

**LAND USE AMENDMENT
BRENTWOOD (WARD 4)
SOUTH-EAST OF BREEN ROAD NW AND BENSON ROAD NW
BYLAW 75D2018**

MAP 31C

EXECUTIVE SUMMARY

This land use amendment application seeks to redesignate a single residential parcel from a Residential – Contextual One Dwelling (R-C1) District to a Residential – Contextual One Dwelling (R-C1s) District to allow for either a Secondary Suite or a Backyard Suite as an additional use on the same parcel as a single detached dwelling. The site contains an existing one-storey single detached dwelling with vehicular access from the rear lane, but with no formal on-site parking in the form of a garage or parking pad. To Administration's knowledge there is not an existing suite located on the parcel and the application was not 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)

2017 January 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 75D2018; and

1. **ADOPT** the proposed redesignation of 0.05 hectares \pm (0.12 acres \pm) located at 4720 Benson Road NW (Plan1285JK, Block 3, Lot 35) 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 75D2018.

REASONS FOR RECOMMENDATION:

The proposed R-C1s district, which allows for one of two forms of secondary suite uses (Secondary Suite or Backyard Suite) on the same parcel as a single detached dwelling, is compatible with and complementary to the established character of the community of Brentwood. The proposal conforms to the relevant policies of the Municipal Development Plan and will allow for development that has the ability to meet the intent of Land Use Bylaw 1P2007.

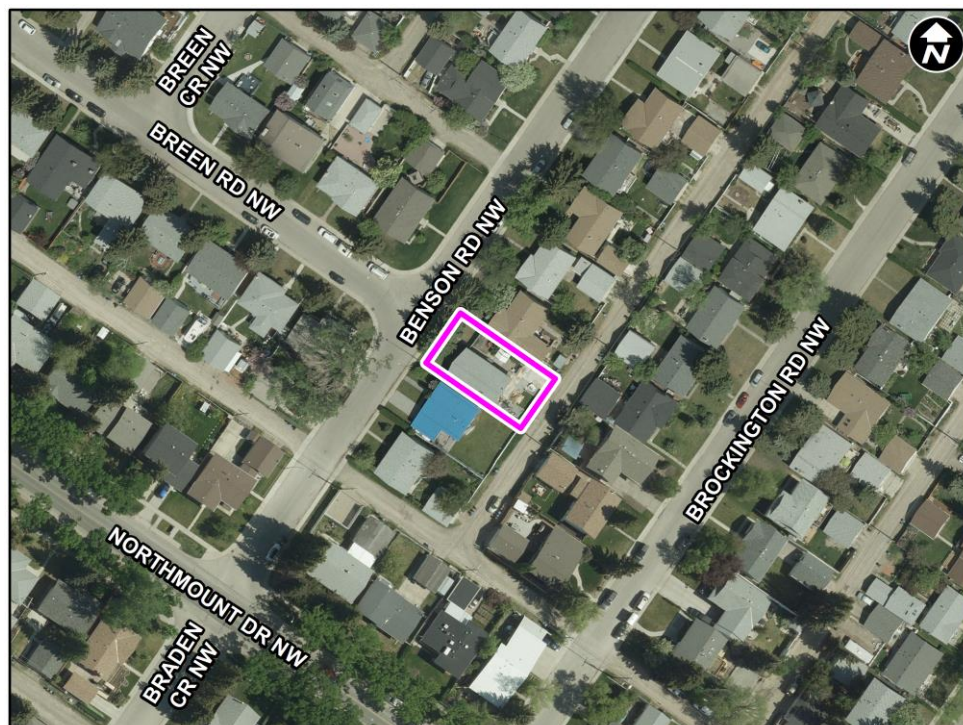
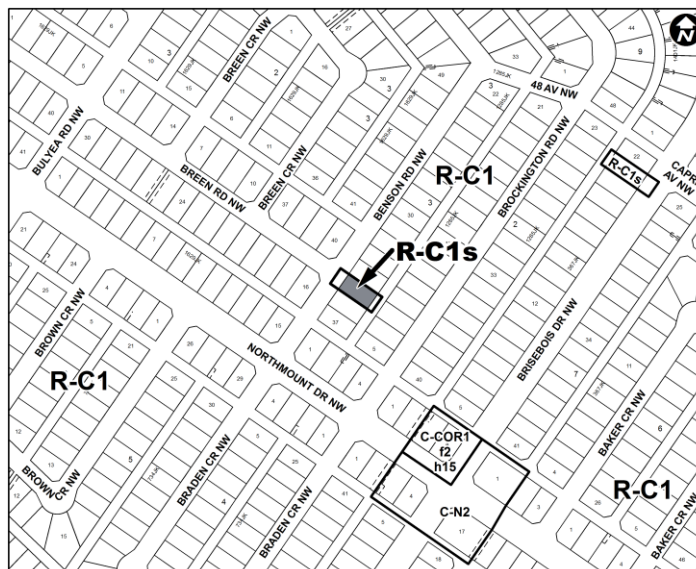
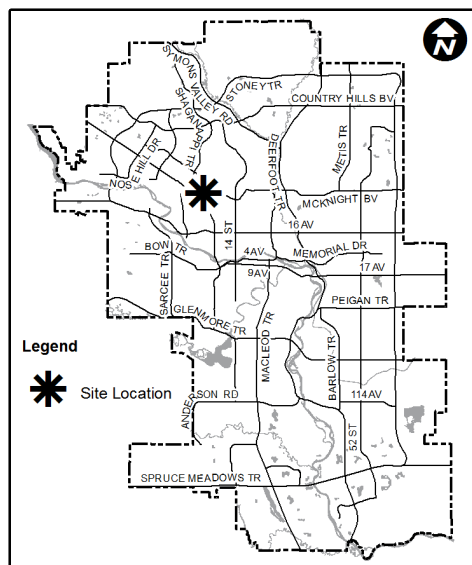
ATTACHMENT

