

**LAND USE AMENDMENT  
FALCONRIDGE (WARD 5)  
SOUTHWEST OF FALSHIRE DRIVE NE AND 68 STREET NE  
BYLAW 105D2016**

**MAP 2NE**

**EXECUTIVE SUMMARY**

This land use amendment application seeks to redesignate a single residential parcel located in the community of Falconridge from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District to allow for a secondary suite. 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. This decision came into effect 2014 January 01.

**ADMINISTRATION RECOMMENDATION(S)**

2016 March 24

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 105D2016; and

1. **ADOPT** the proposed redesignation of 0.04 hectares  $\pm$  (0.10 acres  $\pm$ ) located at 72 Falton Mews NE (Plan 8011556, Block 2, 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 105D2016.

**REASON(S) FOR RECOMMENDATION:**

The proposed R-C1s district, which allows for two forms of secondary suite uses (Secondary Suite, and Backyard Suite), is compatible and complementary with the established character of the community. In addition, this proposal conforms to the relevant policies of the Municipal Development Plan and allows for a development that has the ability to meet the intent of Land Use Bylaw 1P2007. Further, the following points support the application:

- The site is in close proximity to Falshire Park; and
- The site is located in close proximity to Grant MacEwan Elementary School and Terry Fox Junior High School.

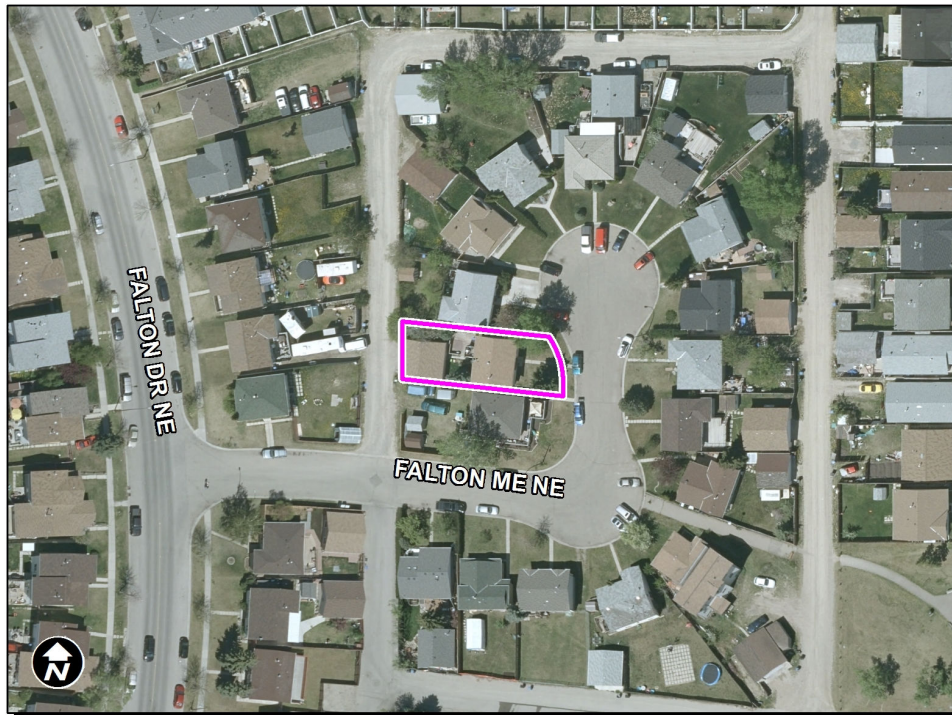
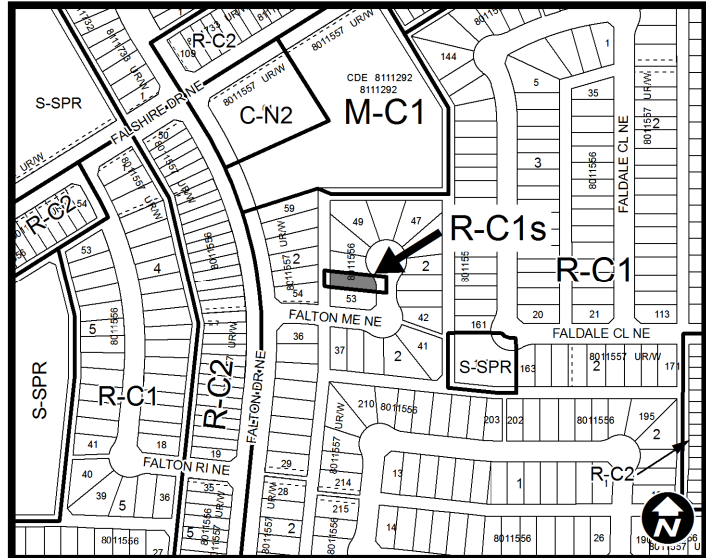
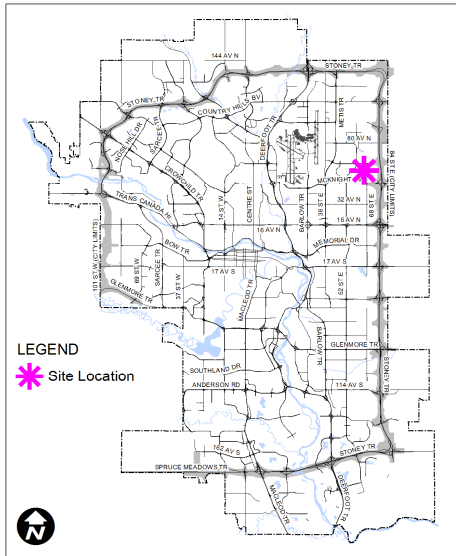
**ATTACHMENT**

