

**LAND USE AMENDMENT  
DEER RUN (WARD 14)  
DEER RUN BOULEVARD SE AND 146 AVENUE SE  
BYLAW 362D2017**

**MAP 1S**

**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 with an existing illegal suite and the application was 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**

2017 October 05

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 362D2017; and

1. **ADOPT** the proposed redesignation of 0.04 hectares  $\pm$  (0.10 acres  $\pm$ ) located at 2412 - 146 Avenue SE (Plan 7810750, Block 21, Lot 59) 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 362D2017.

**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.

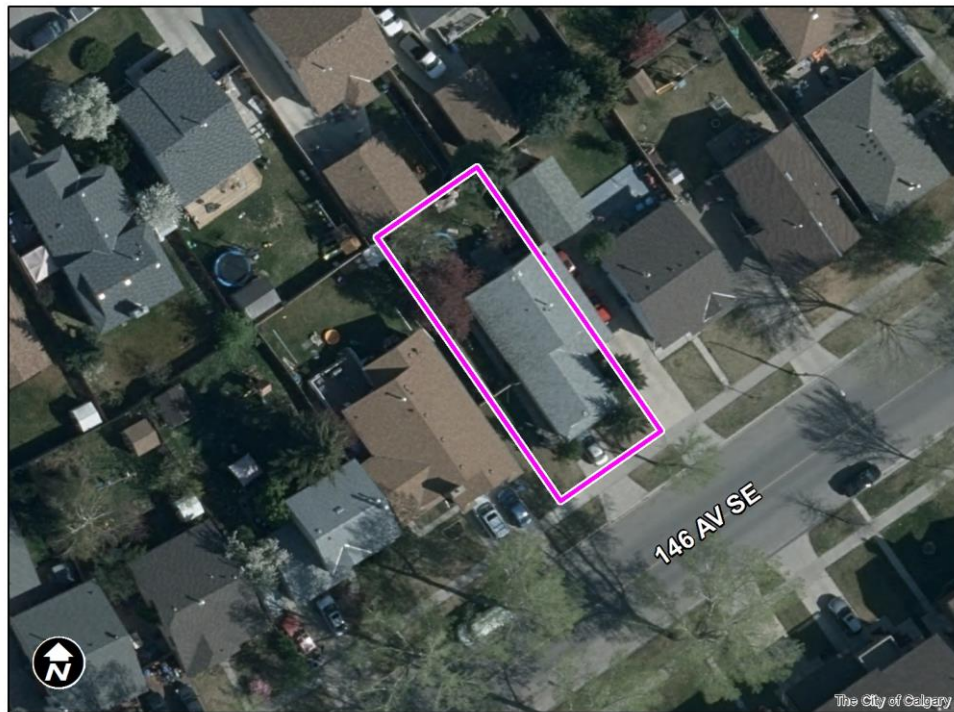
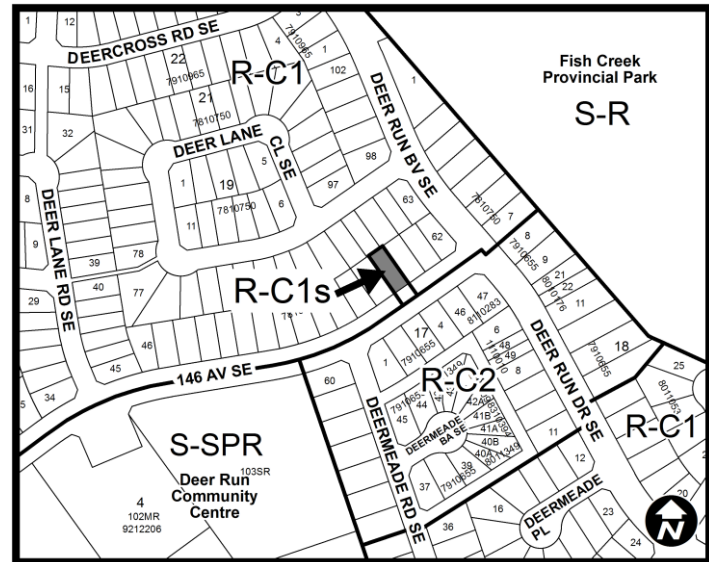
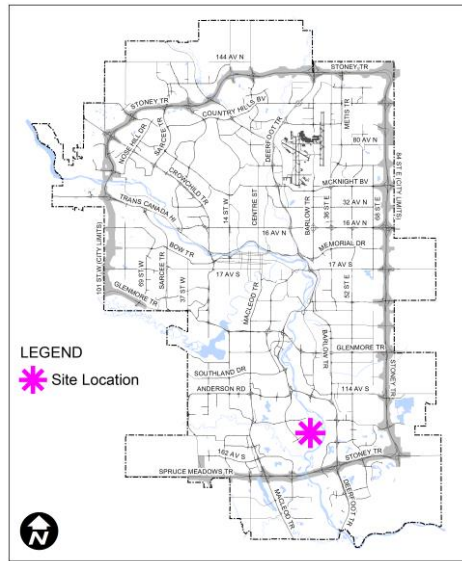
**ATTACHMENT**

