

**LAND USE AMENDMENT
DEER RUN (WARD 14)
DEER RUN CRESCENT SE AND DEER RUN PLACE SE
BYLAW 348D2017**

MAP 36SS

EXECUTIVE SUMMARY

This land use amendment application seeks to redesignate a single residential parcel from a Residential – Contextual One Dwelling (R-C1) District to a Residential – Contextual One Dwelling (R-C1s) District to allow for either a Secondary Suite or a Backyard Suite as an additional use. The site contains an existing single detached dwelling. To Administration's knowledge there is not an existing suite located on the parcel and the application was not submitted as a 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)

2017 September 21

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 348D2017; and

1. **ADOPT** the proposed redesignation of 0.05 hectares \pm (0.12 acres \pm) located at 239 Deer Run Crescent SE (Plan 7711192, Block 5, Lot 24) 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 348D2017.

REASON(S) FOR RECOMMENDATION:

The proposed R-C1s district, which allows for one of two forms of secondary suite uses (Secondary Suite or Backyard Suite), is compatible with and complementary to the established character of the community. The proposal conforms to relevant policies of the Municipal Development Plan and will allow for development that has the ability to meet the intent of Land Use Bylaw 1P2007.

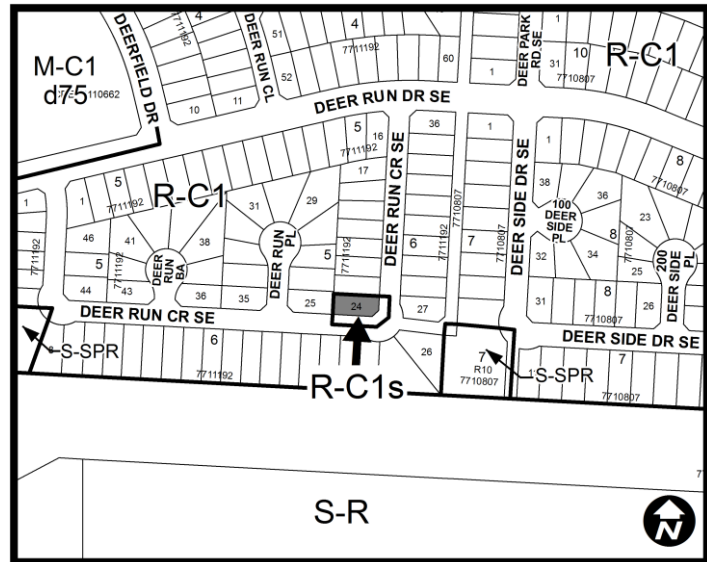
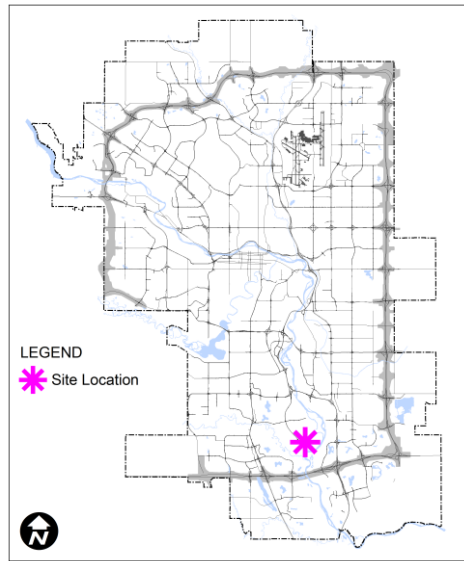
ATTACHMENT

1. Proposed Bylaw 348D2017
2. Public Submissions

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LOCATION MAPS



CALGARY PLANNING COMMISSION
REPORT TO COUNCIL
2017 NOVEMBER 20

ISC: UNRESTRICTED
CPC2017-357
LOC2017-0222
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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 239 Deer Run Crescent SE (Plan 7711192, Block 5, Lot 24) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: A. Palmiere

Carried: 6 – 0

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Applicant:

Victor Volkhine

Landowner:

Victor Volkhine
Irina Volkhine

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Deer Run, the site is approximately fifteen (15) metres by thirty-three (33) metres in size and is developed with a one-storey single detached dwelling, and a detached two-car garage that is accessed from Deer Run Crescent. Single detached dwellings exist to the north, east, south, and west of the site.

According to data from The City of Calgary 2017 Census, the following table identifies identifies Deer Run's peak population and year, current population and the population amount and percentage difference between the peak and current populations.

Deer Run	
Peak Population Year	1992
Peak Population	6,631
2017 Current Population	5,111
Difference in Population (Number)	-1,520
Difference in Population (Percent)	-23%

LAND USE DISTRICTS

The proposed R-C1s district allows for an additional dwelling unit (either a permitted use Secondary Suite or a discretionary use Backyard Suite) on parcels that contain a single detached dwelling.

