

LAND USE AMENDMENT
DOVER (WARD 9)
DOVELY CRESCENT SE AND 26A STREET SE
BYLAW 53D2017

MAP 4E

EXECUTIVE SUMMARY

This land use amendment application seeks to redesignate a single residential parcel located in the community of Dover from Residential - Contextual One Dwelling (R-C1) District to Residential - Contextual One Dwelling (R-C1s) District to allow for a Secondary Suite or a Backyard Suite. The parcel contains an existing single detached dwelling and the application is not 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)

2016 December 15

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 53D2017; and

1. **ADOPT** the proposed redesignation of 0.04 hectares \pm (0.09 acres \pm) located at 112 Doveloy Crescent SE (Plan 7510649, Block 24, Lot 52) 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 53D2017.

REASON(S) FOR RECOMMENDATION:

The proposed R-C1s district, which allows for two forms of secondary suite uses (Secondary Suite or Backyard Suite), is compatible and complementary with the character of the community. This proposal conforms to applicable municipal policies and allows for development that has the ability to meet the intent of Land Use Bylaw 1P2007.

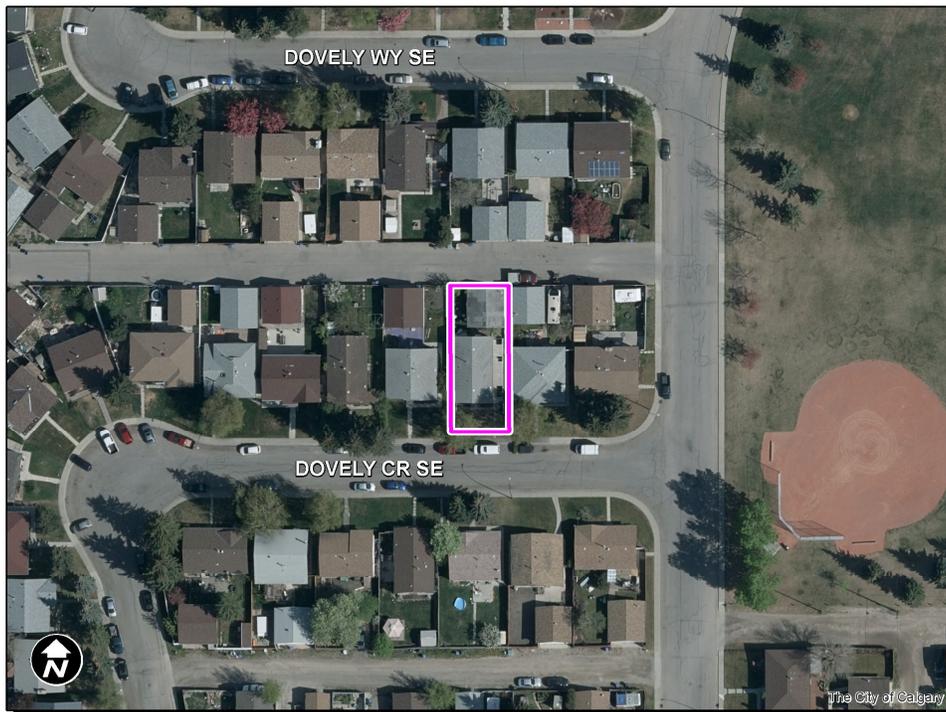
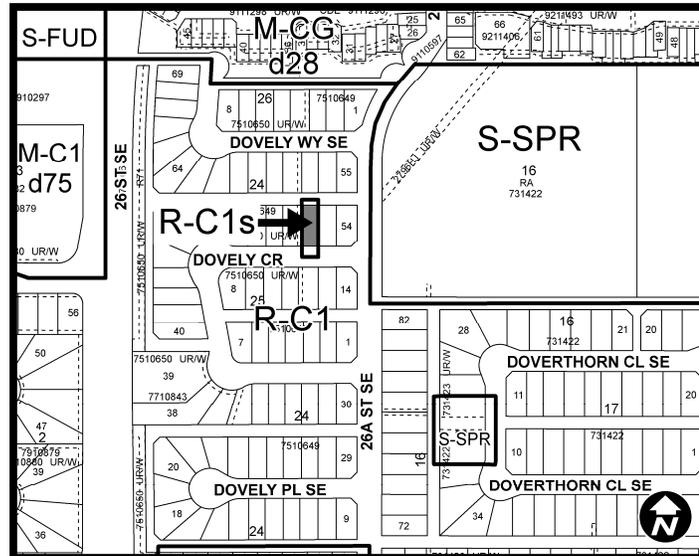
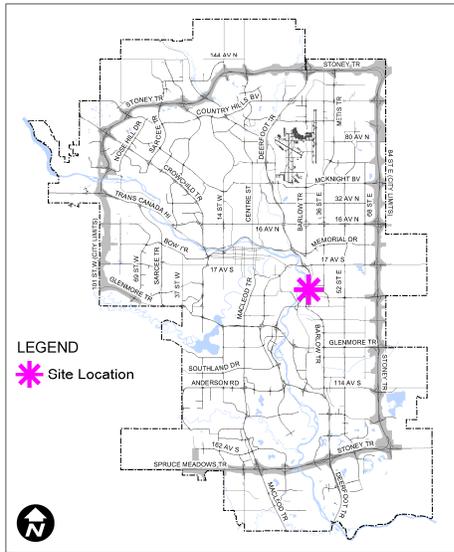
ATTACHMENT

