public Meetings

No meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

My client Mr. Novin and Karna Rai want redesignation of land use for the purpose of renting secondary suite (basement suite). There are following reasons for approval this application.

1. Low Cost Housing-

Secondary suite (basement) cost is almost 40% less than the similar other housing alternatives for tenants. Growing population of the newcomer immigrants needs affordable housing until their complete settlement. A study shows a complete settlement can take 3-6 years, after the complete settlement of newcomer family, their income raise around the average Albertan average family income. Until this transition phases of settlement they need affordable housing when secondary suite can be a good alternative for such needy family. Therefore, secondary basement suite is need of city.

2. Alternative Source of Income-

Secondary suite (basement) can be a good alternative source of income for my client. It can strengthen the family financial situation. Government need not to invest him/her family as low income family.

3. Availability of Amenities-

For this parcel amenities are pretty near and convenient. Grocery stores and gas station are within the 100 meters radius. On top of that, Drug stores and family clinic are also in the radius in the 350 meter from the house. This is good location for tenant of the secondary suite also.