1. Proposed Bylaw 105D2016

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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  $\pm$  (0.10 acres  $\pm$ ) located at 72 Falton Mews NE (Plan 8011556, Block 2, Lot 52) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

**Moved by: G. Morrow**

**Carried: 6 – 2**

Opposed: S. Keating and M. Foht

Reasons for Opposition from Cllr. Keating:

- Deficient by 2.9 metres in parcel width.
- No rear lane.

Reasons for Opposition from Mr. Foht:

- The variance (from 15 metres to 12.1 metres) on the width of the lot is excessive.

Comments from Ms. Wade:

- To the best of my knowledge there is no statistical evidence that renters keep their units in a lesser fashion than owners. In addition, there is no statistical information that renters are a safety threat to a community. I would challenge that this evidence be provided when these statements are being made by citizens.

Comments from Ms. Gondek:

- When complainants argue that renters might have lackluster standards of yard upkeep, that they may provide safety concerns to a neighbourhood, and that their car ownership should be regulated by neighbours, it creates the image of the renter as an unwanted and unworthy community member. That's not a tolerant position and not one that I expect from residents of the city of Calgary.

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**Applicant:**

Emmanuel Akudu

**Landowner:**

Emmanuel Akudu

**PLANNING EVALUATION**

**SITE CONTEXT**

The subject site is located on Falton Mews NE in a low density residential R-C1 setting in the community of Falconridge. To the north of the site is Falshire Drive NE and east of the site is 68 Street NE. The site itself is developed with a single detached dwelling with a one-car garage accessed from the lane. The applicant would be required to construct an additional parking stall at the development permit stage.

**LAND USE DISTRICTS**

The proposed Residential – Contextual One Dwelling (R-C1s) District allows for the development of a secondary suite on a parcel containing a single detached dwelling. The suite may take one of the following two types:

- Secondary suite as a permitted use (located within the main residential building and secondary to the main residential use).
- Backyard suite as a discretionary use (located in a detached building located behind the front facade of the main residential building and secondary to the main residential use).

Approval of this land use application does not constitute approval of a specific secondary suite type, but rather it allows for a secondary suite to be considered via the development or building permit process. If the secondary suite is a permitted use and meets all Land Use Bylaw rules, a development permit is no longer required.

**Site Specific Considerations**

The subject site has a width of 12.1 metres and therefore, does not meet the minimum R-C1s parcel width requirements of 15 metres. As a result, relaxation of the Land Use Bylaw 1P2007 requirement will be reviewed at the development permit stage.