1. Proposed Bylaw 53D2017

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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 112 Dovely Crescent SE (Plan 7510649, Block 24, Lot 52) from Residential-Contextual One Dwelling (R-C1) District to Residential-Contextual One Dwelling (R-C1s) District.

Moved by: C. Friesen

Absent: S. Keating, G.-C. Carra and M. Foht

Carried: 5 – 1

Opposed: R. Wright

Comments from Mr. Wright:

- The December 15 CPC Agenda had 15 applications in 11 communities. Those 11 communities have lost over 10,000 residents since peak population dates. Increases due to secondary suites will not create congestion, overcrowding or other “problems” associated with an excess of residents.

Comments from Ms. Juan:

- This was one of 12 applications from the same applicant. All neighbours have had maintenance concerns. Although maintenance concerns are not planning issues, I suggest that council ask the applicant to speak to the maintenance of the properties, the applicant was not present at CPC.

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Applicant:

Sara Karimiavval

Landowner:

923032 Alberta Ltd (Tajshabir Esmail)

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Dover, the parcel is approximately 12 metres by 30 metres in size and is developed with a one storey single detached dwelling and a detached double garage, accessed from the rear paved lane. Single detached dwellings exist in all directions from the subject site.

The following table identifies Dover's current and peak population by year and any difference in population expressed as a percentage.

Dover	
Peak Population Year	1982
Peak Population	11,953
2016 Current Population	10,928
Difference in Population (Number)	-1,025
Difference in Population (Percent)	-9%

LAND USE DISTRICTS

The proposed R-C1s district has the ability to accommodate secondary suites on parcels that already contain a single detached dwelling on a parcel. The R-C1s district allows for one additional permitted use (secondary suite) or one additional discretionary use (backyard suite).

Approval of this land use application does not constitute approval of a specific secondary suite type, but rather it allows for one additional dwelling unit (in the form of a secondary suite) to be considered via the development permit/building permit process. For a secondary suite, which is a permitted use that meets all of the rules within Land Use Bylaw 1P2007, a development permit is no longer required.

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LEGISLATION & POLICY

South Saskatchewan Regional Plan (SSRP)

The recommendation by Administration in this report has considered and is aligned with the policy direction of the South Saskatchewan Regional Plan (SSRP).

Municipal Development Plan (MDP) (2009)

The site is located within a 'Residential Developed – Established Area' in the MDP (Map 1: Urban Structure). Although the MDP makes no specific reference to the site, the land use proposal is in alignment with overarching residential policies including: Developed Residential Areas policies (Section 3.5.1), Neighbourhood Infill and Redevelopment policies (Section 2.2.5) and Housing Diversity and Choice policies (Section 2.3.1).

Dover Design Brief (1974)

The site is located within the 'Low Density Residential' area as shown on 'The Plan' within the Dover Design Brief.

TRANSPORTATION NETWORKS

Pedestrian and vehicular access to the site is available from Dovely Crescent SE with rear paved lane vehicular access to the double detached garage. The area is served by Calgary Transit bus service with bus stop locations within a 300 metre walking distance to the west of the site on 26 Street SE. No parking restrictions exist on Dovely Crescent SE.

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 also be required depending on the type of secondary suite proposed. This aspect would be determined 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.

