

**LAND USE AMENDMENT  
ELBOYA (WARD 11)  
EAST OF STANLEY ROAD SW AT 45 AVENUE SW  
BYLAW 19D2016**

**MAP 3C**

**EXECUTIVE SUMMARY**

This land use amendment application seeks to redesignate a single residential parcel from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District to allow for a secondary suite. The application was not submitted as a result of a complaint. There is no existing secondary suite in the dwelling.

**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 Calgary.

**ADMINISTRATION RECOMMENDATION(S)**

2015 December 17

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 19D2016; and

1. **ADOPT** the proposed redesignation of 0.07 hectares ± (0.17 acres ±) located at 311 – 45 Avenue SW (Plan 357GU, Block 4, Lot 12) 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 19D2016.

**REASON(S) FOR RECOMMENDATION:**

The proposed R-C1s land use district allows for two additional residential uses (Secondary Suite, Backyard Suite). These uses can be compatible with and complimentary to the existing low density residential character of the neighbourhood; therefore, the proposed R-C1s district is appropriate for the site.

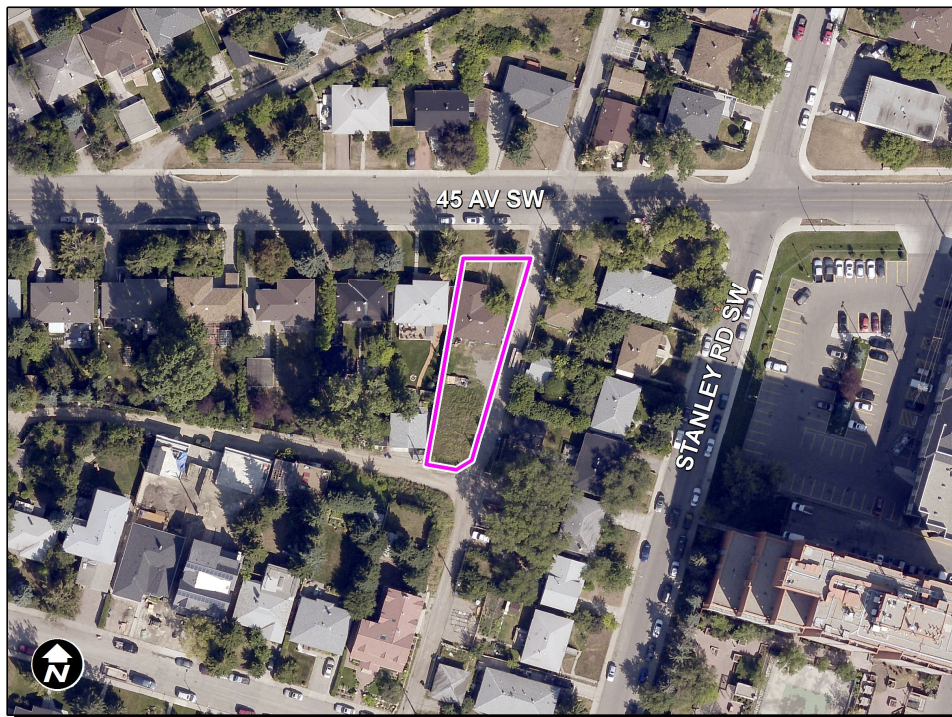
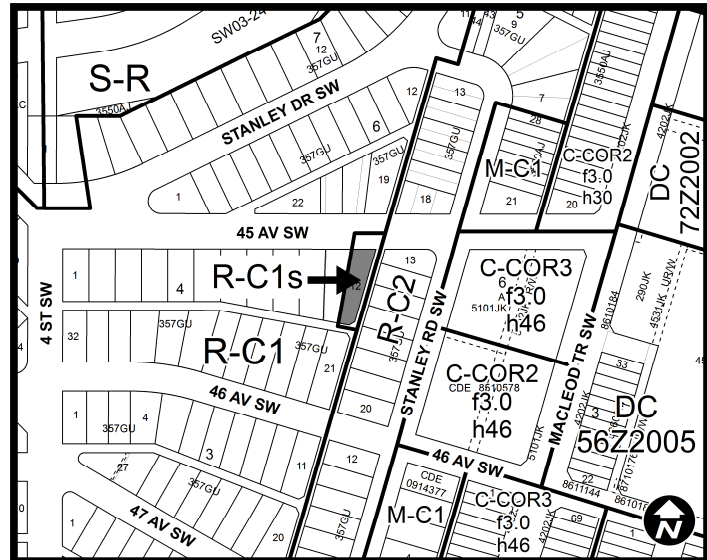
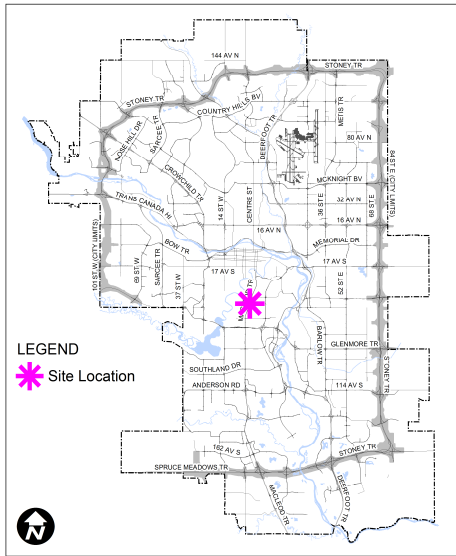
**ATTACHMENT**

