

LAND USE AMENDMENT  
FOREST LAWN (WARD 10)  
38 STREET SE AND 23 AVENUE SE  
BYLAW 197D2017

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 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 May 04

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 197D2017; and

1. **ADOPT** the proposed redesignation of 0.08 hectares ± (0.19 acres ±) located at 2436 - 38 Street SE (Plan 3469HQ, Block 7, Lot 17) 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 197D2017.

**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 the 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.

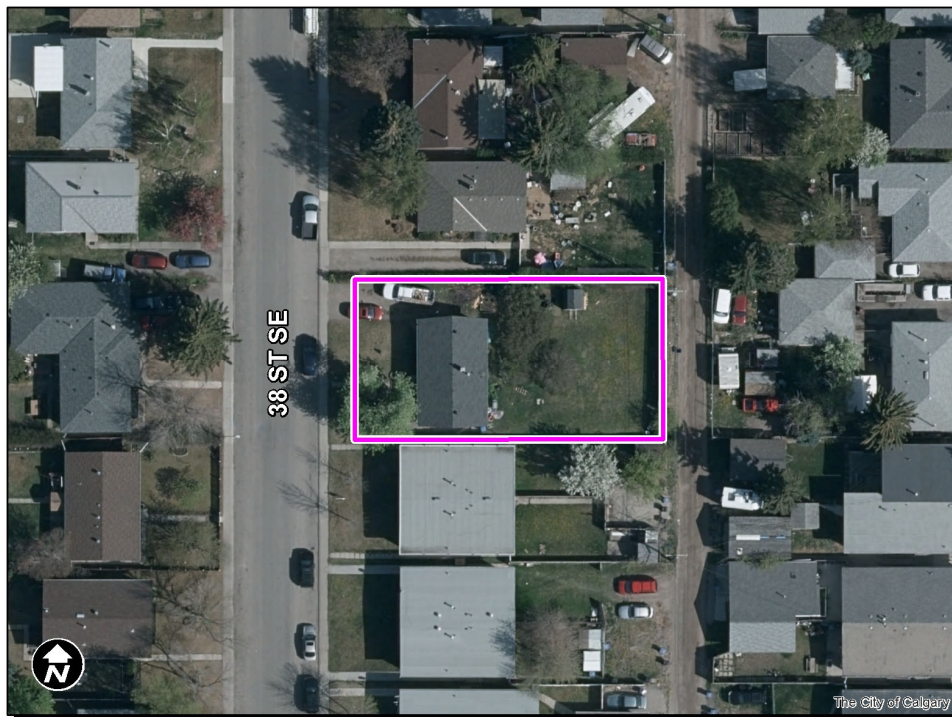
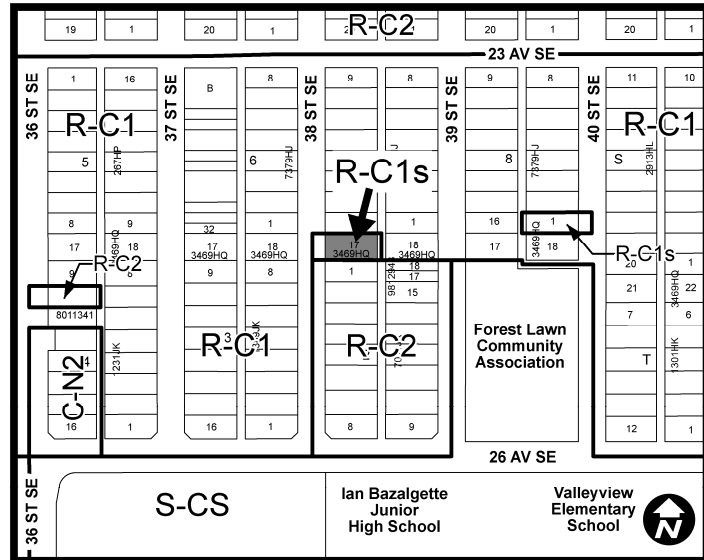
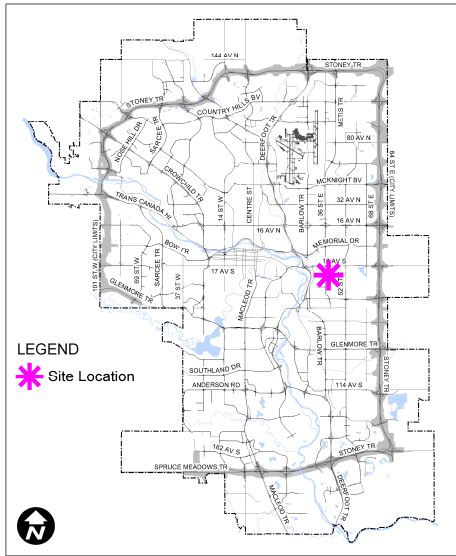
**ATTACHMENT**

