

**LAND USE AMENDMENT
WESTGATE (WARD 8)
WESTMINSTER DRIVE SW WEST OF 49 STREET SW
BYLAW 2D2015**

MAP 13W

EXECUTIVE SUMMARY

This land use amendment application seeks to redesignate a residential parcel from R-C1 to R-C1s to allow for a secondary suite. The application was not submitted as a result of a complaint; however the subject site does contain an illegal secondary suite at this time.

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 2D2015; and

1. **ADOPT** the proposed redesignation of 0.06 hectares \pm (0.15 acres \pm) located at 81 Westminster Drive SW (Plan 4335HM, Block 19, Lot 26) 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 2D2015.

REASON(S) FOR RECOMMENDATION:

The three secondary suite uses allowed in the R-C1s District are believed to be compatible and complementary residential uses to the established low density character of the community. The 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 the Land Use Bylaw 1P2007.

ATTACHMENT

1. Proposed Bylaw 2D2015
2. Public Submission

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MAP 13W

ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.06 hectares \pm (0.15 acres \pm) located at 81 Westminster Drive SW (Plan 4335HM, Block 19, Lot 26) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: G.-C. Carra

Carried: 9 – 0

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Applicant:

Timothy Jones

Landowner:

Timothy Jones
 Michelle Pomeroy

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	5
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

Located in a low density residential R-C1 setting in the community of Westgate, the parcel is a irregularly shaped corner lot approximately 20.8 metres by 32.0 metres in size and is developed with a single detached dwelling with a rear detached single garage accessed off Westminster Drive SW. There is an existing illegal secondary suite on the subject site.

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 (Basement) as a permitted use; or
- Backyard Suite.

The subject site meets the minimum R-C1s parcel size requirements. The parcel is large enough to accommodate a secondary suite and its associated Land Use Bylaw 1P2007 requirements such as minimum motor vehicle parking stalls. If necessary, relaxations to various land use provisions may also be considered at the development permit stage.

Council's potential approval of this land use redesignation application does not constitute approval of a specific secondary suite type, 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) (Statutory/Approved by Council – 2009)

The parcel is located within a *Residential, Development – Established 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 include: *Neighbourhood Infill & Redevelopment* and *Housing Diversity & Choice* policies.

There is no local area plan for the community of Westgate.

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TRANSPORTATION NETWORKS

Pedestrian access is available from Westminster Drive SW and vehicular access is available from Westminster Drive SW to a single detached garage. There is a lane that is located to the rear of the parcel. The site is of a sufficient size to accommodate the minimum motor vehicle parking requirements. While this site is located in the "WGT" Residential Parking Permit zone, there are currently no restrictions on parking in this area.

The area is served by Calgary Transit, with a bus stop for route 412 located approximately 60 metres away and a bus stop for route 70 located approximately 380 metres away.

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.

PUBLIC ENGAGEMENT

Community Association Comments

The Westgate Community Association submitted comments that were not in support of the application (APPENDIX III). A survey was conducted by the Community Association to establish a position of non-support for this application. This survey was not submitted to Administration.

Parking was cited as a concern as there are currently vehicles that are parked on-street.

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Citizen Comments

One letter was submitted that was not in support of the application due to on-street parking concerns.

Public Meetings

No meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

This rezoning application is being made for a variety of reasons. The first is being able to contribute to the lack of affordable housing in the City of Calgary and taking steps to increase the vacancy rate. In recent years, Calgary has undergone rapid expansion, particularly in its population growth but there has been a downside to this growth. The amount of affordable housing has significantly decreased and vacancy rates in Calgary have reached an all time low. A 2014 study done by the Canadian Mortgage and Housing Corporation (CMHC), found that Calgary has one of the lowest vacancy rates in Canada (1.4%) and has one of the most expensive average rent monthly rental rates for two bedroom apartments (\$1276). Allowing us to be rezoned and subsequently having a legalized secondary suite would make for an attainable and affordable option for an individual looking for a place to live.

The second reason we feel that we should be rezoned is the close proximity our property is to various schools including elementary, junior high and post secondary schools. Westgate Elementary School is within walking distance from our house that offers French Immersion and Spanish Bilingual programs from Kindergarten to Grade 4. St. Michael School is also within walking distance from the property, which is a Catholic school and also offers a French Immersion program. Vincent Massey Junior High School is also extremely close, in the community of Rosscarrock. This would only be a short car or bus ride away from Westgate. Mount Royal University and the University of Calgary are also within a 6 KM and 9 KM radius respectively, therefore making our suite suitable for a student renter.

We feel our property also offers a sufficient amount of parking space so not to intrude on our neighbors and their individual parking space. Our house is on a corner lot, so we have an entire street that our renter can for parking. We also can provide the use of a driveway and a single car garage. If the renter does not have a car or wishes not to use it often, public transportation such as the LRT and bus routes are within walking distance. The bus stop for Route 412 is a 2-minute walk from us and travels downtown as well as the 45th Station LRT stop is close by. Certain amenities are also nearby such as Westbrook Mall if you are walking and/or driving. This mall contains a Wal-Mart, Safeway, banks, drug stores and other important conveniences. Westgate is also close to Westhills, which is reachable with a car that contains various restaurants and a movie theatre for entertainment.

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APPENDIX II

PARCEL WIDTH REQUIREMENTS – TABLE 1

	Secondary Suite (basement)	Secondary Suite – Detached Garage	Secondary Suite – Detached Garden
R-C1s	15m	15m	15m
R-1s	11m	11m	13m
R-C1N	9m	13m	13m
R-1N	9m	13m	13m
R-C2	9m	13m	13m

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APPENDIX III

LETTERS SUBMITTED

Good morning Wendy

On behalf of Westgate Community Association we do not support the application requesting a zoning change.

Our neighbourhood is predominately R-C1, to support the position of NOT allowing secondary suites we conducted a survey of Westgate community the overwhelming response from residents was NO secondary suites. Currently this residence has four vehicles parked, two at the front, one at the side, with one vehicle in the driveway.(8:30am Saturday 20th Sept/2014) As a correction to the information submitted St. Micheal's School is in Rosscarrock, while Vincent Massey Jr. High is in Westgate.

We respect the opinion of our residents and ask that you not approve this re-zoning application.

Should you have additional questions please contact myself.
For and on behalf of Westgate Community Association Pat Guillemaud President