

LAND USE AMENDMENT  
ARBOUR LAKE (WARD 2)  
NORTH OF ARBOUR GLEN CLOSE NW AND ARBOUR GLEN  
GREEN NW  
BYLAW 193D2015

MAP 15NW

**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. A secondary suite does not currently exist on the site and this application is not due to 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 Calgary.

**ADMINISTRATION RECOMMENDATION(S)**

2015 October 08

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 193D2015; and

1. **ADOPT** the proposed redesignation of 0.05 hectares  $\pm$  (0.12 acres  $\pm$ ) located at 159 Arbour Glen Close NW (Plan 9212385, Block 11, Lot 29) 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 193D2015.

**REASON(S) FOR RECOMMENDATION:**

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

In further support of the recommendation for approval, the site is able to accommodate sufficient parking as per the Land Use Bylaw and is backing onto a green space.

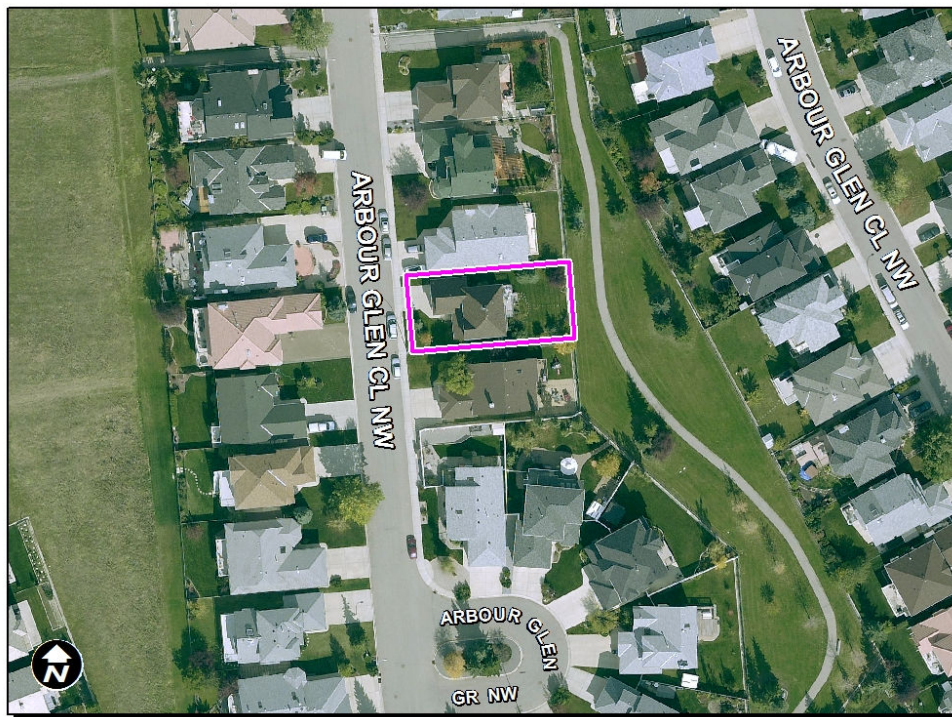
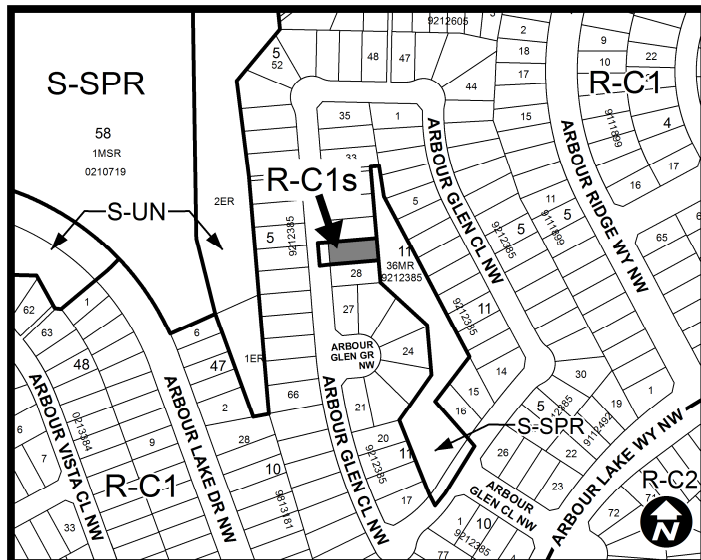
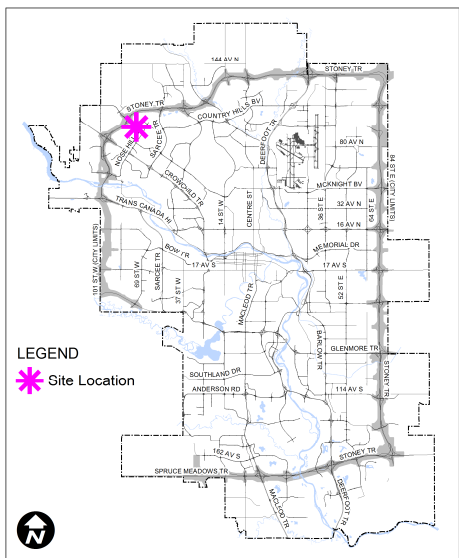
**ATTACHMENT**