1. Proposed Bylaw 197D2017

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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 0.08 hectares ± (0.19 acres ±) located at 2436 - 38 Street SE (Plan 3469HQ, Block 7, Lot 17) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

**Moved by: A. Palmiere**

**Carried: 7 – 0**

Reasons for Approval from Mr. Foht:

- I supported the application to allow a secondary suite or backyard suite for the following reasons:
  - a) The property has adequate parking options in the rear and front of the parcel.
  - b) The property meets or exceeds the required width and depth of lots for secondary/backyard suites.

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**Applicant:**

Jacqueline Manning

**Landowner:**

David Manning

**PLANNING EVALUATION**

**SITE CONTEXT**

Located in a low density residential R-C1 setting in the community of Forest Lawn, the site is approximately 20 metres wide by 38 metres deep in size and is developed with a one storey Single detached dwelling. A single-car parking pad is accessed from 38 Street SE. Single detached dwellings exist adjacent to the parcel to the north, across 38 Street SE to the west and across the lane to the east. A number of duplexes are located to the south of the site along 38 Street SE until 26 Avenue SE and are designated as R-C2.

*According to data from The City of Calgary's Geodemographics Business Unit, the following table identifies Forest Lawn's peak population and year, current (2016) 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) | 15.2%  |

**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 (SSRP)

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 (MDP) (2009)

The subject site is located within a “Residential, Developed – Inner City Area” as identified on 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/Hubalta Area Redevelopment Plan (ARP)

The parcel is located within the Low Density Residential/Conservation area as identified on Map 3 in the Forest Lawn/Hubalta Area Redevelopment Plan (ARP). Although the ARP makes no specific reference to the site, the land use proposal is in keeping with the objectives of the ARP.

## **TRANSPORTATION NETWORKS**

Pedestrian and vehicular access to the site is available from 38 Street SE and the existing gravel back lane. The area is served by Calgary Transit Primary Transit Network bus service with a bus stop location within approximately 400 metres walking distance of the site at the intersection of 23 Avenue and 36 Street SE. The future 17 Avenue Bus Rapid Transit is located approximately 800 metres to the north of the site on 17 Avenue SE. 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 Forest Lawn Community Association.

### **Citizen Comments**

Administration did not receive any letters from citizens.

### **Public Meetings**

No public meetings were held by the Applicant or Administration.

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**APPENDIX I**

**APPLICANT'S SUBMISSION**

In recent years, we have seen an increase in demand for rent in this area. Even during the economic downturn, we had many of our current tenants approach us asking if we had any other available units. We have self-managed a number of rentals in Calgary with two of them being in the Forest Lawn Community. We continue to see a rental demand in the Forest Lawn Area and see the opportunity to assist new Calgarians by providing low cost housing. As we expand our portfolio investments, we are eager to add the rezoning of 2436 38th Street SE along with plans to build a two car oversized garage in the backyard at this rental property. Our goals are to continue purchasing property in the Forest Lawn area and find reliable tenants that will assist in the overall change of the Forest Lawn Community. We believe that the area has great potential and would like to continue assisting families with a place to live in a culturally embraced community.

The location of the home also offers the convenience of walking under 400 meters to three different schools. These schools included: Holy Cross Elementary Junior High, Ian Bazalgette School and Valley View School. Other amenities that are in close proximity include a community strip mall located on 36th street. The Forest Lawn United Church is also within 400 meters and offers many resources available to residents in the community. In addition, the bus routes located on 36th street offer multiple stops which again is less than 400 meters away from the home. Two of the major routes located on this street include Route 72 that offers transportation to the Peter Lougheed Centre Hospital, Chinook Centre and University of Calgary. In addition, Route 23 offers transportation to the south side of the Foothills industrial area stopping at multiple locations on 52nd Street SE.

**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.

