

**LAND USE AMENDMENT
DOVER (WARD 9)
DOVERCLIFFE WAY SE AND 39 STREET SE
BYLAW 77D2018**

MAP 10E

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)

2018 January 11

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 77D2018; and

1. **ADOPT** the proposed redesignation of 0.04 hectares ± (0.09 acres ±) located at 50 Dovercliffe Close SE (Plan 7382JK, Block 7, Lot 69) 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 77D2018.

REASON(S) FOR RECOMMENDATION:

The proposed R-C1 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.

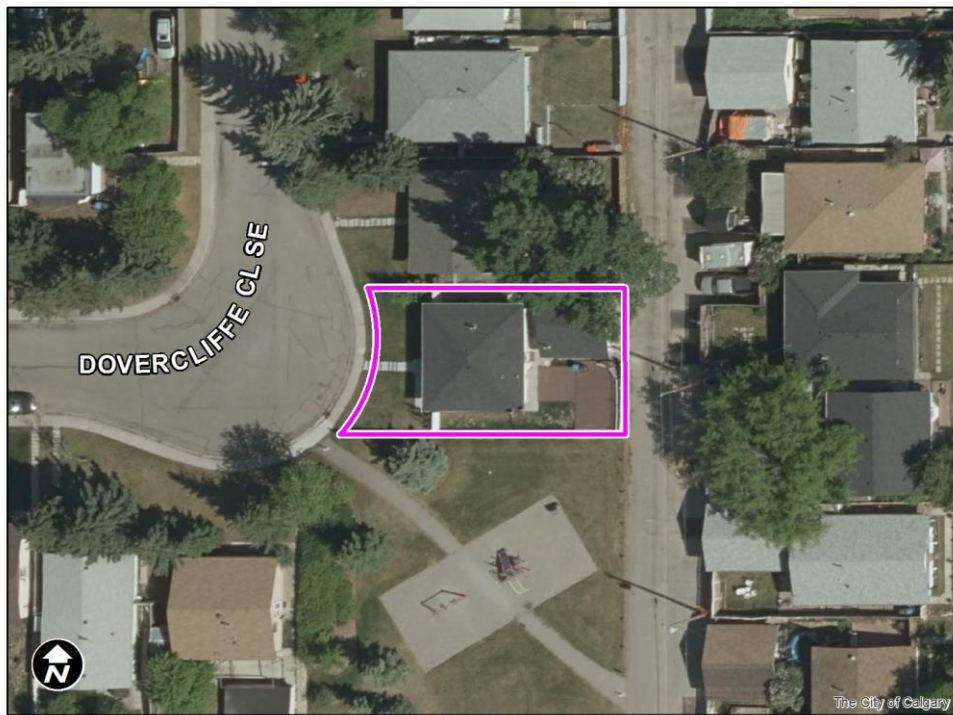
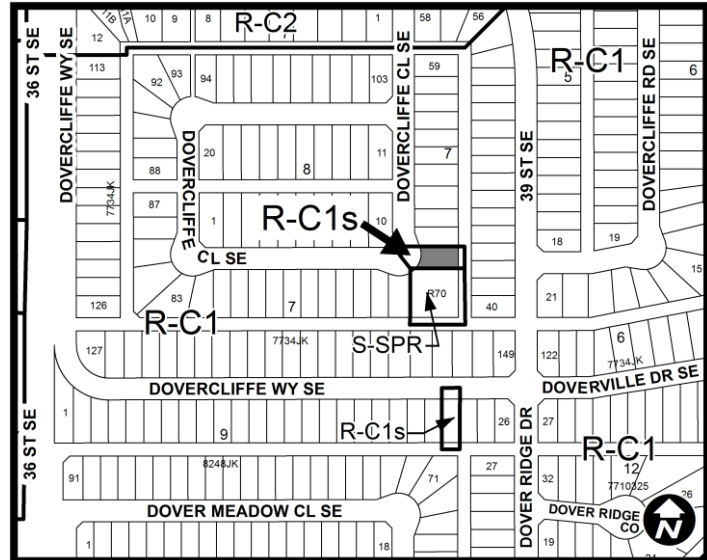
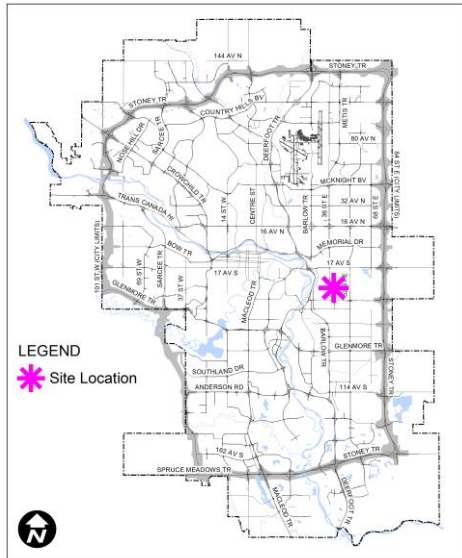
ATTACHMENT

1. Proposed Bylaw 77D2018

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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 ± (0.09 acres ±) located at 50 Dovercliffe Close SE (Plan 7382JK, Block 7, Lot 69) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: C. Friesen

Carried: 8 – 0

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Applicant:

Louise A Aroche

Landowner:

Louise A Aroche
Rene G Aroche

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Dover, the site is approximately 15 metres by 26 metres in size and is developed with a one storey single detached dwelling. There is a two car detached garage that is accessed from a paved rear lane. Single-detached dwellings exist to the north, south, east, and west.

