

LAND USE AMENDMENT
WHITEHORN (WARD 5)
36 STREET NE AND WHITEHORN DRIVE NE
BYLAW 314D2017

MAP 34E

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 to legalize this suite, although it is not currently rented out.

The site is located within the Airport Vicinity Protection Area but secondary suites are allowed on this site.

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 AUGUST 10

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 314D2017; and

1. **ADOPT** the proposed redesignation of 0.04 hectares ± (0.09 acres ±) located at 3736 Whitehorn Drive NE (Plan 7911475, Block 13, Lot 39) 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 314D2017

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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.

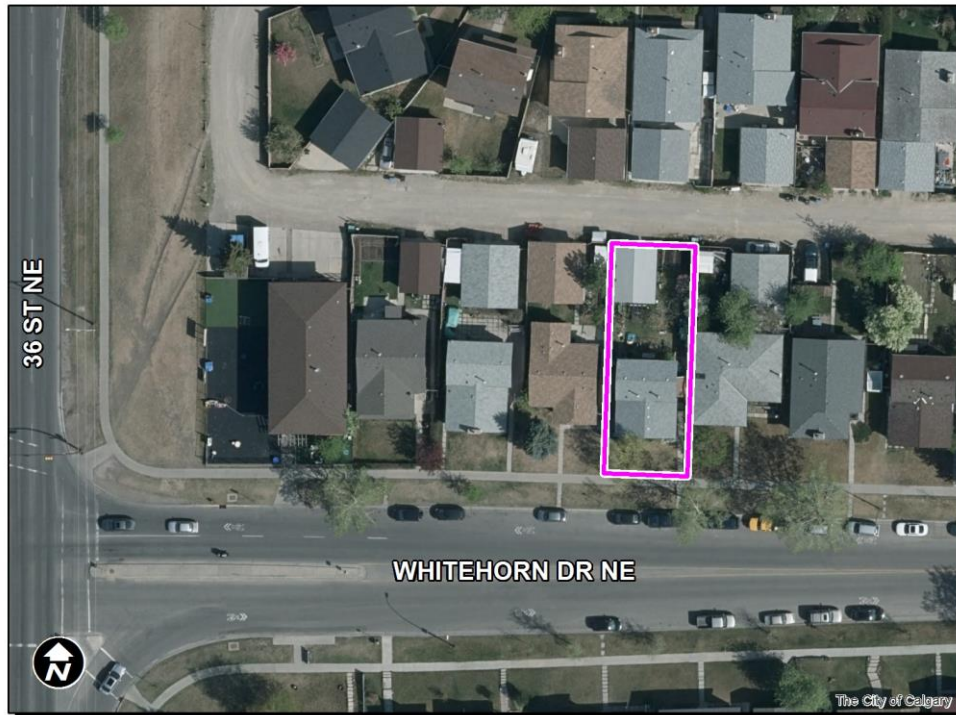
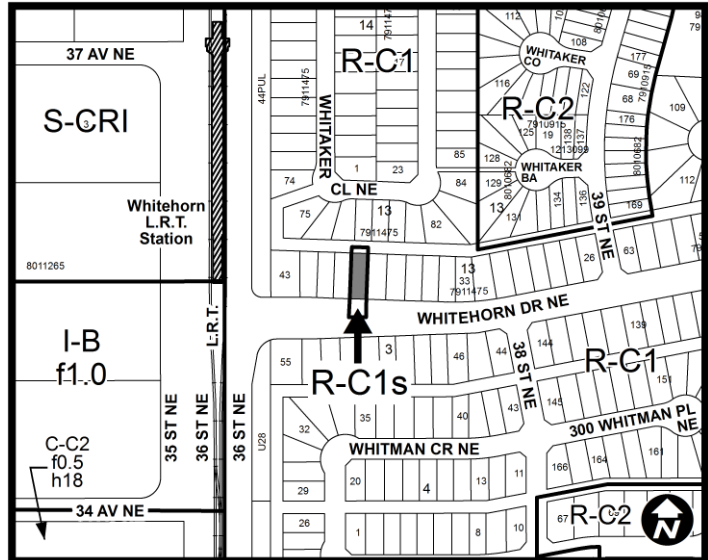
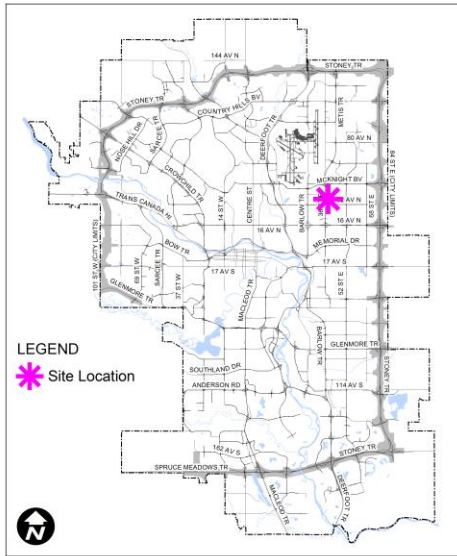
ATTACHMENT

