

**LAND USE AMENDMENT
BOWNESS (WARD 1)
NORTH WEST OF 67 STREET NW AND BOW CRESCENT NW
BYLAW 83D2015**

MAP 34W

EXECUTIVE SUMMARY

This land use amendment application seeks to redesignate a single residential parcel located in the community of Bowness from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District to allow for a secondary suite. The subject site does not contain a secondary suite.

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)

2015 April 23

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 83D2015; and

1. **ADOPT** the proposed redesignation of 0.16 hectares ± (0.39 acres ±) located at 6939 Bow Crescent NW (Plan 5565AH, Block 35, Lot 16) 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 83D2015.

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 the street and can accommodate the required onsite parking. Furthermore, public transit is within close proximity to the site.

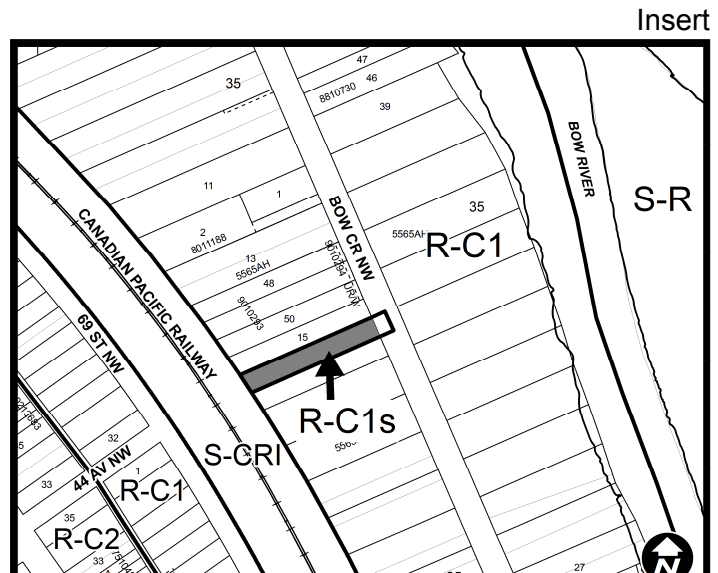
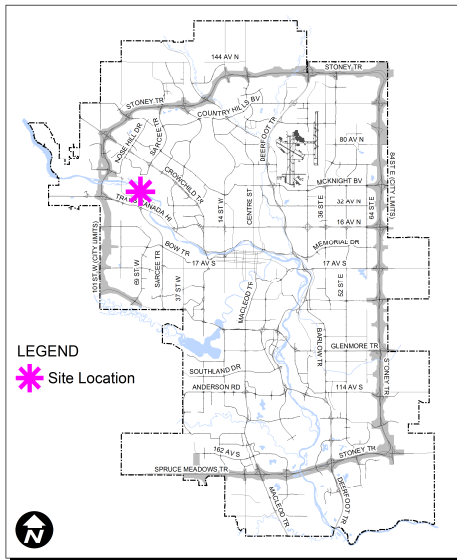
ATTACHMENT

1. Proposed Bylaw 83D2015
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 0.16 hectares \pm (0.39 acres \pm) located at 6939 Bow Crescent NW (Plan 5565AH, Block 35, Lot 16) from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District.

Moved by: J. Gondek

Carried: 8 – 1

Opposed: R. Honsberger

Reasons for Opposition from Mr. Honsberger:

- No lane.
- Too far transit, the closest stop is 665 metres.
- Why would we encourage a basement suite in a flood prone area?

Comments from Ms. Gondek:

- Given the number of times we see opposition to applications based on increased crime rates due to rental properties or units and the view that renters are somehow a less desirable segment of the population, I conducted a quick literature review to see what has been observed in scientific studies.
 - 1) A 2007 journal article by Rephann found that only a small percentage of properties account for all police department incident reports for rental dwelling units, based on research in Cumberland (pop. 21,518) in West Maryland. The “economics of property ownership and management of places” are more significant than the existence of rental properties.
 - 2) A 2002 journal article by Rohe, VanZandt and McCarthy presents the findings that homeownership is an aspiration of renters. Sixty-seven percent of renters in the research project indicated they rent because they can’t afford to own. Fifty-seven percent say that moving to homeownership is a priority. Only 26 percent indicated that renting is a choice. Based on this research, most renters seem to be similar to owners in their preferred or desired housing choice.
- Granted that these are only 2 pieces of literature to refute anecdotal remarks, it may be viewed as weak support for one side of the debate. In my opinion, as a researcher, a thorough literature review and analysis of existing secondary data sets can provide the type of empirical evidence required to make informed decisions on R-C1s applications.