1. Proposed Bylaw 193D2015
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 0.05 hectares  $\pm$  (0.12 acres  $\pm$ ) located at 159 Arbour Glen Close NW (Plan 9212385, Block 11, Lot 29) from Residential Contextual One Dwelling (R-C1) District **to** Residential Contextual One Dwelling (R-C1s) District.

**Moved by: R. Wright**

Absent: N. Nenshi and G.-C. Carra

**Carried: 5 – 2**

Opposed: S. Keating and  
R. Honsberger

Reasons for Opposition from Mr. Honsberger:

- No lane.
- Not a corner lot.
- Objections from neighbours.

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**Applicant:**

Behzad Rezaeifar

**Landowner:**

Behzad Rezaeifar  
Nahid Jazayeri

Planning Evaluation Content	*Issue	Page
<b>Density</b> <i>Is a <b>density increase</b> being proposed.</i>	No	5
<b>Land Use Districts</b> <i>Are the changes being proposed <b>housekeeping</b> or <b>simple bylaw amendment</b>.</i>	Yes	5
<b>Legislation and Policy</b> <i>Does the application comply with policy direction and legislation.</i>	Yes	5
<b>Transportation Networks</b> <i>Do different or specific <b>mobility considerations</b> impact this site</i>	No	6
<b>Utilities &amp; Servicing</b> <i>Is the site in an area under <b>current servicing</b> review and/or has <b>major infrastructure</b> (water, sewer, storm and emergency response) concerns.</i>	No	6
<b>Environmental Issues</b> <i>Other considerations eg. sour gas or contaminated sites</i>	No	6
<b>Growth Management</b> <i>Is there growth management direction for this site. Does the recommendation create capital budget impacts or concerns.</i>	No	6
<b>Public Engagement</b> <i>Were <b>major comments</b> received from the circulation</i>	No	6

\*Issue - Yes, No or Resolved

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**PLANNING EVALUATION**

**SITE CONTEXT**

Located in a low density Residential – Contextual one Dwelling (RC-1) District setting in the community of Arbour Lake, the site is approximately 16 metres in width by 34 metres in depth and complies with the minimum Bylaw requirements for Secondary Suites and Backyard Suites. The parcel is developed with a single detached dwelling with attached garage, accessed from the street. Single detached dwellings exist to the north and south of the parcel as well as across Arbour Glen Close NW to the west. There is a regional pathway to the east. The parcel is approximately 300 metres from the closest transit (bus) stop.

**LAND USE DISTRICTS**

The proposed R-C1s district has the ability to accommodate a secondary suite on a parcel that already contains a single detached dwelling. The R-C1s district allows for one additional permitted use (Secondary Suite) and one additional discretionary use (Backyard Suite).

