

LAND USE AMENDMENT  
FALCONRIDGE (WARD 5)  
NORTHWEST OF MCKNIGHT BOULEVARD NE AND 68  
STREET NE  
BYLAW 45D2015

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 results from a complaint and there is an existing illegal secondary suite on the property.

**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)**

2015 February 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 45D2015; and

1. **ADOPT** the proposed redesignation of 0.04 hectares  $\pm$  (0.10 acres  $\pm$ ) located at 227 Falwood Way NE (Plan 7811623, Block 6, Lot 25) 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 45D2015.

**REASONS 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. The parcel has lane access and can accommodate the required onsite parking. In addition, the parcel is located in close proximity to public transportation.

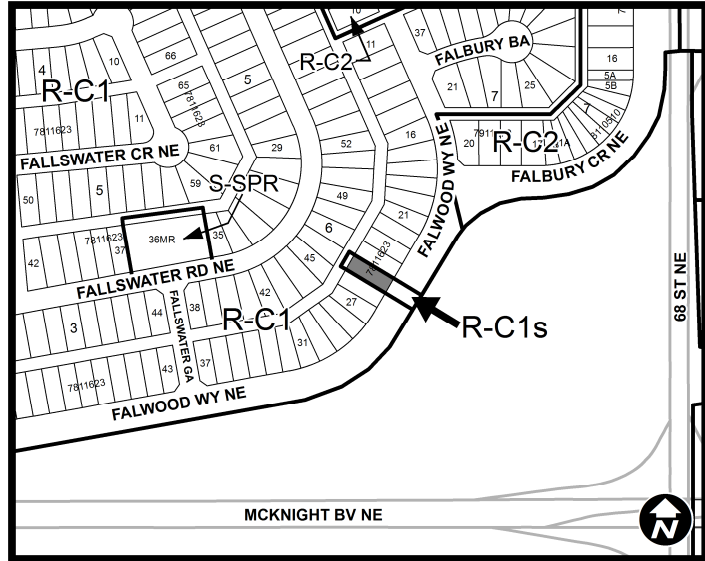
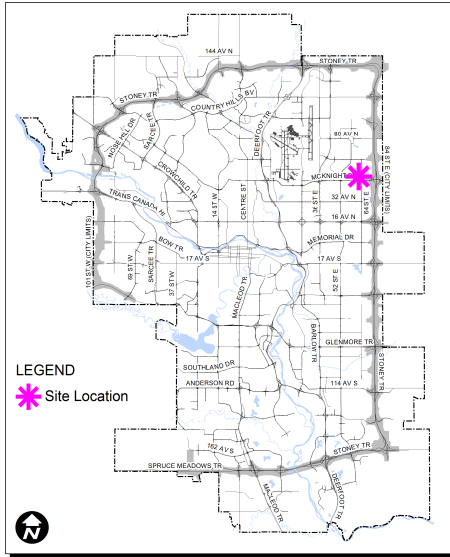
**ATTACHMENT**

1. Proposed Bylaw 45D2015

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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 227 Falwood Way NE (Plan 7811623, Block 6, Lot 25) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

**Moved by: G. Morrow**

Absent: G.-C. Carra and S. Keating

**Carried: 5 – 1**

Opposed: R. Honsberger

Reasons for Opposition from Mr. Honsberger:

- Inadequate lot width.
- Mid-block location.

Comments from Ms. Gondek:

- Item 1 subject site has a width of 11.4 metres and Item 2 is 9.8 metres. Therefore, both require a relaxation for approval. Yet an R-1N lot would only need to be 9.0 metres. There is a big problem with our existing policy when this type of inconsistency creates situations of inequity for applicants.
- We need to establish a width standard that covers any single detached lot.

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Applicant:

Hassan Allen Mehri

Landowner:

Hassan Allen Mehri

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>	No	5
<b>Legislation and Policy</b> <i>Does the application comply with policy direction and legislation.</i>	Yes	6
<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>	N/A	6
<b>Public Engagement</b> <i>Were <b>major comments</b> received from the circulation</i>	No	6

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## **PLANNING EVALUATION**

### **SITE CONTEXT**

The subject site is located mid-block on Falwood Way NE in a low density residential R-C1 setting in the community of Falconridge. The site is developed with a single detached dwelling with a one car garage and a two car parking pad both of which are accessed from the lane. In addition, the site has a driveway with a parking pad that can be accessed from the street. The applicant's intent is to legalize and bring up to code a secondary suite in the basement of the existing single detached building. Located across from the parcel is a large road right-of-way open space, which residents use as an off-leash dog park.

### **LAND USE DISTRICTS**

The proposed R-C1s district allows for the development of a secondary suite in addition to a Single Detached Dwelling on a single parcel. The R-C1s district allows for one additional secondary suite that may take one of the following two forms:

- Secondary Suite as a permitted use; or
- Backyard Suite as a discretionary use.

The proposed R-C1s district is appropriate and complimentary to the established land use pattern of the area and allows for a more efficient use of the land. In addition, the development of a secondary suite on this site can meet the intent of Land Use Bylaw 1P2007.

### **Site Specific Considerations**

The subject site has an approximate width of 11.4 metres and therefore, does not meet the minimum R-C1s parcel width requirement of 15 metres. As a result, relaxation of the Land Use Bylaw 1P2007 requirement will be required at the development permit stage.

Nonetheless, the parcel area meets the minimum parcel depth 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) and one additional parking space.

In addition, it should be noted that a number of low density residential districts in Land Use Bylaw 1P2007 allow for secondary suites on parcels with a minimum parcel width of 9 metres, 11 metres or 13 metres respectively.

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**LEGISLATION & POLICY**

The parcel 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.

**TRANSPORTATION NETWORKS**

Pedestrian access is available from Falwood Way NE. The parcel has a rear garage and a two-car parking pad accessible from the lane and a driveway with parking pad accessible from the street. The parcel is well served by Calgary Transit with bus stops for several routes located approximately 350 metres to the east on 68 Street NE and 450 metres to the north on Falconridge 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. This aspect would be determined at the development permit stage.

**ENVIRONMENTAL ISSUES**

An Environmental Site Assessment was not required.

**GROWTH MANAGEMENT**

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

**PUBLIC ENGAGEMENT**

**Community Association Comments**

The Falconridge/Castleridge Community Association has signed off on this proposal with no objections.

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**Citizen Comments**

One letter and a petition with nine names in support of the application were received by Administration. No letters of objections were received by Administration.

**Public Meetings**

No meetings were held by the Applicant or Administration.

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**APPENDIX I**

**APPLICANT'S SUBMISSION**

AS a resident of Calgary for the past 24 years, I feel I have a civic duty to assist with the cities rental shortage.

I have been a real estate professional for the past 20 years. I own the property at 227 Falwood Way NE. This property has sufficient space to convert to a legal secondary suite. The location of this property is ideal for rezoning. This property has ample parking to accommodate 4 full size vehicles in addition to a single over sized car garage and a double parking stall. Bus route #55 has a stop in couple of blocks of the property, making access to public transportation feet away. In addition, Falconridge and several other public schools are within walking distance. I respectfully submit to you these three (3) major benefits to rezoning this property.

Lastly, 227 Falwood Way NE is a detached parcel across from OFF LEASH AREA PARK on the McKnight Blvd NE making it an ideal property for folks with pets. We all know how hard it is to rent a place in city with pets, this property welcomes pets with an open arm. Rezoned, this property offers affordable housing to the citizens of Calgary, increasing rental space and increased taxes for the city.