

**LAND USE AMENDMENT  
CHARLESWOOD (WARD 7)  
26 STREET NW, NORTH OF CAPRI AVENUE NW  
BYLAW 332D2017**

**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. The site contains an existing single detached dwelling. To Administration's knowledge there is an existing suite located on the parcel and the 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)**

2017 September 07

That Calgary Planning Commission recommends **APPROVAL** of the proposed Land Use Amendment.

That Council hold a Public Hearing on Bylaw 332D2017; and

1. **ADOPT** the proposed redesignation of 0.05 hectares  $\pm$  (0.12 acres  $\pm$ ) located at 4604 - 26 Street NW (Plan 658JK, Block 1, Lot 46) 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 332D2017.

**REASON(S) FOR RECOMMENDATION:**

The proposed R-C1s district, which allows for one of two forms of secondary suite uses (Secondary Suite or Backyard Suite), is compatible with and complementary to the established character of the community. The proposal conforms to 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.

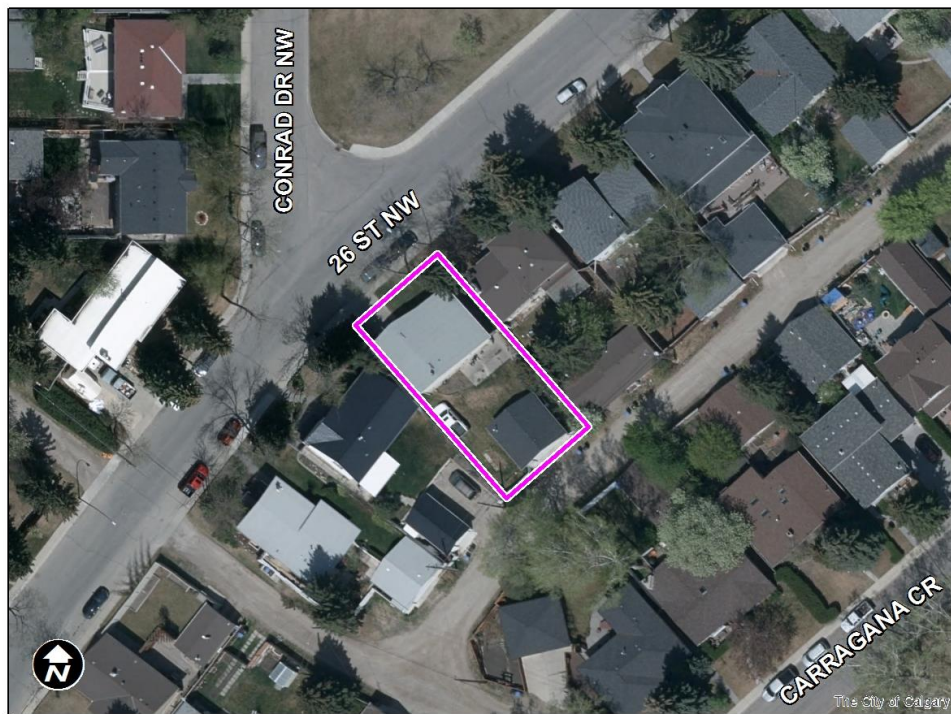
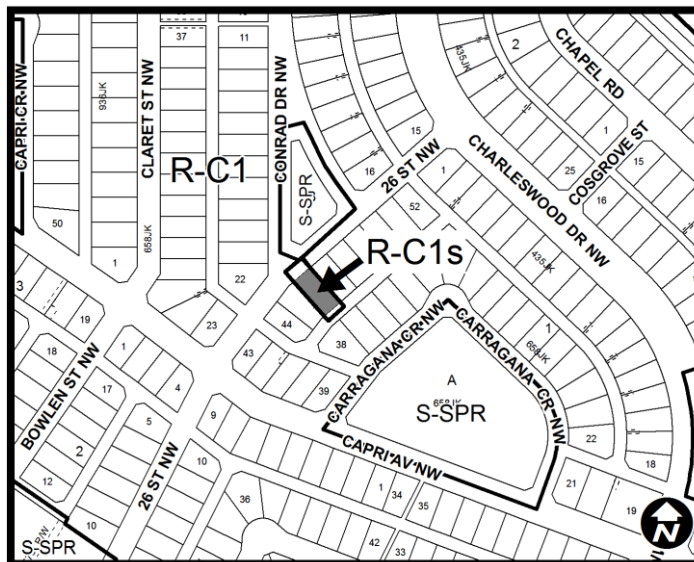
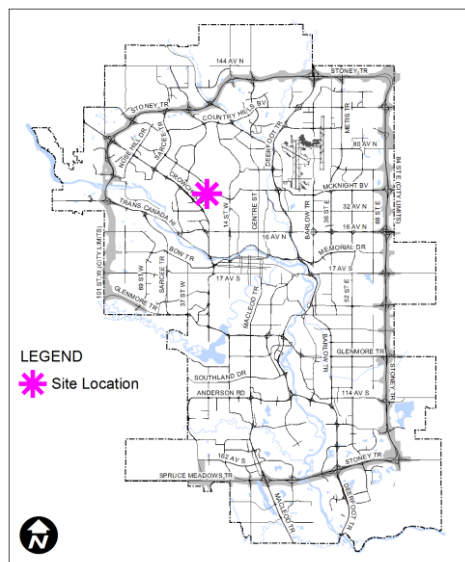
**ATTACHMENT**

