

LAND USE AMENDMENT
COLLINGWOOD (WARD 4)
COLLINGWOOD DRIVE NW SOUTH OF NORTHMOUNT DRIVE NW
BYLAW 5D2018

MAP 32C

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 November 02

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 5D2018; and

1. **ADOPT** the proposed redesignation of 0.05 hectares ± (0.12 acres ±) located at 3827 Collingwood Drive NW (Plan 1528HP, Block 1, Lot 48) 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 5D2018.

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.

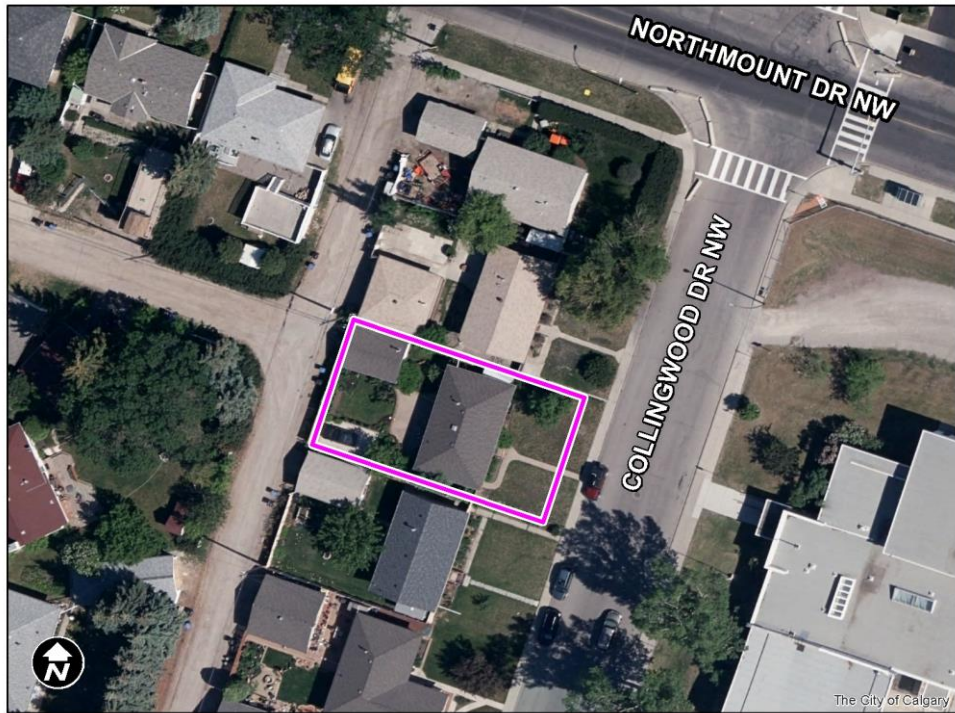
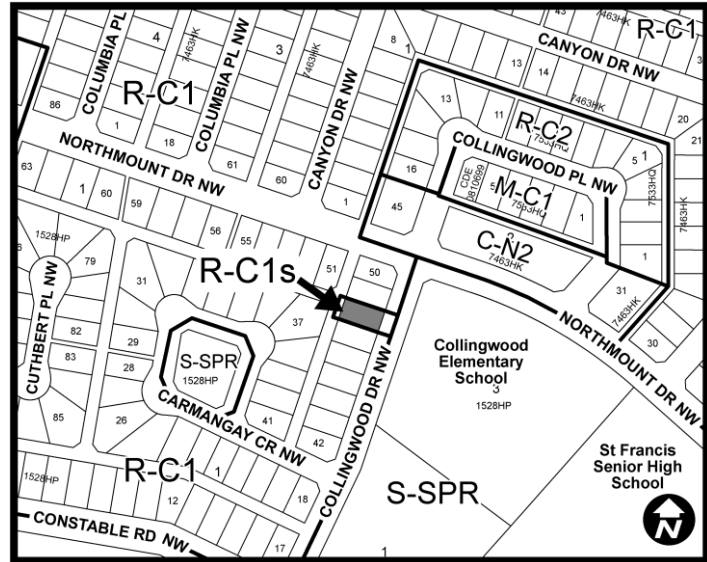
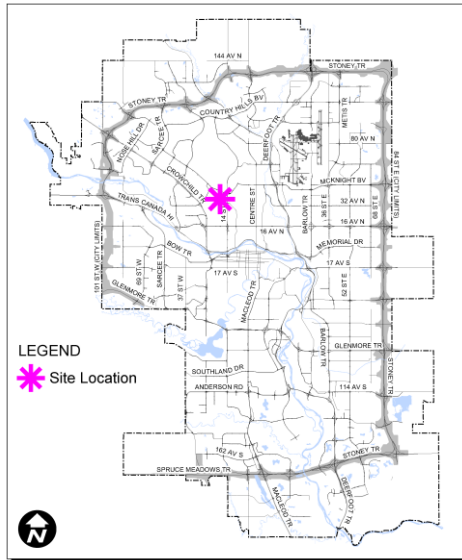
ATTACHMENT

