

**LAND USE AMENDMENT  
DOVER (WARD 9)  
26A STREET SE AND DOVELY PLACE SE  
BYLAW 54D2017**

**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. Currently, there is no secondary suite on the site, and this application is not the 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 54D2017; and

1. **ADOPT** the proposed redesignation of 0.06 hectares  $\pm$  (0.14 acres  $\pm$ ) located at 248 Dovely Place SE (Plan 7510649, Block 24, Lot 18) 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 54D2017.

**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.

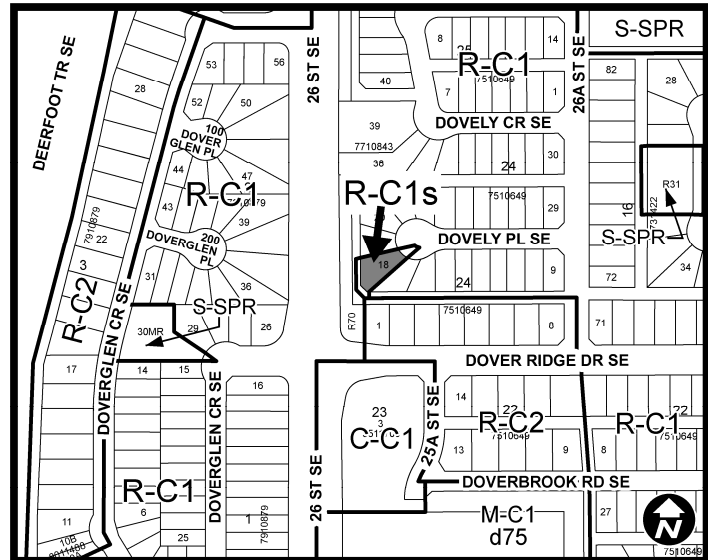
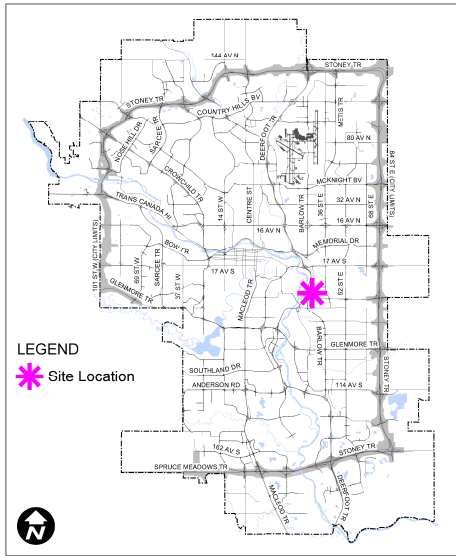
**ATTACHMENT**

1. Proposed Bylaw 54D2017

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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 248 Dovely Place SE (Plan 7510649, Block 24, Lot 18) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

**Moved by: A. Palmiere**

**Carried: 6 – 0**

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

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:**

414553 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 18 metres wide, 33 metres deep, and 589.5 square metres in area. The parcel is developed with a one-storey single detached dwelling and a detached garage and parking pad that is accessed from the rear lane. Surrounding development consists of single detached dwellings to the north, east, and west. Commercial amenities (C-C1) and R-C2 developments are located south of the parcel.

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. The R-C1s district allows for one additional permitted use (secondary suite) or one additional discretionary use (backyard suite).

The subject site meets the R-C1s minimum parcel size requirements. As such, the site can accommodate a secondary suite use and its associated Land Use Bylaw 1P2007 requirements, including minimum parking requirements and amenity space provisions. If any relaxations are required, these may be considered through the review of a development permit application.

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. If a secondary suite is proposed and meets all of the rules within Land Use Bylaw 1P2007, a building permit would be required. If a backyard suite is proposed, then a development permit and building permit will be 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) (Adopted by Council 2009)

The parcel is located within a “Residential Developed – Established Area” area in the MDP (Urban Structure Map: Map 1). While the MDP makes no specific reference to this parcel, this land use proposal is in alignment with MDP policies for Developed Residential Areas (Section 3.5.1 and 3.5.3), Neighbourhood Infill and Redevelopment (Section 2.2.5) and Housing Diversity and Choice (Section 2.3.1).

Dover Design Brief (1974)

The site is within the Low Density Residential, area as show on Map – The Plan of the Dover Design Brief.

**TRANSPORTATION NETWORKS**

Pedestrian and vehicular access is available from Dovely Place SE or from the adjacent lane at the rear of the parcel. The area is served by Calgary Transit with bus stops located approximately 240 metres away (Route 26, 72) on Dover Ridge Drive SE. Parking is unrestricted on Dovely Place 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 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.

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**PUBLIC ENGAGEMENT**

**Community Association Comments**

The Dover Community Association submitted a letter of objection to the application, which is included in APPENDIX II.

**Citizen Comments**

Administration received one phone call from a neighbour who objects to the application. Concerns regarding the application shared in the conversation include:

- parking,
- impacts on easy access to property from increased parking demands for surrounding senior neighbours.

**Public Meetings**

No public meetings were held by the Applicant or Administration.

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**APPENDIX I**

**APPLICANT'S SUBMISSION**

I am the registered owners of the property: 248 Dovely Place SE

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

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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](mailto:Jeff.Quigley@Calgary.ca)

File Number: LOC 2016 – 0266, Kate Van [Fraassen@calgary.ca](mailto: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 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 out 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.