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

Dover	
Peak Population Year	1982
Peak Population	11, 953
2017 Current Population	10, 484
Difference in Population (Number)	-1,469
Difference in Population (Percent)	-12%

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 Dovercliffe Close SE and the paved rear lane. The area is served by Calgary Transit bus service with bus stop locations on 39 Street SE within approximately 100 metres (northbound) and 400 metres (southbound) of the subject site. On-street parking adjacent to the site is unregulated.

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 of objection from the Dover Community Association (APPENDIX II). Reasons stated for the objection are summarized as follows:

- Lack of parking in the area;
- Increase density;
- Increase in renters and absentee landlords;
- Depreciation of property values; and
- Proliferation of rental housing.

Citizen Comments

Administration received comments of objection that were included in the Dover Community Association's letter.

Public Meetings

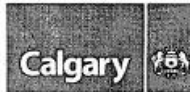
No public meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION



Land Use Redesignation Applicant's Submission

Secondary Suites

PL 1264 (R2017-09)

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 benefits for us, as property owners, is that we can provide a safe dwelling suite as part of our investment portfolio. The benefits for the surrounding community & the City of Calgary include encouraging our neighboring property investors to apply for a secondary dwelling unit & have the abundant number of suites more neighborhoods comply with safety guidelines creating better options for calgarian renters/tenants.

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

I have not engaged with neighboring land owners or the Community Association. I have, however, receive support from councillor Gian-Carlo Carra's office.

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

There is a double car detached garage off of the back alley which is to be shared by the tenants & plenty of parking in an cul-de-sac type street in front of the property.

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

No negative impacts.

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

DOVER COMMUNITY ASSOCIATION

PO 85060 Albert Park Postal Outlet

Calgary, AB T2A 7R7

Attention: File Manager: Mona Ha

RE: LOC2017-0334 50 Dovercliffe Close SE, Calgary

The following comments have been provided by the resident homeowners of Dovercliffe Close.

#1. I have lived on this close since my house was built and with all the renters moving in parking has become a nightmare, especially in winter when the snow and ice builds up – there are two garages one behind number 50 and one behind 58, so why would anyone state there is ample parking? So how many vehicles is this owner going to allow the tenants to have? How many tenants are they planning on renting to?

We have homeowners who have home care coming in on a weekly/biweekly basis where are they to park?

#2. This house was a problem before it was sold with tenants moving in and out constantly. Are the new owners going to be living there or is this going to be a rental again?

Looks to me like they have shown their hand by telling us our neighbourhood as a part of their "Investment Portfolio", and having the gall to suggest we should all be doing the same thing.

If the owner wants to promote tall tales to the city they should sell out and move to a neighbourhood that has no high density rentals and that is definitely not our area. Did

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renters, and considering the comments the present owner has made it is apparent it is all about the money and not about the community. If they want to be landlords why don't they buy an apartment? At least they would not be contributing to the devaluation of our property and importing neighbourhood obsolescence. Our homes are our investment and none of us support this application.

#4. This will affect the safety of our children going to and coming from the park. We as parents are aware of who lives on our close, who has kids and who doesn't belong here, we know the family's, grandparents, aunts and uncles. We are not interested in having strangers coming and going.

#5. Rentals do not build communities they destroy them.

TO: Councillor Gian-Carlo Carra and his office staff:

This person is one voice – we are many. We take exception to your support of this application, for the following reasons:

- You do not live on our close.
- You do not pay taxes on our properties.
- To the best of our knowledge you do not own property on our close.
- You obviously do not give any consideration to what the property owners want or you would not have give your blessing to this proposal.
- What gives you the right to say – we will decide if we will allow these proposals will happen or not.

We are not going to be bullied into supporting this application by your office. Many of us purchased our homes new and have enjoyed having a family neighbourhood in an community we work hard to preserve.

It is very clear this applicant is motivated by money, will not be contributing to the preservation of our close. Therefore, we consider this to be a business only purchase of property only that will affect our properties. This will no longer be lived in as a private family residence.

Comments were provided by residents who are home owners on Dovercliffe Close SE. Comments from the residents were grouped together to avoid repetition.

2 page attachment

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.