PUBLIC ENGAGEMENT

Community Association Comments

The Dover Community Association has indicated via email that it is not in support of this application. See APPENDIX II for the email from the Dover Community Association.

Citizen Comments

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

Reasons stated for opposition are summarized as follows:

- Not enough parking available;
- Absentee landlord;
- Minimal property upkeep;
- Additional traffic.

Public Meetings

No public meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

To Whom It May Concern,

I am registered owners of the property in: 112 Doverly Crecent SE

I would like to apply to change the land use designation of my property to have a legal
Secondary Suite.

Regards,

Tajshabir Esmail

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APPENDIX II

LETTERS SUBMITTED

DOVER COMMUNITY ASSOCIATION

3133 – 30 Avenue SE

PO Box 85060 Albert Park Postal Outlet
Calgary, AB T2A 7K7

Community Response RE: Land Use Amendments

File Number: LOC 2016 – 0259, Jeff.Quigley@Calgary.ca

File Number: LOC 2016 – 0266, Kate Van Fraassen@calgary.ca

Attached please find information obtained from the Better Business Bureau site. This information has been provided in support of our position, in response to this application.

Dover Community residents remain, **adamantly opposed**, to having these applications approved for the following reasons:

Firstly, our community came into existence when very basic, “**no frills**”, small, single family homes were constructed, thus allowing lower income blue collar workers the opportunity to purchase family homes, situated on lots providing enough space to grow gardens offsetting their food cost, and having a yard for their children to play in.

One area in Dover was used as a test site, to reduce land development costs; front streets were eliminated allowing access to the individual’s property via the back lane only.

Our community is already at a high-density level. This includes but is not limited to:

- Bungalows.
- Condominium projects x 2.
- High number of walk up apartments.
- Fourplexes.
- High number of bungalow duplexes.

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- High number of two storey duplexes.
- City of Calgary housing project.
- Large number of row Town House projects.
- Bethany Seniors apartments.
- Bethany Assisted living apartments.
- Bethany Alzheimer's care centre is under construction.
- Shopping centres.
- Churches.
- Forest Lawn Activities Centre.
- Schools.
- Gas stations.
- Playgrounds and parks.
- Halfway house for early parolees.
- And our Large and very active Community Centre.

Neighbourhood Problems:

Our area has the usual straight roads but also many cul-de-sacs and crescents, which limit's street parking which causes conflicts within the neighbourhoods when neighbouring tenants have overnight guests and block access to the homeowners property with their vehicles.

I have been in areas and watched a fire truck attempt to drive down a road with vehicles parked on both sides, where the driver of the fire truck had to creep along squeezing between these automobiles. Had they been on their way to a fire – it would have been a horrible outcome for the property owner as well as presenting the possibility of loss of life.

No doubt you are also aware our neighbourhood is frequently named, in the news, for drug and other criminal activities, some arising from rental properties. No doubt our community was chosen for the quick access to Deerfoot, Peigan Trail and Stoney Trail.

We work very closely with SCAN and our city Police force, to attempt to curtail the illegal drug distribution, prostitution, and other illegal activities, that are undertaken by some of our refugee street gangs. Our community has an exceptional working relationship with the head of one refugee group. His actions have been very beneficial in curtailing bad activities, and improving interactions with others, especially on our basketball courts.

Now that you have taken the time to read and understand our position we reiterate:

Should a homeowner come to us with a request for approval for a legal suite so they can continue to afford to live in their homes, we would be pleased to help out these individuals.

The Dover Community is not prepared to support any application from any commercial company, or individuals, wanting to come in here, convert small single-family homes or

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duplexes into secondary suites for the sole purpose of building up their financial portfolio. This is of no benefit to our community.

We are not prepared to see our community turned into a ghetto matching areas of Chicago, New Orleans, LA. and other USA communities; along with Canadian cities ie: Vancouver, Montreal, Toronto. They have provided perfect examples, on what not to do.

It is our position that we will continue to fight to keep our community the tight cohesive family neighbourhood, where offspring of the original owners were brought up, remained in community, and are now raising their own children here.

It is our goal to continue to hold our same family values. For the individuals who moved in and found it was not their kind of neighbourhood and moved on, We wish them well.

We will not be deterred, or change our family values to accommodate another city planners ideation, on what is best for us, when we have already got a proven track record. Should you require any further information please contact me. 403-273-0430.

Best regards,

For: Dover Community Association.

Bev Tilley,
Development Appeals.