

**LAND USE AMENDMENT  
DOVER (WARD 9)  
DOVERCLIFFE WAY SE AND DOVER RIDGE DRIVE SE  
BYLAW 86D2017**

**MAP 10E**

**EXECUTIVE SUMMARY**

This land use amendment application seeks to redesignate a single residential parcel located in the community of Dover from a Residential - Contextual One Dwelling (R-C1) District to a 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 an existing single detached garage that has been converted into a backyard suite. From 1996 to 2013 there were five complaints lodged against the property for illegal dwelling units. These complaints are not active and have been closed by the City.

**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 January 26

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 86D2017; and

1. **ADOPT** the proposed redesignation of 0.04 hectares  $\pm$  (0.09 acres  $\pm$ ) located at 222 Dovercliffe Way SE (Plan 8248JK, Block 9, Lot 23) 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 86D2017.

**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.

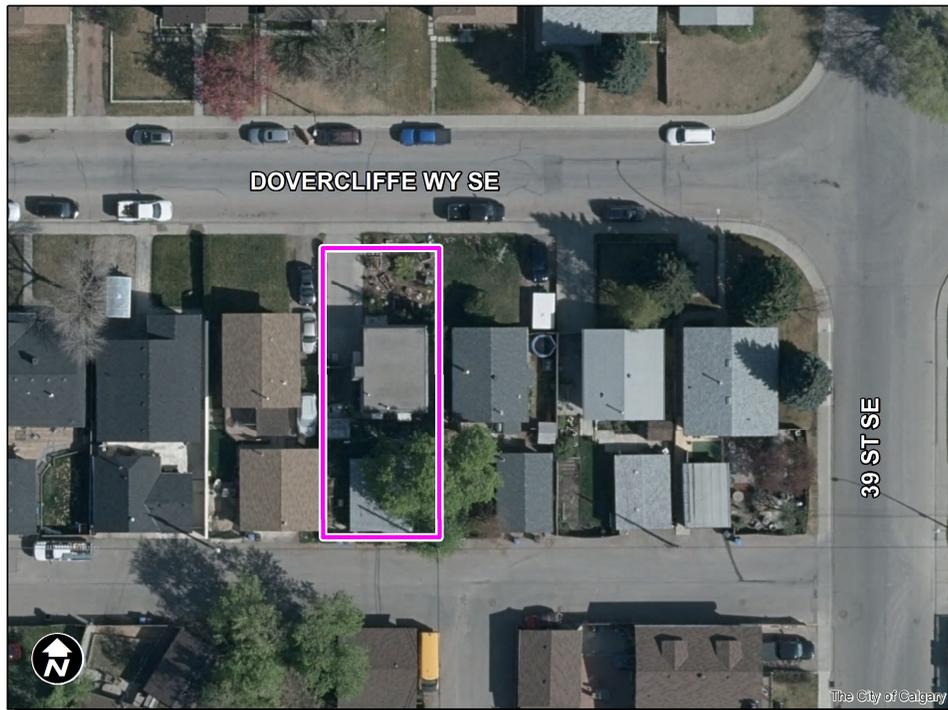
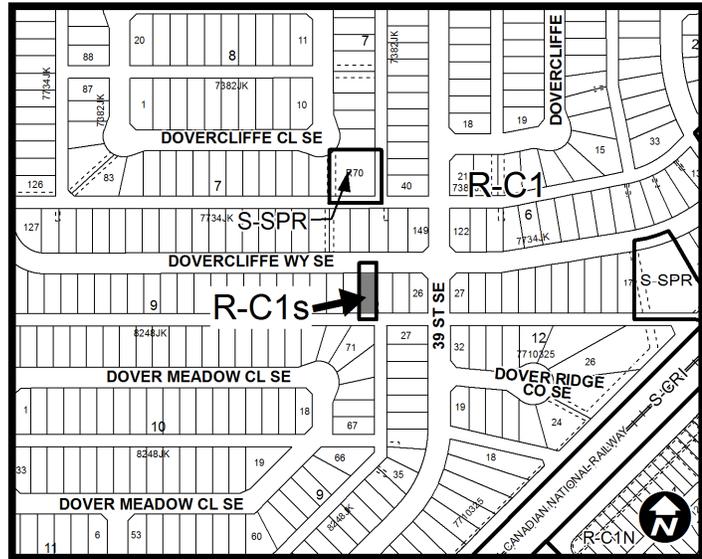
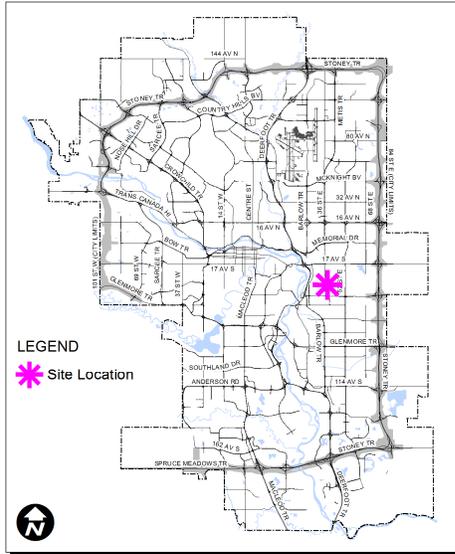
**ATTACHMENTS**