1. Proposed Bylaw 75D2018
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 0.05 hectares \pm (0.12 acres \pm) located at 4720 Benson Road NW (Plan1285JK, Block 3, Lot 35) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: C. Friesen

Carried: 8 – 0

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Applicant:

Logan Murdoch

Landowner:

Logan Murdoch
Alena Saprykina

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Brentwood, the site is approximately 16.0 metres by 30.48 metres and 487.6 square metres in size. The site is developed with a one-storey single detached dwelling with no formal on-site parking, but with rear lane access for vehicles.

The subject site is surrounded by properties zoned R-C1 with several lots throughout the community of Brentwood zoned as R-C1s for the purpose of developing a secondary suite. To the south of the subject site exists a Commercial – Neighbourhood 2 development at the intersection of Northmount Drive NW and Brisebois Drive NW.

According to data from The City of Calgary 2017 Census the following table identifies Brentwood's peak population and year, current 2017 population and the population amount and percentage difference between the peak and current populations if any.

Brentwood	
Peak Population Year	1969
Peak Population	9,086
2017 Current Population	7,132
Difference in Population (Number)	-1,954
Difference in Population (Percent)	-22%

LAND USE DISTRICTS

The proposed R-C1s district allows for an additional dwelling unit (either a permitted use Secondary Suite or a discretionary use Backyard Suite) on parcels that contain a single detached dwelling.

Approval of this land use application allows for an additional dwelling unit (either a Secondary Suite or Backyard Suite) to be considered via the development permit process. A development permit is not required if a Secondary Suite conforms to all Land Use Bylaw 1P2007 rules – only a building permit would be required.

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LEGISLATION & POLICY

South Saskatchewan Regional Plan (2014)

The site is located within the “City, Town” area as identified on Schedule C: South Saskatchewan Regional Plan Map in the *South Saskatchewan Regional Plan* (SSRP). The SSRP makes no specific reference to this site. The land use proposal is consistent with the SSRP policies including the Land Use Patterns policies (subsection 8.14).

Municipal Development Plan (2009)

The site is located within a “Residential Developed – Established Area” on the Urban Structure Map (Map 1) in the *Municipal Development Plan* (MDP). While the MDP makes no specific reference to this site. This land use proposal is consistent with MDP policies including the Developed Residential Areas policies (subsection 3.5.1), the Neighbourhood Infill and Redevelopment policies (subsection 2.2.5) and the Housing Diversity and Choice policies (subsection 2.3.1).

There is no local area plan for the community of Brentwood. The Brentwood Station Area Redevelopment Plan does not apply to the subject site but lies in close proximity to the south around the Brentwood LRT station.

TRANSPORTATION NETWORKS

Pedestrian access to the site is available from Benson Road NW and vehicular access from the rear lane. Although there is sufficient space on the subject site to provide parking, there is no formal area designated for parking stalls and a future development permit will be required to determine where the required minimum of two parking stalls can be provided on the site. On-street parking adjacent to the site is unregulated.

The area is served by Calgary Transit with bus stops (Routes 8 and 9) within 120 and 305 metres walking distance of the site. The Brentwood LRT Station is situated to the south of the subject site approximately 1.2 kilometres walking distance 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 if a Backyard Suite is proposed at the development permit stage.

ENVIRONMENTAL ISSUES

An Environmental Site Assessment was not required for this application.

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GROWTH MANAGEMENT

This land use amendment proposal does not require additional capital infrastructure investment, and therefore no growth management concerns have been identified at this time. The proposal is in alignment with MDP references associated with growth management matters.

PUBLIC ENGAGEMENT

Community Association Comments

Administration received a letter from the Brentwood Community Association (CA). The letter states that the CA is in opposition to Backyard Suites due to the potential impact on surrounding neighbours (APPENDIX II).

Reasons stated for the opposition are summarized as follows:

- The application does not distinguish between the two types of secondary suites; and
- Backyard Suite may have an impact on the privacy of surrounding properties due to overlooking, massing and shadowing.

