

LAND USE AMENDMENT
TUSCANY (WARD 1)
TUSCARORA CRESCENT AND TUSCANY SPRINGS
BOULEVARD NW
BYLAW 372D2017

Item #8.1.3

MAP 17NW

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 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 October 19

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 372D2017; and

1. **ADOPT** the proposed redesignation of 0.05 hectares \pm (0.13 acres \pm) located at 102 Tuscarora Crescent NW (Plan 9712199, Block 6, Lot 12) 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 372D2017.

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 the Revised West Scenic Acres Area Structure Plan and will allow for development that has the ability to meet the intent of Land Use Bylaw 1P2007.

ATTACHMENT

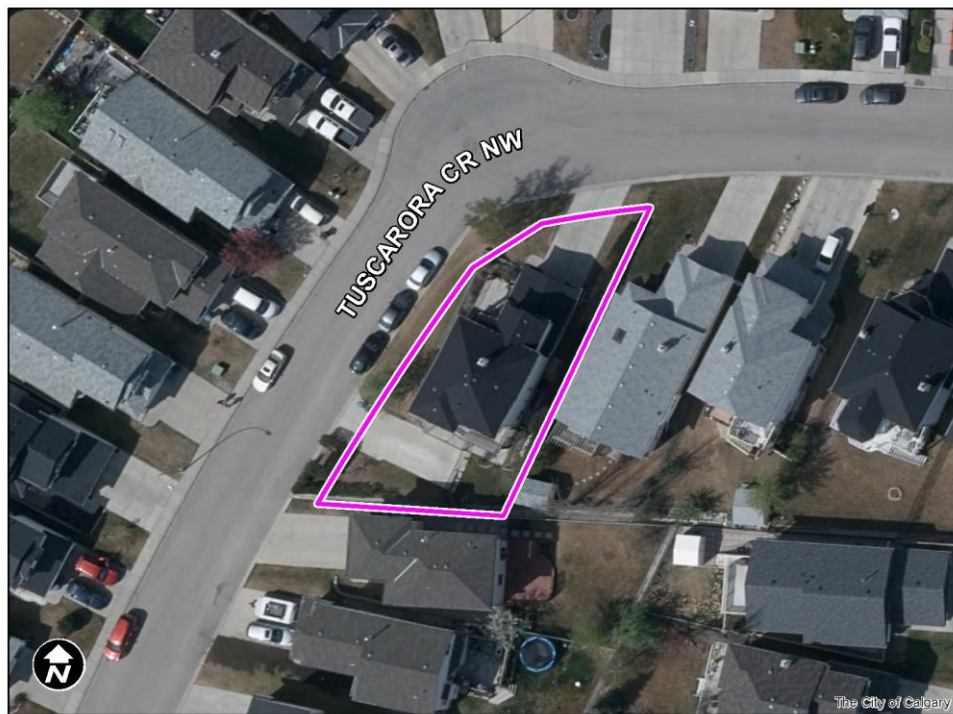
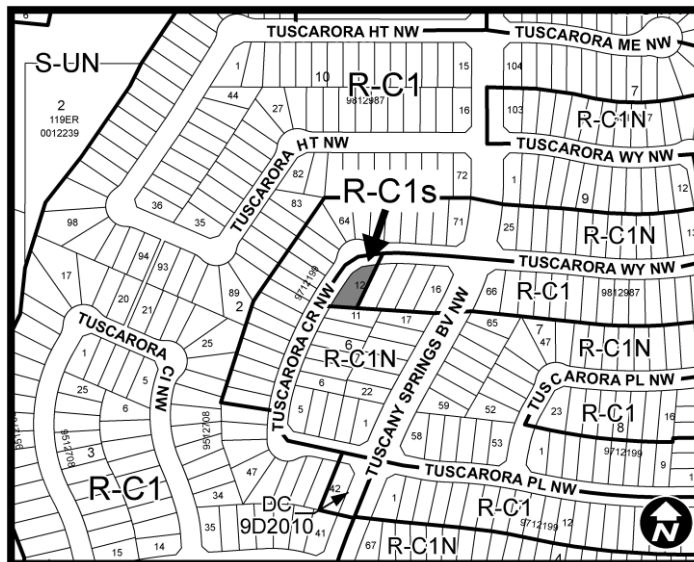
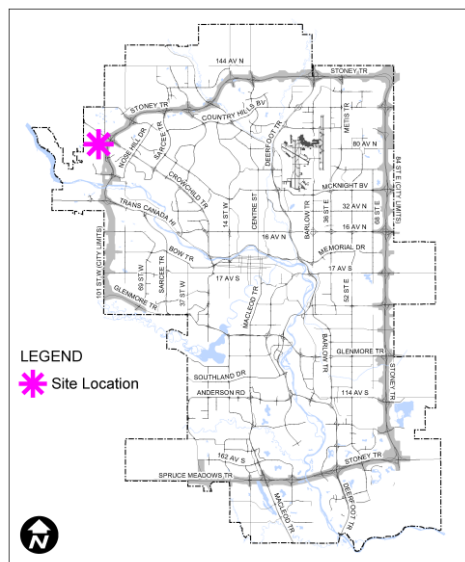
1. Proposed Bylaw 372D2017