Nonetheless, the parcel area meets the minimum parcel depth and area requirement and has the capacity to accommodate:

- a single detached dwelling with a secondary suite; and,
- the two required on-site motor vehicle parking stalls (one stall for the single detached dwelling unit and one stall for the secondary suite)

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**LEGISLATION & POLICY**

**Municipal Development Plan (MDP)**

The site is identified as Developed *Established* Residential area on Map 1 Urban Structure of the MDP. The Developed Area supports moderate intensification in a form and nature that respects the scale and character of the neighbourhood. The MDP also notes redevelopment should support the revitalization of local communities by adding population. Furthermore, the MDP encourages modest redevelopment in the Established Area.

There is no Area Redevelopment Plan for this area.

**TRANSPORTATION NETWORKS**

Pedestrian access is available from Falton Mews NE and vehicle access is available from the lane. The parcel is served by Calgary Transit with a bus stop for the Route 21 is located 350 metres away on Falshire Drive NE.

**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 depending on the type of secondary suite proposed.

**ENVIRONMENTAL ISSUES**

An Environmental Site Assessment was not required.

**ENVIRONMENTAL SUSTAINABILITY**

There are no environmental features provided in this application.

**GROWTH MANAGEMENT**

The proposed amendment does not trigger capital infrastructure investment and therefore there are no growth management concerns at this time.

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**PUBLIC ENGAGEMENT**

**Community Association Comments**

The community association was circulated and commented with regards to concerns over potential limited parking due to the parcel's location on a cul-de-sac.

**Citizen Comments**

One letter of objection was received by Administration. The following concerns were expressed in response to the proposal:

- Possibility of increased traffic and further lack of on-street parking in the area;
- Tenants of secondary suites may lack care and consideration for the homes and neighbourhood; and,
- Community safety.

**Public Meetings**

No meetings were held by the Applicant or Administration.

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**APPENDIX I**

**APPLICANT'S SUBMISSION**

I am writing with regards to my application to re-zoning of my property at 72 Falton Mews NE, to be considered as a secondary suit in the basement.

I am hoping that the privilege of a secondly suit will be a great finically help to my house payment as a single income home owner, and also with today's economy.

I will be very greatly appreciated if my application is considered.


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APPENDIX II

LETTERS SUBMITTED

From: Falconridge/Castlebridge Com To: 4032681997 02/04/2016 11:29 #027 P.005/006

 THE CITY OF  
**CALGARY**  
PLANNING, DEVELOPMENT & ASSESSMENT

**Community Context Questionnaire – Development Permit**  
Development Permit Number: LOC 2016-0010

By providing feedback on the proposed development that is enclosed in this package, you are providing your community association's perspective as the "eyes of the community." This helps City staff better understand what is important to your community as we work with the applicant who has proposed this development, and it enables us to make an informed decision about whether to issue this development permit. In the course of this development permit evaluation, the planning department will review all relevant statutory plans including the Municipal Development Plan, Area Redevelopment or Area Structure Plans as well as the Land Use Bylaw.

Please provide your Community Association perspective and respond to the following questions:

1. What are the strengths and challenges of the proposed development?  
*Parking concerns - neighbours should have say*
2. Are there changes that could be made to the proposed development to make it more compatible or beneficial to the area?  
*NA*
3. Provide comments on
  - a. The use (if identified – not applicable for single-detached houses, semi-detached dwellings or duplexes)  
*on Cul De Sac - limited parking*
  - b. The site design  
*NA*
  - c. The building design  
*NA*

You may wish to consider height, privacy, parking, vehicle or pedestrian access and landscaping as you respond to question #3.



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From:Falconridge/Castleridge Com To:4032681997 02/04/2016 11:29 #027 P.006/006

4. Has the applicant discussed the development permit application with the Community Association?  
If yes, what information was provided?

No

5. Please provide any additional comments or concerns regarding the proposed development.

Name of Planning Representative/s who completed this form:

Lee Pederson

Community Association:

Falconridge/Castleridge

Date:

Feb 3, 2016