

LAND USE AMENDMENT  
FOREST LAWN (WARD 10)  
45 STREET SE AND 19 AVENUE SE  
BYLAW 236D2017

MAP 10E

**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 June 01

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 236D2017; and

1. **ADOPT** the proposed redesignation of 0.06 hectares ± (0.14 acres ±) located at 2024 – 45 Street SE (Plan 5882AB, Block 9, Lots 11 and 12) 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 236D2017.

**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 Forest Lawn - Forest Heights/Hubalta Area Redevelopment Plan and will allow for development that has the ability to meet the intent of Land Use Bylaw 1P2007.

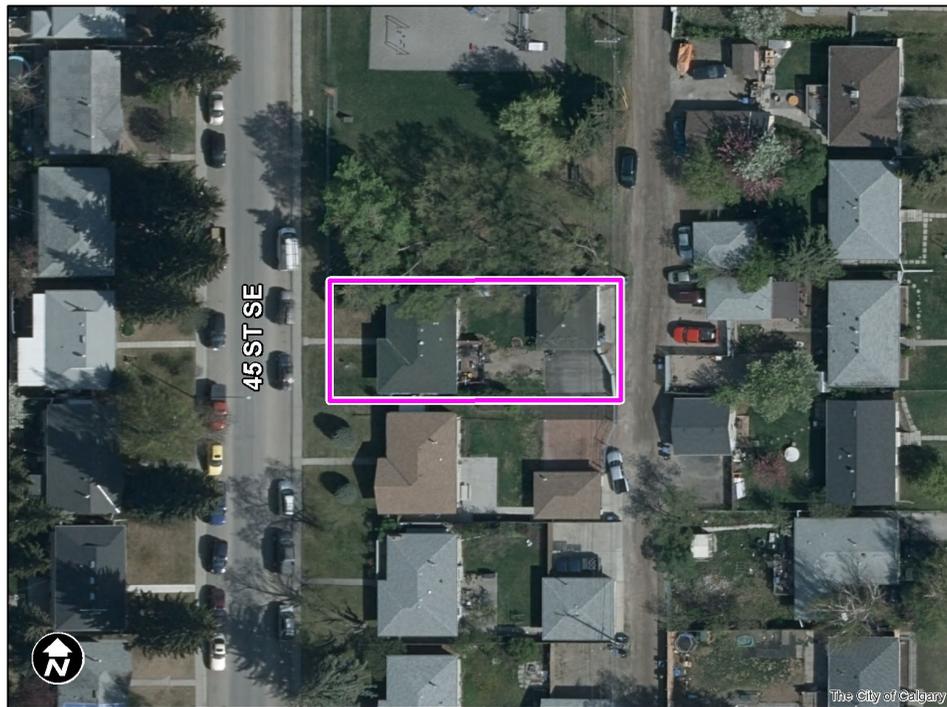
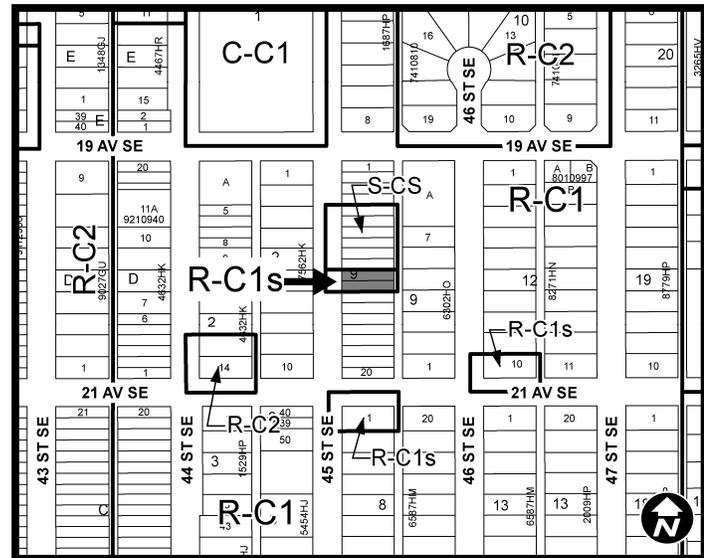
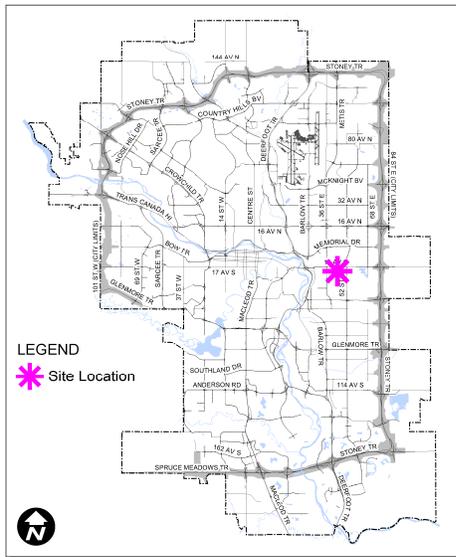
**ATTACHMENT**

1. Proposed Bylaw 236D2017

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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 0.06 hectares ± (0.14 acres ±) located at 2024 – 45 Street SE (Plan 5882AB, Block 9, Lots 11 and 12) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

**Moved by: M. Foht**

**Carried: 5 – 0**

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**Applicant:**

Hamilton Baudner

**Landowner:**

Hamilton Baudner  
Karine Talbot

**PLANNING EVALUATION**

**SITE CONTEXT**

Located in a low density residential R-C1 setting in the community of Forest Lawn the site is approximately 15.0 metres by 36.5 metres in size and is developed with a one-storey single detached dwelling a detached one-car garage that is accessed from the rear lane, and a two-car parking pad that is accessed from the rear lane. A park exists to the north of the site, and single detached dwellings exist to the east, south, and west of the site.

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

<b>Forest Lawn</b>	
Peak Population Year	1982
Peak Population	9,088
2016 Current Population	7,711
Difference in Population (Number)	-1,377
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 – Inner City 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).

Forest Lawn - Forest Heights/Hubalta Area Redevelopment Plan (1995)

The site is located within a “Low Density Residential / Conservation” area on the Land Use Policy Areas map (Map 3). There are no policies that provide direction on this application.

**TRANSPORTATION NETWORKS**

Pedestrian and vehicular access to the site is available from 45 Street SE and the rear lane. The area is served by Calgary Transit bus service with a bus stop location within approximately 200 metre walking distance of the site on 44 Street SE. Calgary Transit bus rapid transit service is currently under construction on 17 Avenue SE, with a future bus rapid transit station location within approximately 350 metre walking distance of the site on 17 Avenue 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 Forest Lawn Community Association.

### **Citizen Comments**

Administration did not receive any responses from citizens.

### **Public Meetings**

No public meetings were held by the Applicant or Administration.

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**APPENDIX I**

**APPLICANT'S SUBMISSION**

I am applying because my home is on a large lot, with a paved 2 car parking pad immediately beside the garage. As well, there is transit only 1 block away that leads directly to the C train station.

Truly,

Hamilton Baudner

April 6, 2017

## 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 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.