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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 (0.13 acres \pm) located at 102 Tuscarora Crescent NW (Plan 9712199, Block 6, Lot 12) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: S. Keating

Carried: 9 – 0

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Applicant:

Huilin (Cathy) Chen

Landowner:

Huilin Chen

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Tuscany, the site is approximately 16 metres by 33 metres in size and is developed with two-storey single detached dwelling, with an attached front garage, and a two-car parking pad that is accessed from Tuscarora Crescent NW. Single detached dwellings exist to the north, east, south, and west of the site.

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

Tuscany	
Peak Population Year	2015
Peak Population	19,737
2017 Current Population	19,659
Difference in Population (Number)	-78
Difference in Population (Percent)	-0.4%

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; Developing; Planned Greenfield with Area Structure Plan (ASP)” area as identified 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 Neighbourhood Infill and Redevelopment policies (subsection 2.2.5) and Housing Diversity and Choice policies (subsection 2.3.1).

Revised West Scenic Acres Area Structure Plan (2009)

The site is located within the “Residential” area of the Revised West Scenic Acres Area Structure Plan (RWSAASP). The RWSAASP makes no specific reference to secondary suites within the Residential Area, but is deemed to be generally consistent with the low density residential housing form proposed for this area.

TRANSPORTATION NETWORKS

Pedestrian and vehicular access to the site is available from Tuscarora Crescent NW and there is no rear lane. The area is served by Calgary Transit light rail transit with light rail transit station location within approximately 600 metre walking distance of the site on Tuscany Springs Boulevard 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.

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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 in support of the application from the Tuscany Community Association (APPENDIX II).

Reasons stated for support are summarized as follows:

- The parking provided exceeds the norm;
- There were no objections by homeowners received by the community association; and
- The applicant was willing to communicate with neighbours.

Citizen Comments

Administration received two (2) letters in opposition to the application.

Reasons stated for opposition are summarized as follows:

- That the owner does not reside at the residence; and
- Lack of yard maintenance on the property.

Public Meetings

No public meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

August 14, 2017

Calgary Planning Commission
And
City Council

Regarding the land use redesignation (Secondary Suites) application for the property 102 Tuscarora Cres NW Calgary. Here are our reasons for our application:

- Developing a legal basement suite allow me to continue staying at the home and have the flexibility to rent the basement out or have family member stay in the basement in the future
- I would like to invest in my property and make it safe and legal. Whether it is for family member or for tenants
- I have plenty of parking on the property: attached double car garage, two parking pads in front, one extra-long parking pad in the back yard
- The house is very close to Tuscany C-train station and University of Calgary. It is a great way to provide safe and affordable housing for university students or new professionals work in downtown
- I called Councillor Ward Sutherland's office and Tuscany Community Association regarding to their opinion on secondary suite. And we are glad to know the councillor and the community do support safe and legal secondary suite.

Sincerely,

P. Schryvers

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APPENDIX II

LETTERS SUBMITTED

Re: Land Use Amendment LOC2017-0236; 102 Tuscarora Cr NW

The Tuscany Community Association (TCA) respectfully offers the following comments regarding this application for a Land Use Amendment, to accommodate the development of a Secondary Suite.

This application asks for a change of land use, from R-C1 to R-C1s. Although the TCA has not been provided with detailed drawings/plans, we understand construction work required will be confined to the lower level of the home. The property is on a corner, with a double garage, a parking pad in front, and additional parking in the back.

The applicant notified the Tuscany Community Association in August about the secondary suite application. Ms. Chen was asked whether she had proactively spoken to nearby homeowners about the application, and she responded to say she spoke with neighbours, and a concern was expressed about parking. As the parking area at this property exceeds the norm, the TCA does not share this concern.

The TCA has not received any objections to the application from other homeowners in the area, and the homeowner seems considerate and willing to communicate with the neighbours, so we support this application.

Regards,

Kelli Taylor
Past-President and Chair of Planning & Development
Tuscany Community Association
(planning@tuscanyca.org)

cc: Peter Schryvers, City of Calgary File Manager
Ward Sutherland, Ward 1 Councillor
Cathy Chen, Applicant
bcc: TCA Board of Directors

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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 simply 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.