1. Proposed Bylaw 86D2017
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 0.04 hectares ± (0.09 acres ±) located at 222 Dovercliffe Way SE (Plan 8248JK, Block 9, Lot 23) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

**Moved by: M. Tita**  
Absent: G.-C. Carra

**Carried: 8 – 0**

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**Applicant:**

Teresa Oliverio

**Landowner:**

Teresa Oliverio

**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 single garage accessed from the rear lane. According to the applicant, the detached single garage has been converted into a backyard suite. 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.

<b>Dover</b>	
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, so long as a building permit application has been made on or before 2017 March 03.

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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 Dovercliffe Way SE with rear paved lane vehicular access to the single detached garage. The area is served by Calgary Transit bus service with bus stop locations within a 75 metre walking distance to the east of the site on Dover Ridge Drive SE. No parking restrictions exist on Dovercliffe Way 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 four (4) letters in opposition to the application.

Reasons stated for opposition are summarized as follows:

- Not enough parking available;
- Minimal property upkeep;
- Neighbourhood already has rental properties available;
- Property values diminishing; and
- Additional traffic.

### Public Meetings

No public meetings were held by the Applicant or Administration.

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**APPENDIX I**

**APPLICANT'S SUBMISSION**

My name is Teresa Oliverio. I am mute, but hear just fine. I have worked hard all my life and because of my disabilities, I am on CPP Disability (low fixed income).

The separate living dwelling (from here on in referred to as dwelling) located behind my house (but still on my land) is in dire need of repairs and has been since at least 2010/2011. This dwelling between 1995 and 1996 was used as a secondary suite- family lived in it. There were several complaints made and in 1996, the City made me pull out the kitchen and bathroom. Since 1996 the dwelling has been sitting empty and has been of no use to me. The main family home that I live in is very small (600 square feet above ground) and is fine for just me. It would be very crowded if there was more than just me living in it. My daughter has been kicked out by her husband and can't afford to pay rent, and is now basically living out of her vehicle and stops by for showers. She is now looking for work and is seriously thinking of applying for Calgary Housing, but there is a long waiting list for this. She could be living in the dwelling but because of the repairs the dwelling requires and the lack of improper zoning this structure sits empty and useless.

Dovercliffe Way SE has a mixture of zonings within it – Single family dwellings as well as multi-family dwellings. Just across the alleyway there are commercial zonings – 7-11, Subway and Centrex gas. After the commercial zonings there are several schools. I was going to apply to change the zoning to one of the ones that already exist within Dovercliffe SE but the permit department of the City of Calgary told me that a Secondary Suite application would be favourable for my dwelling. Once the Secondary suite permit is approved, then my contractor can begin the process of applying for his building permits etc, and will start the repairs the rebuilding of my kitchen and bathroom that the City forced me to remove in 1995/96. The dwelling has a furnace and hotwater tank and has gas, water and electricity hook ups already. Once all the repairs are done, then my daughter (only child) can move in. This will be a big help to my daughter and will also be a big help for me as she can help me with duties around the house that I am not able to perform due to my disabilities and will allow me to live in my home longer.

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**APPENDIX II**

**LETTERS SUBMITTED**

**DOVER COMMUNITY ASSOCIATION**

3133 – 30 Avenue SE, Calgary, AB

doverdenca@gmail.com

TO: Quigley, Jeff P. [Jeff.Quigley@calgary.ca](mailto:Jeff.Quigley@calgary.ca)

RE: Application Request LOC2016-0303

In response for your request for confirmation Dover Community Association is supporting the residences of the Dover communities pursuant to their vote supporting the practice of obtaining the opinions of our residents on each application.

Our community members and residents strongly believe our community has more than its fair-share of:

- Fourplex complexes stretching from 34 Avenue SE north to 26 Avenue and from 33 Street to 36 Street.
- City of Calgary's housing complex.
- Duplex's
- Apartments
- Numerous condo developments owned individually/investment.
- Numerous attached row townhouse complex.
- Riverview Village Blocks.
- Legal and illegal basement suites.
- Bethany senior's apartment complex.
- Bethany assisted living complex.

J. Quigley

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- Under construction – Bethany Alzheimer’s center.

In consideration of the information provided, it is the residents of Dover, who are objecting to the applications, and are being supported by their Community Association. This applies to all submissions responses to building applications.

We wish you all a Happy New Year.

Yours truly,



Maurice Espey

President