

LAND USE AMENDMENT  
CAMBRIAN HEIGHTS (WARD 4)  
EAST OF 14 STREET NW AND NORTH OF NORTHMOUNT DRIVE NW  
BYLAW 109D2018

MAP 33C

**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)**

2018 February 08

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 109D2018; and

1. **ADOPT** the proposed redesignation of 0.06 hectares ± (0.14 acres ±) located at 44 Cadogan Road NW (Plan 9043HA, Block 7, Lot 13) 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 109D2018.

**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.

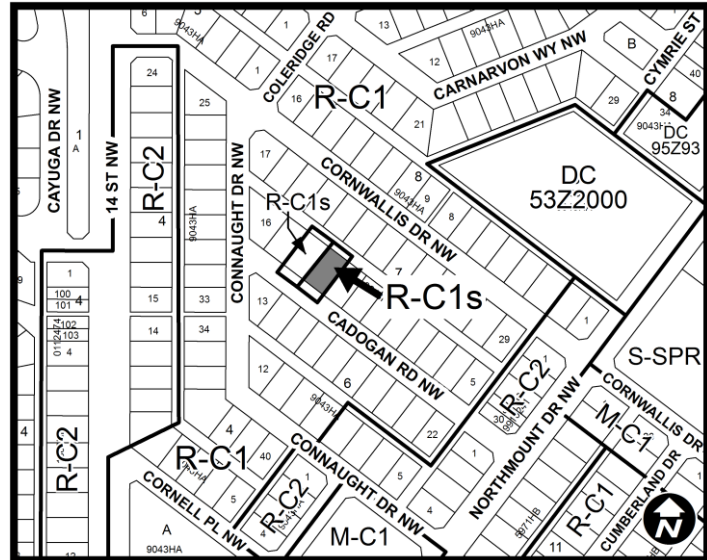
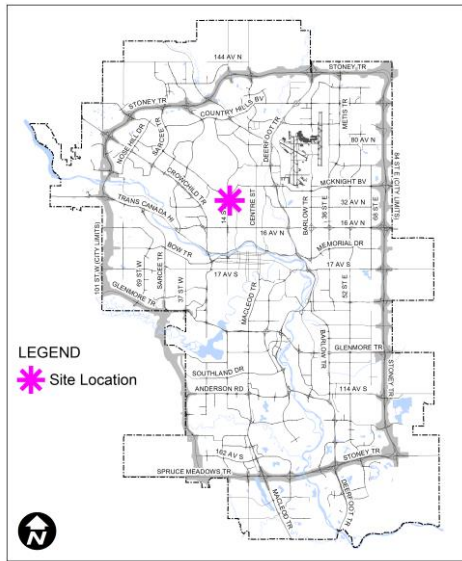
**ATTACHMENT**

1. Proposed Bylaw 109D2018

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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 0.06 hectares  $\pm$  (0.14 acres  $\pm$ ) located at 44 Cadogan Road NW (Plan 9043HA, Block 7, Lot 13) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

**Moved by: L. Juan**

Absent: E. Woolley and R. Vanderputten

**Carried: 7 – 0**

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**Applicant:**

Craig Reilander

**Landowner:**

Craig Reilander  
Irina Reilander

**PLANNING EVALUATION**

**SITE CONTEXT**

Located in a low density residential R-C1 setting in the community of Cambrian Heights, the site is approximately 18 metres by 31 metres in size and is developed with a one-storey single detached dwelling and a detached two-car garage that is accessed from the rear lane. Surrounding development consists of low-density residential to the north, east, south and west of the site. The neighbouring parcel to the west is designated R-C1s. The owner of the neighbouring parcel to the east has applied to redesignate their property to R-C1s (LOC2017-0314), with a Council public hearing scheduled for 2018 March 12.

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

<b>Cambrian Heights</b>	
Peak Population Year	1969
Peak Population	3,301
2017 Current Population	2,075
Difference in Population (Number)	- 1,226
Difference in Population (Percent)	- 37%

**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 Cambrian Heights.

## **TRANSPORTATION NETWORKS**

Pedestrian and vehicular access to the site is available from Cadogan Road NW and the rear lane. The area is served by Calgary Transit bus service with a bus stop location within approximately 300 metre 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.

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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 Cambrian Heights Community Association (APPENDIX II).

Reasons stated for opposition are that the Community Association desires a comprehensive plan for the city presented that addresses a number of items as listed in APPENDIX II. Also, the Community Association would like a petition to be drafted by the City to understand if residents in the community are in favour of secondary suites.

