

**LAND USE AMENDMENT
RIVERBEND (WARD 9)
RIVERBIRCH CRESCENT SE AND 18 STREET SE
BYLAW 1D2015**

MAP 24S

EXECUTIVE SUMMARY

This land use amendment application seeks to redesignate a single residential parcel from R-C1 to R-C1s to allow for a secondary suite. The site contains an existing secondary suite. This application was submitted as a 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)

2014 November 06

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 1D2015; and

1. **ADOPT** the proposed redesignation of 0.04 hectares \pm (0.10 acres \pm) located at 35 Riverbirch Crescent SE (Plan 8210447, Block 5, Lot 22) 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 1D2015.

REASON(S) FOR RECOMMENDATION:

The proposed R-C1s district which allows for two forms of secondary suite uses (Secondary Suite and Backyard Suite) are believed to be compatible and complementary residential uses with the established character of the community. This proposal is in conformance with relevant policies in the Municipal Development Plan and would allow for development that has the ability to meet the intent and requirements of Land Use Bylaw 1P2007.

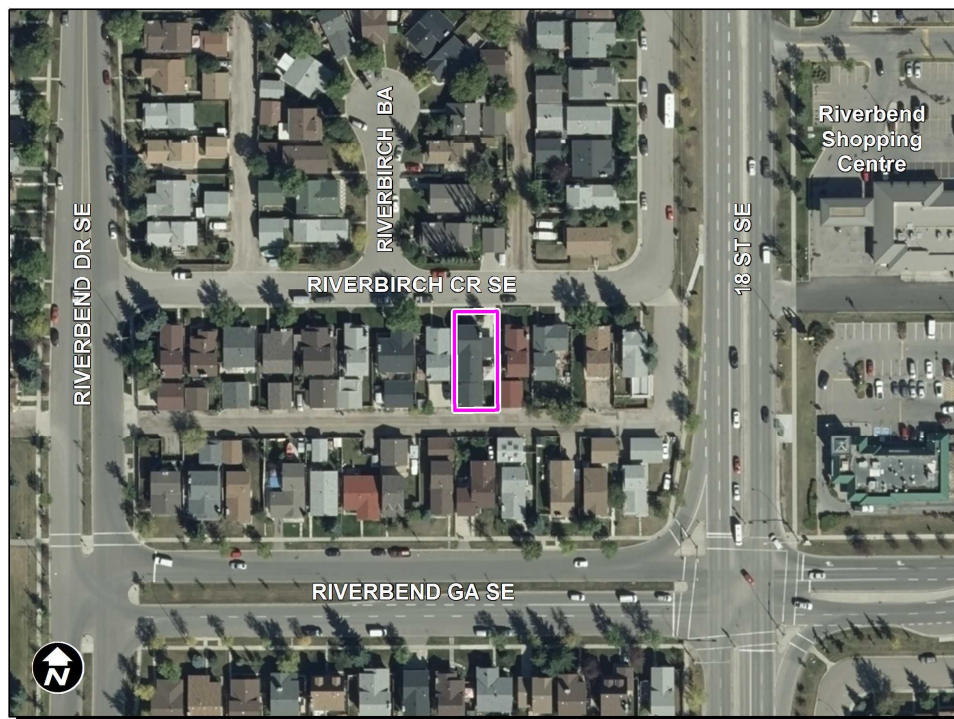
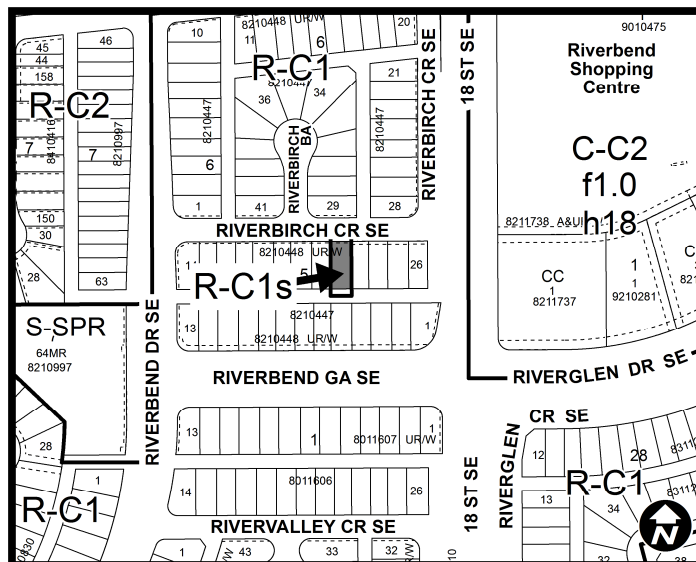
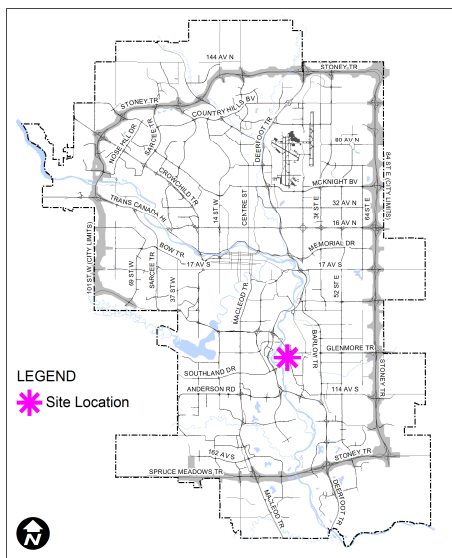
ATTACHMENT