The letter does not state the CA's position on secondary suites in a basement.

Citizen Comments

Administration received one (1) letter of support from an adjoining neighbour.

Public Meetings

No public meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

Applicant submission form
October 7 2017

Applicant submission form- 4720 Benson RD NW, Calgary AB, T2L 1R8.

Request to redesignate to RC-1S for the following reasons:

- Central located in the desirable community of Brentwood.
- Ideal location in regards to existing Brentwood LRT station.
- Close relation to major commuter corridors. (Crowchild, Mcknight, Shaganappi)
- Close relation to UofC. High demand for student, and teacher living spaces.
- Within walking distance to schools K-12, both catholic and public. (St. Luke, John Palliser, Coffin, Churchill)
- Nose Hill within walking distance.
- City library and recreation center nearby.
- Alley access with laneway access to four off street parking spots.
- More affordable housing in the neighbourhood.
- Increased property value with minimal cost to the City of Calgary.
- Ideal floorplan with basement walkout for basement suite.
- Increased safety, with standards set by City of Calgary and federal building codes.
- Aid in increasing population in existing neighbourhood, with established infrastructure.

Sincerley,

Logan Murdoch.

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APPENDIX II

LETTERS SUBMITTED



Brentwood Community Association

Mailing Address 5107 – 33rd St. NW, Calgary, Alberta T2L 1V3
Tel. (403) 284-3477 Fax. (403) 284-3951 brntwdca@telus.net
www.brentwoodcommunity.com

December 10, 2017

Attn: Giyan Brenkman, File Manager, City of Calgary
giyan.brenkman@calgary.ca
Circulation Control, Planning and Development, cpag.circ@calgary.ca

Application # LOC2017-0319
Application Type: Change of Land Use from R-C1 to R-C1s

Address: 4720 Benson Road NW

Response from the Brentwood Community Association

The Brentwood Community Association receives many comments regarding secondary suites from area residents. Some do not feel secondary suites should be allowed at all in R-C1 neighbourhoods while others are not opposed provided certain conditions are met. **All would prefer to see owner-occupied suites.** The majority of complaints we hear appear to be cases where both the main home and the secondary suite are rented out so there is an absentee landlord. While we realize only the use, not the user, can be regulated, we hear from our residents that having an owner on site tends to lessen potential problems with property upkeep, garbage handling, yard maintenance and unruly tenants. While those issues fall under the Community Standards Bylaw, our residents report that enforcement appears to be sporadic and largely ineffective.

Regarding the property at 4720 Benson Road NW:

The BCA has received no comments from neighbours on this application.
It is unclear as to whether the applicant intends to build a basement suite or another type of suite. The BCA does not support laneway / garage or other forms of detached secondary suites.

Redesignation Process

The BCA Board is concerned that the current R-C1s designation does not distinguish between a basement suite and a backyard / garage / laneway unit. We feel that the application should specify which type is being applied for and the applicant can then ONLY build that type of unit.

The BCA opposes the current application process in which applications are not specific as to the type of suite. As noted on all applications,

The proposed R-C1s district has the ability to accommodate a secondary suite or backyard suite on parcels that already contain a single detached dwelling on a single parcel. 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.

G. Brenkman

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Brentwood Community Association

Mailing Address 5107 – 33rd St. NW, Calgary, Alberta T2L 1V3

Tel. (403) 284-3477 Fax. (403) 284-3951 brntwdca@telus.net

www.brentwoodcommunity.com

Backyard, laneway or garage suites have significant impact on adjacent properties in terms of massing, shadowing and privacy. A neighbour might not be opposed to an owner-occupied home with a secondary suite in a basement but may be greatly opposed to a new second storey over a garage overlooking his property (especially in an area where most homes are single-storey bungalows).

The current system means that either is possible and in fact, adjacent neighbours do not even know which is planned. It is almost impossible for them to submit accurate comments.

The BCA recommends that the Planning Department should consider separate designations, for example R-C1s (basement), R-C1g (over garage) and R-C1L (laneway). Under the current system, an applicant is given leeway to build any type of suite (although some may be discretionary) and neighbours are at a significant disadvantage.

Thank you for the opportunity to comment on this application.

Melanie Swailes
on behalf of the
Development and Transportation Committee
Brentwood Community Association

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APPENDIX III

IMPORTANT TERMS

While there are specific Land Use Bylaw 1P2007 definitions and development rules for Secondary Suite and Backyard Suite uses, the following information is provided to simplify and enhance general understanding of these two different uses (Secondary Suite or Backyard Suite).

Important terms



Secondary suite: A self-contained dwelling unit within the main residence that has separate living, cooking, sleeping and bathroom facilities. These are commonly referred to as basement suites or in-law suites.

Backyard suite: A self-contained dwelling unit in a detached building that has separate living, cooking, sleeping and bathroom facilities. These are commonly referred to as garage suites, garden suites, or laneway homes.