**Citizen Comments**

Administration received one (1) letter of no objection to the application. However, it stated that the available information did not indicate how the property will accommodate sufficient off street parking for these additional residents.

**Public Meetings**

No public meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION



**Land Use Redesignation Applicant's Submission**

Secondary Suites  
(R2017-07)

This form is to be filled out by the applicant and provided to The City of Calgary at the time of submission. These comments are included in a report which is presented to the Calgary Planning Commission and a Public Hearing of City Council. Your comments **must** be limited to the area designated on this page to ensure it will fit the space requirements of the report.

- 1) What are the benefits of the redesignation, for you, the surrounding community and the City of Calgary?

The site has direct bus links to SAIT, the Uof C & downtown. The redesignation could give a chance to add housing for a student or professional in the form of a suite. As the owner living at the home it gives a mortgage helper with the chance to use the suite for family in the future.

- 2) Provide information on how you engaged with the neighboring land owners and/or the Community Association? What was the response?

I have discussed the application to add a suite with the neighbors and they are supportive of the change. Both next door neighbors have applied for the same. One has completed the suite and it has not had any negative affects on the street.

- 3) Identify how you will provide the required parking for both the primary dwelling and the secondary suite on your parcel?

The site has three stalls. One on the driveway at the front and two in the double detached garage.

- 4) Are there any potential negative impacts of this development that you are aware of?

NONE

NOTE: Applications must be submitted without personal information on any plans. Omitting this information will protect builders and tenants by reducing the risk of any personal information being wrongfully displayed, while also following the Province of Alberta's FOIP Act. If you consider the information to be personal, do not put it on the plans.

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APPENDIX II

LETTERS SUBMITTED

Whereas the vast majority of properties in the Cambrian Heights community are zoned R-C1 or R-1,

And whereas any changes to the land use, insofar as it relates to the Cambrian Heights community, to incorporate secondary and/or backyard suites, whether as a permitted or discretionary use, in the areas zoned R-C1 and R-1 will have a significant impact on the nature and character of the existing community and its current residents,

Therefore be it resolved that the Cambrian Heights Community Association adopts the position that any decision on the part of the City of Calgary to amend the Land Use Bylaw 1P2007, or any subsequent land use bylaw, to incorporate secondary and/or backyard suites, whether as a permitted or discretionary use, in the areas zoned R-C1 and R-1 in the Cambrian Heights community be subject to the following conditions:

1. That the City of Calgary present a comprehensive plan, in advance, outlining the definitive action that it will take in conjunction with any changes to the land use bylaw to incorporate secondary and/or backyard suites, whether as a permitted or discretionary use, to build and strengthen the community including, but not limited to, the following:
  - a. Focusing exclusively on owner occupied secondary and/or backyard suites
  - b. Ensuring the development of secondary and/or backyard suites does not infringe on the rights of neighbouring properties to enjoy their existing privacy and right to light
  - c. Provides a strong mechanism for the control of any established secondary and/or backyard suites to ensure they remain as a positive influence on the community
  - d. Provides confirmation to the community that existing city infrastructure (water, sewer, etc) is sufficient now, and for the foreseeable future, to meet any demands associated with the development of secondary and/or backyard suites
  - e. Proactive steps that will be taken to manage on-street parking to ensure neighbouring properties are not unduly impacted by any decision on the part of a property owner to have a secondary and/or backyard suite
  - f. Proactive steps that will be taken to mitigate the anticipated impacts of increased traffic flow resulting from the development of secondary and/or backyard suites
  - g. Proactive steps that will be taken, in anticipation of increased density, to increase the availability of alternative means of transportation (transit, cycling, etc) to ensure convenient access to/from the community
2. That any decision by the City of Calgary to amend the land use bylaw, insofar as it affects the Cambrian Heights community, to incorporate secondary and/or backyard suites, whether as a permitted or discretionary use, be subject to the approval of the Cambrian Heights community through the use of a petition form signed by at least two-thirds of the affected property owners who represent at least one-half the total assessment of the affected area, according to the last revised assessment roll (one owner of multiple properties within the affected area will count as only one vote). All signatures must be obtained within a 60-day period, in accordance with the provisions in the Municipal Government Act. The responsibility to initiate and complete, through an independent third party, the petition shall rest solely with the City of Calgary.



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 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.