1. Proposed Bylaw 19D2016
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 0.07 hectares  $\pm$  (0.17 acres  $\pm$ ) located at 311 – 45 Avenue SW (Plan 357GU, Block 4, Lot 12) from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District.

**Moved by: J. Gondek**

**Carried: 9 – 0**

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**Applicant:**

Anm-Asad Ali

**Landowner:**

Anm-Asad Ali  
Mahbooba Ferdausi

## **PLANNING EVALUATION**

### **SITE CONTEXT**

Located in a low density residential R-C1 and R-C2 setting in the community of Elboya, the site is an irregular shaped parcel, approximately 14 metres wide by 53 metres deep. The width of the parcel is deficient by 1 metre. The parcel is developed with a single detached dwelling with no garage. Single detached dwellings exist to the north, south and east of the parcel.

The parcel is approximately 220 metres from a Primary Transit Network bus stop. The 39 Street LRT station is located 900 metres walking distance from the site.

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

The site can accommodate a secondary suite and its associated Land Use Bylaw 1P2007 requirements, including the minimum parking requirement and the amenity space provisions. If any relaxations are required, these may be considered at the development permit stage.

Approval of this land use application does not constitute approval of a specific secondary suite type, but rather it allows for an additional dwelling unit (in the form of a secondary suite) to be considered via the development permit process.

### **LEGISLATION & POLICY**

**Municipal Development Plan (MDP) (2009):**

The subject site is located within a *Residential, Developed-Established Area* as identified on Map 1: Urban structure of the Municipal Development Plan (MDP). Although the MDP makes no specific reference to the subject sites, the land use proposal is in keeping of overarching MDP policies including: *Established Areas* policies (Section 3.5.3), *Neighbourhood infill and redevelopment* policies (Section 2.2.5) and *Housing diversity and choice* policies (Section 2.3.1).

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Parkhill/Stanley Park Area Redevelopment Plan (ARP)

Although a portion of the Elboya Community is located within this ARP plan area, this site falls outside of the ARP plan boundary.

### TRANSPORTATION NETWORKS

The proposed site is well served by existing transit. The site is within 100 metres of the Route 3 bus stop. The site is also within 300 metres of transit service on Routes 20, 79, 80 and 306. The 39 Street LRT station is 900 metres away. Street parking is allowed along 45 Avenue SW.

### 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 a secondary suite proposed. This aspect would be determined at the development permit stage.

### ENVIRONMENTAL ISSUES

An Environmental Site Assessment was not required.

### GROWTH MANAGEMENT

This land use 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 the MDP references associated with growth management matters.

### PUBLIC ENGAGEMENT

**Community Association Comments:** no comments received

**Citizen Comments:** Administration received 4 letters in opposition to the application. Reasons stated for opposition are summarized as follows:

- Increase in traffic.
- Decrease of on-street parking availability.
- Decrease in property values.
- General opposition to secondary suites.
- Negative impact on neighbourhood dynamics.

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- Lack of upkeep on rental properties.
- Desire to live in single family dwelling community.
- Transients creating instability in the community.
- Site is subject to Restrictive Covenant which states that only a Single family dwelling can be constructed on site.

**Public Meetings:** no meetings were held by the Applicant or Administration.

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**APPENDIX I**

**APPLICANT'S SUBMISSION**

I wanted to use my developed basement as a Secondary Suite, for the following reasons it will be suitable for Secondary Suite:

1. Bus (route #10) stoppage is approximately 200 meter from my house on Macleod TR SW.
2. LRT (is app. 2km from my property (39 Ave LRT Station).
3. Bus (route # 3) stoppage also app. 600 meter from my house.
4. The residential hotel (Comfort Inn) is located at corner of 45 Ave SW and Stanley Road SW, which is app. 150 meter from my property.
5. There is multi storied residential building adjacent to Comfort Inn which is approximately 75 meter from my house.
6. I can accommodate at least 4 (four) car parking my backyard, presently I made one pad for one car, entrance is east side of back alley of my house. Besides at least two car can be parked in front of my house on street parking since my frontage is more than 50 feet wide.
7. Since my house is very close to commercial area on Macleod TR SW, I can generate revenue through renting my proposed Secondary Suite, which is substantially help to reduce my mortgage payment as well as Canada Revenue will get tax from my proposed rent.

Therefore I will request to redesignation my land to allow Secondary Suite.