Approval of this land use application allows for an additional dwelling unit (either a Secondary Suite or Backyard Suite) to be considered via the development permit process. A development permit is not required if a Secondary Suite conforms to all Land Use Bylaw 1P2007 rules – only a building permit would be required.

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LEGISLATION & POLICY

South Saskatchewan Regional Plan (2014)

The site is located within the “City, Town” area as identified on Schedule C: South Saskatchewan Regional Plan Map in the *South Saskatchewan Regional Plan* (SSRP). The SSRP makes no specific reference to this site. The land use proposal is consistent with the SSRP policies including the Land Use Patterns policies (subsection 8.14).

Municipal Development Plan (2009)

The site is located within a “Residential Developed – Established Area” on the Urban Structure Map (Map 1) in the *Municipal Development Plan* (MDP). While the MDP makes no specific reference to this site. This land use proposal is consistent with MDP policies including the Developed Residential Areas policies (subsection 3.5.1), the Neighbourhood Infill and Redevelopment policies (subsection 2.2.5) and the Housing Diversity and Choice policies (subsection 2.3.1).

There is no local area plan.

TRANSPORTATION NETWORKS

Pedestrian and vehicular access to the site is available from Deer Run Crescent SE and there is no rear lane. The area is served by Calgary Transit bus service with a bus stop location within approximately 300 metre walking distance of the site on Deer Run Drive SE. On-street parking adjacent to the site is unregulated.

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.

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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 matters.

PUBLIC ENGAGEMENT

Community Association Comments

Administration did not receive a response from the Deer Run Community Association.

Citizen Comments

Administration received twenty-four (24) letters in opposition to the application.

Reasons stated for opposition are summarized as follows:

- The owner renting the dwelling to two (2) residential tenants;
- The owner renting the garage to one (1) construction business tenant;
- Presence of construction equipment;
- Residential tenant behaviour;
- Residential tenant noise;
- Residential tenant criminal activity;
- Police visits to address residential tenant criminal activity;
- Residential tenant's dog's behaviour;
- Residential tenant's dog's noise;
- Residential and construction business tenants parking on-street;
- Construction business tenant behaviour;
- Decrease of property values;
- Preference for single family residential zoning;
- Preference for quiet neighbourhood;
- Having neighbours that are not families;
- Existing and potential increase in crime;
- Increase in motor vehicle traffic;
- Motor vehicles driving faster than the speed limit, particularly when children and animals exist in the area;
- Lack of on-street and off-street parking;
- Dispute over whether on-street parking is reserved for specific individuals;
- Motor vehicles blocking driveways;
- Motor vehicles parking on-street adjacent to property will create a blind spot;
- Motor vehicle leaking oil on street;

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- Lack of property maintenance;
- Lack of lawn mowing;
- Lack of snow removal from sidewalk;
- Littering on property;
- Renters do not look out for neighbours;
- Renters do not have pride of ownership;
- Secondary suites should only be in neighbourhoods close to downtown, university, or transit;
- Deer Run has options for low income housing and doesn't need more low income housing;
- Deer Run has options for rental housing and doesn't need more rental housing;
- Absentee landlord;
- The owner seeking profit by renting the property;
- Setting a precedent for other land use redesignation applications for properties in Deer Run;
- Setting a precedent for other properties to be rented in Deer Run;
- Lack of lane;
- Increase to number of garbage, recycling, and compost bins; and
- Single detached dwelling residents subsidizing waste, recycling, and compost pickup costs for single detached dwelling with secondary suite residents.

Administration received two (2) letters of conditional support/opposition to the application.

Reasons stated for conditional support/opposition are summarized as follows:

- Whether the owner lives on property; and
- Whether a basement suite or backyard suite is proposed.

Public Meetings

No public meetings were held by the Applicant or Administration.

APPENDIX I

APPLICANT'S SUBMISSION

My name is Victor Volkhine. I am owner of a house on 239 Deer Run Crescent SE, Calgary AB.

I would like to apply for a Land Use Redesignation from R-C1 to R-C1s to allow for a secondary suite.

I believe it will be a good opportunity for another Calgarian to live in our nice community and enjoy close access to the beautiful park and trail, Deer Run School and community center.

My lot and property are both large enough to apply for the rezoning.
Thank you for your time and cooperation.

Sincerely,

Victor Volkhine

APPENDIX II

IMPORTANT TERMS

While there are specific Land Use Bylaw 1P2007 definitions and development rules for Secondary Suite and Backyard Suite uses, the following information is provided to simply and enhance general understanding of these two different uses (Secondary Suite or Backyard Suite).

Important terms

Secondary suite: A self-contained dwelling unit within the main residence that has separate living, cooking, sleeping and bathroom facilities. These are commonly referred to as basement suites or in-law suites.



Backyard suite: A self-contained dwelling unit in a detached building that has separate living, cooking, sleeping and bathroom facilities. These are commonly referred to as garage suites, garden suites, or laneway homes.