1. Proposed Bylaw 1D2015
2. Public Submission

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RIVERBEND (WARD 9)
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BYLAW 1D2015

MAP 24S

LOCATION MAPS



LAND USE AMENDMENT
RIVERBEND (WARD 9)
RIVERBIRCH CRESCENT SE AND 18 STREET SE
BYLAW 1D2015

MAP 24S

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 35 Riverbirch Crescent SE (Plan 8210447, Block 5, Lot 22) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: G.-C. Carra

Carried: 8 – 1

Opposed: R. Honsberger

Reasons for Opposition from Mr. Honsberger:

- Site doesn't meet minimum width requirements
- 5 letters of objection.
- Tenant will not be permitted to park in garage, so counting the double car garage as two independent spaces is overstating the supply.

LAND USE AMENDMENT
RIVERBEND (WARD 9)
RIVERBIRCH CRESCENT SE AND 18 STREET SE
BYLAW 1D2015

MAP 24S

Applicant:

Lois Humm

Landowner:

Lois G Humm
Alan Brent Humm

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>	No	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>	Yes	7

*Issue - Yes, No or Resolved

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BYLAW 1D2015**

MAP 24S

PLANNING EVALUATION

SITE CONTEXT

Situated in a low density residential R-C1 setting in the community of Riverbend, the parcel is approximately 13.4 metres by 30.5 metres in size and is developed with a single detached dwelling on a laned parcel. The lot pattern on this block is aligned north-south with houses flanking the street on one side. Riverbend Shopping Centre (Commercial-Community 2 District) is located to the east across 18 Street SE.

Information on the Community of Riverbend can be found here:

http://www.calgary.ca/CSPS/CNS/Documents/community_social_statistics/riverbend.pdf

LAND USE DISTRICTS

The proposed R-C1s district has the ability to accommodate secondary suites on parcels that already contain a single detached dwelling. The R-C1s district allows for one additional permitted use (Secondary Suite) and an additional discretionary use (of Backyard Suite).

Approval of this land use application does not constitute approval of a specific secondary suite type, but rather allows for an additional dwelling unit (in the form of a secondary suite) to be considered via the development permit process.

Site Specific Considerations

The subject site has an approximate width of 13.4 metres and therefore, does not meet the minimum R-C1s parcel width requirement of 15 metres. As a result, relaxation(s) of the Land Use Bylaw 1P2007 requirement will be required at the development permit stage.

Nonetheless, the parcel area meets the minimum parcel size requirement and 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) and two additional parking spaces; and
- any required building setback(s) as determined necessary at the development permit stage.

In addition, it should be noted that a number of low density residential districts in Land Use Bylaw 1P2007 allow for secondary suites on parcels with a minimum parcel width of 9 metres, 11 metres or 13 metres respectively. For additional information regarding minimum parcel width, please see Table 1 in APPENDIX III of this report.

**LAND USE AMENDMENT
RIVERBEND (WARD 9)
RIVERBIRCH CRESCENT SE AND 18 STREET SE
BYLAW 1D2015**

MAP 24S

LEGISLATION & POLICY

Municipal Development Plan (Statutory - 2009)

The site is located within a *Developed Residential – Inner City Area* as identified on Map 1: Urban Structure of the Municipal Development Plan (MDP). Although the MDP does not make specific reference to this site, the proposal is in keeping with a number of MDP policy areas including: *Residential – Developed, Neighbourhood Infill & Redevelopment* and *Housing Diversity & Choice* policies.

Riverbend Area Structure Plan (statutory- 1979)

The site is identified in the Riverbend Area Structure Plan (ASP) as Residential and associated uses. The ASP encourages varying housing types.

TRANSPORTATION NETWORKS

Pedestrian and vehicular access is available from Riverbirch Crescent SE as well as from the existing rear lane. The area is served by Calgary Transit with a number of bus routes and stops within 150 - 200 metre walking distance of the parcel on Riverbend Drive SE, Riverbend Gate SE, and 18 Street SE.

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 also be required depending on the type of secondary suite proposed with this aspect being 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. In addition, the proposal is in alignment with the MDP references associated with growth management matters.

**LAND USE AMENDMENT
RIVERBEND (WARD 9)
RIVERBIRCH CRESCENT SE AND 18 STREET SE
BYLAW 1D2015**

MAP 24S

PUBLIC ENGAGEMENT

Community Association Comments

A letter from the Community Association was received and is attached to this report.

Citizen Comments

Five letters of objection were received by Administration. All five letters expressed concerns associated with on-street parking. Two letters expressed concerns over impacts on property values, and maintenance issues with rental properties. One letter expressed concerns about the equity in allowing for a change in land use to allow for secondary suites and the change in atmosphere in the neighbourhood created by renters.