1. Proposed Bylaw 362D2017
2. Public Submission

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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 2412 - 146 Avenue SE (Plan 7810750, Block 21, Lot 59) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

**Moved by: L. Juan**

**Carried: 6 – 2**

Opposed: D. Leighton and M. Foht

Reasons for Opposition from Mr. Foht:

- I opposed the application for a secondary suite because the site does not have the benefit of a rear lane to allow for parking options for the residents of the property.

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**Applicant:**

Dharanidhar Adhikari

**Landowner:**

Dharanidhar Adhikari  
Arati Bhattarai Adhikari

**PLANNING EVALUATION**

**SITE CONTEXT**

Located in a low density residential R-C1 setting in the community of Deer Run, the site is approximately 13 metres by 33 metres in size and is developed with a single-storey single detached dwelling and an attached single-car garage that is accessed from 146 Avenue SE. The site is surrounded by low density residential R-C1 development to the north, east and west. R-C2 low density residential development exist to the south, and the Deer Run Elementary School and Community Centre exist south-west of the site.

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

<b>Deer Run</b>	
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 for Deer Run.

## **TRANSPORTATION NETWORKS**

Pedestrian and vehicular access to the site is available from 146 Avenue SE. There is no rear lane. The area is served by Calgary Transit bus service Route 28 Deer Run with a bus stop within approximately 250 metre walking distance of the site at Deer Run Boulevard 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.

## **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.

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**PUBLIC ENGAGEMENT**

**Community Association Comments**

Administration received a letter of no objection to the application from the Deer Run Community Association (APPENDIX II).

**Citizen Comments**

Administration received one (1) letter in opposition to the application, and one (1) of no objection.

Reasons stated for opposition and concern are summarized as follows:

- potential negative impacts on property values;
- potential negative impacts on quality of life due to renters; and
- concern around potential increased pressures on on-street parking and the importance of communicating to any residents the importance of not blocking existing driveways.

**Public Meetings**

No public meetings were held by the Applicant or Administration.

**CALGARY PLANNING COMMISSION  
REPORT TO COUNCIL  
2017 NOVEMBER 20**

**ISC: UNRESTRICTED  
CPC2017-371  
LOC2017-0225  
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**APPENDIX I**

**APPLICANT'S SUBMISSION**

The purpose of this application for land zone change (R-C1 to R-C1s) is to make my existing basement suite legal. I do not have any idea how the basement suite was built in the property, but I want to legalize an existing basement suite to help people to rent legal basement suite where they feel sense of security, give awareness to my neighbour about legal suite, and to follow the City's rules and regulations being a new Canadian.

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APPENDIX II

LETTERS SUBMITTED



Deer Run Community Association  
2223 146<sup>th</sup> Ave SE, T2J 6P8  
403-278-3117,  
info@deerruncalgary.com

July 31, 2017

To Whom it May Concern,

The Deer Run Community Association has no objection to the application by Dharanidhar Adhikari for a change in zoning for his property at 2412 146 Ave. SE Calgary. Mr. Adhikari is requesting a change of zoning from R-C1 to R-C1s. The Associations understanding is that this change is to facilitate a legal suite on his property.

If we can help in any other way please let us know.

On Behalf of Kim Semeniuk

President of DRCA

Susan Read

A handwritten signature in black ink, appearing to read "S Read".

Manager

K. van Fraassen



### APPENDIX III

#### 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 simplify 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.