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Applicant:

Ian Royer

Landowner:

Ian Royer
 Tasha Royer

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>	N/A	6
Public Engagement <i>Were major comments received from the circulation</i>	No	6

*Issue - Yes, No or Resolved

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PLANNING EVALUATION

SITE CONTEXT

The subject site is located mid-block on Bowness Crescent NW in a low density residential R-C1 setting in the community of Bowness. The site is developed with a single detached dwelling with vehicle access from the street to a two-car detached garage. The applicant's intent is to develop a basement suite in the existing single detached dwelling.

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 as a permitted use; or
- Backyard Suite 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. In addition, 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 an approximate width of 15.24 metres and therefore meets the minimum R-C1s parcel width. The site can accommodate a secondary suite and associated Land Use Bylaw 1P2007 requirements such as minimum parking and amenity space provisions.

As noted on the community comment, the subject site is located within the flood fringe portion of Flood map. Last year, Council passed bylaw 11P2014, which implements new rules for Floodway, Flood Fringe and Overland Flow (Part 3, Division 3 of the Land Use Bylaw). The new rules relating to the development abilities in floodway, flood fringe and overland flow areas do not prohibit secondary suites in the basement. Section 60 Building Design in the Flood Fringe will apply when a development permit is submitted. However, section 60 rules - Building Design in the Flood Fringe will apply when a development permit is submitted. As the Applicant's submission notes the intent to develop a basement suite, the applicant has been made aware that this will require:

1. The first floor of the building must be above the designated flood level;
2. all electrical and mechanical equipment must be above the flood level; and
3. sewer backup valve must be installed in the building.

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LEGISLATION & POLICY

The parcel is identified as Developed *Inner City* 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.

Neighbourhood Infill and Redevelopment policies of the MDP generally encourage higher residential densities and redevelopment that is similar in scale and that increases the mix of housing choices, including accessory suites (secondary suites).

The Housing Diversity and Choice policies of the MDP promotes methods to efficiently use or adapt the city's existing housing stock in order to allow for families to remain in the same homes for longer time periods.

TRANSPORTATION NETWORKS

Pedestrian access is from Bow Crescent NW. Vehicle access to the existing on-site parking is from the road to a two-car garage. The site is located approximately 665 metres from the transit stop, served by the #1, 305 and 407 bus routes and offer service to downtown and the Brentwood LRT station respectively. There are no parking restrictions in the area

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

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. See APPENDIX II for Community Comment submitted.

Citizen Comments

Five letters received (1 support and 4 opposed), objections received can be summarized as follows:

1. Flood Fringe area not conducive to a basement suite.
2. May lead to rezoning of adjacent properties - further impact on property values
3. Character of the neighbourhood – rural feel, low density, large and treed lots
4. Unpaved road, no lane, no curb, no sidewalk, only double garage & driveway – street parking issue.
5. Road as Cycle and pedestrian connector – additional traffic
6. Proximity to transit – not adjacent.
7. Contrary to ARP – low density conservation area.

Public Meetings

No meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

Tasha and Ian Royer of 6939 Bow Crescent NW wish to have our property rezoned to allow for a suite in the basement. As of right now, to provide a low income suite as we do not use the space and it will provide extra income for us. We are a five minute walk to the number one bus and close to many schools from preschool to U of C and everything in between. We also have multiple parking spaces on our lot.

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APPENDIX II

COMMUNITY COMMENT SUBMITTED

Email Received:

From: General - Sydney [mailto:iheartbowness@mybowness.com]

Sent: Monday, March 09, 2015 3:43 PM

To: Ang, Benedict

Subject: RE: LOC2015-00015

Please find attached the CCQ for the above file.

Thanks for the reminder!

Sydney

As part of the Community Context Questionnaire the following is the response to Community Association perspective:

#5. Please provide any additional comments or concerns regarding the proposed development.

Neighbourhood notification was sent to 4 surrounding properties.

The property under question is in the flood fringe and this area was heavily damaged in the 2013 flood. Residents experienced major damage and loss of property at this time. Concern was expressed about allowing rezoning for a basement suite at this location.

Name of Planning Representative/s who completed this form: Sydney Empson

Community Association: Bowness Community Association

Date: March 9, 2015