Public Meetings

No public meetings were held by the applicant or Administration.

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RIVERBEND (WARD 9)
RIVERBIRCH CRESCENT SE AND 18 STREET SE
BYLAW 1D2015**

MAP 24S

APPENDIX I

APPLICANT'S SUBMISSION

We have owned the house at 35 Riverbirch Cres. S.E. Calgary, Alberta for over 24 years. This house was built with a fully equipped 1 bedroom suite in the basement to which we have always used for our children. At this time we have moved out of this property and wish to rent out the main floor and the basement suite. With the shortage of homes to rent in Calgary this would be a great unit to house someone in need of a place to live. This house is half a block to the bus stop which takes you to the train station at Chinook. Also an express bus to downtown. Within one block of house there is a grocery store, gas station, restaurants, banks, etc. The public elementary school is 3 blocks away and the Catholic Elementary is within walking distance. The new Quarry park business district is in the next subdivision for those needing a place to live close to work.

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RIVERBEND (WARD 9)
RIVERBIRCH CRESCENT SE AND 18 STREET SE
BYLAW 1D2015**

MAP 24S

APPENDIX II

LETTER FROM COMMUNITY ASSOCIATION

From: RCA_Treasurer [mailto:treasurer@riverbendcommunity.ca]
Sent: Friday, October 17, 2014 4:51 PM
To: St. Arnaud, Nicole
Cc: info@riverbendcommunity.ca; RCAB_President; RCAB_VPOperations; Commn.
& Community Liaison - Ward 9
Subject: RE: LOC2014-0142 Application for Secondary Suite Request for Comments

Hi Nicole,

Thank you for your follow-up.

Let me start that at the end of the day, the role of a COMMUNITY ASSOCIATION is to collectively represent the views of the community. The problem here is that what if the community does not have enough experience on which to take a view?

As you well know, the topic of secondary suites is very much up in the air not only for most communities, but City Council.

I am aware of the information that is out on the INTERNET with respect to this topic. Examples include:

<http://www.calgary.ca/PDA/pd/Pages/Home-building-and-renovations/Secondary-suites/Secondary-suites.aspx>

<http://calgarysecondarysuites.ca/>

<http://www.calgaryherald.com/business/Planning+committee+rejects+secondary+suites+proposal/10192723/story.html>

<http://secondarysuitescalgary.com/>

Looking at the above noted items, our conclusion is that there is no consensus, or majority on whether they are the way to go to not.

Having said that, given this environment, it is hard for us to put forward a position that would allow us to state with any degree of uncertainty that they are good or bad for the community.

Not only that, but, because there is lack of background on the part of most residents as far as this new concept is concerned, it would also be difficult for us to take a stand on behalf of the community.

One of the things that we know is that there is a housing shortage in the city of Calgary, and the idea of a secondary suite would be one solution to deal with this problem.

Does that mean it is the solution in every case? Hard to say.

N. St. Arnaud

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RIVERBEND (WARD 9)
RIVERBIRCH CRESCENT SE AND 18 STREET SE
BYLAW 1D2015**

MAP 24S

Is Riverbend for secondary suites. Conceptually - yes.

But what we do not know is what that means in practical terms. Some of the questions that we do not know the answers to are

- How will the neighbors respond?
- Is it for use by family members or outside people?
- Will neighbors view it as causing a depreciation in the property values - whether that perception is real or not?
- How does the NIMBY principle come into play (i.e. NOT IN MY BACK YARD)?

Part of our issue is it is hard to know whether we should go ahead with it, given that there is really no framework with which to determine that any particular application should move forward or not.

Until such a framework exists - the only thing we can do is look at each application on a case by case basis.

In this case, my guess is that as we saw nothing that necessarily warranted us opposing it at this time, most of our Board in conjunction with our community chose to effectively "abstain". That means that we are not for it, but, we are also not against it.

As time goes on, and the City as well as our community has better information and data on which to provide informed feedback, we will be happy to provide more informed feedback.

I hope that this helps.

I know you likely were looking for a definitive opinion on one side of the issue or not, but, given the complexity of the issue and that as I said, City Council cannot even agree, it would be difficult for us to do any different.

Douglas Ratke, BComm
Treasurer and
Chairperson, Riverbend Development Review and Planning Committee Riverbend Community
Association
19 Rivervalley Drive S.E.
Calgary, Alberta
T2C 3S1

LAND USE AMENDMENT
RIVERBEND (WARD 9)
RIVERBIRCH CRESCENT SE AND 18 STREET SE
BYLAW 1D2015

MAP 24S

APPENDIX III

TABLE 1 – PARCEL WIDTH REQUIREMENTS

Land Use District	Secondary Suite (basement)	Secondary Suite – Detached Garage	Secondary Suite – Detached Garden
R-C1s	15 m	15 m	15 m
R-1s	11 m	11 m	13 m
R-C1N	9 m	13 m	13 m
R-1N	9 m	13 m	13 m
R-C2	9 m	13 m	13 m
R-C1Ls	24 m	24 m	24 m
R-2M	9 m	13 m	13 m
R-2	9 m	13 m	13 m