1. Proposed Bylaw 332D2017

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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 4604 - 26 Street NW (Plan 658JK, Block 1, Lot 46) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

**Moved by: D. Leighton**

**Carried: 8 – 0**

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**Applicant:**

Louise Marthe Shotton

**Landowner:**

Louise Marthe Shotton  
Robert Craig Shotton

**PLANNING EVALUATION**

**SITE CONTEXT**

Located in a low density residential R-C1 setting in the community of Charleswood, the site is approximately 15 metres by 33 metres in size and is developed with a bi-level single detached dwelling and a two-car garage that is accessed from the rear lane. There is an existing single front driveway that is accessed from 26 Street NW. Single detached dwellings exist to the north, east, south, and west of the site, and a municipal park exists to the east of the site.

According to data from The City of Calgary's 2016 Census, the following table identifies Charleswood's peak population and year, current population and the population amount and percentage difference between the peak and current populations.

Charleswood/ Collingwood	
Peak Population Year	1969
Peak Population	9,822
2016 Current Population	5,874
Difference in Population (Number)	-3,948
Difference in Population (Percent)	-40%

**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 this area.

## **TRANSPORTATION NETWORKS**

Pedestrian and vehicular access to the site is available from 26 Street NW and the rear lane. The area is served by Calgary Transit bus service with a bus stop located approximately 500 metres walking distance of the site on Northmount Drive NW. On-street parking adjacent to the site is unregulated through the Calgary Parking Authority’s residential parking permit system.

## **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.

## **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.

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**PUBLIC ENGAGEMENT**

**Community Association Comments**

Administration received comments from the Triwood Community Association (APPENDIX II). The Community Association has no objection with this application given that it is an owner-occupied suite, and the existing suite is not a backyard suite.

**Citizen Comments**

One letter was received in opposition to the proposal. The main concerns are summarized as follows:

- Maintain the existing low density residential district for the area;
- Concerns with added traffic congestion and population to the community; and
- Setting a precedent for other similar applications.

**Public Meetings**

No public meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

LOC 2017-0184

REASONS FOR REZONING REQUEST.

I have lived in my house for 41 years and now that I live alone, I would still like to continue living here to the end of my days. . After I began receiving OAS this January, I needed to supplement this low income. I have a pre existing basement suite that was here when I originally bought the house. I am asking to have zone RC1 rezoned to RC1s so I may obtain a building permit , upgrade the basement suite, bring it up to code for fire and safety and rent it to a responsible person. Later on,when the time comes that I need to be cared for, I would like to have someone move in to the suite, have their privacy while tending to my needs.

Description to my property..... I have room for two vehicles in my driveway and a detached 2 car garage in the back. There is an existing private entrance to the suite. I have a fenced backyard, a cement patio and large space for my vegetable garden....

Thank you for your time .

Louise Shotton

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## APPENDIX II

### LETTERS SUBMITTED

**Re: LOC2017-0184. 4604 26 Street NW**

The Triwood Planning Committee (TPC) reviewed the above referenced land use amendment application.

The TPC supports the creation of legal secondary suites in our community through the process of amending the land use designation from RC-1 to RC-1s with the following caveats:

1. The owner of the property will be a resident of the subject property.
2. The parking requirements for RC-1s be followed without resorting to accessing parking over the sidewalk.
3. The creation of a legal suite be done within the envelop of the house. *The TPC does not support the development of detached garden suites, nor suites over detached or attached garages.*

The applicant's letter indicates the proposed legal suite would allow her to remain in her home and would satisfy criteria #1 and #3. The applicant would be encouraged to access the required parking from the laneway, not over the sidewalk at the front.

The TPC has no objections to this land use amendment from RC-1 to RC-1s.

Gordon Alger  
Triwood Planning Committee



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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.