1. Proposed Bylaw 5D2018
2. Public Submissions

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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 3827 Collingwood Drive NW (Plan 1528HP, Block 1, Lot 48) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: L. Juan

Carried: 7 – 0

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Applicant:

Ronny Sharma

Landowner:

Ronny Sharma
Liana Sharma

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Collingwood, the site is approximately 16 metres by 31 metres in size and is developed with a one-storey single detached dwelling, a detached one-car garage that is accessed from the rear lane, and a one-car parking pad that is accessed from the rear lane. Surrounding development consists of low-density residential to the north, south and west. Directly to the east of the property is Collingwood Elementary School. In close proximity to the north of the site is a commercial strip mall.

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

Collingwood	
Peak Population Year	1969
Peak Population	9,822
2017 Current Population	5,798
Difference in Population (Number)	- 4,024
Difference in Population (Percent)	- 41%

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.

TRANSPORTATION NETWORKS

Pedestrian and vehicular access to the site is available from Collingwood Drive NW and the rear lane. The area is served by Calgary Transit bus service with a bus stop location within approximately 100 metre walking distance of the site on Northmount Drive NW. On-street parking adjacent to the site is regulated 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 opposition to the application from the Triwood Community Association (APPENDIX II).

Reasons stated for opposition are summarized as follows:

- Houses being used for rental investment;

Generally, the Triwood Community Association supports secondary suites that:

- Are owner occupied;
- Parking is not accessed over sidewalk on the front street; and
- Is located in the basement.

Citizen Comments

Administration received one (1) letter in opposition to the application.

Reasons stated for opposition are summarized as follows:

- Increase in traffic;
- Difficulty finding on-street parking;
- Lower property values; and
- Lack of maintenance of rental properties.

Public Meetings

No public meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

**RONNY & LIANA
SHARMA**

August 18, 2017

Dear Planning Commission,

We are writing this letter to inform you of our hope to develop a legal secondary suite at our rental property located at 3827 Collingwood Drive NW by rezoning the current property from an RC1 to an RC1s.

We purchased this home from a gentleman who was already using the house as a rental for two separate dwellings. This gentleman had already created an illegal secondary suite in the basement. When we purchased the home, we didn't feel the basement suite met the criteria for a legal suite. We then proceeded to remove the elements that created two separate living spaces, and rejoined the two suites to be rented as a single family dwelling. We then rented the entire home a one family of 4.

This family has moved on as of July 1st, 2017. They had been our only tenants since we purchased the home in 2014.

The home is in a community that is close to schools, shopping, hospitals, and a short commute to the core. Even with these advantages, we are struggling to rent the home. Most applicants that we've seen some to the home are only looking to rent a portion of the home. We assume this is because of the current economic situation.

A legal secondary suite would allow us the ability to rent the home quicker relieving us of the financial strain we are currently experiencing. It would also allow us to redevelop the past secondary suite to current building code and safety standards.

We hope the information provided is clear enough to make an informed decision.

Sincerely,



Ronny & Liana Sharma

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APPENDIX II

LETTERS SUBMITTED

Giyana Brenkman
File manager
City of Calgary
Planning Department

Re: LOC2017-0245, 3827 Collingwood Drive NW

The Triwood Planning Committee (TPC) supports in principle the creation of legal secondary suites in our community through the land use amendment process 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.

Our houses being used as rental investments.

Any home in a RC-1 area can be purchased and used as a residential rental investment for the owner. That is a is an undisputed right that all property owners enjoy. Often however, residential properties used as rental vehicles can be detrimental to surrounding properties and can negatively affect a neighborhood. Typically tenants do not have the same desire to maintain the properties they occupy as would an owner-occupant and the duration of their tenancy is often short term and transitory.

To change the land-use designation to allow the investor/owner to more readily realize the financial benefits of a denser-land use designation would undoubtedly multiply the negative effects mentioned above. The objection that property owners in RC-1 communities have raised to secondary suites is often voiced as "We purchased a home in a RC-1 community and we are entitled to have that land use designation maintained and to not allow the owner/investor next door to effectively create an up/down duplex that would be detrimental to our quiet enjoyment of our property that we have the right to expect."

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When secondary suites are acceptable

The Triwood Planning Committee has not objected to land use amendments to allow for the creation of legal secondary suites where the owner is an occupant of the home and intends to use the creation of a legal secondary suite to help maintain their residency in the home.

Summary

This land use amendment application from RC-1 to RC-1s seeks to enhance the economics of a rental investment. This is not what our community sees as in the best interests of the nearby residents or of our neighborhood and for that reason the Triwood Planning Committee supported by the Triwood Community Association strongly oppose this land use amendment application.

Prepared by
Gordon Alger
Triwood Planning Committee

APPENDIX III

IMPROTANT 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.