The subject site meets the minimum R-C1s parcel size requirements. As such, 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 relaxation may be required, these will 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).

**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).

**Crowchild Phase 3 Policy Statement & Area Structure Plan**

The Crowchild Phase 3 Policy Statement & Area Structure Plan does not reference secondary suites.

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## TRANSPORTATION NETWORKS

Pedestrian and vehicular access is available from Arbour Glen Close NW. The site includes a double attached garage accessed directly from Arbour Glen Close NW. Two parking stalls are available, fulfilling the Bylaw requirement for parking. Additionally, there is space in front of the garage for parking two additional vehicles. The area is served by Calgary Transit with a bus stop located approximately 300 metres walking distance from the site.

## 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/Building Permit stage.

## 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:** The community association did not provide any comments, but did forward 7 letters of objection that it had collected from local residents. These letters are summarized in the Citizen Comments below.

**Citizen Comments:** Administration received 18 statements in opposition to the application (including the 7 letters forwarded from the community association). Reasons stated for opposition are summarized as follows:

- Potential loss of property value.
- Increase in on-street parking.
- Increased traffic.
- Increased noise.
- Potential renters could be child predators.
- Threat to public safety and security.
- Desire to maintain current zoning.
- Home was not originally constructed to accommodate a suite.
- Resident is already operating a day care business on the site.
- Loss of privacy.
- Opposition to having affordable housing located in the neighbourhood.

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- Perception that additional housing units are not needed.
- Residence on the street should be restricted to individuals with the means to purchase a home.
- Generation of additional garbage and recycling, renters might dump in neighbour's bins.
- Exposure to "stranger activity".
- Negative impact on community character, lifestyle, and liveability.
- Failure of applicant to engage neighbours.
- Approval will set a precedent.
- Concern about capacity of local infrastructure.
- General non-specific opposition.

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

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**APPENDIX I**

**APPLICANT'S SUBMISSION**

These are my reasons for this application, which are explained as the following:

1. My first reason for doing this process is to create affordable housing, which would help with having less expensive place to live.
2. I'm planning to get some help in paying my mortgage on this house by getting some revenue from renting the suite to another family.
3. The big house with 538 square meter land lot of 15.84 meter width by 34.01 meter depth, has a good potential of being developed in the basement, which one other family can live there.
4. My house is a two storey with a basement which can be separated from the main floor, with a different access door. It will be a great place for another family to live there and get advantage of using a new developed suite including 2 bedrooms, living room, bathroom, and kitchen. Every facility would be provided according to standards and City building and safety codes.
5. There are already 4 parking stalls for this house, 2 covered indoor by an oversized attached garage, and 2 outdoor parking on the house drive way.
6. The other two adjacent neighbours are both bungalows which have each 4 parking stalls, 2 inside the attached garage. This provided enough spaces for parking and prevented the main street to be used for parking.
7. There is a big backyard in this house, with 15.85 meter width by 14.98 meter length or 237 square meter area, including lots of well-maintained trees and other beautiful plants, where would be a great place for the tenant of this suite.
8. The main floor has very good flooring which are in great shape with perfect underlying materials which prepared a quiet roof for the tenant who will be lived in the suite, without any noise coming from the main floor.
9. The backyard is facing to a big greenbelt area on the east which has 21 meter in the shorter side to 28 meter on the longer side distance with the backyards of east neighbours. This made a better environment for have one more family in this house, without making the neighbourhood busy.
10. The distance of suite building is 2.40 meter with the southern neighbour boundary and 3.40 meter with the northern boundary, that provides a sufficient clearance with these 2 other neighbours' houses.
11. The suite can provide a convenience close access to the 2 transit bus routes with bus stop located on the Arbour Lake Way, right at the intersection of Arbour Glen Close with that street, and it's just 350 meter distance or 5 minutes walking from my house.