1. Proposed Bylaw 314D2017

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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 0.04 hectares \pm (0.09 acres \pm) located at 3736 Whitehorn Drive NE (Plan 7911475, Block 13, Lot 39) 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:

Kusum Gyawali

Landowner:

Chandi Bhusal
Teeka Sharma Bhusal

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Whitehorn, the site is approximately 12.0 metres wide by 33.0 metres deep and is developed with a single-storey Single Detached Dwelling and a detached two-car garage that is accessed from the rear lane. The Whitehorn LRT Station and 36 Street NE are located just west of the site, approximately a five minute walk away. Low density housing exists to the north, east, and south.

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

Whitehorn	
Peak Population Year	2015
Peak Population	12,421
2016 Current Population	12,374
Difference in Population (Number)	-47
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 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).

TRANSPORTATION NETWORKS

Pedestrian and vehicular access to the site is available from Whitehorn Drive NE and from the rear lane. The area is very well served by Calgary Transit. The Whitehorn LRT station is located less than 300 metres away, and bus routes 25, 28, 57, 72 and 73 stop in close proximity to the site with bus stops along 36 Street NE and Whitehorn Drive NE. On-street parking adjacent to the site is regulated through the Calgary Parking Authority’s residential parking permit system. A bike lane also runs along Whitehorn Drive NE, parallel to the site.

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 a letter in opposition to the application from the Whitehorn Community Association (APPENDIX II).

Reasons stated for opposition are summarized as follows:

- the Community Association spoke with adjacent residents and found the majority of them were opposed to the application due to concerns about property values, safety, parking, and expectations around the area remaining single-family in nature

Citizen Comments

Administration received one letter in opposition to the application.

Reasons stated for opposition are summarized as follows:

- problems with street parking and crime sprees; and
- concerns about the ability of The City to pay for the increased usage of utilities and infrastructure as a result of higher density.

Public Meetings

No public meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

Subject: Regarding the Land Use Re-designation Application

My clients (Chandi Bhusal & Teeka Sharma) want to make re-designation of land use for the purpose of renting secondary suite (basement suite). Few reasons to apply for land use re-designation application in a process to develop secondary suite in the house are:

1. Renting purpose-

They want to rent their basement suite safe and legal way. After land use re-designation process, they will go for the development permit and basement suite design alteration according to Alberta building code and Calgary City standard assuring tenant safety and comfort. Secondary suite (basement) can be a good alternative source of income for them, which improves their family financial situation. In addition to this, it provides an alternative low cost residence, which helps to solve affordable housing problem in the City, where the population is growing fast.

2 Availability of amenities-

Grocery stores, gas station, drug stores, Hospital, family clinics, and Whithorn LRT station are named to few available amenities within walkable distance from the house, which lies near a major intersection between Whithorn Drive and 36 Street NE. These available facilities in the beautiful community of Whithorn will be a good fit for a tenant in a secondary suite. In addition, Annie Gale School is approximately 700 meter from the house. Fire Station No. 22 is within 5 kms from the house. Likewise, there are plenty of playgrounds around the house.

3 Reduce infrastructure investments and increase revenue-

Secondary suite accommodates an additional family in the same house. Therefore, City does not need to invest to develop physical infrastructures. Not only the City's infrastructure development cost has it been reduced, dense population of the area makes transit operation more cost effective. In addition to this, secondary suite permission motivate landlord to develop suite and rent it. It can increase property valuation as well as property tax which can increase City's revenue remarkably.

Therefore, it is a suitable house to approve for secondary suits land re-designation and I would like to request City council to provide permit for re-designation of land use for this parcel.

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APPENDIX II

LETTERS SUBMITTED

Email received from the Whitehorn Community Association:

July 3/2017

Re: Rezoning of 3736 Whitehorn Dr. NE.

We spoke to the residents of Whitehorn Dr. NE and the following are opposed to the rezoning. The Whitehorn Community Association checks with neighbors on both sides of rezoning requests. We support the majority choice whether it is for or against. In this case the majority is against.

The following are against the rezoning.

Michael Lew 3760 Whitehorn Dr NE

Alberta Wong 3720 Whitehorn Dr NE

Zhu Joyce 3712 Whitehorn Dr NE

Hung Dang 3752 Whitehorn Dr NE

John Arnold 3744 Whitehorn Dr NE

Reasons Given:

Property values

Purchased R1 with the expectation it would remain R1

Safety of property and people

Parking issues

The following resident was in favor.

Bohla 3728 Whitehorn Dr NE

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.

