

**LAND USE AMENDMENT  
DALHOUSIE DRIVE NW (WARD 7)  
DALHART ROAD NW NORTHWEST OF DALGETTY DRIVE NW  
BYLAW 310D2017**

**MAP 1NW**

**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 (although there was an illegal basement suite in the dwelling previously) 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 August 10

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 310D2017; and

1. **ADOPT** the proposed redesignation of 0.05 hectares ± (0.12 acres ±) located at 4431 Dalhart Road NW (Plan 5579JK, Block 10, Lot 8) 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 310D2017.

**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.

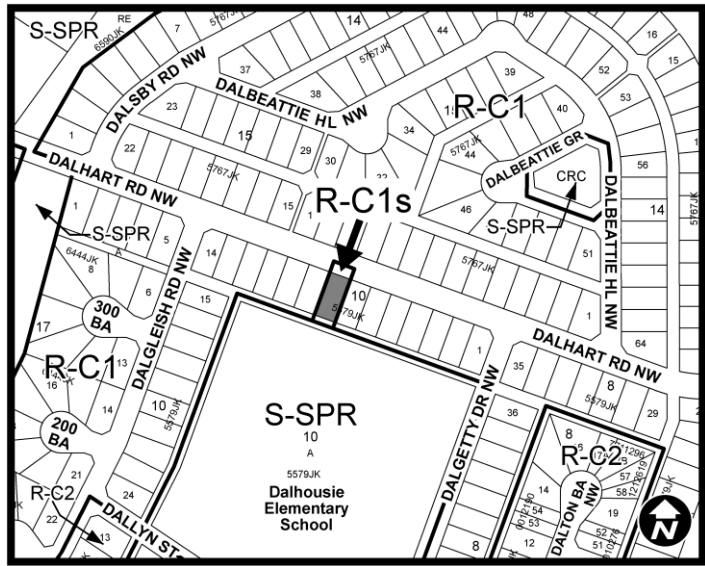
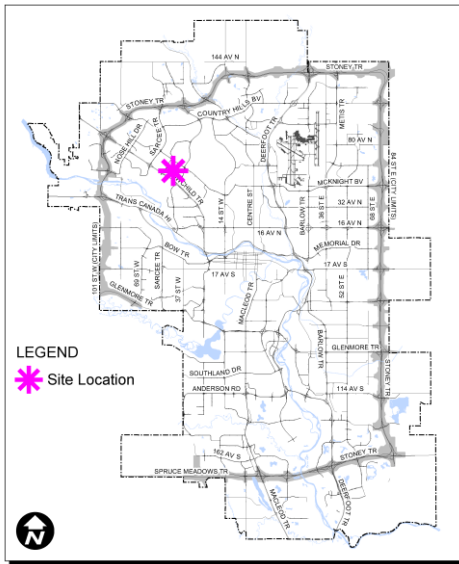
**ATTACHMENT**

1. Proposed Bylaw 310D2017

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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 4431 Dalhart Road NW (Plan 5579JK, Block 10, Lot 8) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

**Moved by: L. Juan**

**Carried: 7 – 0**

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**Applicant:**

Lap Man Tsui

**Landowner:**

Lap Man Tsui  
Chuen Fa Ng

**PLANNING EVALUATION**

**SITE CONTEXT**

Located in a low density residential R-C1 setting in the community of Dalhousie, the site is approximately 16 metres by 34 metres in size and is developed with a one storey single detached dwelling and a detached two-car garage that is accessed from the rear lane. Single detached dwellings exist to the north, east, and west of the site. Dalhousie Elementary School exists across the lane to the south.

According to data from The City of Calgary 2016 Census, the following table identifies Dalhousie`s peak population and year, current population and the population amount and percentage difference between the peak and current populations if any.

| <b>Dalhousie</b>                   |        |
|------------------------------------|--------|
| Peak Population Year               | 1982   |
| Peak Population                    | 10,770 |
| 2016 Current Population            | 9,111  |
| Difference in Population (Number)  | -1,659 |
| Difference in Population (Percent) | -15%   |

**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 access to the site is available from Dalhart Road NW and vehicular access is from the rear lane only. The area is served by Calgary Transit bus service with a bus stop location within approximately 150 metres walking distance of the site on Dalhart Road NW. On-street parking adjacent to the site is unregulated through the Calgary Parking Authority’s residential parking permit system.

## **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 Dalhousie Community Association.

### Citizen Comments

Administration received six (6) letters in opposition to the application.

Reasons stated for opposition are summarized as follows:

- maintenance of the property,
- history of an illegal secondary suite at this address,
- behaviour of tenants,
- parking pressures, and
- concern that a backyard suite would be approved in addition to a basement suite.

An illegal dwelling unit complaint was lodged in 2015 and resolved. Owner insists there is only one dwelling unit on site currently.

### Public Meetings

No public meetings were held by the Applicant or Administration.

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**APPENDIX I**

**APPLICANT'S SUBMISSION**

The reason for making this application for adding a backyard suite is for my parents. This is a perfect location for them all the amenities are close by. Medical clinic, shopping centre, C-Train and restaurants are within walking distance. For travelling to downtown only 20 minutes away by car.

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.

